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LEGISLATIVE ASSEMBLY.
NEW SOUTH WALES.

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REPORT

OF THE

PROCEEDINGS OF A CONFERENCE

RESPECTING THE

RABBIT PEST IN NEW SOUTH WALES,

COMMENCED AT THE CHAMBER OF COMMERCE, SYDNEY,

ON TUESDAY, MARCH 9TH, 1897.

In response to invitations issued at the direction of the Hon. J. H. Carruthers,
Minister for Lands.

Printed under No. 2 Report from Printing Committee, 6 May, 1897.

SYDNEY: WILLIAM APPLEGATE GULLICK, GOVERNMENT PRINTER.

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THE RABBIT CONFERENCE,

HELD MARCH 9TH, 10TH, 11TH, 12TH, 13TH, 15TH, AND 17TH, 1897.

Report of Proceedings, for presentation to the Honorable J. H. Carruthers,
Minister for Lands.

THE proceedings were opened by the Minister, who had invited representatives from the different Stock and Pasture Boards, Selectors' Associations, and Farmers' Unions in the country, as well as from the leading Agency Firms of Sydney, to take part in the deliberations for the purpose of discussing the provisions of the Rabbit Destruction Bill, with a view to making fresh recommendations on which to base an amended Bill.

Mr. Allen Lakeman was unanimously elected Chairman of the Conference, in which the following gentlemen took part :—

A. Lakeman, Hay.	A. H. M'Collough, Deniliquin.
Alfred Brown, Narrabri.	E. A. Stinson, Coolamon.
A. Cudmore, Wentworth.	P. R. Brett, Urana.
John Dill, Hay.	J. J. Baylis, Narrandera.
F. W. Bacon, Brewarrina.	C. J. Bolton, Wagga.
Philip Oakden, Cobar.	G. C. Little, Bullock Creek, N.
J. Wilkes, Broken Hill.	T. Brown, M.L.A., Budgerabong.
J. W. Brougham, Menindie.	T. Looney, Bullock Creek, S.
A. Laurence, Balranald.	R. H. Maund, O'Connell.
T. S. Pearse, Orange.	R. H. Kirkpatrick, Nyngan.
T. C. Worboys, Orange.	John Ward, Nyngan.
R. T. B. Gaden, Dubbo.	G. Davidson, Condobolin.
T. Leslie, Forbes.	E. Locke, Macquarie.
A. Anderson, Corowa.	J. R. Varcoe, Hillston.
W. T. Lawry, at invitation of Minister.	A. Cumming, Hillston.
J. Hayes, M.L.A., Deniliquin.	S. Nixon, Gunbar.
H. C. Taylor, Lands Department.	P. J. Gorman, Berrigan.
W. H. Armstrong, Canonbar.	J. R. Cook, Beringerry.
J. R. Black, Wialda.	W. R. Moore, Goodooga.
C. Fetherstonhaugh, Coonabarabran.	T. H. Hassall, M.L.A., Moree.
J. H. Davies, Gunnedah.	Honorable R. Carington, Jerilderie.
J. M. Atkinson, at invitation of Minister.	A. T. Brooke, Boggabri.
W. Alison, Canonbar.	John M'Aneney, Trundle.
R. Gibson, Hay.	Charles Hebden, Wanaaring.
A. L. P. Cameron, Ivanhoe.	J. Stephenson, at invitation of Minister.
J. Flanagan, Gunbar.	W. Vanston, Goodooga.
F. A. Oatley, at the invitation of Minister.	A. Ross, Hume.
E. Hayes, do.	J. Trefle, Temora.
G. G. Freeman, do.	J. M'Grath, Mossgiel.
— Sides, Hay.	

The Conference proceeded to discuss the subject for which they had assembled.

The result of the deliberations of the Conference was the adoption of the following resolutions :—

Clause 1, as printed, passed.

The

The Preamble and Clause 2 postponed.

Clause 3 was struck out.

Clause 4.

That clause 4 up to "Minister," line 19, should stand.

That the following be an addition to subsection (a):—"That all municipalities, towns, and villages shall be declared separate districts, and shall not be attached to sheep districts, even if adjoining, or within the boundaries of, "Sheep Districts," unless with the consent of the Pastures and Stock Protection Boards."

That the following be added to subsection (b):—"But no Sheep District shall be amalgamated with any other district, or subdivided, without the consent of a majority of the voters."

In line 13 after "be" the following be inserted "declared rabbit infested."

Clause 5.

That clause 5 be struck out, and the following clause inserted in its place:—

"That the Pastures and Stock Protection Boards be the Rabbit Boards for the district—*i.e.*, that the working of the Act be placed in the hands of the Pastures and Stock Protection Boards. That taxation under the Rabbit Act shall not be levied on holders not having a right of representation under the franchise of the Stock and Pastures Protection Acts."

That for the purposes of this Bill the constitution of the Stock and Pasture Boards be altered so as to provide for—(1) The appointment of a member by the Governor; (2) That three members be elected under the Stock and Pastures Protection Act as at present provided, with a minimum voting power of 10 (ten) head of large stock; and (3) That five members be elected under the Diseases in Sheep Act as at present provided, with a minimum voting power of 250 head of sheep.

That, where the returns which are sent in are below the minimum, occupiers of cultivated lands shall have the right to vote for the constitution of the Stock and Pasture Boards, such voting power to be proportionate to the number of sheep at which their lands are assessed, the minimum number of sheep qualifying for a vote to be 250.

And that as the Government have the right to nominate a member to the Board, they shall not have any voting power for the other members.

That the franchise for the Pastures and Stock Protection Boards be on the following basis:—

250 to	3,000 sheep	to have	1 vote.
3,000	" 10,000	" "	2 votes.
10,000	" 20,000	" "	3 "
20,000	" 30,000	" "	4 "
30,000	" 40,000	" "	5 "
40,000	" 50,000	" "	6 "
50,000	" 60,000	" "	7 "
60,000	and over	" "	8 "

A Rabbit Board shall, within such time as may be prescribed, appoint one of its members to be Chairman thereof, and if such Board shall fail to appoint a Chairman the Governor may appoint one of such members to be the Chairman of such Board; and the Chairman and other members shall be entitled to receive, out of the revenues of the Board, such fees as may be prescribed.

Clauses 6 and 7 were struck out.

Clause 8.

That the following words be substituted for the first paragraph:—"The Stock and Pastures Protection Boards shall be constituted corporate bodies and under such style and title shall have perpetual succession and a common seal, and be capable of suing and being sued."

That the word "eight" be substituted for "five," line 21.

That after the word "proclamation," line 24, the following words be inserted, "at the request of the Boards or on the requisition of two-thirds of the voting power."

That after the word "Board," line 28, the following words be inserted, "elected in accordance with the provisions of the Act."

That the words "Pastures and Stock Protection Board" be substituted for the words "Rabbit Board" throughout the Act, wherever consequentially necessary.

Clause 9.

That following words be added to subsection (a):—"All officers appointed to be under the direct control of, and hold office during the pleasure of, the said Boards."

Clauses 10 and 11 were carried.

Clause 12.

That the word "stock" be substituted for "private holdings" in line 29.

That in line 32 the words "Stock returns under the Pastures and Stock Protection Act" be substituted for "respective carrying capacity of holdings and to that end."

That all words after "year," line 35, to end of subsection (c), be struck out and the following inserted in their place: "Public lands shall be taxed on the basis of one sheep to ten acres."

That in cultivated lands the taxation shall be on the basis of one sheep to five acres where no returns have been made under the Pastures and Stock Protection Act.

That subsection (ii) be struck out.

That after "enclosed," line 50, "or which may in future be enclosed" be inserted.

That

That “(e)” and “(f)” of subsection (iii) and subsections (iv) and (v) be struck out.

That all owners and lessees who may make no returns, or who shall make what, in the opinion of the Boards, are misleading and inadequate returns, may be summoned before the Boards, and the Boards shall have power to rate or increase their returns, at a rate not exceeding one sheep to one acre, with a right of appeal to the Court of Petty Sessions.

Clauses 13, 14, 15, and 16 were carried.

Clause 17.

That “Court of Petty Sessions” be substituted for “Local Land Board” in lines 37 and 38. Clause, as amended, carried.

Clause 18.

That “a Court of Petty Sessions” be substituted for “two Justices” in line 19. Clause, as amended, carried.

Clause 19 was struck out.

Clause 20.

From the beginning of the clause to “mentioned” in line 29 was carried.

That “Pastures and Stock Protection Board” be substituted for “Local Land Board,” lines 33 and 34.

That “private” in line 36 be struck out. Clause, as amended, carried.

Clause 21 was carried.

Clause 22 was struck out.

Clause 23.

That from “Local,” line 2, page 10, to the end of the clause be omitted, and “Court of Petty Sessions” inserted.

Clause, as amended, carried.

Clause 24.

That after “shall,” line 16, “if the two Rabbit Boards fail to agree” be inserted.

Clause 24, as amended, carried.

Clause 25 was struck out.

Clause 26.

That the following be a new clause in place of clause 26 :—

“That the Minister be empowered to purchase wire-netting and other materials necessary for the construction of rabbit-proof fences; also any machinery, plant, or substance required in the destruction of rabbits; and may contract to sell or let same to Rabbit Boards or private holders upon the following terms :—

- (a) That repayment of principal, together with interest, be on a similar basis as provided for the payment of principal and interest on conditionally purchased lands.
- (b) The value of the netting thus provided be secured to the Minister by a first mortgage on the land so protected.
- (c) The netting to be erected within twelve months after delivery has been taken.
- (d) The Minister to have discretionary powers as to how such advances are to be made.
- (e) The letting of any machinery, &c., to be a matter of agreement between the Minister and parties interested.”

Clauses 27 and 28 were carried.

Clause 29.

That “two” be inserted before “months” in line 9.

That “private,” line 11, be omitted.

That from “but,” line 20, to “*Gazette*,” line 22, be omitted.

That “private,” line 24, be omitted.

That after “forthwith,” in line 25, “use such efforts as may be deemed sufficient by the Board to” be inserted.

That “all,” line 25, be omitted.

Clause 29, as amended, carried.

Clause 30.

That “or” in line 30 be omitted and “and” inserted.

That subsection (a) be struck out.

Clause 30, as amended, was carried.

Clause 31.

That the word "private," in line 3, be struck out.

That after the word "owner," line 4, the words "or occupier" be inserted.

Clause 31, as amended, was passed.

Clause 32.

That the word "all," line 11, be struck out.

That the last paragraph, comprising all the words from line 20, be struck out.

That for the purpose of this Act the Minister for Lands for the time being be deemed the owner of all unoccupied Crown Lands.

Clause 33.

That the words "one and a half inches" in line 33 be struck out and the following inserted, "one and a quarter inches for the lower eighteen inches, and the other two feet should be one and five eighths inches mesh."

That in line 11, page 14, the words "Court of Petty Sessions" be substituted for "Local Land Board."

Clause 34.

That after "thereof" in line 21 the following words be inserted, "or where boundaries are inaccessible or unfenceable, as near as possible to the boundaries thereof, having due regard to the natural formation of the country."

Clause 34, as amended, was carried.

Clauses 35, 36, 37, and 38 were carried as printed.

Clauses 39 and 40 as printed were passed.

Clause 41.

That subsections (a) and (b) be struck out and the following inserted:—

- (a) A private rabbit-proof fence forms a common boundary fence between private and public lands whether erected before or after the passing of this Act, and
- (b) Particulars of the said fence shall be furnished to the Minister.

That the whole of sub-section (c), be struck out.

Clause 41, as amended, was passed.

Clauses 42, 43, and 44, as printed, were carried.

Clause 45.

That the words "private" and "all" in lines 14 and 15 be struck out.

That after the word "cost" in line 15, the following be added, "and to the satisfaction of the Board."

That after the word "thereof," line 17, the following be added, "if enclosed by the said owner."

That "private" be struck out of line 18.

That "to the best of his means and ability" in line 20 be struck out.

That in lines 21, 22, and 24 the words "less than two nor," "less than five nor," and "less than thirty nor," respectively, be struck out.

That the words "and the existence of rabbits on any private holding or land shall be *prima facie* evidence that the owner or occupier thereof (as the case may be) has failed to fully and continuously perform such duty to the best of his means and ability" be struck out.

Clause 45, as amended, was carried.

Clause 46.

That in line 45 "less than two nor" be struck out.

That in line 33, before "wounding," and in line 42, before "wounds," the word "wilfully" be inserted.

Clause 46, as amended, was carried.

Clause 47, as printed, was carried.

Clause 48.

Line 1, that the words "on production of his authority on demand by the owner" be inserted after the word "person."

That the word "private," line 2, be struck out.

Clause 48, as amended, was passed.

Clauses 49, 50, and 51 as printed were passed.

Clause

Clause 52.

Line 9, that "private" be struck out.

That lines 28 and 29 down to "enacted" be struck out and the following inserted, "All information shall be laid and proceedings at law taken by the Board through its officers."

That "two Justices" in line 17, "Justices" in lines 19, 20, 23, and 33, be struck out and "Court of Petty Sessions" inserted in each instance.

Clause 52, as amended, was passed.

Clauses 53, 54, 55, and 56 as amended were passed.

Clause 57.

That in line 43, "registered" be inserted before "letter."

Clause 57, as amended, was passed.

Clauses 58 and 59 as printed were passed.

Clause 60.

That "private" be struck out in line 23.

Clause 60, as amended, was passed.

Clauses 61 and 62 as printed were passed.

Mr. A. Lakeman (Chairman), Mr. W. Alison, Mr. T. Brown, M.P., The Honorable Rupert Carington, and Mr. Bacon were appointed a committee to confer with Mr. A. Oliver, and present Draft Bill to the Minister.

Before the conclusion of the sittings, the members desired that the following be urged on the Minister:—"That the Government should continue to offer a substantial reward for a discovery that would tend to entirely destroy the rabbit pest, and ask the Governments of the other colonies to also contribute"; and also "that it is inadvisable that rabbits should be made an article of export."

ALLEN LAKEMAN,

Chairman.

17 March, 1897.

RABBIT CONFERENCE.

REPORT OF PROCEEDINGS.

FIRST DAY—9TH MARCH, 1897.

THE Conference met at 10 a.m., and the following gentlemen took part in the deliberations :—

John McAneney, Trundle.	A. L. P. Cameron, Ivanhoe.
A. T. Brooke, Boggabri.	J. Flanagan, Gnnbar.
Alfred Brown, Narrabri.	F. A. Oatley, at the invitation of the Minister for Lands.
A. Cudmore, Wentworth.	E. Hayes, at the invitation of the Minister for Lands.
John Dill, Hay.	H. G. Freeman, at the invitation of the Minister for Lands.
F. W. Bacon, Brewarrina.	A. H. M'Collough, Deniliquin.
Philip Oakden, Cobar.	E. A. Stinson, Coolamon.
J. Wilkes, Broken Hill.	P. R. Brett, Urana.
J. W. Brougham, Menindie and Wilcannia.	J. J. Baylis, Narrandera.
A. Laurence, Balranald.	C. F. Bolton, Wagga Wagga.
T. S. Pearce, Orange.	G. C. Little, Bullock Creek North.
T. C. Worboys, Orange.	T. Brown, M.L.A., Budgerabong.
R. T. B. Gaden, Dubbo.	T. Looney, Bullock Creek South.
T. Leslie, Forbes.	R. H. Maund, O'Connell.
A. Anderson, Corowa.	R. H. Kirkpatrick, Nyngan.
W. F. Lawry, at the invitation of the Minister for Lands.	John Ward, Nyngan.
J. Hayes, M.L.A., Deniliquin.	G. Davidson, Condobolin.
H. C. Taylor, Department of Lands.	E. Locke, Macquarie.
W. H. Armstrong, Canonbar.	J. R. Varcoe, Hillston.
J. R. Black, Warialda.	A. Cumming, Hillston.
C. Fetherstonhaugh, Coonabarabran.	S. Nixon, Gunbar.
J. H. Davies, Gunnedah.	P. J. Gorman, Berrigan.
John M. Atkinson, at the invitation of the Minister for Lands.	J. R. Cook, West Beringerry.
W. Alison, Canonbar.	W. R. Moore, Goodooga.
R. Gibson, Hay.	T. H. Hassall, M.L.A., Moree.
Hon. Rupert Carington, Jerilderie.	

The Honorable J. H. CARRUTHERS, Minister for Lands, in opening the proceedings, said :—

The object he had in calling this Conference together was in order that those who were most interested in rabbits might have some say in the legislation with respect to their destruction. He did not wish to interfere in any way with their deliberations ; they could elect their own Chairman and deal with the business before them in the way which best suited themselves ; but before leaving them he would like to say a few words with reference to this most important matter.

The Conference which was held in 1895, was representative of the interests of land-owners affected by the rabbit pest, and he had no doubt a great many were here to-day representing practically the same interests as they represented then. The result of the deliberations of that body was that the various recommendations which they had submitted to him were embodied in a Bill, which was introduced into Parliament in August last, and which was now before them. Great diversity of opinion existed among the different Stock and Pasture Boards on the provisions of this Bill. Some agreed with it, some thought it needed considerable amendment, whilst others condemned it altogether. What he complained of was that after having called a number of experts together and obtained their advice, when he put it into cold type many of them turned their backs on their own recommendations. He therefore wished that when the present Conference had made up their minds they would stick to their resolutions and not repudiate them three or four months afterwards. He did not want them to leave their business until they had drafted a Bill, for which purpose he would supply them with a draftsman ; and when they had done that, let them submit it to him and he would sit down calmly and criticise it, as they had criticised his Bill. He did not want bald recommendations which would afterwards not be recognised.

The resolutions adopted at the last Conference were :—

“That the Rabbit Act of 1890 be repealed.”

This resolution has been acted upon, and it is proposed in this Bill that the Rabbit Act of 1890 should be repealed.

The next recommendation was “that the matter of dealing with the rabbits should be placed in the hands of the Pastures and Stock Protection Boards until they are superseded by more representative bodies.”

He took it that "more representative bodies" meant more representative of the vital interests that were at stake—the interests of the large man, the interests of the small man, the interests of the general taxpayer, and the interests of the people who owned the Crown lands of the Colony. How had that recommendation been carried out? In this Bill it is proposed to place the matter in the hands of more representative bodies, namely, the Rabbit Boards which it is proposed to constitute under section 5 of this Bill. Complaints had been made against having two Government nominees on the Boards; but when it is considered that the State controls over 240,000,000 acres, and will have to provide a large sum for dealing with this pest, he had yet to learn that that great land owner should not have at least a minority representation; and it must be borne in mind that this representation will also be of value in this respect, that where the State is called upon to expend sums of money it will pay more heed to the request, knowing that two of its own nominees are on the Board.

The next resolution was, "That the Stock and Pastures Boards should be empowered to make special levies for the destruction of rabbits and the erection of rabbit-proof barrier fences where necessary."

Clause 12 deals with this recommendation; but there is one little divergence, namely, the provision with respect to half rates being levied on owners of holdings who in the opinion of the Boards are already rabbit-proof fenced. This he was sure would be appreciated. It meant that some consideration was to be shown to the man who had helped himself.

The next was, "That the local controlling authority should have the power to make destruction of rabbits compulsory in their respective districts."

In clause 29 of the Bill it will be seen that this recommendation has been carried out.

The next recommendation was, "That the Crown should take steps to secure the reoccupation of the abandoned areas of the Colony on any terms, provided that the destruction of rabbits was made compulsory."

This is a matter more for administration than for legislation, and it has been the chief aim of the Lands Department to secure this result. Some 164 improvement leases have already been let on this class of country, covering an area of 1,861,828 acres, on all of which the compulsory killing of rabbits is one of the conditions. Then, again, in addition to this, large tracts of country which have been merely breeding grounds for the rabbit have been dealt with on special terms. On the West Bogan one of the conditions is the destruction of rabbits, and the same applies to the Pilliga Scrub, which has been surveyed and thrown open for tender under improvement leases, and is slowly being taken up. So that so far as that recommendation goes it has been carried out. It is hoped that some 3,000,000 acres of these waste lands will be taken up in the next two years, on the whole of which the compulsory killing of rabbits will be a condition.

The next recommendation referred to "the free carriage of rabbits on the railways."

This is also a matter of administration, and the Railway Commissioners have endeavoured to meet exporters to a very large extent, as rabbits are now carried by passenger trains at half parcel rates, and on goods trains they are carried under Table A—the cheapest rates; so that, say, from Narrandera, a distance of 348 miles, a ton of rabbits could be brought to Sydney for £1 6s. 10d., which was only about one-third of a penny per mile.

The next resolution, namely, "the abolition of the duty on netting," had also been complied with.

The next resolution was, "That netting should be carried free on the railways, where empty sheep or cattle trucks could be used."

Netting is now being carried at sheep and cattle rates, which is as cheap as can be expected from an undertaking conducted on commercial lines.

The next proposal was, "That the State should supply netting to landholders, charging interest at the rate of 4 per centum per annum."

Clause 26 of this Bill was framed to comply with this recommendation. He had gone as far as he could in this respect, but he might be able to go still further, so long as the repayment of advances was provided for. This matter would be in the hands of the local bodies, so that there would be no waste of public funds.

The next recommendation was, "That the compulsory fencing clauses of the Rabbit Act of 1890 should be enforced without inflicting hardship on individual owners."

From a perusal of the Bill, it will be seen that this has been done, provision being made in clause 26 which will obviate the infliction of undue hardship.

The next recommendation is to the effect "That where barrier fences are constituted under the Pastures and Stock Protection Boards, they shall remain the property of those Boards, and provision made to ensure their safety."

Legislation in this direction is proposed in clauses 20 and 22 so as to give effect to this proposal.

Then followed a request "That power should be given to the local authorities to proclaim that certain adjoining holdings should form a group, that such group be fenced, and that the destruction of rabbits be carried on simultaneously within such fence, and to apportion the cost amongst the owners affected."

This is your own proposal, and it is given effect to in clause 43.

The next was, "That the Conference having decided that the question of dealing with the rabbit pest should be placed in the hands of the Stock and Pasture Boards, the Government should contribute towards the destruction of the pest in the proportion to the area of Crown lands in any district. It was decided that the matter should be in the hands of the Pastures and Stock Boards only until superseded by more responsible bodies."

In clause 32 it is set down that the Crown is to contribute towards the destruction of rabbits on public lands in the same ratio to the rabbit rates as the Crown lands bear to the private lands in the district. This provision precludes the possibility of any complaint that the Crown is trying to evade its responsibilities. The Government will have to undertake the work on all the public reserves and waste lands of the Colony which are at present a harbour for the pest.

It would thus be seen that the resolutions of the 1895 Conference had been carried out as far as the proposals of this Bill were concerned; and it seemed rather hard on him that the persons who framed those recommendations should now condemn them. He did not profess to have a very great knowledge of rabbits, but he claimed to be able to put the recommendations which had been placed before him into a Bill.

In conclusion, he would say that their great aim should be to effectively cope with, or exterminate, the rabbit pest, and they could not do that without putting their hands into their pockets. The first thing they had to do was to get money, and money could only be raised by levying rates. There should be local control; each district fencing in its own rabbits, and dealing with the pest within its boundaries. The next question was the constitution of the Boards. He considered that the Pastures and Stock Boards were not thoroughly representative; these Boards did not represent the small man sufficiently.

With regard to the Government representation on the Boards, he would say they must trust the Government. They were not in the habit of appointing inferior men. The Local Land Boards were a good example of this. They tried to get fair and impartial men—men who enjoyed the confidence of the people—to fill these positions. It would never do for the control of the Rabbit Bill to be entirely in the hands of private individuals.

He hoped that the result of their mutual deliberations would be a Bill which would meet with the approval of all classes of the community, and which would be one of public benefit, dealing with this great calamity.

The Conference proceeded to elect a Chairman.

It was proposed by Mr. LESLIE and seconded by Mr. ALFRED BROWN, that Mr. F. W. Bacon be appointed Chairman.

Mr. Allen Lakeman was proposed by Mr. CUMMING and seconded by Mr. FLANAGAN.

On the nominations being put to the vote, Mr. Lakeman was elected by 22 votes to 17.

Mr. ALLEN LAKEMAN then took the chair, and proposed a vote of thanks to the Minister for the manner in which he had endeavoured to cope with the rabbit pest.

This was carried unanimously.

The CHAIRMAN thought that the Bill before them seemed to embody, perhaps with a few amendments, the resolutions drawn up by the last Conference.

Mr. ALISON (Canonbar) said there were a great many present who had not read the Rabbit Bill. He thought they should read the Bill before attempting to discuss it. He, therefore, moved,—“That the meeting be adjourned.”

Mr. LAURENCE (Balranald) suggested that the delegates representing the different Divisions of the Colony should group themselves together and discuss the Bill.

Mr. GIBSON (Hay) thought that the Bill should be taken clause by clause. They were in a much better position than the previous Conference. They had in the Bill before them a foundation on which they could work. He came from a part of the Central Division whose interests were also those of the Western.

Mr. OAKDEN (Cobar) supported Mr. Alison's motion.

Mr. TAYLOR objected to Mr. Laurence's proposal, and claimed he had the right to discuss the Bill from start to finish.

Mr. T. BROWN, M.L.A. (Budgerabong) proposed,—“That the Bill be read clause by clause, and any clause that could not be agreed upon might be considered afterwards.” There were a good many clauses in this Bill which will require no alteration at all.

Mr. CAMERON (Ivanhoe) supported the motion that the Bill be read through.

Mr. FREEMAN thought the present Rabbit Act should be taken and compared with the Bill now before them.

The CHAIRMAN said he would like to make a suggestion. As this was the first day of the meeting, and many of the delegates had only arrived in town that morning,—how would it do for them to adjourn till to-morrow morning, so that the representatives of the Central and Western Divisions might be able to discuss the matter among themselves?

Mr. CAMERON (Ivanhoe) then moved, and Mr. GIBSON seconded,—“That the meeting be adjourned till 2 o'clock in the afternoon.”

This motion was carried, and the Conference accordingly adjourned.

When the Conference met at 2 o'clock, the CHAIRMAN said he would thank some gentleman to suggest some mode of procedure.

Mr. ALISON (Canonbar) said the representatives of the Central Division had been considering the provisions of the Bill, and as they had not yet finished their deliberations, he would move, “That they adjourn till 10 o'clock to-morrow morning.”

Mr. M'COLLOUGH (Deniliquin) seconded the motion.

Mr. CUMMING (Hillston) moved an amendment, “That they should deal with the Bill clause by clause at once.”

Mr. COOK (West Beringerry) seconded the amendment.

Mr. ALISON (Canonbar) thought it would facilitate matters if the Bill could be gone through privately. He said it would save time if the representatives of the different Divisions could consult together and then submit their conclusions to the Conference. Mr. Taylor could attach himself to any Division he wished.

Mr. M'COLLOUGH agreed with Mr. Alison.

Mr. GORMAN (Berrigan) said: If they went through the Bill amongst themselves they would then come back there and go through the whole matter all over again.

Mr. BOLTON (Wagga Wagga) thought that the idea was that the representatives should meet there in order that they might act in unison.

Mr. OATLEY said he took it from Mr. Alison's proposal that this Bill was to be accepted with variations and amendments; if not, what was the use of forming themselves into different parties to examine the Bill? He thought the best thing to do would be to take this Bill with amendments.

The CHAIRMAN said the motion before him was an amendment on Mr. Alison's motion, to the effect that the business be proceeded with.

The amendment was carried.

Mr. GIBSON (Hay) moved, “That the Bill be now taken clause by clause,” but he would like to know whether any amendments could be moved on matters which were not covered by the Bill.

The CHAIRMAN said any delegate had a right to move any amendment, even on a matter outside the Bill.

Mr. FLANAGAN (Gunbar) seconded the motion.

Mr. OAKDEN (Cobar) thought that before going on with the Bill it would be well to discuss some general principles in connection with the matter.

Mr. LAWRY moved, as an amendment, "That the Bill before the Conference should not be adopted." He said there were many proposals in the Bill which were not generally acceptable—for instance, the taxing of rabbit-proof holdings, even at half rates. He thought that it would be better to take the 1890 Act and incorporate with it such provisions from the present Bill as was thought desirable.

Mr. FREEMAN thought it would be the better plan to take the 1890 Act and formulate amendments so as to bring it up to date.

Mr. ALISON (Canonbar) said that the last Conference started to amend the 1890 Act; but it was finally decided that it should be repealed altogether and a new Act brought in. The experience of that Conference was that the old Act could not be repealed.

Mr. CAMERON (Ivanhoe) could not see the utility of amending the 1890 Act, as only one of its clauses had ever been put into force. He thought they should take the Bill before them clause by clause.

Mr. T. BROWN, M.P. (Narrabri), said that before they started with the Bill he thought it would be better to have some discussion on general principles. As far as he could judge from last year's Conference, the idea was to remove the control of the destruction of rabbits from the Department and place it in the hands of Local Boards. This was the idea submitted to the Minister, and he had carried it out in the present Bill. But there were other interests besides those represented through the Stock Boards. The smaller holders were as deeply affected as the larger holders in the settlement of this question, and they did not look on the question from the same standpoint. The Crown, in respect to the unoccupied land, should be put on the same footing as other holders. He did not think there was anything to be gained by barrier fences; they were not a complete preventative. Small holders felt that they could only effectually deal with the pest by having their individual holdings fenced in. Having secured their holding they would be in a position to deal with the block. They would only have to keep the fence in order and deal with the pest within the enclosure; but they were not in a position to bear the expense of enclosing their holding. Money should be raised, by loan or otherwise, in order that the amount of netting required could be purchased by the Government on liberal terms, provision being made for applicants receiving it on liberal terms. They could then enclose their holding, and make out of the land the money that was required to enclose them in the first instance. The Government could materially assist settlers in this respect. These settlers in the west have not only the rabbit plague to deal with, but also the wallabies; and the same measures would answer in both instances. Small holders should have something to say in legislation. By considering their interests the larger holders would be served also.

Mr. LESLIE (Forbes), said it was he who moved the resolution of the last Conference, "That the Rabbit Act of 1890 be repealed." It was then advanced that there was only one good clause in the old Act. That Bill could not be used as a basis to formulate fresh legislation. Mr. Brown had told them that the interests of the small and large holders were not identical. Their interests were the same whether they held large or small areas. With regard to the Stock Boards not being representative he thought the small holders controlled the voting power if they chose to exercise that power. They could displace the whole of the Board at the annual election. What they wanted was a Bill as free from Government control as possible. He thought that the men who had to pay should have representation. If the Crown was to be the highest contributor it should have the largest amount of representation.

Mr. LAWRY wished to amend his former motion as follows:—"That certain principles in the proposed Bill not being generally acceptable, this meeting should proceed to consider a suggested Bill to lay before the Minister on the lines of amendments in the 1890 Act, adopting any new legislation proposed in the Ministers Bill that may be considered applicable."

Mr. J. HAYES, M.P., said they wanted a Bill to give them control in their own Districts. In the District which he represented the compulsory use of fencing would be all that was required. The fencing conditions in the Murray District had been very successful, and there was no necessity to go in for barrier fences.

Mr. LAURENCE (Balranald) was of opinion that if the present Rabbit Act were amended it would be quite sufficient to cope with the pest.

Mr. BRETT (Urana), said that in his District fences were of no use as they were often covered up by moving sand-hills.

Mr. GIBSON (Hay) considered that everything that had been said could have been dealt with when the Bill was under discussion.

The CHAIRMAN put Mr. Lawry's amendment to the meeting, and declared it lost.

The original motion (Mr. Gibson's) was then put and carried.

Mr. ALISON (Canonbar) moved, "That any amendment should be handed to the Chairman, so that they might be printed and distributed before the discussion on the Bill in the morning."

Mr. M'COLLOUGH (Deniliquin) seconded the motion, which was carried on the voices.

Mr. BROOKE (Boggabri) moved, "That a time limit of ten minutes be allowed to the mover of an amendment, and five minutes for reply."

Mr. BACON (Brewarrina) seconded the motion.

Mr. ATKINSON moved as an amendment, "That fifteen minutes be allowed the mover of a motion, and ten minutes for any one speaking after the mover."

Mr. OATLEY seconded the amendment.

Mr. BROOKE (Boggabri) moved as a further amendment, "That there be no time limit."

Mr. LAURENCE (Balranald) seconded Mr. Brooke's amendment.

This amendment was lost.

Mr. Atkinson's amendment was then put to the meeting and carried.

The Conference then adjourned till 10 a.m. the following day.

SECOND DAY—10TH MARCH, 1897.

The Conference met at 10 a.m., Mr. Allen Lakeman in the chair.

The minutes of the previous meeting were read and confirmed.

Mr. OAKDEN moved, "That the Preamble of the Bill should read as follows:—'A Bill to amend the Pastures and Stock Act; to make better provision for the destruction of rabbits.'"

The CHAIRMAN said that if this motion were carried a new Bill would be required.

Mr. OAKDEN (Cobar) said that the Pastures and Stock Act had done good work in the past, and he thought the destruction of rabbits should be under their supervision.

Mr. WILKES (Broken Hill) seconded Mr. Oakden's motion, and in doing so said: The last Conference was of opinion that the destruction of rabbits should be placed under the supervision of the Pastures and Stock Protection Boards until they were superseded by more responsible bodies. The meaning of that was any Board created under a consolidated Bill. He contended that the Pastures and Stock Protection Boards gave all the machinery that was necessary to deal with the pest; but he considered the matter had not been left in the hands of the Pastures and Stock Boards, but had been dealt with in Sydney. Some of the measures adopted, such as trapping, were ridiculous. He thought that if the Pastures and Stock Boards were given a fair trial we would not need any fresh legislation.

Mr. ALISON (Canonbar) said the work done by the Pastures and Stock Boards had been satisfactory, but there was a practical difficulty in the way of adopting Mr. Oakden's motion. The Pastures and Stock Boards did not deal with fencing. If they could amend the Bill at present before them, they would have the fencing clauses.

Mr. VARCOE (Hillston) was opposed to the principle of placing the destruction of rabbits in the hands of the Pastures and Stock Protection Boards. He said that the small holders had no voice on those Boards.

Mr. OAKDEN (Cobar) said that any owner of a small number of stock had a voice on the Pastures and Stock Protection Boards, and he thought the fencing clauses could be embodied in the Pastures and Stock Act.

Mr. BACON (Brewarrina) said the Minister for Lands had not made the intentions of the Government thoroughly clear with regard to the State paying its share of the cost of destroying rabbits on unoccupied Crown lands. Ministers for Lands in the past had shirked their duties in this respect, and he thought that the Conference should not separate until it had come to a clear understanding in this respect. He also thought that there should be a consolidation of Boards, and a consolidation of machinery, to administer the Pastures and Stock Act, the Diseases in Sheep Act, and the Rabbit Act.

Mr. FLANAGAN (Gunbar) said that although he had been paying taxes for over thirteen years he had never, during all that time, received the slightest benefit from the operations of the Pastures and Stock Board. The great complaint was that whilst the people destroyed the rabbits upon their holdings, and were taxed to do so, the unoccupied Crown lands which adjoined theirs were infested with rabbits, and the Government had never made any attempt to destroy them.

Mr. GIBSON (Hay) thought that it was the duty of the State to purchase wire-netting and to sell it to the landowners on easy terms. He said that this would enable the landholders to wire-net their holdings, and to put their land into profitable occupation at once.

Mr. ALISON (Canonbar) thought that there were very many objectionable provisions contained in the Bill, among them being the mode of assessing the value of the land, which he thought very objectionable indeed. They should adopt the mode provided in the Pastures and Stock Protection Act. He did not consider that it was equitable that the Government should in all cases be represented by two nominees on each Pastures and Stock Protection Board. It was necessary that they should have some guarantee that the Crown would bear its share of the expense of eradicating the pest. If no provisions were made in the Bill, and the Minister asked for a vote to be expended in the destruction of rabbits, it was quite possible that Parliament might refuse to vote the money, although it had previously been promised by the Government. He, too, was also of opinion that the Government should be urged to amalgamate all the Acts as much as possible, in the direction of having one Board appointed to represent the whole of the stockowners.

Mr. WILKES (Broken Hill) said that there was nothing in the Bill to show that the Government would bear a fair share of the expense of destroying rabbits on unoccupied land. He would fearlessly assert that the Crown would never clear the rabbits off the unoccupied Crown lands.

Mr. FETHERSTONHAUGH (Coonabarabran) said that he had read the Bill through, and thought it had its defects. The defects were very manifest, and one of his objects in speaking at this stage was to advise the delegates to provide themselves with a copy of the *Sydney Stock and Station Journal*, which contained the Canonbar circular. He then read from this circular the following extracts:—

It is evident the townspeople in a rabbit district must be the most numerous, and their powers of taxation are such that they can put $\frac{1}{4}$ d. per head on sheep on all country lands, and the 1000th part of a farthing on the annual value of town lands.

The definition of "owner" is very full, so that anyone who has half or quarter of an acre of land has one vote. An "occupier" is defined as the resident manager. It is evident that the tenant of an allotment of town land may either be constituted the manager of that allotment, or he may be considered the manager without appointment, and therefore entitled to vote.

Where an election is held the townspeople can evidently outvote the country people, both because they are more numerous, and because of the fact that they have no distance to travel to record their vote.

The rabbit district where elective is entitled to three members, which may be townspeople. The remaining members are appointed by the Minister; so that the curious result may occur that out of five members on the Rabbit Board not one may be a stockowner. The duties and powers of a newly constituted Board, on which no stockowner may be a director, are enormous and tyrannical.

According to clause 12, subsection (1) and (11), they are appointed as a Board to appraise every holding, whether land leased from the Crown in any shape, any freehold land, any cultivated land, which is to be estimated as though laid down in grass. The Rabbit Board is, in fact, another Land Board, and a new department is thus created for valuation purposes. The Board can appoint any person to inspect holdings, who can examine or cross-examine the owner or manager in any manner he may think fit, on his own ground—may apparently choose his own time to put these questions—may ask any question he may think fit, and if the owner refuses to answer any question for any reason he is liable to a penalty not exceeding £10. He can ask what it had cost the owner to manage his run, to shear his sheep, what profit he made on the year's transaction; in fact, his power of asking questions is without limit, and need only be justified by the plea that the inspector considered the questions necessary. There is no doubt whatever that clause 12 creates a department of equal, if not

not greater, powers to the Land Board. That an office will be kept, the chairman a permanent official, with all appurtenances of inspectors, appraisers, secretary, and others, such as boundary-riders of barrier fences; and the chairman may not be a stockowner—may in fact be a man elected by the majority of the townspeople, or appointed by the Minister or Governor.

The powers of the Board in regard to administration are enormous. It can borrow up to four years' revenue without specifying the purpose for which the money is borrowed. It can erect fences within or without the rabbit district, and compel everyone to pay, no matter how little anyone may be benefited. They can run a fence across any holding, and divide it so that it will divide the owner from his best water. There is in clause 23 an endeavour at fairness, by saying compensation can be paid for severance; but the betterment from the fence is to be taken into consideration in awarding compensation, and in the latter part of the clause the owner is threatened by a proviso, that the Land Board can award costs to or against any party appearing before it irrespective of the verdict. And it must always be borne in mind that the Rabbit Board may be composed of non-stockowners. Clause 20 gives the Board power to peremptorily order any owner to suppress and destroy all rabbits on his holding. This is giving them power to order an impossibility. And in Part III, clause 45, the mere existence of rabbits on a holding is *prima facie* evidence that the owner has failed to perform the duty of destruction, and the Board has then the power to enforce clause 30, Part I, and enter upon the holding and destroy all rabbits, and remain there destroying while one rabbit is to be seen.

The fencing clauses are tremendous in their power. Clause 20 gives the municipality power to fence in the municipal area, and although no person except the townspeople may benefit, yet every person in the rabbit district must contribute his quota. The words are clear—"a barrier fence" is a rabbit proof fence which shall protect any part of the district, whether within or without the district, and the decision of the Land Board that the fence protects any part of the district compels every owner to subscribe his full quota to the cost.

The Board can take possession, without compensation, of any fence now rabbit proof and convert it into a barrier fence, but where a barrier fence is put up the Board can compel the owner on whose boundary it is erected to pay half the cost.

His object was to draw the attention of the Conference to this very valuable circular, and he thought, before they went into this Bill in detail, it would be well worth their while to study the circular fully. He thought he might also mention having been a member of a good many Rabbit Conferences of which, unfortunately, nothing ever came. His experience was that these Conferences had always found that business was much facilitated by the appointment of a sub-committee of perhaps eight or ten to meet and deliberate, and draw up a report for the whole of the Conference to deal with afterwards. He thought it utterly impossible for a large number of men like this Conference to deal with this question properly without appointing a sub-committee, and he would ask them to put their heads together and to appoint a sub-committee, or two sub-committees if they like, who would probably not be above sitting at night to go into this very important matter.

Mr. CUMMING (Hillston) said that there had been a great deal said about the Stock Boards and their utility in the past. They had not been more useful because of the want of a proper constitution. He thought that they could be made very representative bodies, but it would have to be on the land basis. He thought that they must have a Rabbit Bill to protect themselves, and that was the main thing. He, however, was perfectly convinced, from his own experience, that the rabbits could be kept under by the judicious use of poisoning, and if they adopted this method it would very much lessen the use of wire-netting. He knew if everybody did as he did, there would be no rabbits to kill. They should use poison instead of wire-netting which was very expensive; but if they must have wire-netting, they should go on the lines of the Victorian Act, which had been found very beneficial to everybody, because it enabled farmers to get wire-netting from the municipalities on such easy terms that even farmers with small means could protect their property.

Mr. CAMERON (Ivanhoe) said he also would endorse what Mr. Cumming had said about the Stock and Pastures Board, and he could not understand the very strong objection among a great many who were there, with reference to the Stock and Pastures Board. As far as he could see, in most localities the Stock and Pastures Board could be made as representative as it was possible to make any Board, and the reason why the Stock and Pastures Protection Act had not perhaps been so effective was because a great many small holders had not made the slightest use of it. They had not come forward as candidates for election. He thought also, as they had the machinery already in existence in the Sheep and Stock Boards, the administration of the Rabbit Act should, at the beginning, be placed under them, and if at some future time it was seen that these particular Boards did not work particularly well, they could be amended so as to make them acceptable to all the community. The franchise could be reduced from 500 to 200 sheep if it were necessary. He must now refer to a good deal that had been said as to the constitution of the Board, as considered under the Act now before them. Many seemed to think that in districts where the Minister had no land, where all the land was under occupation, and there were no abandoned lands or resumed areas of any kind, that in such cases the Minister should not be entitled to representation. But he thought the Minister was entitled to representation upon these Boards, and that to a very considerable extent, because he was interested in the welfare of the land, as representing the State who owned the land; and he ought to feel a very strong interest in all the Crown lands of the Colony that were held under lease. It was quite as much to the benefit of the State generally that rabbit destruction should be carried on on those lands, and he thought it was only right that the Minister should have representation on the Board, as representing the State. He quite agreed with what Mr. Fetherstonhaugh had just said, in that it looked like an impossibility for the Conference to arrive at any decision unless they formed Committees, and took time quietly at night to consider the Bill with its various clauses, and then present a report to the Conference, and he would be strongly in favour of that method being adopted.

The CHAIRMAN said he took it that the second reading and discussion was finished, and they would now go into Committee on the Bill. The first was the Preamble.

Mr. BACON (Brewarrina) asked the Chairman if he would now put the motion standing in his name for the postponement of the Preamble. He did not wish to take up the time of the meeting by replying to what had been said.

Mr. BAYLIS (Narrandera) seconded the motion.

The CHAIRMAN then put the question to the meeting, and it was carried unanimously that the Preamble be postponed.

The CHAIRMAN said the next was clause 1—the Short Title.

Mr. ALISON (Canonbar) said he would suggest that they should deal with Part I of the Bill, postponing the consideration of clauses 1, 2, and 3 until the vital principles of the Bill were laid down.

Mr. GIBSON (Hay) seconded the proposal.

Question put to the meeting, and carried.

The Hon. RUPERT CARINGTON (Jerilderie) said he should like to see clause 4 also postponed until the constitution of the Rabbit Board had been finally settled. It struck him that it was simply putting the cart before the horse to declare what the districts were to be, without declaring how they were to be administered. If this clause were carried, it would simply stultify all the other amendments which might be moved about the constitution of the Board. He would ask this in fair play, so that the amendments which they had got in clause 5 might be considered on their merits and not be hampered, perhaps unintentionally, by this clause having been put first.

Mr. BACON (Brewarrina) seconded the motion.

The Hon. R. Carington's motion was then put to the meeting, and carried unanimously.

Mr. ALISON (Canonbar) then withdrew an amendment standing in his name, on sub-section (b) of clause 4, as under,—

“But no sheep district shall be amalgamated with any other district without the consent of two-thirds of the voters.”

Clause 5.

Rabbit Boards.

5. For every Rabbit District there shall be a Rabbit Board, which shall consist of five members, who, subject to the provisions hereinafter contained, shall hold their respective seats for a period of three years from the date of their appointment or election thereto:

Provided always that—

- (a) the Governor may remove any member of the Board who appears to the Governor to have failed to do or be capable of doing his duty;
- (b) The Governor may fill any casual vacancy upon the Board, and may in such case appoint a member for a less period than three years.

A Rabbit Board shall, within such time as may be prescribed, appoint one of its members to be Chairman thereof, and if such Board shall fail to appoint a Chairman, the Governor may appoint one of such members to be the Chairman of such Board; and the Chairman and other members shall be entitled to receive, out of the revenues of the Board, such fees as may be prescribed.

Mr. T. BROWN, M.L.A. (Budgerabong), begged to move that “one year” be substituted in place of “three years” in line 3 of clause 5. He said that a number of these notices of motion stood in his name, but they were proposed by the Condobolin Stock Board, who unfortunately were not yet represented on the Conference; so he had placed them on the business paper for consideration on their behalf. He thought the amendment spoke for itself.

Mr. ALISON (Canonbar) said he would support Mr. Brown's motion. He thought that, as they were making a new departure in having a new Rabbit Board, it would be beneficial to elect them for only one year. It might be a time of excitement when the Board was elected, and there might possibly be men returned whose actions might not be approved of afterwards, and he thought it was rather dangerous, straight off, to give them three years. He thought it was better to keep them under control, as they would get enormous power. They would have the control of nearly a million of money, and under these circumstances they should be kept under control, and one year would be ample.

Mr. WILKES (Broken Hill) supported Mr. Alison for another reason. It would be a very hard matter if the Board that was in this year could go and nullify, as it were, the rights of what would be a future years' Board. The present Stock and Pastures Boards were elected annually, and he thought that they should stick to the principle in the election of the Rabbit Board. He therefore supported the motion.

Mr. GIBSON (Hay) moved as an amendment that “one” of the members appointed by the landowners should retire annually. He did not wish to see men put on the Rabbit Board who would make the Rabbit Act a dead letter. He thought that by one man retiring annually, the Board would get to know the opinion of the public, because on that member putting up for re-election, the landowners would have an opportunity of showing their opinions, and defeating him if they wished. He thought it would be better if a good man could be elected for three years, but that there should be an annual election for one man. He therefore moved that one of the members appointed by the landowners should retire annually.

Mr. OATLEY wished to know, before the motion was put, whether it would not be necessary to take a vote as to who should retire. He thought that the person who obtained the least number of votes at the first election should retire, as otherwise they would provide for three members, but not say which of them should retire.

Mr. ALISON (Canonbar) thought that if one man retired each year, it would still leave a majority retained for two years, and the stockowners would have no means of removing objectionable members from the Board for at least two years.

Mr. FLANAGAN (Gunbar) thought the farmer had been too apathetic in the past, but that this Board would rouse him up to his duty, and he would know what to do.

The CHAIRMAN then put Mr. Gibson's amendment, that the following be added to clause 5:—“But one of the members appointed by the landowners shall retire annually.”

The amendment was lost.

The original proposition made by Mr. Brown, that “three” be struck out and “one” put in, was put to the meeting and declared carried.

The CHAIRMAN said that the next amendment he had printed was one by the Honorable Rupert Carington, on clause 5, “That the Pastures and Stock Protection Boards be the Rabbit Boards for the district, i.e., that the working of the Act be placed in the hands of the Pastures and Stock Protection Board.” He took it that that would be a substituted clause in place of the whole of clause 5.

The Honorable RUPERT CARINGTON (Jerilderie) said that he ventured to bring this forward for two reasons—firstly, on the grounds that it would save expense; and secondly, on the grounds of increased efficiency. They had in the Pastures and Stock Protection Board the machinery ready to their hand, and therefore, so far as administration, or rather, so far as legislation, if he might use the term, was concerned, it would not cost anything, because the rabbit meeting might be held at exactly the same time as the

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Pastures and Stock Board meeting for ordinary business, and consequently the Boards would receive one fee. Another thing would be that the Stock Inspector could act as the Rabbit Inspector without any further remuneration. With regard to this Government proposition, that there should be two members put on to this Board by the Crown, he might say, as far as his experience was concerned, that he most strongly objected to it. They were in a peculiar position. These Boards could make them kill the rabbits (under the new Bill), and if they did not, they were liable to be had up before the Magistrate, and in default of distress sent to gaol. There was not a single acre in his district of Jerilderie under control of the Crown. It was all alienated in some form or other—it had all been made into freehold, or had all been let; and therefore he thought it was a great injustice to say that the Minister could come in and appoint two people on a Board which would tax them and which would exercise these powers over them. He thought he could congratulate the Minister upon having given them the most complete example of taxation without representation that he had ever heard of. These gentlemen—who would they be? He was told that one would be the Chairman of the Land Board. Now really, although he was comparatively a new chum in this Colony, it was not to be thought that the Chairman of the Local Land Board could come and attend the Board. No; these Government nominees would be the friends either of a Member of Parliament, or the friends of a defeated candidate. They would come and say, “So and so did me a good turn last time; you put him on the Rabbit Board.” They would be either the friends of a Member or else some local busybody, who would probably be very unpalatable to the rest of the Board. Now, apart from this proposition that the Minister should put these two men on, he did not give them any guarantee that he was going to kill the rabbits at all. The Minister proposed to tax them to kill their rabbits, but carefully prevented himself being taxed in any way. He would ask them to refer to one of the last clauses in the Bill, clause 32 reading, “It shall be the duty of the Minister to check, suppress, and destroy all rabbits which may from time to time be in or upon public lands, but such duty shall not commence until a reasonable period after moneys have been made available by Parliament for the purpose, &c., &c.” In this Colony now, they were in a very critical state in regard to the finances. It was very important to the Government to have a surplus at the next budget; and could they tell him that the Government would go and put a large sum of money on the estimates, and risk that surplus, in order to kill the rabbits on the Crown lands? Of course he had no right to speak for any other Board than his own, but they thought very strongly indeed upon these two representatives being placed upon the Board. He reiterated that his amendment would be conducive to efficiency and economy in the administration of the Act.

Mr. BAYLIS (Narrandera) seconded the amendment submitted by the Honorable Rupert Carington most strongly. He held that the Pastures and Stock Boards were the proper Boards to deal with the rabbit question. They were elected by the stockowners, the people who were most affected by the rabbit pest. They had heard a lot of talk about the small owners not being properly represented, and the Minister even yesterday had alluded to it, and said that in his opinion the Pastures and Stock Boards were not the proper Boards to deal with this question. He held that in four-fifths of the districts of the Colony the small stock owners, if they only took it into their heads to do so, could actually swamp the Pastures and Stock Boards at the election. He himself was only a small member—he had only 640 acres of land; but he had been elected for the last nine years on the Stock Board. He knew of others who were in the same position, and he would again strongly urge that the Pastures and Stock Boards were the proper bodies to deal with the rabbit pest.

Mr. FLANAGAN (Gunbar), said that was not the question before the Conference; the question was the boundaries of the rabbit district.

The Chairman then explained to Mr. Flanagan the business before the Conference.

Mr. FLANAGAN (Gunbar), said he supported the Honourable Rupert Carington's motion.

Mr. LAURENCE (Balranald) also supported the motion. In his district the Stock Board consisted of four homestead lessees, and anybody was at liberty and welcome to come forward for the position.

Mr. OAKDEN (Cobar) said he had great pleasure in supporting the amendment. It was practically identical with one which he had intended to move. Without going over the arguments that had been already adduced by the previous speakers, he thought they should consider another point which had been referred to, at an earlier portion of the debate, and that was regarding the amalgamation of the Boards. Either the Rabbit Board should absorb the Pastures and Stock Protection Boards and Sheep Boards, or *vice versa*. This all pointed to the necessity that was felt for amalgamation, and it seemed to him that in the interim before the amalgamation of the Pastures and Stock Protection Act and the Rabbit Act, the Pastures and Stock Protection Board was the one which should administer the Rabbit Act temporarily, and he thought that this Conference should unite in asking the Minister that, pending the introduction of a Consolidation Act, which it would urge him to bring forward dealing with the various Acts affecting the stockowners, that the Pastures and Stock Boards should administer until this Consolidated Act was brought in, creating a Board to deal with the whole of the matters affecting stock in the Colony. He thought that if they took up that position, it would at once commend itself to the Minister and to Parliament. He ventured to support the Honourable Rupert Carington, and to bring forward these arguments in his favour outside the arguments already expressed.

Mr. DAVIDSON (Condobolin) mentioned that in his district the Stock Board consisted of one wool scourer and two selectors.

Mr. BRETT (Urana) said that since the Pastures and Stock Act had been in force, it had been carried out without a hitch. With reference to the small owners not being represented on the Board, he said that a small holder had been Chairman of the Board in his district for four years. He thought where the Act had been administered for so long, where they had the whole of the machinery in hand, and where there would be no outlay at all in getting machinery to work the Act, they should certainly place the administration of the Rabbit Act in the hands of the Pastures and Stock Protection Board. He supported the amendment.

Mr. McCOLLOUGH (Deniliquin) said he had been a member of a Board for over seventeen years, and had always got on without the slightest trouble with the sheep-owners. He thought the Stock and Pastures Protection Board deserved the confidence of the Conference.

Mr. LESLIE (Forbes) had very much pleasure in supporting the motion before the Chairman, and said that if anything were wanted to combat the arguments which had been used to the effect that the Stock and Pastures Board were not representative he would like to quote the Pastures and Stock Protection Act. It had been urged in the Conference that the Pastures and Stock Boards were not representative.

representative. Well, if they were not, all he could say was that it was the fault of the small men themselves. It was their own apathy—the apathy of those who had the power in their own hands—and therefore it was their own fault. In clause 3 of the Pastures and Stock Act of 1881, it showed that every small owner, if he took any interest in the election of the Stock Board, had the power in his hands to have a voice in the election of that Board. And he not only had the power of electing, but he also had the power of becoming a member of the Pastures and Stock Board if he were the owner of ten head or more of large stock. He thought that that at once did away with the arguments which had been brought forward that the Stock Boards were not representative. Then, again, it had been said that those Boards had done little or no work. From a return issued from the Stock Department, dated the 18th of August, 1896, he would quote, with the permission of the Chairman, and show what the Board had done. Between the years 1891 and 1895 the Stock and Pastures Protection Board had destroyed 10,046,399 kangaroos, 8,851,369 wallabies, 138,428 native dogs, 4,574,050 hares, and 173,178 wild pigs. The amounts collected during those years amounted to £560,265 6s. 7d., while the amount of the Government subsidy was £162,814 14s. 1d., making a total of £723,080 0s. 8d. He thought those figures spoke volumes in favour of the administration of any Act being placed under the Pastures and Stock Protection Boards. Not only had these Boards done good work, but, as had been pointed out, they had the machinery and could be administered at the minimum of cost. They wanted if possible to relieve themselves of some of the burdens which had been thrust upon them by different Acts of Parliament. He thought that if they could succeed in getting the destruction of rabbits put under the Pastures and Stock Protection Board they would have no reason to complain. If the Act did not work, there was always provision made if a Board did not do its duty that it should be taken over by the district. If people came to the Conference and said that these Boards were not representative, it was simply because they did not know and had not taken enough interest in the matter to find out whether they had got voting power, or what powers were conferred under these Acts. He would advise those gentlemen before they came to the Conference, before they made rash assertions, to go home and read the Pastures and Stock Act carefully.

Mr. BACON (Brewarrina) was in sympathy with the Honorable Rupert Carington's motion, but before making any remarks on it he would like to ask the Chairman what would be the effect of the motion on the Bill if it were carried.

The CHAIRMAN said he had himself been trying to find this out, and the conclusion that he had arrived at was that if the motion were carried, clauses 5, 6, and 7 would be unnecessary. He could say no more, as he had not read further to see what other effect it would have.

A MEMBER: Clause 8 would go out as well.

The CHAIRMAN said he did not think that clause 8 would be done away with. That might be discussed.

Mr. BACON (Brewarrina) wished to endorse the remarks that had fallen from the Honorable Rupert Carington and the other speakers, and he would suggest that the difficulty about the representation of the Government might be met by the appointment by the Minister of six members to act as a central Board with a Minister as Chairman, in the same way as had been done in Queensland. This Board would control the amount of money voted to the Minister by Parliament. This central Board would have a controlling effect over all the Local Boards. He thought this might be introduced as a compromise. If they passed this resolution moved by the Honorable Rupert Carington that the Rabbit Act be controlled by the Pastures and Stock Act, then this central Board under ministerial control might be afterwards adopted as a compromise.

Mr. GADEN (Dubbo) wished to make a few remarks with reference to this bogey-man, the small holder. He could not exactly say that he was a small holder himself, but he had been elected by the small holders ever since the present Act came into operation. That was many years ago, and there had always been an endeavour to get a small man nominated, but they had such confidence in the existing Board, and for those who had offered themselves, that they declined to come forward, and he was quite convinced that if all the small holders were polled to-morrow they would return the same men. There were many reasons why they could not come forward. In many instances they could not devote the time or afford the small expense to attend; but he felt quite convinced that this was merely a bogey, raised not by the small men themselves but by men with some ultimate object in view.

Mr. TAYLOR (Lands Department) wished to say a few words before the clause was put with a view of objecting to it. For his part he strongly objected to the administration of this Act being placed in the hands of the Pastures and Stock Protection Board, simply because, he contended, they were not representative. The Pastures and Stock Board consisted of eight members, five of whom were members of the Sheep Board; and every person who was the owner of 500 or more sheep was entitled to vote for the election of a sheep director, but those who did not own 500 sheep had no vote. In addition to this, he would like to point out that the Pastures and Stock Boards had had the administration of the destruction of rabbits before, and the Act of 1883 was simply to take it out of their power.

Mr. T. BROWN, M.L.A. (Budgerabong), very strongly objected to the motion to place the whole control of this legislation in the hands of the Pastures and Stock Protection Board. As Mr. Taylor had pointed out, the Pastures and Stock Protection Board had had the management of this pest in its initial stages, when, if effective measures had been taken, it might have been kept under control; but they failed to do anything of a substantial character in that direction, and he could not see any hope of anything effective being done in placing this measure solely under the control of the Pastures and Stock Boards. Anybody who knew the working of this Pastures and Stock Protection Board knew that when it came to legislation on the destruction of rabbits it was not a representative body. Possibly the small holders might have certain rights under it, but they had never exercised those rights to any large extent. Then there were Pastures and Stock Boards in the Colony at the present time for which the Government had to nominate the members, because even the large owners did not think it worth their while to exercise their rights. This occurred year after year. Then, again, the boundaries of the Pastures and Stock Board were very extensive; and he contended that if they wished to deal with the rabbit question they would have to get local machinery and confine it within as small an area as possible, and it would be necessary to sub-divide the Pastures and Stock Board Districts into two, and perhaps three, Rabbit Board Districts; and if they carried this amendment it would be impossible to do that. They would make the boundaries of the Pastures and Stock Board the boundaries of the Rabbit Board, and they would make the machinery that had been set up for the Pastures and Stock Boards the administrative machinery for

copied with the rabbit pest. He thought the members of the Pastures and Stock Boards present would agree with him that the machinery was not perfect, and that they were looking for legislation to improve that machinery, as their resolutions of last year indicated. He thought it would be to the detriment and not to the interest of rabbit legislation if they went back to the old system that had been discarded, of placing it wholly under the control of the Pastures and Stock Boards. He thought the Minister's proposal was a very reasonable one—that was, that where the Stock Boards dealt with the rabbit pest the working of the Rabbit Act should be placed under those Boards. Then there were municipalities and more settled districts; they should be formed into rabbit districts, irrespective of the Pastures and Stock Protection Boards. And then, again, the Minister proposed that if the machinery of the Pastures and Stock Protection Boards was found inefficient or inapplicable to this piece of legislation, the owners themselves, if they thought fit, could, by petition, have the machinery of election altered and placed on a different basis to suit their requirements. The effort of the Minister all through this Bill had been to make the administration of the Act as suitable to the conditions that it was to operate on as was possible; and this Conference, if they carried this resolution, would limit and place it wholly in the hands of the Pastures and Stock Protection Board, irrespective of the question whether the Stock Boards, on the area of country they have under control, were best suited to deal with it. He thought the Minister's proposal was far and away the best proposal, and he was prepared to support it, and he hoped that the good sense of the Conference would see that it was superior to the amendment. Take Molong Stock Board. Their area extended partly beyond and to the west of the Harvey Ranges. There was nothing in common between the owners on the east and the owners on the west of that Range, and there had been considerable friction between them. The western owners were pestered with wallabies and kangaroos, and the eastern with hares. The sole effort of the Board had been to keep down the hare pest. The Eastern Division controlled completely the moneys of the district, and no money had been available for the putting down of the pest in the west, although that district contributed to the funds. As a consequence, the western district were petitioning to be placed under another Stock Board. Now, then, in a big district like this, would it be possible to work the Rabbit Act successfully, when by its very nature it required that the administration should be more local? The same thing applied to Condobolin. There had been friction among the stock-owners on the south side of the river and on the north side. The conditions were different. Those on the north side had a pest of wallaby, and those on the south had nothing. The south controlled the money and they had done little. He thought he was correct in saying that with very few exceptions the small owners took no interest in the constitution of the Board. In Condobolin, when the small owners tried to get representation, they had to travel 80 miles to record their vote. But that was only the initial stage, and he believed that this Rabbit Bill, if the amendment as proposed by the Honorable Rupert Carington was passed, would be practically a dead letter, and outside the Stock Boards it would not meet the views of the great body of land-owners who had to contribute the funds.

Mr. FREEMAN thought the whole crux of this question was simply that they had got to find the money; and why should they, who were in the midst of it and knew exactly what was going on from day to day, not be the people to spend the money? He certainly thought, therefore, that the administration of this Act should be placed in the hands of the Sheep Boards. If the local body could not successfully administer this Act, how could the Minister administer it from the head office in Sydney?

Mr. T. BROWN, M.L.A., said that if the gentleman would permit him to correct him, he would point out that the difference between Mr. Freeman's wishes and his own was, that he, Mr. Brown, wanted it to be under Local Boards, while Mr. Freeman wanted it to be under Stock Boards. He thought that local Rabbit Boards would deal with it more effectively than the Stock Boards could do.

Mr. FREEMAN read subsection (a) of clause 5: "The Governor may remove any member of a Board who appears to the Governor to have failed to do, or be incapable of doing, his duty." The Governor meant the Minister. Why should the Minister have this power? Why should a Minister remove a Board, perhaps on the recommendation of some quarrelling member of Parliament? Then let them look at subsection (b) again. "The Governor may fill in a casual vacancy upon the Board, and may in such case appoint a Board for a less period than three years." Why should the Minister have such power? Why should the Minister come in? He had the power to nominate two men already as the Bill stood, and why should he come and put a third man and take away the balance of the voting power? What he would draw their attention to was this: that if they were going to place this Bill under the Pastures and Stock Boards, then the Pastures and Stock Boards should administer it, and not the Minister for Lands.

Mr. WILKES (Broken Hill), in supporting this, said that he thought Mr. Brown had been the best arguer in its favour that they could have. Mr. Brown had mentioned the Molong Board, and they were so dissatisfied with this and that, that they would not take the trouble to elect a member. Mr. Brown had also mentioned the Condobolin Board as being dissatisfied; but what had happened in Condobolin? Why, they had carried it their own way, and this showed that the Pastures and Stock Boards were elective Boards and properly representative Boards. There were a number of gentlemen who had come to the Conference with certain ideas about the Pastures and Stock Boards, but they had altered them a lot. What was the use of singing out that they had no power when a man could fling an Act in their faces and say, "There you have all the power you ask for." He thought it was utterly ridiculous for a man to say this when he had an Act of Parliament like that before his eyes. Then he must tackle Mr. Taylor. Mr. Taylor had said that the creation of the Act of 1883 was because of the default of what had been done under the Pastures and Stock Act. It was fourteen years ago since that great error was committed, and now they had a representative body that knew something about rabbits. He would like a few of them to stand up and say what they knew about rabbits fourteen years ago. He would guarantee that they knew very little indeed then with reference to them. There had been a couple of generations since then. Fourteen years ago many men in the room had been in good positions then, but during those fourteen years the rabbits had brought them down a bit. That argument of Mr. Taylor's would not hold water. He would say that although, then, they had not had fourteen years' experience of rabbits, still, if the Act had been administered as it should, and if they had not been bound down to the central office, things would have been different. As it was, the money was thrown away by the Government of those days. He thought it was only right and just to those who had to pay the money that they should have the administration within their hands, and there would be no more representative way of dealing with the whole of the Colony except through the Pastures and Stock Boards.

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Mr. GORMAN (Berrigan) said there was one phase of the question that had not cropped up yet. Personally, he agreed with the Honorable Rupert Carington, as in his district there was very little Crown land in charge of the Lands Department. It was all alienated; but, as the Minister had pointed out to them yesterday, there were other parts of New South Wales in which he had very large interests, and he thought that if they were to say that the Minister should have no say at all in legislating for rabbits throughout New South Wales, they would do the Conference a lot of harm. They knew Mr. Carruthers carried a great deal of weight, and they would be courting opposition from him straight away. It would be against the interests of the Conference to take away the representation of the Minister.

The Honorable RUPERT CARINGTON (Jerilderie) said he was going to move an amendment to give the Minister representation in another way later on.

Mr. A. BROWN (Narrabri) would like to ask if Mr. T. Brown was there as a representative of the Stock Board, or whether he was there by invitation of the Minister; and the reason he asked was because he appeared to hold a brief for the Minister in regard to payments and patronage; and it appeared to him that Mr. T. Brown wanted to make ministerial patronage so strong, so as to give Members of Parliament, or others who might be interested, the power to get their friends or others appointed to act on the different Boards throughout the country, whether they were agreeable to the stock-owners or not. It seemed to him that his argument was from start to finish against the Stock Boards having anything to say in the expenditure of their own money, and all for ministerial patronage from end to end.

Mr. T. BROWN, M.L.A., for the information of the gentleman who had just sat down, said he was at the Conference on the same footing as that gentleman himself. He had been elected by a body of selectors known as the "Budgerabong Selectors' Association." He did not come there for the Minister, nor did he hold a brief for that gentleman.

Mr. ROSS (Hume) said, if he understood Mr. Brown aright, that gentleman would like to leave the payments in the hands of the Minister. He did not see why they should make a new Rabbit Board right alongside the Pasture Board. He thought the Boards as at present situated were a great success. He thought the Stock Boards of the country were more representative than any other body, and the Rabbit Boards must be elected by someone, and he thought it should be by the people who were to provide the money. That could not be better. In the district which he represented every member of the Board was a small holder; the large holders could not return a man at all. He did not think the large holders had too much power. He thought it was possible that fourteen years ago the owners did not use their power properly, and the events of the past had shown them the danger they were in. He thought it was simply a waste of money to erect any Board alongside the Pastures and Stock Board to control another set of officers with another set of machinery. So long as things were controlled from head-quarters there would be utter failure. Let it be in the hands of the Pastures and Stock Boards until they saw something better.

Mr. NIXON (Gunbar) was opposed to this amendment, because there were a number of selectors put on the land under Mr. Carruthers' new Bill who would have no votes.

A MEMBER: Why? It would be on a land basis.

Mr. DILL (Hay) rose as one who had had a good deal to do with the working of Pastures and Stock Boards for sixteen years. He had been Chairman for about five years out of those sixteen years, including the last two years, and he thought the Pastures and Stock Board in Hay, which he represented, had done their duty during that time, and he failed to see any reason why, for the present, the Pastures and Stock Boards might not be trusted with this Bill if passed. With regard to the rabbit question, he thought he had had as much experience in dealing with the rabbits as most men during the past fourteen years, and he thought it was very necessary, indeed, that the administration should be compulsory. He could speak feelingly with regard to that, because he had had neighbours who would not kill, while he was doing his level best to keep the rabbits under, and he certainly would support strongly the placing of this under the Pastures and Stock Boards, for the present, at any rate.

Mr. HAYES said, that if they looked at the Act they would find that the Minister, in the first instance, gave the control, under the Bill, of the Rabbit districts to the Pastures and Stock Boards, and he made this provision wisely, he thought, though if a majority of the land-owners in the district desired to have an election on a land basis, they should do so. This Bill was very elastic, and these provisions were very necessary. Some people said it was far better that the Stock Board alone should regulate it, and others said that as every land-owner has to contribute he should have a voice in the matter. There was a good deal of reason why they should let this clause stand as it was, the Pastures and Stock Boards would have full control over it, and then the people in each district had the right either to remain as they were or to petition to have things altered.

Mr. ROSS (Hume): Why could not one Board do the lot?

Mr. HAYES said if they got a district which was very largely settled by farmers, would not they naturally want to have a voice in the matter themselves? This Act must be broad and liberal. It was wanted to apply to the whole Colony where conditions varied; and therefore, in districts where the owners predominated it would be under the Pastures and Stock Boards, and where the farmers predominated they naturally would want to have a voice.

Mr. CUMMING (Hillston) said that in speaking on this motion he would support the Pastures and Stock Boards, but he would endorse all that Mr. Hayes had said. There was another point: one man might have an equally good run with another, but the man who managed well might have 50,000 sheep, while the man who was careless might only had 20,000 sheep, and he would pay the same, and would do so on the land basis.

Mr. TREBLE thought the amendment was rather too sweeping. There was no doubt that what Mr. Hayes had said had a great deal of force in it, and he thought that some of the gentlemen who spoke very strongly in favour of the Pastures and Stock Boards having control under this Bill, had not had much experience where it was all settled by small owners. He had had to put before the Minister a petition from 160 small owners, to have the district brought under the present Rabbit Act. Among these 160 were many men who had only two or three plough-horses—men on blocks whom the rabbits were eating out. They wanted the rabbits checked. If the tax-payers, under the new Rabbit Act, would each have a vote for the Stock Board, then he would be quite willing to support the resolution; but he did not think that, as at present constituted, the franchise of the Stock Board would cover all the men who would have to pay the taxes for the suppression of the rabbits. There was every probability that wherever the
Pastures

Pastures and Stock Boards were seen to be a more practical body than one elected, or appointed, they would be given the administration of the Act, and it was elastic enough to give rules to suit districts such as he had mentioned. No man who had the principle of a Briton in him would say that any man should pay a tax under the Rabbit Act and not have a vote, and certainly under this amendment men would be paying a tax who would not have a vote. Some gentleman had said that the minimum of stock allowed was ten head of large stock before a man could vote. He would point out that in the petition he had referred to there were at least forty or fifty men out of the whole 160 who did not own large stock at all. These men owned land and would come under the operation of the Act. They grew wheat and they simply had sufficient horses to do their ploughing. There were thousands of them, special-area holders. He represented a very large class of people in this country, and he thought that if they carried this resolution there would be men under the Rabbit Act paying taxes who had no vote. This amendment proposed to place in the Stock Boards the power to spend the moneys collected under the Rabbit Act. Any amendment they proposed to the Rabbit Act will not amend the Pastures and Stock Act; and consequently if a man had not a vote under the Pastures and Stock Act, they could not give him one under the Rabbit Act. He took it that they could not amend the Pastures and Stock Act by any proposed Bill dealing with the rabbits; but if it could be made clear to him that all men who would pay a tax under the Rabbit Act would have a vote for the Stock Boards, then he would be quite willing to support the resolution; but otherwise he did not see any reason why they should erect separate Boards if the Stock Boards could do the work.

Mr. ALISON (Canonbar) said this resolution should be carried now, and then they could amend this Act so that every person should have a vote who paid a tax.

The Honorable RUPERT CARINGTON said he hardly thought it necessary for him to make any reply. They had the statement made by his friend the Chief Inspector of Rabbits; but that was fourteen years ago. He would mention that the Queensland Rabbit and Sheep Boards were identical. He had been very much misrepresented in one respect. He had been made to say that the people should be taxed without proper representation. It had been his exact object to prevent that. All his arguments had been directed against the Crown, which was not taxed, appointing two men to the Board. Of course they could amend the Act, and make the representation on a land basis instead of a stock basis; but how any body in a democratic country would agree to the Minister appointing two men, whomsoever he liked, to tax them was what he failed entirely to understand. It was quite absurd and reactionary. With regard to the small men, he might say that he came from a district where there were more small men than in any other district in Australia. There was another gentleman from that district who was also ready to support his resolution. To be told that they would protect the small men by getting two men, outsiders, to tax them was incomprehensible to him.

Mr. FLANAGAN (Gunbar) would like to see a provision made in the amendment that all taxpayers should have a vote.

The CHAIRMAN observed that before putting the question to the Conference he felt it to be his duty to point out, as far as he could from a hasty glance through the Bill, the consequence of carrying the resolution. It had struck him first of all that clauses 5, 6, and 7, would be made utterly useless by the carrying of the resolution proposed by the Hon. Rupert Carington. There was also another matter consequent on the motion being carried, and that was with reference to the Government's proposal to pay a rate on their properties corresponding to the amount of unoccupied land there might be in any rabbit district. He did not know what decision the Conference would arrive at in obviating that difficulty if they intended to take away the representation of the Government on the Boards. Then, with regard to the argument that small men would have no vote, he anticipated that if this motion were carried, and if it were intended to give everyone who had to pay a tax a vote, it would be necessary to amend the Pastures and Stock Act.

The CHAIRMAN then took a vote on the Honorable Rupert Carington's amendment.

The amendment was declared carried.

The CHAIRMAN then adjourned the Conference until 2 o'clock.

On resuming in the afternoon,—

The CHAIRMAN said it would be necessary to discuss clauses 5, 6, and 7, in view of the resolution passed immediately preceding the adjournment.

Mr. T. BROWN, M.P., said he had a motion that he thought would go very well after the amendment which had been carried: "That taxation under the Rabbit Act shall not be levied on holders not having a right of representation under the franchise of the Pastures and Stock Protection Act."

Mr. NIXON seconded the proposition.

Mr. J. M. ATKINSON wanted to know whether that would include the municipalities.

Mr. T. BROWN, M.P., said it simply meant this, that a tax should not be levied on any landholder or any stockholder who was not in possession of the right to vote under the Pastures and Stock Protection Act. Now, the motion that had been passed before the luncheon adjournment placed the whole control of the rabbit question under the Pastures and Stock Protection Board, and this further resolution of his was simply to safeguard the rights of those whom it had been shown had not the right of representation under those heads. Of course, if it were found that there was any body of holders upon whom it would be desirable to levy a tax, then the way to get over that difficulty would be to broaden the franchise of the Pastures and Stock Protection Act so as to include them. His resolution simply safeguarded peoples rights until they were included. It was simply "no taxation without representation."

Mr. ROSS (Hume) said that instead of amending that clause they should simply amend the clause about the person who should have the right to vote. He thought it was very wrong to pass an amendment like that. It would be far better to withhold that and put it this way: "That every man who has to pay taxation shall have a right to vote." If it were left as it was, then very many small holders would escape taxation altogether.

Mr. ALISON (Canonbar) said that as far as he could gather Mr. Brown's proposition was simply "no representation no taxation," and he was perfectly in accord with that.

On the motion being put to the Conference by the Chairman it was carried unanimously.

Mr. GIBSON (Hay) moved that the following also be added: "That the Crown may be represented on the Rabbit Board in proportion to the revenue paid by them, but in no instance to have a majority representation."

The Honorable Rupert CARINGTON (Jerilderie) rose to a point of order. That had already been settled, and the question under discussion now had nothing to do with the constitution of the Rabbit Boards.

The CHAIRMAN suggested that instead of "Rabbit Boards" Mr. Gibson should put in "Pastures and Stock Boards."

Mr. GIBSON (Hay) had no objection. He moved that, with this alteration, the clause be added to clause 5. He took it that unless the Crown would assist the owners—unless they were prepared to accept their responsibility and pay in proportion to their acreage—that they might as well have no Rabbit Bill at all, but simply go back home and let things go as they please. If the Crown were to pay, it was only right that they should be represented. They would not think of leaving out any one section of themselves—they would not think of depriving that section of a vote if they were asked to contribute. In justice, the Crown were entitled to have representation; and, as the Minister had not asked for a majority representation, he thought it would meet the views of everybody to add those words: "the Crown to have no majority representation in any one district although they contribute more than one-half of that district's revenue."

Mr. FLANAGAN (Gunbar) seconded it.

Mr. LESLIE (Forbes) begged to move an amendment to the effect that the Crown should have representation in proportion to the amount of rates paid under the Rabbit Bill. He was quite in accord with a portion of Mr. Gibson's resolution; and he thought, if the Crown became contributors, they had a right to a voice in the expenditure of this money, but if they were the largest contributors to those funds they had the right to the largest representation.

The CHAIRMAN suggested that Mr. Leslie should move to leave out the following words from Mr. Gibson's resolution: "but in no instance to have a majority representation."

Mr. LESLIE (Forbes) agreed, and moved that the words, "but in no instance to have a majority representation," be struck out.

Mr. OAKDEN (Cobar) seconded Mr. Leslie.

Mr. LESLIE's amendment was put to the meeting and carried.

Mr. Gibson's motion as amended now stood: "that the Crown shall be represented on the Pastures and Stock Boards in proportion to the amount paid by them."

Question put and carried.

Mr. ATKINSON asked if the meaning of that would be "on the total amount paid by the Crown" or "on the amount paid by the Crown for rabbit destruction"?

Mr. LESLIE (Forbes) explained that it would apply to the sum they contributed as stock-owners, as it were, but not to amounts voted by Parliament to assist in the destruction of rabbits.

The CHAIRMAN then proposed, with the consent of the meeting, to make it more clear by altering the resolution in this way: "that the Crown may be represented on the Pastures and Stock Protection Boards in proportion to the revenue paid by them as assessments to the Rabbit Destruction Fund."

Passed unanimously.

Mr. FLANAGAN (Gunbar) said it would now be necessary to pass a resolution making the Crown the "occupier" of all unoccupied Crown lands in the Colony.

Mr. ATKINSON asked for an explanation. It had been decided that the Pastures and Stock Boards should have control of the destruction of rabbits; they consisted of eight members. He wanted to know if the Government representation was to be a part of those eight members, or over and above those eight members?

Mr. ALISON (Canonbar) explained that the idea was, that if the Crown paid so much money, it would have so many votes. The Board would still remain the same—the Crown would not appoint a man, but would have the votes increased instead.

Clauses 6 and 7.

Methods of selecting Members.

6. The members of a Rabbit Board shall be appointed by the Governor:

Provided that—

- (a) where the Rabbit District is identical with a Sheep District, as defined under the Diseases in Sheep Acts, or appears to the Governor to be substantially identical therewith, three members of the Rabbit Board shall be members appointed by the Governor out of candidates to be nominated as prescribed by the Board of Directors holding office under the Pastures and Stock Protection Act in and for such Sheep District; and
- (b) where the Rabbit District is identical with a Borough or Municipal District, or appears to the Governor to be substantially identical therewith, three members of the Rabbit Board shall be members appointed by the Governor out of candidates to be nominated as prescribed by the Municipal Council of the Borough or Municipal District; and
- (c) where an apparent majority of the owners or occupiers of private holdings within the Rabbit District present a petition to the Governor that three members of the Rabbit Board shall be elective members, the Governor may, by proclamation in the *Gazette*, declare that the provisions hereinafter contained as to the election of three members of a Rabbit Board shall apply in respect of the Board of the said District, and the same shall apply accordingly, unless and until the said proclamation is revoked.

But further provided that—

- (d) nothing contained in the foregoing proviso shall apply in respect of two out of five members of the Rabbit Board; and
- (e) the said two members shall be members recommended by the Minister, and appointed by the Governor;
- (f) where no members are nominated, or a sufficient number are not nominated, the Governor may appoint a sufficient number of members to constitute the Board.

Election of Members.

7. The election of members of a Rabbit Board shall be in accordance with the following provisions:—

- (a) Whenever an election is necessary, the time and place for holding the same shall be appointed by the Minister by notification in the *Gazette*.
- (b) Occupiers of private holdings within the Rabbit District shall be the persons qualified to vote, and the number of votes allowed to each such occupier shall be determined by the aggregate area of the private holdings within the Rabbit District occupied by him, according to the following scale:—

For an aggregate area not exceeding six hundred and forty acres in the Eastern and Central Divisions, or ten thousand two hundred and forty acres in the Western Division, one vote.

For an aggregate area exceeding six hundred and forty acres and not exceeding two thousand five hundred and sixty acres in the Eastern and Central Divisions, or exceeding ten thousand two hundred and forty acres and not exceeding twenty thousand four hundred and eighty acres in the Western Division, two votes.

For an aggregate area exceeding two thousand five hundred and sixty acres in the Eastern and Central Divisions, or twenty thousand four hundred and eighty acres in the Western Division, three votes.

- (c) When three members of a Rabbit Board have been elected, three members of the Board as previously constituted shall retire;
- (d) Where a member of a Rabbit Board is to be elected, and no valid election takes place, the Governor may appoint a member to fill the vacancy, and such member shall be deemed an elected member;
- (e) The cost of an election shall be paid out of the revenues of the Rabbit Board;
- (f) Subject to the foregoing provisions, all necessary matters in connection with elections shall be prescribed by Regulations to be made in that behalf.

Clauses 6 and 7 struck out.

Clause 8.

Incorporation of a Rabbit Board.

8. The members of a Rabbit Board, as from time to time constituted, shall be a corporate body under the style or title of the "Rabbit Board of _____ District," the name of the District being such as the Minister may from time to time assign by notification in the *Gazette*; and under such style or title shall have perpetual succession and a common seal, and be capable in law of suing and being sued.

The validity of any acts of the Rabbit Board shall not be affected by any informality or irregularity in the appointment or election of any member of the Board, or by reason of the fact that there are not five members of the Board; and the fact that all the seats on the Board are vacant shall not of itself operate to dissolve the corporation.

The Governor may, by proclamation, dissolve a Rabbit Board, and the corporation shall thereupon cease to exist, and the then members of the Board shall cease to be members thereof.

When a Rabbit Board is dissolved, the Governor may, at any time thereafter, by proclamation, constitute and appoint another Board, and all the property and all the rights and liabilities of the corporation so dissolved shall vest in the new Board; and if no such Board be constituted and appointed, then in the Crown: Provided that the proclamation constituting and appointing a Rabbit Board in place of a dissolved Board may be subsequent to the proclamation dissolving the same, and the Crown shall thereupon be divested of all the property, rights, and liabilities, or such of them as still subsist, of the dissolved Board, and the same shall vest in the Board constituted and appointed in its place.

Mr. T. BROWN, M.L.A., said that clause 8 should be amended so as to read "that the Pastures and Stock Boards should be constituted corporate bodies." This would be necessary, not only under the Rabbit Bill, but also for matters pertaining to the administration of the Pastures and Stock Protection Act. He begged to move, "That 'Pastures and Stock Protection Boards' be inserted wherever 'Rabbit Board' occurred."

Mr. CUMMING (Hillston) seconded the motion.

Mr. GIBSON (Hay) opposed it. It should remain as it was; because, from what the Conference had passed, the Rabbit Board consisted of the Pastures and Stock Board, together with the nominees of the Government.

MEMBERS: No, no! The Government only have a right to vote, not to appoint nominees.

Mr. T. BROWN, M.L.A., said that, for the purpose of administering the Rabbit Act, he thought it necessary to constitute the Boards corporate bodies, so that their acts could pass on to their successors. As an instance, he mentioned that Mr. Leslie's Board undertook to expend a certain sum of money in constructing a wire-netting to keep the rabbits off their area, and the members of the Board who came afterwards could repudiate the actions taken by this Board if they thought fit, because it was not a corporate body. It was, therefore, in the interests of right administration.

Mr. ALISON (Canonbar) said he would move, "That wherever 'Rabbit Board' occurred in clause 8 the words 'Pastures and Stock Protection Boards' be substituted."

Mr. T. BROWN, M.L.A., consented.

Mr. ROSS (Hume) seconded the proposal.

The Chairman put the question, and it was carried unanimously.

Mr. ALISON (Canonbar) said he wished to move an amendment. In line 21, clause 8, it said five members. He moved, "That the word 'eight' be substituted for 'five'"; because now that they had substituted Pastures and Stock Boards for Rabbit Boards it would be necessary to alter this in this way, because the Pastures and Stock Boards consisted of eight members.

Mr. BAYLIS (Narrandera) seconded the amendment.

On being put, the amendment was carried.

Mr. FREEMAN moved, after the word "proclamation," to insert "at the request of the Board or on the requisition of two-thirds of the voting power."

Mr.

Mr. J. M. ATKINSON seconded the motion.

Mr. FREEMAN said that, as the proposer of this amendment, he would like to explain its object. It appeared here "the Governor," which usually meant the "Minister for Lands," might, by proclamation, dissolve the Rabbit Board. It might be a very undesirable thing for the Minister to have this power, and it was so that the Minister for Lands should not have this power to dissolve the Board without a requisition that he moved this amendment. It might be that they might become insolvent, or for other reasons want to dissolve; or again, the Board might be unsatisfactory and the voting power of the district might wish to have them dissolved.

Mr. OAKDEN (Cobar) moved, as an amendment, "That that clause be omitted altogether." Power could not be given to the Minister to do away with the Pastures and Stock Boards, and therefore this was *ultra vires*. It would mean that the Governor might by proclamation dissolve the Pastures and Stock Boards.

Mr. A. BROWN (Narrabri) thought that this difficulty could be got over by amendment, that when the Pastures and Stock Board is sitting as a Rabbit Board they should be a corporate body. There was no doubt that if the Pastures and Stock Board were to administer the Rabbit Act they would administer the Pastures and Stock Act also, but not at the same time; and when there was a meeting of the Pastures and Stock Board called they would deal with stock matters only, and then afterwards sit as a Rabbit Board.

Mr. ALISON (Canonbar) thought Mr. Brown was beside the point. What was before them now was Mr. Freeman's motion. It was a very simple matter and he could see no objection to it. If two-thirds of the voters wanted to have a Board dissolved then they should be dissolved.

Mr. A. BROWN (Narrabri) said that they should not dissolve the Pastures and Stock Board also.

Mr. ALISON (Canonbar) thought that if two-thirds of the voters could be found to wish that the Rabbit Board should be dissolved it would mean that they were all unfit for public offices.

Mr. Freeman's motion was then put to the Conference and declared carried.

Mr. FREEMAN moved that, in line 28, clause 8, after the word "Board," to insert "elected in accordance with the provisions of the Act." His reason for moving this was so that no Board would be reappointed in the place of a dissolved Board, except a Board elected by all the taxpayers.

Mr. FLANAGAN (Gunbar) seconded the motion.

Question put and carried unanimously.

Mr. OAKDEN (Cobar) wished to ask members whether it was wise to allow this clause to stand, wiping out a Board under another Act, which was what naturally followed. Would it not be better to leave that out? It might be establishing all sorts of anomalies.

The CHAIRMAN said that that had been already decided, and there could be no more discussion about it.

Clause 8, as amended, was put to the meeting and carried.

Clause 9.

Conduct of its business by a Board.

9. A Rabbit Board—

- (a) may employ a Secretary and such other officers and servants as may be necessary, and pay them out of the revenue of the Board; and
- (b) shall cause proper minute books to be kept of all its proceedings; and
- (c) shall cause true and regular accounts to be kept of all moneys received or paid under the authority of this Act, and shall give the owner or occupier of any private holding within the Rabbit District access thereto at all reasonable hours; and
- (d) shall produce for inspection to any person authorised by the Minister or the Colonial Treasurer for the purposes all its books, accounts, agreements, vouchers, letters, or other documents which may relate to any matter under this Act; and
- (e) shall report to the Minister on any matter or question referred by him for that purpose; and
- (f) shall conform in its conduct of business and its administration of this Act to any Regulations to be made in that behalf.

Mr. OAKDEN (Cobar) moved, "That clause 9 be struck out, and the following clause substituted: That the provisions for the conduct of the business of the Board should accord with or be similar to those of the Pastures and Stock Protection Act."

Mr. BRETT (Urana) seconded the proposal.

Mr. GIBSON (Hay) would like the proposer to explain in what way the procedure under the other Act was different.

Mr. ALISON (Canonbar) pointed out that it would be the same Board under the same Secretary, but that they must needs keep different books. He would wish however to give notice that he would move the recommittal of this clause subsequently, because it might be affected by a later clause.

Mr. OAKDEN (Cobar) withdrew his amendment, and then proposed that "Pastures and Stock Board" be substituted for "Rabbit Board" wherever it was consequentially necessary throughout the Bill.

Mr. BRETT (Urana) seconded the proposal, which was carried unanimously.

The Honorable RUPERT CARINGTON proposed that the words "all officers appointed to be under the direct control of, and held office during the pleasure of the said Boards" should be put in after subsection (a). As they had to "pay the piper" they might as well have the appointment of the officers.

Mr. GORMAN (Berrigan) pointed out that that was provided for by "the Rabbit Board may employ a Secretary and such other officers, &c."

Mr. TAYLOR wished to take the Chairman's ruling as to whether the adoption of the Honorable Rupert Carington's amendment would not mean a virtual amendment of the Public Service Act.

The CHAIRMAN did not think it would be out of place for the Conference to express an opinion on the matter.

Mr. CUMMING (Hillston) seconded the Honorable Rupert Carington's motion, which was carried unanimously.

Mr. ALISON (Canonbar) gave notice that later on he would move an amendment to the next subsection (c).

Clause

Clause 10.

Authentication and service of documents.

10. Any notice, information, complaint, agreement, or other document, by or from a Rabbit Board, shall be sufficiently authenticated if it is signed by the Chairman of the Board, or, under his direction, by the Secretary of the Board, and authority in the Secretary or Chairman to so sign shall be presumed unless and until the contrary is shown; and it shall not be necessary for the Rabbit Board to affix its common seal to any document not being a deed.

Any notice or other document given to or served upon a Rabbit Board may be given to or served upon the Secretary or Chairman thereof.

Clause 10 was put to the meeting and carried as printed.

Clause 11.

Revenues of Board.

11. All fines, penalties, rates, and other moneys received by a Rabbit Board under or by virtue of this Act shall form part of a fund to be called the Rabbit Fund of the District.

Moneys forming part of the Rabbit Fund of the District may be applied by the Rabbit Board to the payment of any expenses of, or incidental to, the Board's administration of this Act, or of any costs or expenses incurred in accordance with provisions of this Act, and not otherwise.

The Governor may cause the accounts in connection with the Rabbit Fund of the District to be audited, and the expenses of the audit shall, if the Governor so require, be paid out of the Rabbit Fund.

Clause 11 was put to the meeting and carried as printed.

Clause 12.

Rabbit Rates.

12. Every Rabbit Board shall in each year make, or cause to be made, an estimate of the probable sum which will be required (in addition to fines, penalties, and other revenues) to enable it to duly administer this Act throughout the Rabbit District; and the said sum shall be raised by a Rabbit Rate upon private holdings within the district.

The amounts levied under the rate shall be proportionate to the respective carrying capacities of holdings; and to that end—

- (i) the Rabbit Board shall, in the first instance, strike the rate as a rate of so much per sheep, but not so as to exceed one halfpenny per sheep in any one year; and shall forthwith cause notice of the amount of the rate struck to be published in the *Gazette*, and in one or more newspapers circulating in the district;
- (ii) the Rabbit Board shall estimate as exactly as practicable the number of sheep which every holding within the Rabbit District is capable of carrying with good management in an average season; and for the purpose of such estimate—
 - (a) cultivated lands shall be taken to be capable of carrying so many sheep as they would carry if laid down in grass; and
 - (b) lands capable of carrying large stock shall be taken to be capable of carrying seven sheep for every head of large stock;

Provided always that only half rates shall be levied upon any holding enclosed with a fence which in the opinion of the Board is rabbit-proof.

(iii) the Rabbit Board shall have access as prescribed to—

- (c) returns of sheep made to Clerks of Petty Sessions and Inspectors of Sheep under the Diseases in Sheep Acts or any other Acts; and
- (d) returns collected by the police or others for statistical or other purposes; and
- (e) papers connected with the appraisalment of the rent or license fee of any Crown lands; and
- (f) any other public documents having relation to the carrying capacity or condition of any such holding;
- (iv) the Rabbit Board may authorise a person to inspect a holding, and he may put to any person in occupation or charge of the holding, or to the owner thereof, questions upon all such matters as shall be necessary for the purpose of ascertaining the carrying capacity thereof, having first informed the person to whom any such question is put of his purpose in putting questions, and of his authority under this Act to put the same; and if any such person in occupation or charge or such owner as aforesaid shall refuse or wilfully omit to answer any such question to the best of his knowledge and belief, or shall wilfully make any false answer or statement in reply to any such question, he shall on conviction forfeit and pay a penalty not exceeding *ten* pounds.
- (v) the Rabbit Board shall determine the amount payable under any such rate in respect of every private holding within the Rabbit District; and the determination by the Rabbit Board shall, except in case of appeal as hereinafter provided, be final and conclusive: Provided always that no Rabbit Rate shall be payable in respect of any holding estimated to carry less than ten sheep.

Mr. ALISON (Canonbar) said that this was a very important clause. It dealt entirely with the manner of raising revenue for the Pastures and Stock Boards or Rabbit Boards. He disagreed with it entirely. They had now arranged that the Pastures and Stock Boards were to manage the Rabbit Fund, and, therefore, he thought it would be most advisable that they should adopt some system of taxation similar to that in the Pastures and Stock Act, on per head of stock instead of on the land. That was a simple system which did not cause any expense whatever and would be easily understood. If the tax were on the land, it would mean that a considerable army of men would have to go round and value all the rents of the land. Every 40-acre selection in the whole place would have to be valued and estimates put on them. He submitted that it would cause an enormous expense to the district which, he held, would be perfectly unnecessary. Of course it was true that the Crown held considerable areas in various districts,

districts, and they now paid towards the Pastures and Stock Boards. They desired that the Crown should now pay towards the destruction of rabbits also. He thought that they could now bring in a resolution to the effect that any abandoned Crown land should be taxed on the basis of one sheep to 5, 6, or 7 acres—whichever they chose—or it might even be one sheep to 10 acres. This would do away with the necessity of having these Crown lands valued. It would be a rough and ready but a very simple way of assessing the taxation. Many of the gentlemen present had found it difficult to know how farmers and others would be brought in unless their lands were valued. He thought there again they might bring forward a simple way of getting over the difficulty by providing that any cultivated land be on the basis of 1 acre to one sheep. According to the Act, as he read it, any man who had cultivated his land would be required to pay as if he had laid it down in grass. He would like Mr. Taylor to tell them whether it was not the case that it was intended that those words should be “laid down in cultivated grasses.” They could not say laid down in ordinary grasses; that would not be “laid down.” He disagreed with the idea that cultivated lands should be taxed as if laid down in cultivated grasses. They should not be taxed any more than if the land were in its original condition. In order to prevent valuation and its attendant expense, it would be a fair and reasonable thing to say that any cultivated land should be equal to 1 acre to one sheep, or 1 acre to two sheep. He hated the idea of valuation. Men of fads were going round and valuing the land at £1, £2, £3, or £4 per acre. He thought his scheme would meet the views of the people who held cultivated lands, and would be cheaper and less cumbersome to work.

Mr. TAYLOR explained that the intention was that the assessment on cultivated land would be what it would carry if laid down in cultivated grasses.

Mr. ALISON (Canonbar) thought that if it were “laid down” it would mean something that was put there. They should omit this dangerous clause. He might have to pay at the rate of ten, fifteen, or twenty sheep to the acre. It would be better to be sure than to be sorry. He would move, “That in clause 12, line 31, the amounts levied under the rate shall be proportionate to the stock returns; and to that end, the Rabbit Board shall, in the first instance, strike the rate as a rate of so much per sheep, but not so as to exceed one penny per sheep in any one year; that any abandoned Crown lands shall be taxed on the basis of one sheep to 6 acres, and in cultivated land on the basis of 1 acre to one sheep.”

Mr. ATKINSON seconded the resolution.

Mr. ALISON (Canonbar) said that he would cut the resolution in two—First, “That line 32 be struck out with a view to the insertion of the words, ‘the amounts levied under the rate shall be proportionate to the stock returns.’”

Mr. ATKINSON seconded the proposal.

Mr. FLANAGHAN (Gunbar) said that the very best agricultural land in the Hay district was the worst grazing land, and the worst grazing lands were sometimes the best agricultural lands. He said it might cost a man £2 or £3 to the acre to clear land that would not carry a sheep to the acre, and by this he would be taxed for his industry.

Mr. GIBSON (Hay), speaking to the motion, said he would point out that they made their stock returns on the 31st December each year. The number of stock a man returned on the 31st December meant the number that this country could carry. There were some men who made a practice of having no stock on the 31st December. There were other men who carried in a few months—in summer only—all the stock they could carry in the year. That would be the difficulty. He thought, taking everything into consideration, although a person might be appointed who would have to make a sort of assessment, the owners should contribute to this rabbit fund in proportion to the number of stock their land would carry, independently of any returns, because the returns showed neither one thing nor the other. He proposed as an amendment, “That the tax should be based upon the number of sheep or stock the holding was estimated to be able to carry.”

Mr. GORMAN (Berrigan) had much pleasure in seconding Mr. Gibson. He agreed that in many districts many men would have no stock at all, and he had known some of their worst infested areas held by mortgagees, which had nothing but rabbits on them, and he presumed that they would make no returns. This clause as it read here would suit very well. He thought that subsection (1) should stand. If they elected men to the Board they should have confidence in them. These men would know the circumstances of the district.

Mr. OATLEY said he might state one fact here. Speaking from experience, there was some land they had had valued by different people as to the carrying capacity. The average was from 8 acres to a sheep down to 2. If this proposal went forth it would give a great deal of trouble.

Mr. CUMMING (Hillston) rose to support Mr. Gibson’s motion. It would be very unfair taking sheep only. In his district there were abandoned runs as well as abandoned Crown lands. There were 66,000 acres in one lot, and they would escape taxation altogether.

Mr. BACON (Brewarrina) thought that the last speaker did not grasp the full extent of Mr. Alison’s motion. He wished to provide for some assessment of Crown lands which were unoccupied. He would point out that in the most particular thing—the assessment of rent—the stock returns were the basis by which the Chairmen of the Land Boards were guided. They must know that when rents have to be assessed there is a great deal of trouble between the Crown Assessor and the owners. Were they going to have a Court to assess the carrying capacity of each holding? He thought that the only possible basis that it could be done on was that of the stock returns. They were the only safe guides to go by. It was really not worth while doing it in any other way.

Mr. ATKINSON would suggest that they could arrive at a good understanding on this point without going to the expense of having their land valued. Let the members of the Boards in the different districts assess the carrying capacity. Those men living in the district, would have a very good idea of the carrying capacity of any particular run, and therefore it might safely be left to them, with a right of appeal and the right to bring evidence in support of their appeal.

Mr. ALISON explained that his motion was simply to adopt the process that had been adopted, and was now in force, under the Pastures and Stock Protection Act.

Mr. DILL (Hay) rose to support Mr. Alison’s motion, and in doing so would like to see certain words that had been made use of altered. He thought that rather too much was being asked from the Crown. He was thoroughly in accord with Mr. Alison’s motion. Only recently he was on a run which had been abandoned. It was thoroughly fenced; there was a comfortable homestead and a woolshed on it, and yet it had been abandoned. He had seen millions of acres which would not carry one sheep to 20 acres.

Mr. ATKINSON said that his amendment was that the assessment should be on the carrying capacity, and the carrying capacity be arrived at by the Boards themselves with the right of appeal by the lessee. No valuator should be sent round.

Mr. BROOKE (Boggabri) quite agreed with Mr. Alison in every respect, but did not think they could discuss this amendment without discussing the rest of his proposed amendment. Mr. Flanagan had said that he had land which was utterly useless for sheep, and which cost £3 an acre to clear, and he would be now taxed on what it cost him to clear it; but then he ought to, because he would be proportionately benefited. He would benefit to a greater extent than another man whose land was only worth £1 an acre.

Mr. FREEMAN rose to support Mr. Alison's amendment. He said they all knew that the returns of the stock on the 31st December, in the majority of cases, represented more than the carrying capacity of the country, and though perhaps one man might not have a sufficient number of stock, and might not be right up to the carrying capacity on the 31st December, his neighbour would probably be so much over; and so the thing would cut all round very evenly. Surely they had had quite sufficient for the last fifteen years of people running all over their runs cackling about them. The proper way to take the assessment was on the returns under the sheep Act. One might be a little more one year and another year less, but in a number of years the thing would average itself.

Mr. LAURENCE (Balranald) would support the resolution that the assessment be made on the stock returns. He considered it was the fairest way for the raising of funds. It would be most unfair to put in the hands of a Board a large district to assess. The amounts the Boards would assess at would be found fault with almost everywhere. It should be kept in the Stock Board's hands altogether, and by taking the returns sent in to the Government under the Sheep Act would be the fairest way.

Mr. TREBLE (Temora) rose to support Mr. Gibson. He thought Mr. Gibson's amendment should be carried in its entirety. A short time ago he spoke in the interests of the small men, but now he spoke in the interests of the large men. There was no other course open than to assess the land on the carrying capacity. The other way would be setting a premium on dishonesty. The suggestion by Mr. Atkinson that there should be a power of appeal was a good one. Experienced men who were elected to the Stock Board were not likely to make a mistake. There was no other way which would approach the fairness of this system of taxing by the carrying capacity.

Mr. ROSS (Hume) said he would support Mr. Alison.

Mr. BROOKE (Boggabri) said they had just had one valuation all over the freehold land in the Colony by Inspectors appointed by the Crown, and look at the result. He did not suppose there were two men who were satisfied.

Mr. ALISON was quite astonished to find any difference of opinion in this matter. He only proposed to adopt the mode that had been adopted under the Pastures and Stock Act and was now in force. He was proposing no innovation, no revolution at all. It had been found to work fairly, equitably, and correctly, and he did not see what they could do better than to adopt that principle. But according to the principle which was proposed this Stock Board was to be composed of stockowners, and they were to assess the carrying capacity of the lands in their district—that is to say, that the members of the Stock Protection Board were to be the judges of the value of their own properties. Now, he would say that no body of men were to be trusted with such a responsibility. It would be dangerous. It was most unusual to entrust eight men to value their own properties. When the judgments came out he thought they would see some very curious anomalies. It would be much better for them to say they would adopt the old simple plan under the Pastures and Stock Act, and they should adopt the same mode of taxation. It was simple, easy, and equitable.

Mr. GIBSON (Hay), in reply, pointed out that the right which Mr. Alison would deny to the Rabbit Board was already possessed by the municipal councils. In valuing the property they held a friendly Appeal Court, and in ninety-nine cases out of a hundred this friendly Appeal Court settled the cases, and in the one-hundredth case they went to the Appeal Magistrate. He would like to point out that the returns did not give a true statement of the holding of the run. In his district they had got freehold lands abandoned; they were in the hands of large monetary institutions, and these should pay their share of any rabbit taxation. How were they going to get at the owners of these properties? They would not kill the rabbits, and they would not put stock on them, and Mr. Alison's proposals made no provision to make them pay their share.

Mr. ATKINSON said the valuers who would go out in this case would not be the same class of men as those sent out by the Government to value the lands. These men would be appointed by the Board themselves, the same as the municipal valuer was appointed by his own council. The people would have the right to appeal, and the people would bring forth evidence and say what could be carried. That would be the fairest way of getting at the revenue which should be derived from these lands. Many people carried stock for certain periods of the year only; for instance, many people kept large tracts of country for carrying their stock during the winter season. They wanted to get at the acres which carried rabbits. He thought, therefore, that they should be taxed on the carrying capacity of the whole run. Mr. Alison had said that he could not see how anybody could follow any other course than his; well, he, for his part, could not see how anybody could go for any other course than his own (Mr. Atkinson's).

Mr. Gibson's amendment was put to the meeting, and lost by 28 to 15.

The original proposal by Mr. Alison was put, and carried by 25 to 13.

Mr. ALISON (Canonbar) said the resolution which had been passed necessitated an amendment in line 29 of Clause 12. He would move that the words "private holdings" be struck out and the word "stock" be inserted.

Question put to the meeting and carried.

Mr. ALISON (Canonbar) said in line 35 he would move, and he was not wedded to the figures in any way, that after the word "year" all the words in that subsection be struck out with a view to the insertion of the following, "that unoccupied lands shall be taxed on the basis of one sheep to 6 acres."

Mr. BACON (Brewarrina) seconded the proposal, but would like Mr. Alison to give a definition of what he meant by unoccupied lands.

Mr. ALISON (Canonbar): Lands in the hands of the Crown that were not held under any form of lease or license. He was quite willing to add that. It was advisable for them to deal with the different divisions as they came up; he wanted to deal with the lands in the hands of the Crown which were not under

under any form of private ownership whatever. He would like to deal with that alone just now, and afterwards go on to the cultivated lands, and then go to the unstocked lands. His intention was simply to deal with lands in the hands of the Crown, by which their voting representations would be regulated. This motion, so far as it went, was entirely for land held by the Crown under no form of lease.

Mr. DAVIES (Gunnedah) moved an amendment that it should be 20 acres to the sheep. There were thousands of acres of land that it would be impossible to stock because they were waterless.

Mr. A. BROWN (Narrabri) seconded the amendment.

Mr. CUDMORE (Wentworth) supported Mr. Davies's amendment. There were some public lands that would not carry a sheep to 50 acres. He thought it should be arrived at on the basis of the carrying capacity or sheep returns of the neighbouring lands. They could take the stock returns for each district and calculate the carrying capacity of the unoccupied lands on that basis.

Mr. BROOKE supported Mr. Davies's amendment. There were lots of gentlemen present who were working country which would carry a sheep to 10 acres. It stood to reason that if the adjoining lands were as good it would not be unoccupied.

Mr. WILKES (Broken Hill) would support a sheep to 20 acres.

Mr. BACON (Brewarrina) said if they took on the amendment, 500,000 acres divided by 20 came to 25,000, and 25,000 sheep at 1d. per sheep came to about £50—that is to say, the Minister would have to pay over £50 in a big district. He thought, therefore, that a good deal was to be said for not making the amount so big.

Mr. TREFLE (Temora) said that as there was such a wide diversity of opinion, from 6 to 50 acres, it seemed to him it would be better to have the land valued.

Mr. CAMERON (Ivanhoe) supported Mr. Davies's amendment because there was a large amount of land already in occupation by lessees which was valued on a basis of 20 acres to the sheep. Well, the State would say, "We have all the worst land; a great deal that is occupied is carrying a sheep to 20 acres, but this land is of such a nature that it is not worth occupying even if they get it at a rent based upon its carrying capacity at 20 acres to the sheep." He therefore thought that a basis of 6 acres to a sheep would throw out every acre of land that was not already under occupation, and he would most decidedly go even beyond the 20 acres and put it at 30.

Mr. HEDDEN (Wanaaring) proposed an amendment that it be 10 acres to a sheep. All the lands would carry a sheep to 20 acres if it were improved, but people would not improve it.

Mr. FLANAGAN (Gunbar) seconded Mr. Hedden's amendment. He did not mean to insinuate there was plenty of land in the Colony that would carry a sheep to 20 acres. Some men had pulled their coats off and set to work to make the country capable of carrying sheep, and they were to be taxed for having taken their coats off and set to work.

Mr. ALISON (Canonbar) said he was not bound to these figures; and as there was a feeling in favour of a sheep to 20 acres he would be willing to accept Mr. Hedden's amendment, going halfway, and making it a sheep to 10 acres. He was quite pleased to see what a number of advocates the Crown had in the Conference. The proposition was to let the Crown off most easily. He could not conceive that in any district they would have £20 to pay. He really thought a sheep to 10 acres was about the worst that he knew of in the Western Division, and the Crown lands could not be very much worse than that anywhere. There was some good land and some indifferent land, and he thought perhaps it would be better to accept Mr. Hedden's motion for a sheep to 10 acres; and he would amend his motion to that effect, namely, "That public lands shall be taxed on the basis of one sheep to 10 acres."

Mr. CUDMORE (Wentworth) said that Mr. Alison had remarked that there was very little country in the Western Division that had been assessed at 10 acres to the sheep. He begged to differ. There was a great deal that would only carry a sheep to 12½ or 15 acres.

Mr. Davies's amendment was put to the meeting, and lost by 24 to 13.

Mr. Alison's motion, of one sheep to 10 acres, was put, and carried by 24 to 10.

The Conference adjourned until 10 o'clock the next day.

THIRD DAY—11TH MARCH, 1897.

The Conference met at 10 a.m.; Mr. Lakeman in the Chair.

The minutes of the previous sitting were read and confirmed.

The Minister for Lands entered amid acclamation, and delivered the following address:—

I think it better, Mr. Chairman, instead of waiting until you have concluded your business, when probably you would submit all your resolutions to me, to occasionally come in and confer with you on the progress that you have made. I think that is the better course to adopt, because you will finish your business at a certain time, and you will all have made your arrangements to go home, and probably there will only be half an hour left to come and talk the matters over with the Minister; and it might be found then that I could not accept your proposals, and then you could not stay back to reconsider them. I thought it better, therefore, to come and have a talk with you. There may be differences of opinion that we can get over by a little mutual consultation; so that I am sure you will not object to my coming here. I will first of all read a telegram which I have received from Mr. Alexander Oliver, of the Land Appeal Court. "Please offer my services to the Rabbit Conference to draft their Amended Rabbit Bill—of course gratuitously. I return to Sydney to-day." We could not have a better draftsman than Mr. Alexander Oliver, and I am sure you will agree with me it is extremely kind of him. You will understand of course that whatever I say to-day I do not want to dictate at all. I simply want to express some views to which you will pay that consideration to which they are entitled; and if you differ from those views, express your opinion upon them, and then we may after all be able to come to some decision which will mean harmony. Now I notice you have passed a resolution placing the administration of the Rabbit Bill in the hands of the Stock and Pastures Protection Board. The difficulty I had in drafting the Rabbit Bill of 1895 was to avoid having cumbersome and expensive machinery. I saw that if we had to put the country to the expense of having a separate Rabbit Board elected that it would perhaps entail expenditure that reasonably

reasonably we should endeavour to avoid. I am quite in sympathy with the views which have been so freely expressed in this country, that to a large extent we are over-governed and that we have too many Boards in existence; and if I can by any means, as the outcome of this Conference, take some existing body and make it do the work that has to be done under this Bill, I should consider it a very great step gained; and, therefore, if it is possible to have a separate Bill making use of existing bodies, I should be one to grasp the situation and make use of those bodies; but if they have defects in their constitutions you are not likely to have those defects overlooked in Parliament. I do not know a Pastures and Stock Board from Adam—I never met a Board, and I know very little of its operations; so that I can have no preconceived opposition to them—none whatever. I believe they are very good Boards, and if they can be made use of, so much the better. But you all want to pass a Rabbit Bill; you do not want to have a Bill drafted which will look very well here but will never get through all the obstacles of Parliament. You want to have that Bill, after it leaves here, drafted into the Statute Book of the Colony. It is only an act of kindness to point out to you objections that Parliament may take and which I cannot overcome. No matter how much I may wish to place the sole control of that measure under the Stock Protection Board, I tell you candidly I do not think I could pass the Bill. It is no use misleading you; it is no use my coming back in twelve months' time to tell you I have failed. The small men in the community have a very large say in the election of representatives to Parliament, and their members count more than the members of the large men at the ballot-box. These small men have representatives in Parliament who will take up the cudgels on their behalf, and you may be sure of very strong opposition in Parliament to handing over the control to the body in which the so-called small men have not adequate representation. The difficulty you have got to overcome is to make the Stock Protection Board of such a character that it will be thoroughly representative of the large and small interests involved; and it means this—that if the present constitution of those Stock Boards does not give adequate representation to the smaller holders in the country, you will have to propose such amendments in the constitution as will give them a fair voice in the election of Stock Protection Board members, and a fair voice in the management of the work. Then, in addition to that, I know there is a proposal to enlarge the franchise. You must go further than merely enlarging the franchise; you must do it on a different basis altogether. There are men who have no stock at all, who are not engaged in stock-raising—perhaps they may have a few draught horses or bullocks for ploughing—men engaged in agriculture, who are injured by the depredations of rabbits, and who necessarily have to make some protection for themselves against the inroads by the rabbits. It seems to me that these men are largely affected by rabbit legislation, and they are entitled—in a measure which will impose taxation upon them—to representation, because I cannot say that a measure will be a good one that allows any class to be taxed without representation. Therefore, if a man who has got 2,000 acres under wheat is taxed, you must be prepared to concede to him some voice in the representation. I do not think there ought to be any difficulty in this matter. I do not see that there should be any difficulty at all, but you ought to be prepared to enlarge the basis of election of the Stock Protection Board so as to take in all those whom you propose to tax and those whom you propose to benefit. Therefore, it seems to me that there ought to be some basis; and if the Conference can arrive at thorough unanimity on this point, you will be doing a distinct public service and you will be justifying your discussion and your deliberations, because we shall have no need then to create a new Board with all the expense of election, but we shall have one Board, already doing good work, made still more useful by enlarging its functions. I hope, therefore, that before you have concluded the consideration of this subject you will have gone into this very difficult question most thoroughly, and that you will have drafted some clauses in this Bill to amend the Stock Protection Board—the Diseases in Sheep Act—so as to enlarge the election, or mode of election, of the Stock Protection Boards. Now, the next point, and I can see that we are not at variance at all, is with regard to the obligation of the Crown to perform its work on the Crown lands. I regret, indeed, to see that some gentleman said yesterday that he could state, almost with authority, that the Government had no intention of dealing with the rabbits on its own land. I presume that my word must be taken for what it is worth. It is not lightly given in these matters. I have never broken a promise which I have made to the people of this country. I state that I am imbued with the knowledge that it is an unfair thing to tax the private holders or occupiers in the community to destroy the pest, and at the same time to allow that pest, without any hindrance at all, to increase and multiply on the Public Estate. Therefore it is incumbent upon the Government to do its fair share of the work, if the work is to be done thoroughly. If the Government is prepared to neglect what it ought to do, it has no right to impose an obligation on private owners to do what the Government will not do. I say we must accept one another's protestations in this matter. You impose an obligation on the Crown, but you cannot vote away a sum of money per annum for the purpose of doing the work; you must leave that to Parliament, which votes supplies year by year, to vote the amount, which will be at the disposal of the Minister for this work. Therefore I have provided that the Minister shall expend some sum of money for this purpose. So long as I am in the Ministry, you can always rely that there will be submitted to Parliament a sum of money to be expended on the Public Estate to destroy rabbits. If Parliament refuses to vote any money we must put up with it; but if the proposal is submitted by those who are in sympathy with you, then I think you will be satisfied with them. In the next place, a hard and fast rule is stated with regard to the rate that ought to be imposed on the Public Estate. I think it is reckoned as carrying a sheep to 10 acres. You must know yourselves that some of the valuable estates which are held by the Crown for commonage, &c., will carry a sheep to an acre, and it will be necessary in these cases for the Crown contribution to be much larger than one sheep to 10 acres, and then there are portions of the country in the far west where it will not carry a sheep to perhaps 40 or 50 acres; so that if you impose upon the Crown the duty of contributing by this hard and fast rule, you make the Government contribute too much in one district and too little in another. Take, for instance, the Pillaga Scrub. That country, I suppose, would carry a very poor percentage of sheep compared with the lands we have in reserve in Riverina; and the simplest way for the Crown to deal with country like that is to fence its own rabbits in, because there is only one holder in the whole of that Pillaga Scrub. I would like to have more. I would like to have twenty, but, unfortunately, we have got very few holders; but there the rating should be very much less than in the richer country. If you go farther west, to Wilcannia and Mount Poole, the rating must be in accordance with the requirements of the country; so that I think it is better not to have a fixed hard-and-fast rule, but to leave it to the various Stock Boards in the various districts. Let local experience decide this. There are only these two points; and I

thought it would be better at once to mention them in order to avoid any misunderstanding, because there is a misunderstanding growing up, and some think that the small man is to be shut out entirely. I think we can bring these divergent views into harmony, and draft something which will satisfy all parties concerned. And on the other point I have mentioned, I think a little reconsideration will show you that it would be, perhaps, better to leave it to the varying requirements of the localities. I have nothing more to say, gentlemen, and I would be very glad to hear, for a few minutes, if there are any other points on which there might be any need for mutual conferences.

The CHAIRMAN read the resolution regarding the basis of representation.

The MINISTER FOR LANDS continuing said: I do not think that resolution is a right one, because the effect of it would be that persons who have not got the franchise under the Stock Protection Board would be exempt from taxation. If you put it the other way round, that there will be representation to all who are taxed, I have no objection to it; but if you are going to exclude people from being taxed, simply because you are going to exclude them from having representation, you are wrong. That reads the wrong way. I say at once that agriculturists who have no franchise under the Stock Protection Act ought not to escape taxation—that they ought to have the franchise, and that they ought as well to have the burden of taxation.

The Honorable RUPERT CARINGTON said that he would like to say a few words, as he had been the mover of the resolution which placed the control of the rabbits under the Stock Protection Board. He opposed the proposal in the Bill of the Minister on the ground that we should have no taxation without representation, and he most carefully brought that in, as it was the keynote of his amendment that they should bring in an amendment so as to prevent any taxation without representation. They were dealing with agricultural lands, and how they were to be taxed. He agreed with the Minister that nothing would be worse than that a certain number of people in a district should be taxed and a certain number not taxed. He thought an amendment could be passed that would fairly meet the case. He thanked the Minister for the very conciliatory attitude he had taken, and for the consideration he had shown to the alterations which had been made in the Bill; and he sincerely hoped the Conference would be able to back the Minister up very considerably in his efforts to produce a Bill that would meet the case. There must be mutual concessions on both sides, and he, on his part, would be quite willing to withdraw the resolution about taxation of the Crown. He thoroughly understood the Minister's objection to it, and hoped the Conference would adopt the same attitude to the Minister, and by mutual concession strengthen his hands and enable a Bill to be passed acceptable to him and to ourselves.

Mr. WILKES (Broken Hill) thought the Minister did not clearly grasp his meaning. He stood there as a representative of 11,000,000 acres of land; therefore he felt it his duty to speak. There was a clause in the Act (clause 32) that only allowed a maximum to be laid out by the Minister, and he took it that that maximum sum was equal to the public lands as against the other lands. Take the public lands as 20,000,000 acres against 2,000,000 acres; the Minister can only lay out a maximum of one-tenth of what may be collected. He maintained that about £100,000 might be collected, and therefore the Minister will have to spend £10,000. £10,000 would not suffice. The public lands were the worst infested, and it would take a far larger sum annually than £10,000. The sum which the Government limited themselves to in this Bill would not be sufficient.

The MINISTER FOR LANDS: Do you mean to tell me there are 20,000,000 acres within your district.

Mr. WILKES (Broken Hill) said he estimated that as the amount of public lands in the Colony.

Mr. J. FLANAGAN (Gunbar) drew attention to the fact that the last speaker had yesterday supported a motion that the Minister should be taxed by a sheep to 20 acres.

Mr. WILKES (Broken Hill): No; a sheep to 30 acres.

Mr. FLANAGAN (Gunbar) said he stood there as a representative of the farming class. He had supported Mr. Gibson's motion in the direction that the Minister has now said it should be corrected. The farmers as a rule were apathetic. They did not take part in public meetings, but they would take their part on the voting day, and defeat what was done at the Conference if they did not treat them fairly; and he could assure the Minister he thought there were very few delegates who doubted his sincerity as regarded any proposals he might bring forth with regard to the Rabbit Bill. Here was the point—that they prayed that Parliament would enact a law that would compel land-owners to at once commence to operate against the rabbit pest; but Parliament would not enable the Minister to commence the work. He would be delayed until Parliament granted the money, which might mean a delay of two or three years; therefore, it would be unfair to land owners that they should be compelled to kill rabbits straight away when the Minister would not be enabled to do his share of the work.

Mr. ALISON (Canonbar) said he was very glad that the Minister for Lands had come there to confer with them, and he thought the Minister would find they were very much in accord with him. They were now dealing with the question of the voting and the franchise, and they intended to reduce that franchise to the lowest possible reasonable point. They did not want to bring in a man who has only a pet sheep or a man who has only a spring-cart horse. All land-owners and stock-holders who could reasonably be called land-owners and stock-holders should have a vote. The present law allowed any man who had ten head of large stock or 500 sheep to have a vote. If the small owners considered that 500 sheep was too high a limit, they could reduce that vote. It could hardly be conceived that anyone would want to reduce the number of large stock from ten head.

The MINISTER FOR LANDS: Supposing he had no stock at all, but about 300 acres of wheat land?

Mr. ALISON (Canonbar): They intended to deal with the wheat lands by assessing them on a basis which would allow them a sufficient vote. They did not desire them to pay a very large taxation. As far as possible, men who had cultivated their land should be very lightly dealt with in their contribution to the rabbit fund. They thought that any man who had brought the land up from a sheep to 10 acres to a sheep to 5 acres ought to escape taxation as much as possible, and they intended to make the taxation as light as possible and his representation would be according to his taxation. He was sure the farming members there would be entirely able to say what taxation they proposed to pay. Under this Bill the rate was not to exceed $\frac{1}{2}$ d. per sheep. In any case the taxation would not be very severe on the owners of cultivated land and they would have full representation in accordance with their taxation. He was the mover of the measure that the meeting passed yesterday in regard to Crown lands, and their idea was that the taxation should not be extreme on the Crown in any way. It was simple, and the Crown would pay just

just the same if every separate piece was valued. The taxation was $\frac{1}{4}$ d. per sheep and the Crown could estimate at once what the amount of their taxation would be on the number of acres which were public lands at $\frac{1}{4}$ d. per sheep on every 10 acres of land. The Crown would know how much they had to pay each year. He was firmly of opinion that it was the best proposition for the Crown and for the people.

Mr. BACON (Brewarrina) desired to refer to the second part in which the Minister said some gentlemen expressed a doubt as to his (the Minister's) sincerity in making money available on public lands. He wished to state, in explanation, that in following the Minister's own statement that he was perfectly sincere and would do his best to get the Bill passed in the shape they put it, he was subject to the vote of Parliament. He did not in any way intend to refer to the present Minister, but to the lack of administration on the part of past Ministries, who never put the compulsory clause in operation—in fact, never did anything. He referred to a place where the public lands simply swarmed with rabbits and the private owners could not put them down. The stock routes were infested, and he knew of places where the Minister had never made any payment. He would like to refer to another point where he had been misrepresented. One gentleman stated that in his district there were 500,000 acres of public lands, and when they were discussing the question of assessing these lands at one sheep to 10 or 20 acres, he made a hurried calculation and found that the Minister would contribute £50. Estimating the public land of the Colony at 20,000,000 acres, at $\frac{1}{4}$ d. per sheep the Minister would pay £2,083 at one sheep to 20 acres. He had stated that the contribution would be very small, and at 10 acres to the sheep on 20,000,000 acres it would be only about £4,000. That did not seem a very large contribution. He only wished to set himself right before the Minister with regard to what he stated about this matter of the money being available.

Mr. T. BROWN, M.L.A. (Budgerabong) said that as he was the author of the clause which the Minister had taken exception to, he would like to make some explanation. He thought it was a perfectly fair and just provision. In the Minister's Bill it was proposed to constitute separate Rabbit Boards, and the franchise was a very wide and liberal one, but the Honorable Rupert Carington brought in a motion which placed the whole control of this Act in the Stock Protection Board under which the maximum members of the Board are elected by sheep-owners with the minimum voting power of 500 head of sheep; and this would mean that a large number of contributors under the proposed legislation would be completely excluded from the administration of the funds they would have to contribute, and in order to safeguard their interests and to carry out the principle that there should be no taxation without representation, for the time being he moved that clause; but to alter that franchise and to enable those men to come under the operation of this Board, does not mean merely an alteration of this Act but an alteration of the Stock Protection Act in that direction. The small owners will very willingly welcome an alteration in that direction. All that they require is to have a voice in expending the money they are to contribute. This resolution was simply to conserve their rights until such time as an alteration was made.

The MINISTER FOR LANDS said that Mr. Bacon had been at some pains to point out that the path pursued by the Crown in the past would give some idea of its possible path in the future, and that the Bill did not propose a sufficient burden on the Crown. He was sure they would pardon him for reminding them that the history of the past twenty years proved that the Government of the Colony had not been behindhand in providing funds for rabbit destruction. In seven years there had been paid from the Consolidated Revenue no less than £503,000 towards rabbit destruction, but altogether £831,457 had been expended in the attempt to exterminate the pest. He thought the statement of those figures would disabuse the minds of anyone as to Parliament not being willing to vote supplies for that purpose; but there grew up a feeling in the minds of the public that money was being spent from the Consolidated Revenue without gaining any commensurate return in rabbit destruction, so that it behoves any Minister at this time to look before he leaps, and not pledge the Parliament of the country to an expenditure which on analysis will not be proved to be fruitful. That is why the Bill must be drawn in this way. Parliament has had such an experience of rabbit destruction that it will trust no Minister with the power to expend moneys until its consent has been obtained. Since that time they had constructed 956 miles of barrier fencing, at a cost of £48,800, and during the last twelve months he had caused 110 miles of fencing to be constructed in order to prevent the wave getting into the northern and western districts. It had been represented to him that the fence from Narrabri to Mungindi was essential for that purpose, and on that ground the State contributed one-half of the cost. These facts show that the Government are not inclined to stand still as long as they can see some return in value for the State expenditure. It may be that clause 32 does not provide anything that is necessary; but this Conference has met here in order to improve the Bill, not to condemn it entirely because some acute man could find a fault here and there. If they went into arithmetic, and the figures did not pan out as they would like, that is no reason why it should be condemned. If they put it at 10 acres to the sheep, they have provided for the Minister to expend £10,000—that is the sum he had put in—and if he had blundered, they also had blundered. First of all, with regard to the municipal districts. Rabbit destruction being under the control of municipal councils, he did not see any necessity for the Stock Protection Boards to intrude themselves into municipal districts. The borough of Broken Hill had at times had a rabbit plague of quite a different character from the plague as they get it. He had had to close the public schools in consequence of the rabbit plague. The plague had very often to be dealt with, having regard to the health of the inhabitants. The rabbits when poisoned came there to die, and it made it insanitary for the school operations to be carried on. There ought to be no interference with the municipal councils administering the Act. He did not think they should oppose the proposal for State representation on these Boards. The more the Government is required to find money, the more the Government will say they must have representation on the Boards. They could not expect the Minister to go and vote like a landowner for the members of the Board. There must be some dignity in the Government. They had had experience of the men the Government had appointed to the different Boards in the country. The Government were likely to insist upon having some representation on these Boards, so that the taxpayers of the community who had provided some portion of the money might be represented. He hoped they would excuse him coming there to-day, as he did not want in any way to interfere with them.

The Minister then withdrew amid acclamation.

The CHAIRMAN thought Mr. Carruthers was very earnest in his intentions to help the Colony to get rid of this rabbit pest. They must take his word for the public expenditure that would be incurred, and he did not think the Minister would be behindhand when the time arrived. He should have liked to see the Minister there after they had discussed the whole of the franchise.

Mr.

Mr. R. GIBSON (Hay) proposed that the matter for discussion should be the constitution of the Stock Protection Board, and on what basis they should be elected.

Mr. ALISON (Canonbar) on a point of order, contended that clause 12 must be finished first.

The CHAIRMAN thought that if they went on with clause 12 they would have to go back over the old ground.

Mr. S. NIXON (Gunbar) seconded the motion.

The question on being put was negatived.

Mr. ALISON (Canonbar) said they had to deal with the cultivated lands. As he pointed out yesterday, in clause 12, subsection (a), it said, "cultivated lands shall be taken to be capable of carrying as many sheep as they would carry if laid down in grass." He disagreed with the proposition in the Bill. He thought that cultivated lands, instead of being taxed as laid down in grass, should be taxed as if in their normal condition. He thought it would be found impossible to state the value of any cultivated land in its original state. They could not judge from the surrounding country. It might not be of the same nature. It would be best for them to arrive at some conclusion as to how many sheep an acre of cultivated land should be assessed at. He would like to see it agreed that all cultivated land should be put on a basis of 1, 2, 3, 4, or 5 sheep. He pointed out to the farmers that if they had an expert going round, the expert would go to the Board and give his opinion, and the farmer would then have to go to the Board and give his opinion, and would have to bring witnesses, and there might be an appeal to another Board, and by this means he would be put to great expense. If they could arrive at a rough and ready way of assessing him it would be much cheaper to the Board, and much cheaper to the farmer, and he would know exactly what he had to pay. The whole of the money would go to the Board without any subtraction for the expense of the expert who would go and value that land. He thought if they had to value the land the expense they would have to go to would be more than the amount contributed. Let it be put at a small lenient rate, so that no farmer should be put upon. He would sooner see a man get off than that he should pay too much. He moved that any cultivated lands should be assessed on the basis of 5 acres to one sheep.

Mr. J. H. VARCOE (Hillston) asked how would his cultivated lands be assessed at a sheep to the acre. He was already assessed at the stock that the land he had cultivated was carrying.

Mr. COOK (Beringerry) moved as an amendment, "That it would be 1 acre to two sheep." He was both a wheat-grower and a sheep-owner, and knew something about the matter. They wanted a reasonable thing, and did not want to get off too easily. A sheep to 2 acres was a fair thing.

Mr. GIBSON (Hay) seconded the amendment *pro forma*, although he was opposed both to the motion and to the amendment. The Minister had pointed out the folly of laying down a hard and fast rule. In his district it took 3 acres of good grazing land to carry a sheep; in the Berrigan district 1 or 2 acres will carry a sheep; in other districts two sheep might be carried to an acre. Why should we lay down a hard-and-fast rule that will give a concession to one class of owners in one district, and will not give a concession to another class of holders in another district. Some gentlemen kept harping on these experts. He did not know what part of the Colony they came from. He came from a part of the country where there were a large number of these experts. He thought it could safely be left to the Board. They were going to elect their own members, and they could safely leave it in their hands and to their practical knowledge, and there should be no necessity to bring men down from any other part of the Colony to give evidence.

Mr. J. R. BRETT (Urana) seconded Mr. Alison's motion.

Mr. FLANAGAN supported the motion. They had passed a clause that Crown lands should be rated at 10 acres to the sheep. He thought Mr. Alison's motion of 5 acres to the sheep would be more in accordance with the motion carried yesterday. Regarding a few words that had dropped from Mr. Cook, who said something to the effect that there were no cultivated lands that would not carry one sheep to 2 acres, he had himself brought into cultivation certain land of which 15 acres would not support one sheep. The Boards would have to raise the rate from $\frac{1}{2}$ d. to 3d. per sheep to deal with the rabbit pest if it were on that basis. They must all know of scrub lands that would not feed sheep, and that they were the most difficult lands in the Colony to eradicate rabbits from. These rabbits could live where there is timber and scrub that will not feed sheep, and will live there without any water. Rabbits could be eradicated much easier from the rich country than they could from the bad country. The day would come when every man in the community will have a voice in the election of Members of Parliament for their districts, and if they did not adequately take into consideration the interests of the small men all their work would be cast aside by their representatives in Parliament, for there they would not be represented on the basis of the stock they owned.

Mr. NIXON (Gunbar) thought it inexpedient to make any hard-and-fast rule. There were districts that would carry considerably over a sheep to the acre. He thought it should be left entirely to the Boards to decide without any expert evidence. He was quite sure it would give more satisfaction.

Mr. T. BROWN, M.L.A. (Budgerabong), proposed, as a further amendment, "That cultivated land not assessed under a Stock and Pastures Protection Act be assessed by the Board on the basis of the carrying capacity of the adjacent grazing grounds." He believed that the wish of the Conference was to assess on the stock-carrying capacity and not on their cultivation basis, and the best way to arrive at that was to determine it by the adjacent grazing lands, and to leave the assessment in the hands of the Local Stock Board.

Mr. LITTLE (Bullock Creek) seconded the amendment.

Mr. WILKES (Broken Hill) considered that Mr. Gibson and Mr. Brown were only on a bogey. They would allow that a man who had a thousand acres of cultivated land must have ten horses to work it. On Mr. Alison's 5 acres to a sheep, his rate would be 100d.—an assessment of a matter of 8s. 4d.; and would it not be better to do that great wrong rather than bring together this Board, the witnesses, and the Land Agent, on whom they would have to spend a good many eight-and-fourpences. This must be drawn on the lines that Mr. Alison laid down. He did not say, "Stick to 5 or 10 acres," but it must be on those lines.

Mr. A. L. B. CAMERON (Ivanhoe) while looking upon Mr. Alison's proposal as the best and most rough and ready method of dealing with this question, pointed out that it was a clause that was likely to meet with a considerable amount of opposition in Parliament. The Minister had already said that he was opposed to these hard-and-fast rules. He thought it would be best not to pass resolutions which were likely to meet with opposition in Parliament. He thought Mr. Brown's amendment the same as Mr. Gibson's.

Mr.

Mr. BACON (Brewarrina) supported Mr. Alison's resolution, because it was a simple and equitable way of meeting a difficulty. He would point out that in this colony a system of mixed farming did not prevail. Without a man cultivated wheat the land simply lay fallow with the straw lying on it in the summer until it was time to cultivate it again. The method proposed would be the simplest and the fairest and cheapest manner of settling this. On the plea of economy he would advocate Mr. Alison's resolutions.

Mr. TREFLE (Temora) supported Mr. Alison's resolutions. Although he did not agree with the principle on which the land was valued, he thought it was better to tax lightly and use all that money for the destruction of the rabbits than to have a greater tax and a heavy expenditure in getting it. He must admit that valuation would cause a lot of expense. They must not raise a cry throughout the country that the graziers were getting off too lightly. He thought it would be better to allow the farmers who were not stock-owners to be dealt with leniently, so as to avoid any friction which may destroy the Bill. There were farmers with a few stock, a few killing-sheep, a few dairy cows, and a few horses. Their returns under the Stock Protection Act would be very small, and they would get off taxation, but he thought they would have to put up with the difficulty in that instance. Some gentlemen had made remarks about the carrying capacity of the land, and one gentleman had remarked that 2 acres would carry a sheep. In some localities, perhaps, it would, but his experience showed that 2 acres would not carry a sheep. Thousands of acres of the back country land had been brought under cultivation, and he knew of land in many districts that had been brought under cultivation that would not carry a sheep to 2 acres. He thought that if they left the basis at 5 acres to a sheep it would show that they did not want to tax the small men too heavily.

The Honorable RUPERT CARINGTON (Jerilderie) would support Mr. Gibson's amendment. As to expense, there need be no expense whatever. It was never proposed there should be experts called in to value the land; the Stock Boards being experts could value it themselves. Some men would have to pay on their ten head of stock and then on their wheat land as well. They would be taxed twice.

Mr. T. BROWN, M.L.A. (Budgerabong), said that when he drew out the motion of which he gave notice just now he did not know there was anything proposed on the same lines.

The CHAIRMAN said he was just about to rule Mr. Brown's amendment out of order, because Mr. Gibson's proposal and his were the same.

Mr. BROWN (Budgerabong) withdrew his amendment and supported Mr. Gibson's.

Mr. ALISON (Canonbar) said his idea was to allow those who had cultivated land to pay as small a sum as possible to allow them representation. He did not want to see them taxed too heavily, because the men who cultivated land were men worthy of a great deal of consideration, and he thought they would be making the greatest mistake possible if they overtaxed them. He would sooner see them get off lightly than that they should be taxed heavily. His proposition could not possibly injure anybody. His idea was to let them off easier, because they were people who were not interested to the same extent as the pastoralists. They were not affected so much as those who had stock. He was quite willing to have it amended in any way, if he could be shown how it injured any farmer or any owner of cultivated land, but he did not think it would.

The CHAIRMAN here explained to the Conference that the original motion meant that if a man had 5 acres under cultivation he should pay on that at 5 acres to the sheep, and if he had 2,000 acres additional he would pay on that according to the stock returns.

Mr. GIBSON's (Hay) amendment was put to the meeting and lost by 21 votes to 20.

Mr. COOK's (Beringerry) amendment was put to the meeting and lost.

The original motion (one sheep to 5 acres) was put and carried by 22 to 17.

Mr. ALISON (Canonbar) begged to move that all the words from the word "the" in line 39 down to the word "stock" in line 48 be eliminated, that is to say the whole of subsection 2.

The CHAIRMAN pointed out that that would follow on the last resolution.

Mr. OATLEY seconded Mr. Alison's proposal, which was carried.

Mr. BACON (Brewarrina) begged to move that no rates be levied on any holding that had been already rabbit proof fenced.

Mr. FLANAGAN (Gunbar) said that that was on the business paper in his name.

Mr. BACON (Brewarrina) withdrew the proposal.

Mr. FLANAGAN (Gunbar) moved "that any owner or occupier of land within a rabbit district shall not be called upon to pay any tax under the Rabbit Act, in respect of any land of his already made rabbit proof, or hereafter to be made rabbit proof at his own expense." He proposed this as an amendment of clause 12.

Mr. WILKES (Broken Hill) rose to a point of order. Mr. Flanagan was going too fast, he had got from clause 13 to clause 22.

The CHAIRMAN ruled that Mr. Flanagan was in order.

Mr. FLANAGAN (Gunbar) said he was a believer in this Act. He was a believer in rabbit fencing in some districts, and a believer in destruction of rabbits in other districts. He came from Gunbar where they had gone into cultivation to a very large extent. They found they could not by any means cultivate their lands without a fence round them. He held land close to Burruga. It was all bush country. It would not be just to compel people in that country to pay for fencing. If the people of that locality sent to the Board to say they did not want compulsory fencing, then they would kill the rabbits. Fencing was a necessity in some cases. Where nine farmers out of ten would vote for fencing then the tenth farmer should be compelled to pay for half that fencing. He thought it would be wise to provide for fencing clauses where the majority of farmers wished to have fences erected, and to compel their neighbours to pay for half the boundary fences. He thought that, although now they might provide in some cases for a boundary fence being placed round the holding, if six or seven farmers who chose to form a group wished to be separated entirely from the jurisdiction of a Stock Board, in respect of that land they should be allowed to do so. These holders should have the power within themselves of rating one-another's land to kill rabbits within the boundary of that "special district," so to speak, and if one man out of the seven did not do his duty in killing the rabbits, the same machinery that applied with the Rabbit Board to compel people under this Act to deal with the rabbits should operate within the holding if the majority of the holders within this "sub-district" wished. The holders within this sub-district should have the power to compel the negligent farmer to do his duty in respect of his lands, and if one of them elected to separate his holding from the other six, then the other six should be compelled

to pay as one man for half of the boundary fence. It would simplify matters very much if groups were allowed to form their holdings into sub-districts. They could have their own little meeting, and each would know what his neighbour was doing, and it would not be necessary to send a Stock Inspector 50 miles to inspect the holdings.

Mr. J. M. ATKINSON said he would second the motion. He asked the Chairman if Mr. Flanagan was right in saying that the Minister had the power to create rabbit districts without reference to the boundaries of the sheep districts.

The CHAIRMAN said that that was not come to yet.

Mr. BACON (Brewarrina) could not agree with the resolution proposed by Mr. Flanagan for this reason, that he proposed that all owners or occupiers who fenced in should be exempted. He would move an amendment that one single owner who fenced in his individual holding should be exempted.

Mr. FLANAGAN (Gunbar) said it was the same thing.

Mr. BACON (Brewarrina) said it was a very different thing. Perhaps Mr. Flanagan would accept this amendment, "Provided also that no rates shall be levied on any holding which in the opinion of the Board is surrounded by a rabbit-proof fence."

Mr. FLANAGAN (Gunbar): Surely that would remain with the Board. They would decide what would be a rabbit-proof fence.

Mr. BACON (Brewarrina) begged to move, "Provided always that no rates shall be levied on any holding enclosed in a fence which in the opinion of the Board is rabbit-proof." That was substantially the same thing as obtained in Queensland. He thought that an owner who fenced in his holding, whether it was 640 acres or 2,560, or 10,000, or 100,000, if he went to the very large expense of putting a fence round and keeping it in order he should not be called upon to go to any further expense in taxation. It should be distinctly understood that he proposed this for individual owners. If it went in groups, these groups would be more or less large, and there would be no taxation at all.

Mr. T. BROWN, M.P. (Budgerabong), said there were some difficulties in the way of Mr. Flanagan's motion. He had contended that, in order to deal effectively with the rabbit pest by means of wire-netting, they must have the holdings of as small an area as possible, and it seemed to him that, unless under this resolution they made the country of a limited area, it would be no effective means of preventing the spread of the pest. In the meanwhile he should move as an amendment the following:—"That the word 'quarter' be substituted for 'half,' in line 49, clause 12, of the Bill. He thought the owners who were enclosed would derive a certain amount of benefit from the operations of the Pasture and Stock Boards, and that they should contribute something for the benefit derived, and while he thought the half rates were too high he thought the quarter would be sufficient to cover the benefits received.

Mr. FREEMAN rose to second the resolution which had been proposed by Mr. Bacon, but in doing so followed Mr. Flanagan in all that he said, but he would point out to Mr. Flanagan that where he differed from his resolutions was in the words "rabbit-proof," and he would, like Mr. Bacon, wish to substitute the words "reasonably sufficient." There had been a great deal of conflict of opinion as to what constituted a rabbit-proof fence. It was laid down under certain sections of the Rabbit Act, and it was found to work unjustly against people who had fences which were reasonably sufficient for the exclusion of rabbits. If Mr. Flanagan would add that, probably Mr. Bacon would support him. He would like to show gentlemen, that in many cases there would be no necessity at all to levy any tax, because in some districts they were bounded by wire-netting, and subdivided like a piece of wire-netting itself. There was no necessity that those who had borne the burden of the whole thing for the last fourteen years should come in and pay contributions for the protection of the man outside, who had never paid a penny and never borne any of the expense of this work. They were doing all that, and why should they now be called upon to pay a tax for the protection of their neighbours.

Mr. FLANAGAN (Gunbar) could not do what Mr. Freeman asked. The result would be this—that they would have several Boards giving separate decisions on several rabbit-proof fences. In one district there would be one standard rabbit fence and in another district another standard. He preferred to let Parliament decide what would be a rabbit-proof fence.

Mr. BACON (Brewarrina) withdrew his amendment.

Mr. GORMAN (Berrigan) would oppose Mr. Flanagan's amendment. In the first place, if they carried this resolution, in his opinion there would be very few voters in the Riverina to take part in this Act. Nearly every large property there was netted, and some of them had been netted for two or three years. The fact of having netted the properties did not do away with the rabbit pest. Personally he had fenced in his property with wire-netting, but the difficulty still continued, and if they were not going to have these people brought under the provisions of the Act, they could not compel them to kill the rabbits; and, if the resolution was passed, it would nullify all the work they had done for the past few days.

Mr. LITTLE (Bullock Creek) had much pleasure in seconding Mr. Flanagan's proposal. If a man went to the expense of netting individually it was nothing to the outside owners whether they had rabbits or not. If every owner would wire-net individually, and destruction was made compulsory, the difficulty would be at an end.

Mr. CAMERON (Ivanhoe) was thoroughly opposed to any change being made in the clause as laid down, and the reason he opposed it was that the districts where the rabbits were thickest were the districts where every holding or almost every holding was netted in. In his own part of the district, he might say, every large holding was netted, and the only lessees to fall under taxation would be the home-stead lessees, and the small men would bear the whole cost of administering the Act in this district. More than that, he thought that a very great concession was made by the Minister here in order to promote the erection of wire-netting fences, and he thought that if they only paid half rates those who were enclosed were accorded a concession that ought to satisfy any man.

Mr. BROOKE (Boggabri) said that the motion seemed to propose that if a man were fenced in he was not to be compelled to kill his rabbits. Now the intention was to make him kill, and therefore if he fenced in he should not have to pay any taxation.

Mr. ALISON (Canonbar) said that everybody was interested in getting the rabbits down. Whether a man was fenced in or not he would be interested in the barrier fences which were proposed. The Minister said (by the Bill) that he was interested to half the extent of a man who was not fenced in. He defied any man who was entirely fenced in, but had rabbits all round his run, to keep the rabbits out.

Mr.

Mr. ATKINSON said Mr. Alison was more or less right. Any man in his district who was wire-netted in must have the rabbits for his neighbours. But there was all the more reason why a man who had been netted in for some time, and had had to kill, not only his own rabbits but also his neighbours as well, should be let off without any tax, at all events until the other runs were netted in and had gone through the fire.

Mr. WILKES (Broken Hill) thought that Mr. Atkinson had given them one of the best arguments, and he was of that opinion too. Rabbit proof fencing, except in very small, very limited, and well looked after districts, was a farce. There was no such thing as a rabbit proof fence in a big area. They all spoke about small men of 640 acres and so on, but were they thinking about the large holdings? There was no such thing as a run that was rabbit proof. Let them go round the country and look at them. Then, again, they kept harping on the destruction of rabbits. This fund was not for the destruction of rabbits, it was merely for the supervision, and although a run was netted in it would require the same amount of supervision from the Board. This was not for netting, but for supervision of the land. If a man paid this money he was paying to see that the rabbits were killed. It would be a great injury to him if the rabbits outside were not killed, and therefore he should pay for supervision to see that they were killed. Mr. Flanagan's part of the Colony was the most heavily stocked part of the country. They found that although this was a heavily netted country the rabbits were equally bad there. A gentleman next to him had had to turn sheep into his paddocks, because he could not keep them for his horses. It was only a year ago, as Mr. Taylor could tell them, that they had had to spend a lot of money to clear away the sand that had overtopped the fence in one run on the border of South Australia.

Mr. OATLEY said he represented the estate of the late E. Flood. They had a district of about 60 or 70 acres of land enclosed by wire netting, and he might mention to them that this day if they went round they would see that outside the boundaries the grass was pretty well eaten off. On their own run very few rabbits were found; in fact not longer than a fortnight ago some gentlemen had asked his permission to go down and shoot rabbits, and they told him they had the greatest difficulty in finding any of them. Outside there were not one but thousands of them.

Mr. CUMMING (Hillston) said that as they were commencing a new Act altogether let them commence from scratch. If they exempted so many of these people where was the money to come from. He himself was netted, but unfortunately he had a bad class of netting. He thought it would be dangerous to allow the clause to pass. The Boards had no power to see that the fences were in proper repair, and they could not go on the land to kill the rabbits, because they were exempt from taxation.

Mr. HEDDEN (Wanaaring) was opposed to Mr. Flanagan's amendment because he thought everybody should contribute something. He also thought that the clause about a man who was going to fence should not be left in.

Mr. FLANAGAN (Gunbar), in reply said he had already explained that fences were not necessary in many localities. His motion was intended mostly for people who were going largely into cultivation. He had already explained that in localities where the majority of owners were occupiers of land, they should petition the Rabbit Board and the Stock Board to make fencing compulsory, or they could petition to have the rabbits dealt with by compulsory destruction. Therefore a lot of the arguments used in opposition to him were futile. He was a believer to a certain extent in co-operation, but he preferred that where an individual could manage his own affairs it was far better management than they would get in the co-operative style. Of course, if an Inspector noticed that a man who was fenced was neglecting to kill, he could report and have him brought under the operation of the Act.

The CHAIRMAN then put Mr. Flanagan's amendment to the meeting and it was lost by a large majority.

Mr. BROWN's (Budgerabong) amendment was put to the meeting and lost, 19 voting for the amendment and 22 against.

As there was some doubt regarding the voting it was taken again and declared lost, the voting being 21 for and 23 against.

The CHAIRMAN then adjourned the meeting until 2 o'clock.

On resuming after lunch the Chairman took the Chair at 2 p.m.

Mr. ALISON (Canonbar) moved that after the word "enclose" the words "or which may be in future enclosed" should be inserted in line 50.

Mr. CUMMING (Hillston) seconded Mr. Alison's proposition.

Question put and carried.

Mr. FREEMAN moved, "That subsections D, E, and F, of section 3, clause 12, and the whole of section 4 should be struck out."

Mr. ALISON (Canonbar), said that if Mr. Freeman would omit subsection D from his resolution he would be glad to second it. He thought the Rabbit Board should have access to the returns.

Mr. FREEMAN said he knew at the present moment that the Department of Agriculture and other Departments who had no legal status called for returns from the different sheep owners of the Colony, and numbers of people refused to give these returns, and altogether they were very careless about making the returns anything like correct. These were not reliable, and seeing that they had a safe return on which the tax was to be levied, he thought these subsections should be struck out.

Mr. FREEMAN's motion lapsed for want of a seconder.

Mr. ALISON (Canonbar) proposed, "That subsections E and F of section 3, and the whole of the sections 4 and 5 be eliminated."

Mr. MCCOLLUGH (Deniliquin) seconded Mr. Alison's proposition.

Mr. FLANAGAN (Gunbar), held that they would be doing wrong if they struck out section 4. He moved as an amendment "That section 4 be retained."

Mr. NIXON (Gunbar) seconded the amendment by Mr. Flanagan.

Mr. BROOKE (Boggabri) thought they were going too far in preventing the Board from inspecting the holdings. There was no reason why a man should not be allowed to inspect them, because they would not know whether a man with an enclosed holding was doing anything at all. They should be simply inspected and a report made to the Board.

Mr. ALISON (Canonbar) said Mr. Brooke could not be aware of the provisions in the Act. Further on the powers of inspection were given. This power to inspect was merely with regard to the appraisalment of the holding, and they had struck that out, so that there was no necessity to retain this power of inspection. In clauses 31 and 32 the Board had the fullest powers of inspecting, entering, and ordering the destruction.

Mr.

Mr. T. BROWN (Budgerabong) said it would be wise to let it stand as it was. It was often necessary in order to enable it to be found out whether correct returns had been furnished. If the Board did not think it necessary to use the power they would not call it into requisition. It would be wise to leave it to the Board, and let them exercise the powers when they might and how they might.

The CHAIRMAN explained that section 4 was unnecessary, as the Conference had decided the carrying capacity, and this was only in connection with the ascertaining of the carrying capacity.

Mr. FLANAGAN's amendment was put to the Conference, the voting being—Ayes, 18; Noes, 15.

The vote was taken again, as some of the members said they did not understand the vote they gave. The result was—Ayes, 17; Noes, 18; and Mr. Flanagan's amendment was declared lost.

Mr. ALISON's original proposition was then put and carried by 18 votes to 16.

Mr. ALISON (Canonbar) moved, "All private owners or lessees who may make no returns, or who shall make what in the opinion of the Board are misleading or inadequate returns, may be summoned before the Board, and the Board shall have the power to rate or increase their returns at a rate not exceeding one sheep to three acres." This should be inserted after subsection D of section 3 of clause 12. He said this was designed to prevent extensive defalcations. There were properties on which there were no stock, and none of the land was cultivated. In that case they would have nothing to pay. He proposed that they should have to pay something. He would move that the Boards should have the power to bring the owners of unstocked runs before them and assess them on a fair and reasonable basis.

Mr. FLANAGAN (Gunbar) said he would second Mr. Alison's proposal.

Mr. WILKES (Broken Hill) explained that under the Diseases in Sheep Act power was given for that.

Mr. ATKINSON asked leave to add to the resolution, "that the Board may authorise any person to inspect such holding."

Mr. ALISON (Canonbar) accepted the addition.

Mr. LITTLE (Bullock Creek) said that under this motion any person who was carrying a sheep to the acre could misrepresent the return purposely, and then on coming before the Board would be rated at one sheep to three acres.

Mr. ALISON (Canonbar) pointed out that a man could be punished for that.

Mr. MCCOLLOUGH (Deniliquin) said the Inspector of Stock had the power to inspect the receipts from any run that he thought had furnished false returns.

Mr. LAURENCE (Balranald) asked Mr. Alison to alter his resolution so that the lands would be assessed at the same rate as the adjacent lands.

Mr. T. BROWN, M.P. (Budgerabong), said that Mr. Alison's motion would mean that the Board was constituted a Court with legal jurisdiction. He would not go to that length, for the Court would be constituted the prosecutor and the judge. He thought the best way would be to apply the penalties that obtained under the other Acts to this Rabbit Act, and if it were proposed to make the Stock Board a Court, and put them in the position of being the prosecutors in any legal action taken, and making them the Court to determine the differences between them and the stock owners, he would not support it.

Mr. TREFLE (Temora) agreed with what Mr. Brown had said. He thought Mr. Alison had made a mistake. It was common in all Acts that returns were wanted, and penalties were fixed for false returns. They could not get away from that.

Mr. CAMERON (Ivanhoe) said he would support Mr. Alison, except in defining the powers of the Board in assessing the carrying capacity. He thought the resolution would be better if he left the Board to decide what was really the carrying capacity of the country. With that exception he would then be inclined to support the resolution.

Mr. ATKINSON said he thought that the difficulty that Mr. Brown had suggested might be got over if the Government nominee were the Chairman, and these cases were heard by the Chairman alone.

Mr. BOLTON (Wagga) said with respect to the powers being under the Stock Act, if such a case arose where a wrong return had been made, they had to make an appeal from that and to get a redress from the Police Court.

Mr. FREEMAN suggested that Mr. Alison should alter his motion to read, "Adequate returns shall be put before the Board in a prescribed manner";—then the mode of procedure could be fixed by the regulations.

Mr. OAKDEN (Cobar) was not aware of any case of hardship having arisen under the other Act. It has been in force for many years. In clause 6 in the Act of 1881, a provision regarding the power of the Board for levying assessment said, "On stock runs on each district they shall make assessment not exceeding in the aggregate twice the rents payable to the Crown." He would point out to the Conference what he thought had perhaps escaped their notice. This power had been in the hands of the Pastures and Stock Board for many years. It did not apply to public land, but applied to unstocked countries under lease.

Mr. ALISON (Canonbar) said he would add "with the rights of appeal to the Court of Petty Sessions."

Mr. ATKINSON wished to move that the Board might authorise any person to inspect a holding.

Mr. ALISON (Canonbar) said he would accept that as his motion. He did not wish to have two amendments.

Mr. ROSS (Hume) said he could not see his way clear to support Mr. Alison in the resolution. For instance, a person might give a false return. His property might be able to carry 40,000 sheep, and the return would be for 20,000, and he would be rated at one sheep for three acres in accordance with these resolutions. In his district there was a lot of land that would carry a sheep and a half to an acre. The thing would therefore be absurd.

Mr. ALISON (Canonbar) was quite willing to meet Mr. Ross' views, and to say a sheep to the acre. He wanted to prevent any chance of the Board's being able to act harshly, and that was the reason he had said one sheep to 3 acres. He would sooner see a man get off than allow a Board to act harshly.

Mr. WILKES (Broken Hill) supported Mr. Alison's resolution. He was fully aware that what Mr. Alison had said was correct. It would be a very necessary provision. There had been some objection taken to the Pastures and Stock Boards dealing with appeals. If it were left to the Land Board they might not get a Land Board meeting within twelve months. Many men in his district would have to go 120 miles to get to the Land Board meeting. If they had it at the Petty Sessions this delay would be done away with. Undoubtedly they did want some check. Powers had been given in the Diseases in

Sheep

Sheep Act which had never miscarried. The inspector under that Act could make an estimated return if he considered a run under-estimated, and there could be an appeal to the Sheep Board, but very little of this was done because it was unnecessary. He did not think that they could pass a better resolution on this subject than that proposed by Mr. Alison.

Mr. BACON (Brewarrina) considered that there had been some misapprehension as to the meaning of Mr. Alison's motion. They had decided yesterday how public lands and agricultural lands should be rated. The unstocked lands were the only lands they had not dealt with. There were a number of runs that had been abandoned, because they were overrun with rabbits, and these unstocked lands they wanted to assess. He took it that was the meaning of Mr. Alison's motion, and in making his provision so very elastic, he had shown a desire to meet the wishes of the people.

The CHAIRMAN said that the motion would come after subsection (d), page 7: "That all owners and lessees who may make no returns, or who shall make what in the opinion of the Board are misleading or inadequate returns, may be summoned before the Board, and the Board shall have the power to rate or increase their returns at a rate not exceeding one sheep to 1 acre, with a right of appeal to the Court of Petty Sessions"

Question put and carried.

Clause 4.

Rabbit Districts.

4. For the purposes of this Act, New South Wales shall be divided into Districts, hereinafter referred to as Rabbit Districts.

The Districts into which New South Wales may from time to time be divided for the purposes of the Diseases in Sheep Acts shall be Districts for the purposes of this Act, but the operation of this provision shall be subject always to the powers next hereinafter conferred on the Minister.

The Minister may, by notification in the *Gazette*—

- (a) declare that any Borough or Municipal District shall form a Rabbit District; or
- (b) combine two or more Sheep Districts wholly or in part into one Rabbit District; or
- (c) create Rabbit Districts without reference to the boundaries of any Sheep District; or
- (d) alter or modify the boundaries of any Rabbit District.

Any such notification shall operate and take effect as from the date thereof, but may by notification be corrected, modified, or revoked.

The Hon. R. CARINGTON (Jerilderie) said he wished to go back to clause 4, which had been postponed, because it dealt with the defining of the Rabbit District.

Mr. A. BROWN (Narrabri) moved that "all municipalities and towns where infested by rabbits shall be declared separate districts, and shall not be attached to any Sheep Districts, even if adjoining or within the boundaries of Sheep Districts." There were some towns in Rabbit Districts that would almost out-vote the Districts, and not being Municipalities they would not come within the clause which referred to the Municipalities, therefore, he moved the resolution which would include the towns.

Mr. BROOKES (Boggabri) seconded the resolution.

Mr. OAKDEN (Cobar) begged first to move that the clause as far as the word "Minister" should be passed.

Mr. FLANAGAN (Gunbar) seconded the motion, which was passed.

Mr. ALISON (Canonbar) thought Mr. Brown's motion would destroy clause 13. He thought the words should be added at the end of subsection A.

Mr. FLANAGAN (Gunbar) wished to know what Mr. Brown meant by a town.

Mr. BROWN (Narrabri): Where there was a small town where the people paid no rates or very little, he wanted these towns taken out of the district, or otherwise they would outvote the rest of the holders of land in the vicinity in the rabbit district.

Mr. C. BOLTON (Wagga Wagga) wished Mr. Brown to put in the words "town or village."

Mr. BROWN (Narrabri) accepted this, and altered his amendment so as to read, "municipalities, towns, or villages."

Mr. GIBSON (Hay) hoped Mr. Brown would accept a further amendment, and put in at the end the words, "with the consent of the Pastures and Stock Boards." He took it that many landowners adjoining some of these small villages would be content to kill the rabbits within the village reserves if they had the power, because they were a standing menace to the whole district.

Mr. BROWN (Narrabri) agreed to accept Mr. Gibson's amendment.

Mr. TAYLOR (Lands Department) said it seemed to him the discussion was rather superfluous. The clause provided that the Minister might create rabbit districts without reference to the boundaries of any sheep district. Surely they might take that as an argument that the Minister would take care to proclaim districts in the interests of the landowners.

Mr. FREEMAN thought it was far safer to have the whole thing defined. They knew how the word "may" had acted against them in the past in different Acts of Parliament. They wanted the word "shall" put in, so that it shall be fixed without Ministerial power—that all the districts should be proclaimed, and in addition he proposed a further amendment to Mr. Brown's motion, and that was to insert after the word "villages" the words "population areas."

Mr. BROWN (Narrabri) said he would also accept that amendment.

The Honorable RUPERT CARINGTON (Jerilderie) wished to know if they included a town which had no power of rating its inhabitants how were they going to make them destroy the rabbits?

Mr. OAKDEN (Cobar) said it had been proposed that population areas might also be handed over to the Pastures and Stock Boards. Within those areas a great proportion of the people would pay no rates while others would. How were they going to arrive at the voting power which was to give these people representation? This was a very important clause, and should receive a great deal of consideration before they went to a vote.

Mr. TREFFLE (Temora) thought Mr. Brown's proposal, without the last addition to it, suited the Conference splendidly. If they introduced population areas it would lead to enormous mistakes. They should

should stick to the words, "municipalities, towns, and villages." That was intended to define the centres of population practically, and large farms, which were within the population areas, would not be included.

Mr. FREEMAN said he was quite willing to withdraw his suggestion, because he saw that the interpretation clause said that population areas came within the term "public lands."

Mr. ALISON (Canonbar) suggested that the words, "infested by rabbits," should be left out.

Mr. OAKDEN (Cobar) thought the word "included" should be put in, for towns were often within the sheep districts.

Mr. VARGOE (Hillston) said he would like to point out that the Rabbit Act was to be administered by the Stock and Pastures Board. How would the Rabbit Act be administered in the municipalities if there were no Pastures and Stock Boards in those municipalities?

The Honorable RUPERT CARINGTON (Jerilderie) said clause B did not give the power to towns, but it gave power to municipalities and boroughs. It was not proposed to constitute authorities that were not representative, and therefore had no power to tax.

Mr. BROWN (Narrabri) thought that could be provided for when they came to clause 13.

The CHAIRMAN then put the motion, that the following be an addition to subsection "a," "That all municipalities, towns, and villages shall be declared separate districts, and shall not be attached to sheep districts, even if adjoining or within the boundaries of sheep districts, unless with the consent of the Pastures and Stock Protection Boards."

The motion was carried by 31 to 6.

Mr. ATKINSON wished to know whether that included the lands within the control of those towns or villages—the reserves and town commons, &c.

Mr. BROWN (Narrabri) pointed out that the commons were vested in the municipalities.

Mr. ALISON (Canonbar) proposed to add to the end of subsection "b" the words, "that no sheep district shall be amalgamated with any other district or sub-divided without the consent of two-thirds of the voters." He thought some of those present desired that the sheep districts might sub-divide.

Mr. MCCOLLUGH (Deniliquin) supported Mr. Alison.

Mr. FLANAGAN (Gunbar) moved as an amendment, "That there should be no combination of two districts into one district." It would be two unwieldy. He considered one rabbit district sufficiently large as it stood.

Mr. WILKES (Broken Hill) wished to know where the Board would be if they put two districts together. If the sheep districts were altered, they would have to be altered under the Sheep Act. If they put two Sheep Boards to one district, which Pastures and Stock Board was to administer that district?

Mr. BROWN (Narrabri) considered that if two Boards were amalgamated there would only be one Board.

Mr. WILKES (Broken Hill) did not think the Sheep Boards would stand that for one moment. They would be in constant trouble. It was all very well to say the Minister would put two Sheep Boards together under this Act; would he do so under the Sheep Act?

Mr. GIBSON (Hay) said the greater powers they gave the Minister to administer this Rabbit Act the better. If two districts liked to minimise expense under this Act by amalgamation, he did not see why they should not.

Mr. CUMMING (Hillston) wished to move that Stock Boards should have the power, if agreeable, of mutually altering the boundaries. He knew of a case where two stations were too far from one district and had asked to be shifted into another, and everything had worked well since.

Mr. ROSS (Hume) said he would support Mr. Alison. It would be a public benefit if some of these districts were amalgamated. He thought the power should be vested in the Minister.

Mr. LOONEY (Bullock Creek S.) moved that it should be a plain majority and not a two-thirds majority.

Mr. LITTLE (Bullock Creek N.) seconded it.

Mr. OAKDEN (Cobar) said the difficulty seemed to arise as to this clause being left exactly as it stood, because it spoke of the combination of two sheep districts into one rabbit district. He thought their resolutions should harmonise as well as they could with the constitution of the Pastures and Stock Boards. Their decisions, so far, had been that the districts should be identical. They could not have two districts combined as one rabbit district unless these districts were combined under the Sheep Act as one sheep district. He did not think the resolution was clear. They should bear in mind that this Act was drafted, not with the view which the Conference had adopted, that the Pastures and Stock Boards should administer the Act. It was in accordance with this Act that there should be two sheep districts adjoining and separate under the Sheep Act but joined under the Rabbit Act. During their experience they all knew that boundaries had been altered, and no doubt it was advisable it should be done. The resolution should be made clear so that there shall be no doubt about it.

Mr. ALISON (Canonbar) thought Mr. Oakden was under a misapprehension. According to the proposed Bill, the Minister could combine two districts as sheep districts and also as one rabbit district. His proposition was that this should happen only when there was a two-thirds majority of the voters in the district.

Mr. LOONEY's (Bullock Creek S.) amendment, to omit "two-thirds," was put to the meeting, and carried by 21 to 20.

Mr. LESLIE (Forbes) asked for a second count, not that he thought the counting was incorrect, but he understood there were some gentlemen there on sufferance, and he thought they voted on the question.

The question on being put a second time was carried by 22 to 21.

Mr. ALISON's (Canonbar) motion, as amended, was put to the meeting and carried.

Mr. ALISON moved, "That subsection C be omitted." He thought it was placing a very large power in the hands of the Minister without knowing how it was to be used.

Mr. BRETT seconded the motion.

Mr. FLANAGAN (Gunbar) disagreed with Mr. Alison. There might be a rabbit-proof fence running parallel with the boundary of a rabbit district, and if the Minister had not the power to shift the boundary of a rabbit district he would not be able to include this rabbit fence. He thought the subsection should be retained.

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The CHAIRMAN thought they ought to make the Act as elastic as they possibly could; and he thought the Minister should have the right to alter the boundaries if it was in the interests of everybody. He did not think the Minister would attempt to alter a boundary without the consent of the Stock Protection Board.

The motion on being put was lost.

Mr. ALISON (Canonbar) wished to move that the following words be added to subsection "C":—"On the recommendation of the Stock Protection Board." He did not quite follow what was the power of the Minister in creating rabbit districts without reference to the boundaries of sheep districts.

Mr. A. BROWN seconded the motion.

Mr. LESLIE (Forbes) did not think there was any necessity for that. In every instance the Minister had referred the matter to the Board for advice. He did not think the Minister should be tied down by hard and fast rules.

Mr. GIBSON (Hay) thought the subsection should be left as it stood. It might be advisable to use a rabbit fence as a boundary, and although a certain member might desire it another might not agree, and the Minister could not then alter the boundaries.

Mr. TREFLE (Temora) thought the whole power should be left in the hands of the Minister.

Mr. WILKES (Broken Hill) thought the subsection should be left out; it was giving the Minister for Lands powers that now belonged to his colleague, the Minister for Mines.

The motion on being put was lost.

Subsections "C" and "D" were then passed as printed.

The CHAIRMAN read a telegram from Mr. Alexander Oliver, the President of the Land Court, offering his services as draftsman. He suggested a vote of thanks should be accorded Mr. Oliver, and, if necessary, his services should be made use of.

Mr. A. BROWN (Narrabri) said he had much pleasure in proposing that the thanks of the Conference be conveyed to Mr. Oliver, and that the Conference would gladly avail themselves of his offer if required.

Mr. NIXON seconded the proposal, which was carried unanimously.

Mr. CAMERON (Ivanhoe) proposed that they should continue the sittings up to 5 o'clock.

The CHAIRMAN pointed out that the two gentlemen who were taking notes had very heavy work to do, and he did not think they could possibly get through any more.

The Conference then adjourned until 10 o'clock the following day.

FOURTH DAY—12TH MARCH, 1897.

The Conference met at 10 a.m., Mr. A. Lakeman in the Chair.

The minutes of the previous meeting were read and confirmed.

The CHAIRMAN reported that he had sent a letter to the Minister, thanking Mr. A. Oliver through him for his kind offer to draft the Bill for the Conference.

Mr. LITTLE (Bullock Creek) moved that the Conference should sit on until 5 o'clock. He said they seemed to be doing nothing but wasting time. He did this so as to give those who wished to do so a chance of making arrangements to leave town.

Mr. FLANAGAN (Gunbar) seconded.

The CHAIRMAN pointed out that the reason they usually adjourned at 4 o'clock was that certain printing had to be done for the Conference, and the gentleman who was taking the notes had to do his work after they left. He would put the motion without discussion.

Mr. LITTLE'S (Bullock Creek) motion was then put and lost by a large majority.

Mr. ALISON (Canonbar) suggested that the next thing they should do was to go on with the question of the voting power.

Mr. WILKES (Broken Hill) thought they must next proceed to amend the Pastures and Stock Act.

The CHAIRMAN said that his view was that they should pass what they considered to be an equitable franchise, and then the proper course, in his opinion, would be to ask Mr. Oliver to draft a clause on that franchise showing how the Pastures and Stock Act could be brought into line in this matter. He thought that before they dealt with anything else they should decide as to what the constitution of the Pastures and Stock Boards should be. It had eight members now, they should decide whether that was sufficient or too many. He would ask some gentleman to make a proposition as to what should be the constitution of the Board.

Mr. ALISON (Canonbar), in order to bring something before the meeting would move that notwithstanding anything in the Stock and Pastures Act to the contrary, the voting power for Directors shall be estimated on the basis of payment equal to 300 sheep.

The Hon. RUPERT CARINGTON (Jerilderie) considered this to be the most important part of their business. They had all of them determined that there should be proper representation of those who were taxed. He proposed, in the motion on the business paper in his name, that two members be added to the present Stock and Pastures Board for the purpose of representing those who were taxed, either in stock or on their lands. He considered that that would fully safeguard the rights of the so-called "smaller men." They would have a vote for the Stock and Pastures Protection Board, and they would have a vote for these two new members that he proposed to add. He also wished to point out that for these two new members the franchise should be practically on the principle of one man one vote, or rather, one tax-payer one vote. He thought it would have advantages, because it would constitute another tribunal to deal with the rabbits. Of course he had carefully put it in his amendment that these two gentlemen should only sit while the Stock and Pastures Protection Board were sitting as the Rabbit Board. They would be elected for the special purpose of guarding those who were taxed. He hoped they would not import any feeling into the matter because it was absolutely necessary, if this Bill were to pass, that this question should be settled practically unanimously. It would strengthen the Minister's position very much, and he thought the proposal was fair to everybody, and would, he supposed, from what the Minister had said yesterday, be accepted by him. Of course with regard to the Government being represented on the Board, that

must

must be settled afterwards, but the regular Board should be constituted in the manner proposed in his amendment. In his opinion that was the fairest and best solution of the difficulty, and he hoped that the Conference would give it fair consideration at all events. He moved, therefore, the following to be an addition to clause 5, as amended, "for the purpose of administering this Act only two members be added to the existing Sheep and Stock and Pastures Boards, such members to be elected by the stock-owners and other persons taxed under this Bill; each stock-owner or taxpayer to have only one vote."

Mr. LITTLE (Bullock Creek) seconded the motion.

Mr. BROOKE (Boggabri) thought that under those circumstances the Board would be too heavy and too expensive, and if they did this they would have to reduce the Pastures and Stock Board.

Mr. CUMMING (Hillston) thought they could get over the difficulty by merging the two Boards into one. It would simplify matters and make things less expensive. The Board would then be more in touch with both classes. He would move an amendment that the voting power be joined and that all vote for the one Board.

Mr. LESLIE (Forbes) would like to ask the mover whether he intended later on to extend the franchise in the direction of making it more liberal than at present it was, under the Pastures and Stock Protection Act.

The Hon. RUPERT CARINGTON (Jerilderie) said they had nothing to do with that. They were considering the Rabbit Act, not the Pastures and Stock Protection Act, or the Diseases in Sheep Act. This was quite another question altogether.

Mr. LESLIE (Forbes) said that they had not up to the present heard of a franchise which would give the taxpayers a vote, the smaller men were not being considered. There was no franchise laid down by which the electors were to return representatives to the present Board. The Hon. Rupert Carington had proposed to increase the number of the Board from eight to ten, and he wanted to know before that went to the vote whether it was proposed to make the franchise very low, or whether it was intended to increase the franchise.

Mr. ALISON (Canonbar) had not heard this before, and must confess that it was a new idea altogether to him to have two extra members on the Board. He could hardly see from the movers explanation how they were going to fix it. He wanted to have it discussed. He was not sure that he did not like the idea, but had not had time to consider it. It was a total innovation altogether. He would like the mover to explain to him first, were the eight old members still to be elected under the Stock and Pastures Protection Act; second, was the franchise under the Stock and Pastures Protection Act still to remain the same; third, were these two new men to be elected under a very much extended franchise; and fourth, who was going to vote for them. There seemed to him to be forty or fifty questions arising out of this proposal. He would like the mover to explain who was going to vote for these two new men.

The Hon. RUPERT CARINGTON (Jerilderie): Everybody.

Mr. ALISON (Canonbar): And who were going to vote for the eight old men?

The Honorable RUPERT CARINGTON (Jerilderie): Everybody.

Mr. OAKDEN (Cobar) wished to know, in view of the resolutions already passed to substitute the Stock and Pastures Boards for the Rabbit Boards, if they were in order in discussing this question.

The CHAIRMAN said he did not see any difficulty in the matter. It had been decided that the Stock and Pastures Boards were to administer this Act under an extended franchise. He now anticipated that the Conference would pass a franchise for the whole of the members of the Pastures and Stock Boards irrespective of what was contained in the Pastures and Stock Protection Act. They need not run their heads against that Act, because if the Minister agreed with them he would make a new franchise and amend the Pastures and Stock Act. There would be no trouble about that if the Conference agreed as to what was to be done. With regard to Mr. Cumming's amendment, that was practically the same as the resolution of the Honorable Rupert Carington, passed the previous day, and was out of order.

Mr. GIBSON (Hay), speaking on behalf of the small owners, of whom he was one, pointed out that the difficulty they were under was this, that they had appointed two different sets of men under different franchises to constitute this Rabbit Board. Five were to be elected under the Diseases in Sheep Act and a stockowner must be possessed of 500 sheep in order to be empowered to vote for one of those five men. Now that matter had been kept quiet, it had not been ventilated. It had been continually pointed out that the small holder if he were of any consequence at all would have ten head of large stock, and would thus have power to vote for the three large stock directors. Under this, however, the small holder would only have voting power for three men out of eight. Now the small men would lay down this principle, that they must be entitled to vote for every member of the Board. Of course they saw the right for the large holders to have extra voting power; they agreed that a man with 20,000 sheep should have greater voting power than a man with 100 sheep. He would propose as an amendment, "That all holders of ten head of large stock, or 100 sheep, or owning a sufficient area of land to carry either, shall be entitled to vote for all the members of the proposed Rabbit Board."

The CHAIRMAN explained that they had constituted the Pastures and Stock Protection Board, the Board for the administration of the Rabbit Act, but that an extended franchise was to be given to every rate-payer under the Rabbit Act and Pastures and Stock Act to vote for the whole of those gentleman. Before making any amendment probably it would be better to settle that question as to whether the Pastures and Stock Board was to remain as it was, with eight members, with the right of every taxpayer to vote for the eight.

Mr. NIXON (Gunbar), said he would second Mr. Gibson's motion.

The CHAIRMAN said, that that was not before the meeting.

Mr. OAKDEN (Cobar) said he thought it would meet the case if a franchise under the Diseases in Sheep Act were reduced from 500 to 100 sheep. He said it seemed to be impossible that they should carry out their intentions without amending the Pastures and Stock Act. It would be a simple matter to reduce the minimum from 500 to 100 sheep.

The CHAIRMAN said that he was out of order. The question before the meeting was the amendment by the Honorable R. Carington.

Mr. T. BROWN, M.L.A. (Buggerabong), proposed an amendment, "that for the purposes of this Bill the constitution of the Stock Boards be altered so as to provide for (1) the appointment of a Chairman by the Governor; (2) that one additional member be elected on an equal franchise by all contributors under the Rabbit Act assessments; (3) that three members be elected under the Stock and Pastures Act

as at present provided, with a minimum voting power of five head of large stock ; and (4) that five members be elected under the Diseases in Sheep Act as at present provided, with a minimum voting power of 100 head of sheep."

Mr. WILKES (Broken Hill) said the Honorable Rupert Carington had given them a nut to crack. He had heard of democrats, but the Honorable Rupert Carington had beaten the democrats. He could not understand the Honorable Rupert Carington's proposal to have one man one vote on this important question. He maintained that the amendment of the Honorable Rupert Carington if passed would necessitate the alteration of the Pastures and Stock Act and the Diseases in Sheep Act. The resolution might be passed, but no Minister of the Crown would dare alter those Acts without consulting the Boards affected ; and they would unanimously vote against the alteration. If the Honorable Rupert Carington was going on with this radical proposal of one man one vote, he should not uphold him at all.

The Honorable RUPERT CARINGTON said he would like to reply. He did not intend to try to convince his friend Mr. Wilkes, because he could not. He had tried to explain that he had not stultified himself in the least. He had been perfectly ready that everybody who paid taxes should be represented. He considered that this was a very fair way of settling the question without stultifying themselves in any way at all. There was no chance of the Assembly passing the Bill, in his opinion, in its present form. He thought this was by far the best way of voting. This Board, with the addition of these men, would only sit as the Rabbit Board ; they would not sit as a Sheep Board or as a Stock and Pastures Board. He thought his plan gave a fairer representation than any other ; and as for it being too extreme he could not say that he agreed with that. It gave a representation of five to the sheep-owners and five to the people who were not sheep-owners. There would be five sheep-owners—three people on the Stock and Pastures Board, and two people on the Rabbit Board.

Mr. ALISON (Canonbar) moved that this amendment be adjourned to give them time to consider it. It was very important, and he could not see its bearings right through. As Mr. Wilkes had pointed out, they had to consider the Stock and Pastures Act as well as the Rabbit Act.

The Honorable RUPERT CARINGTON (Jerilderie) consented to the adjournment until 2 o'clock.

Mr. VANSTON (Goodooga) seconded Mr. Alison's proposal.

The question of the adjournment of the Honorable Rupert Carington's motion until 2 o'clock was put and carried.

Clause 13.

Rabbit Rates in Municipal Areas.

13. In any case where a Rabbit District is the same as a Borough or Municipal District, the Governor may direct that the rabbit rate shall be struck on the basis of the annual value of the holdings as shown in the Rate Book of such Borough or Municipal District ; and in any such case—

- (a) the Rabbit Board shall, notwithstanding anything hereinbefore contained, strike the rabbit rate, and determine the amount payable in respect of any holding on the basis of such value ; and for that purpose shall have access to the aforesaid Rate Book at all reasonable times ; and
- (b) the rate shall not in any one year exceed one shilling in the pound on the annual value ; and
- (c) there shall be no appeal from the determination by the Rabbit Board of the amount payable in respect of any holding.

Mr. BACON (Brewarrina) moved, and Mr. Gibson seconded, "That clause 13 as printed be adopted." Carried.

Clause 14.

Notice and payment of Rabbit Rate.

14. When the amount payable under the rate upon any holding has been determined, notice of such amount shall be given, and the same may be given in accordance with the general provisions as to the giving of notices hereinafter contained.

The amount determined by the Rabbit Board as being the amount payable under the Rabbit Rate shall, except in case of appeal, be paid to such person or bank, and on or before such date as may be respectively specified for the purpose in the aforesaid notice : Provided that the amount may be payable in instalments if the Board so permits.

The person liable to pay the amount shall be the occupier of the holding if the same be occupied, but if not, then the owner thereof ; but nothing herein contained shall affect any private arrangement between a landlord and his tenant in respect of the said liability.

Mr. FREEMAN moved that the words after the word "the," starting at "occupier" in line 54 down to the end be omitted, and that the words "the owner of the holding taxed" be inserted. It seemed to him that there was no necessity to make private arrangements. If a man liked to make an arrangement under the common law, that need have nothing to do under the Rabbit Act. It would be simple to allow claims to be made against some person and that person ought to be the owner.

Mr. ALISON (Canonbar) seconded the motion.

Mr. GIBSON (Hay) said he would speak against it. There was one point that struck him, and that was : they had decided that the stock should be rated on the stock returns ; and as it was the occupier that made out the returns this resolution if passed would put the owner in a predicament.

Mr. FREEMAN then said he would add the word "occupier."

The Chairman pointed out that that would leave the resolution practically as it was before Mr. Freeman proposed to amend it.

Mr. FREEMAN withdrew his motion.

Mr. FLANAGAN (Gunbar) moved "That the clause as printed be adopted."

Mr. VANSTON (Goodooga) seconded Mr. Flanagan.

The CHAIRMAN then put the question, and it was carried.

Clause 15.

Rate Book.

15. Every rate and every determination of the amount payable upon any holding under such rate shall be entered in a book—to be called the Rabbit Rate Book—which shall be kept in such form and manner as may be prescribed; and all persons shall have access thereto at all reasonable times. The said book shall, on the production thereof, be evidence of the rate and of the amount determined as being payable under such rate upon any holding. The Rabbit Board may from time to time make such amendments and supply such omissions in the entries in such book as may be necessary, and no such amendment or omission shall be held to avoid the rate or any determination of amount: Provided that—

- (a) every person aggrieved or affected by any such alteration shall have the same right of appeal therefrom as he would have had if his name had been originally inserted therein or no such alteration had been made; and
- (b) except in the case of an amendment rendered necessary by the result of an appeal, the determination of the amount payable shall be taken to have been made at the date of the amendment.

Mr. NIXON (Gunbar) proposed and Mr. CUMMING seconded, "That clause 15 as printed be adopted." The CHAIRMAN put the question, and it was carried.

Clause 16.

Rate not to be invalidated.

16. The production of a copy of the *Gazette* containing the hereinbefore required notice of the striking of a rate by the Rabbit Board shall be conclusive evidence that the rate has been duly struck.

No determination of the amount payable in any case shall be held to be invalid by reason of any failure to give notice of such amount in accordance with the provisions hereinbefore contained: Provided always that except in cases of appeal proceedings shall not be taken to recover the amount payable in respect of any holding unless and until due notice thereof has been given.

Mr. CAMERON (Ivanhoe) proposed, and Mr. LESLIE seconded, "That clause 16 be adopted as printed."

The CHAIRMAN put the question, and it was carried.

Clause 17.

Appeal against the amount determined by the Rabbit Board.

17. If any person, liable to pay the rabbit rate on any holding, shall think himself aggrieved by the amount determined by the Rabbit Board as the amount payable under the rate in respect of the holding, he may, unless debarred by the provisions of section thirteen of this Act, within twenty-one days after the aforesaid notice has been given, appeal to the Local Land Board by a notice in the prescribed form, accompanied by the prescribed deposit; and the Local Land Board shall determine the amount payable under the rate, and may order interest to be paid thereon at the rate of five per centum per annum, calculated from the date specified in the notice by the Rabbit Board as the date for payment; and payment of the amount finally determined, with or without interest as the case may be, shall be made to the person or bank specified for the purpose in the aforesaid notice within one month from the date of the final determination thereof.

Mr. BROOKE (Boggabri) proposed that the words "Local Land Board" be omitted and the words "Court of Petty Sessions" be inserted.

Mr. CUMMING (Hillston) seconded Mr. Brooke's proposal.

Mr. FLANAGAN (Gunbar) would oppose this. He held that the Land Boards of the Colony had been constituted for the purpose of saving land-owners from extraordinary and extravagant expenses, and he thought they would act very unwisely if they passed this. There could be no better men—no men better seized with the land laws of the Colony—than the Land Boards. If they took it to the Petty Sessions they would have to fee barristers, and decisions would be given against them on technical points, and they would not get justice.

Mr. SIDES (Hay) quite agreed with Mr. Flanagan. These men knew nothing about the rabbits, and it would not be wise to take it out of the hands of the Land Boards and put it under the Courts of Petty Sessions.

The amendment was put and carried.

Clause 18.

Unpaid Rates.

18. Any amount due as Rabbit rate may be recovered by summary proceedings before two Justices, in accordance with the general provisions hereinafter contained.

Any sums due as rabbit rates in respect of any private holding or lands shall be, and until the payment thereof remain, a charge upon the said holding or lands.

Mr. CUDMORE (Wentworth) proposed that "two Justices" be struck out and "Police Magistrates" put in.

Mr. ATKINSON seconded.

Mr. LAURENCE (Balranald) moved an amendment, "That no person be fined more than once in twelve months."

Mr. STINSON (Coolamon) seconded.

Mr. LAURENCE (Balranald) withdrew his amendment.

The original motion was put and carried.

Mr. WILKES (Broken Hill) said, if he was in order, he would move an amendment, "That any amount due as rabbit rate may be recovered with summary proceedings before a Police Magistrate or two or more Justices of the Peace, in accordance with the general provisions as hereinafter contained."

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The CHAIRMAN said he could not take that as an amendment. He did not mind taking the vote again as there were places where there were no Police Magistrates.

Mr. ALISON (Canonbar) said the idea was to secure impartiality, and they were rather apt to forget convenience in trying to secure this. In some of the far districts they had not got Police Magistrates. Owners or occupiers or producers might have to travel enormous distances to have a very simple case heard. He would submit that they ought not to put out of the reach of these men the chance of having justice administered close to their homesteads. He would advise Mr. Cudmore to amend his resolution to say, "wherever there is a Police Magistrate it should be heard before him, and where there is no Police Magistrate it be heard before two Justices."

The CHAIRMAN said that would be superfluous, as the Police Magistrate was always there at the Court of Petty Sessions.

Mr. FLANAGAN (Gunbar) said he would support Mr. Alison.

Mr. ALISON (Canonbar) said that sometimes the Police Magistrate could not be there. He might be away in some other part of the district. In such a case I think it should wait until he returned.

Mr. FLANAGAN (Gunbar) thoroughly agreed with Mr. Alison.

Mr. BOLTON (Wagga Wagga) would point out that the Police Magistrate in his town had several other towns to visit, and his absence was so frequent that they had had to form a roster. He was a Justice of the Peace himself. They had the power to take away a man's liberty; surely they could settle these small disputes.

Mr. CUDMORE (Wentworth) said he was willing to accept Mr. Alison's amendment that where a Police Magistrate was not available two Justices should hear the case.

Mr. HEBDEN (Wanaaring) said that was too vague. It was not workable, and in many cases would make it very inconvenient. He would move an amendment that the "two Justices" be struck out and the "Court of Petty Sessions" put in.

Mr. MOORE (Goodooga) seconded Mr. Hebden.

Mr. FREEMAN proposed an amendment, "That any amount due as rabbit rates may be recovered by summary proceeding before a local Police Magistrate, or if there is no Police Magistrate in the district then before two Justices."

Mr. WILKES (Broken Hill) rose to a point of order. He had tried to move this, and had been ruled out of order. He did not believe in his brains being used by others.

The CHAIRMAN said he thought if they adopted Mr. Hebden's amendment "a Court of Petty Sessions" would meet the case. He then put Mr. Hebden's amendment to the meeting, and it was declared carried.

Clause 18, as amended, was put to the meeting and carried.

Clause 19.

Apportionment of Rates in certain cases.

19. In any case where—

- (a) any rabbit rates have been paid in respect of any lands held under lease or license from the Crown; and
- (b) such lands or any portion thereof are, during the currency of the year to which such rates relate, withdrawn from the lease or license by becoming the subject of any conditional or other purchase or homestead selection or conditional or other lease;—

the person who has paid the said rates shall be entitled to recover from the incomer so much of the amount paid as may be proportionate to the area withdrawn and the unexpired period of the year.

Mr. ALISON (Canonbar) begged to move that this clause be eliminated. He considered it unnecessary in view of the resolutions passed.

Mr. DAVIES (Gunnedah) seconded the motion.

The CHAIRMAN then put the question, and it was carried.

Clause 20.

Powers of Rabbit Board as to Barrier Fences.

20. A Rabbit Board shall have power to—

- (a) erect a barrier fence on any land, whether public or private, within or without the Rabbit District, and repair and maintain the said fence; and
- (b) utilise and convert into a barrier fence any private fence, whether rabbit-proof or not, on any land within or without such district, and repair and maintain the said fence; and
- (c) erect and maintain a barrier fence across any road or travelling stock route, making gates in such fence for the passage of members of the public and their stock; and
- (d) place a rabbit-proof gate in any barrier fence wheresoever the same may be required, and repair and maintain such gate; and
- (e) co-operate with the Rabbit Board of any neighbouring Rabbit District in the construction and maintenance of any such work as hereinbefore mentioned.

A barrier fence may be taken to mean a rabbit-proof fence which protects, or will protect from the incursions of rabbits, the Rabbit District, or any part thereof, whether erected without or within the boundaries of the Rabbit District; and the decision of the Local Land Board that a barrier fence protects, or will so protect, the Rabbit District or any part thereof shall be conclusive of the fact, as against the owner or occupier of any private holding or lands within the Rabbit District.

Mr. WILKES (Broken Hill) proposed that it be taken in detail.

Mr. FLANAGAN (Gunbar) said the clause empowered the Boards to go outside their own districts; therefore he thought it would be improper to pass the clause as it stood, because he held that the power was given to the Board to erect barrier fences around their own boundary and not outside, but
around

around and within their boundary. He proposed an amendment: "A Rabbit Board shall have power to tax all owners and occupiers of land within their district, for the purposes of erection of rabbit-proof fences around half the boundary of their Rabbit District, the destruction of rabbits within said district, and the proper maintenance of rabbit-proof fences." They should not give them power to go outside, because they would be infringing on the rights of some other Stock Board.

Mr. NIXON (Gunbar) seconded Mr. Flanagan's amendment.

Mr. FLANAGAN (Gunbar) said he wished to substitute the word "around" for the word "without," and then to add his resolution.

Mr. ALISON (Canonbar) wished to know whether Mr. Flanagan meant that no Rabbit Board was to have the power to go outside its own district to contribute to or erect a fence?

Mr. FLANAGAN (Gunbar): No power to go outside its own district.

Mr. ALISON (Canonbar) said that would cause a great deal of trouble if they did not allow them to go outside. There were fences which were now up, and which might be adopted, and he thought it was a most judicious power to leave in the hands of the Board. Why should they be compelled to go to the exact boundary when zigzagging in most extraordinary ways over ranges and across creeks. It would be only reasonable to a Board to go a little outside its own district.

Mr. BOLTON (Wagga Wagga) said, as a surveyor of many years experience, he thought it was very desirable that it should be left to the Boards to adjust boundaries. They knew very well that a lot of their main boundaries were the dividing ranges, and sometimes it would be almost impossible to carry a fence along a dividing range, whereas a little lower down it could be done very well.

Mr. LESLIE (Forbes) suggested that Mr. Flanagan should consent to move that the word "without" be struck out of line 19, and let the rest of his motion stand and be dealt with later on.

Mr. FLANAGAN (Gunbar) said he was quite willing.

Mr. OAKDEN (Cobar) endorsed Mr. Alison's remarks, and was sure that anybody who was acquainted with the western country would know he was right.

Mr. BAYLIS (Narrandera) also endorsed Mr. Alison's remarks.

Mr. CUDMORE supported Mr. Alison. In the western district the boundary crossed high ranges of sand-hills, and if the fences were placed on these sand-hills they would be covered with sand; whereas if the Board were allowed to deviate from the boundary they could be put it in a good position.

Mr. LESLIE (Forbes) said that on the barrier line of fence in which he was interested, it had been very desirable that they should go a long way outside the district, so as to make the fence answer the purposes for which it was erected, and they had done so.

Mr. DILL (Hay) begged to support Mr. Alison, and in doing so he might mention that in November last year they cleared half a mile of sand on his boundary. This year that had all filled up again, so that the rabbits could walk over the fence, and it was his intention to apply to be allowed to shift that fence.

Mr. WILKES (Broken Hill), in support of Mr. Alison, pointed out that the Lands Department could endorse what Mr. Dill had just said, for on the South Australian border a large amount of money had been spent in clearing sand from the boundary fence, whereas if the fence had been deviated a good boundary could have been made.

Mr. FLANAGAN (Gunbar) said the gentleman did not seem to understand him. They had tried yesterday to confine the Rabbit Districts to the present lines, and he fought against that, and they obtained the right for the Minister to modify and remove and shift the Rabbit Districts. The Minister now had the power to shift the fence and shift the boundary of a district; and he still maintained that the rabbit fence should be on the Rabbit District boundary. If there was a rocky place on the boundary, all they would have to do was to tell the Minister and he would shift the boundary.

The CHAIRMAN then put the question of striking out the word "without" from the clause, and it was lost.

Mr. LESLIE (Forbes) begged to move that subsections (a), (b), (c), (d), and (e) be passed as printed.

Mr. GIBSON (Hay) seconded.

Mr. ALISON (Canonbar) opposed the motion.

The CHAIRMAN put the question, and it was carried.

Mr. FREEMAN proposed that the words "decision of the Local Land Board that" in line 34, and the words "a barrier fence" and "or will so protect," in line 35, and "of the fact," in line 36, be struck out, and in substitution of them the following be put in, "the fact that the barrier fence." The clause, as amended, would read,—“A barrier fence shall be taken to mean a rabbit-proof fence which protects, or will protect, from the incursions of rabbits the Rabbit District, or any part thereof, whether erected without or within the boundaries of the Rabbit District; and the fact that the barrier fence protects the Rabbit District, or any part thereof, shall be conclusive as against the owner or occupier of any private holding or lands within the Rabbit District.”

Mr. ALISON (Canonbar) seconded the alteration.

Mr. GIBSON (Hay) said that it would materially help them to come to a decision if there was some procedure by which it would not be necessary to prove that the fence was a barrier fence. They should put in "Pastures and Stock Protection Board" instead of Local Land Board. He would move that as an amendment.

Mr. FREEMAN said he was quite willing to accept that;—it came to the same thing. He therefore withdrew his motion.

The CHAIRMAN put Mr. Gibson's motion, and it was carried.

Mr. ALISON (Canonbar) said that there should be an appeal provided in that clause from the Pastures and Stock Protection Board.

The CHAIRMAN said he thought that could be done by one clause at the end, stating that any decision of the Pastures and Stock Protection Board could be appealed from.

Mr. LESLIE (Forbes) said that he proposed to strike out the word "private" from line 36 of clause 20.

Mr. DILL (Hay) seconded.

The question was put, and carried unanimously.

Clause 20, as amended, was put and carried.

Clause 21.

21. If any barrier fence shall be erected by any Rabbit Board on the boundary of any Rabbit District, the Board of the adjoining District shall be liable to pay to such Board as aforesaid half the cost of erection and maintenance of such fence, or such fence may be erected and maintained at their joint expense in accordance with such arrangements as they may mutually or jointly agree to.

Mr. LESLIE (Forbes) proposed that clause 21, as printed, be passed.

Mr. STINSON (Coolamon) seconded.

The question was put and carried.

Clause 22.

22. In respect of any rabbit-proof fence which the Board has erected, or has paid contributions under section forty-two of this Act, the Board may by notice in writing served on him require the owner of any holding along the boundary of which the fence is situated (in addition to any rabbit rates payable by him) to pay, and the said owner shall pay to the Board one-half of the cost of making the fence rabbit-proof.

Mr. LESLIE (Forbes) said he wished to strike out the words "along the" and put in "on the protected side of such" in line 47 of this clause. There was no need to explain the necessity of this.

Mr. BRETT (Urana) seconded.

Mr. ALISON (Canonbar) said he would strike out the whole of the clause. He could not see why a private owner should be called upon to pay anything for a barrier fence. Many owners would sooner that the fence was put further away from them, because the land which was next to the fence was more liable to damage from the rabbits coming over the fence than the land 10 miles away. He did not see how a man alongside the fence got any benefit. He moved that this clause be struck out.

Mr. OAKDEN (Cobar) seconded Mr. Alison's motion.

Mr. LESLIE (Forbes) withdrew his motion.

Mr. FLANAGAN (Gunbar) said he would now move an amendment. There was not a word in this clause about barrier fences, it was all about rabbit fences. He thought the clause should stay as it was. The farmers found it very convenient to shut out the rabbits. Mr. Leslie had been talking about "the protected side." He would like to know what the protected side was. The rabbits were like an invading enemy, they came in from all sides. He held that it would be a great injustice, for the rabbit-proof fences were the most effective means of fighting the plague in many portions of this country. If they eliminated this clause, and one man put up a fence, his neighbour would not be compelled to pay for half of that fence.

Mr. GIBSON (Hay) thought the Conference would make a very great mistake if they struck out the clause. He thought it should be amended. If a barrier fence was erected it was at somebody's expense; he thought the individual holder got an advantage from it over and above its value as a barrier fence. It was a fence along one of his boundaries, and he should pay something for it. He proposed that instead of paying one half of the cost of making a fence rabbit proof, they should make the clause read "and the said owner shall pay to the Board a contribution assessed according to the benefit derived and to be derived from the rabbit-proof fence, which in no case shall be more than the value of half the fence."

Mr. FREEMAN would like to point out to the meeting that those who were assessed in the district had to pay a contribution. If the Board erected a fence they all got a benefit from it, and they were all paying for it by contributing to the fund.

Mr. ALISON'S (Canonbar) motion was put and carried by a large majority.

Clause 23.

Compensation by Rabbit Board.

23. A Rabbit Board shall not be required to give compensation for anything lawfully done in exercise of the foregoing powers, except where a barrier fence is erected upon any private holding or land so as to cause damage by severance.

The amount of compensation due to any person shall, upon application by him as prescribed, be determined by the Local Land Board; and in fixing such compensation the Local Land Board may take into consideration and set off any betterment accruing to such person's property by the construction of such fence, and shall have power to award costs to or against any party appearing before it.

Mr. LESLIE (Forbes) proposed that the clause as printed be adopted.

Mr. DILL (Hay) seconded it.

Mr. OAKDEN (Cobar) moved an amendment. He wanted "Local Land Board" struck out and "Court of Petty Sessions" put in.

Mr. BAYLIS (Narrandera) seconded.

Mr. ALISON (Canonbar) said he hardly thought the meeting appreciated the importance of this clause. It introduced a new system, which he believed was known as the betterment system. He did not think that, as a rule, land owners or stock owners were in favour of the betterment system. Mr. Oakden proposed to strike out the "Local Land Board," and put in "the Court of Petty Sessions," and in that case the Court of Petty Sessions would be called upon to decide upon the betterment to any holding through which a fence might go. He thought that this was rather a large order for the Court of Petty Sessions to decide what advantage a holder might gain from a barrier fence. He thought it was hardly possible to imagine a case where a fence could be put through a holding, subdividing the holding, so as to be an advantage to the owner. It was a decided disadvantage in nearly every case. It might cut the owner off from water. It might cause him in many ways a great deal of inconvenience. He thought the term betterment was so vague and so difficult to arrive at, that instead of any persons through whose holding a fence was put receiving any benefit or receiving any money for damage, in all probability

he would receive nothing at all, because the betterment would be put against it. It was a principle which he at any rate did not believe in. He did not think the Court of Petty Sessions was competent to assess it.

Mr. OAKDEN (Cobar) withdrew his proposition.

Mr. ALISON (Canonbar) said he would like to see the latter part of the clause struck out altogether.

Mr. OAKDEN (Cobar) said he agreed with Mr. Alison. He proposed that the whole of the words after "Land Board" be struck out, and that the "Court of Petty Sessions" be inserted in place of "Local Land Boards."

Mr. GIBSON (Hay) moved that the whole of the clause be struck out.

Mr. LESLIE (Forbes) withdrew the original motion that the clause be passed as printed, and supported Mr. Oakden.

Mr. FREEMAN seconded Mr. Oakden. He thought it was a very wise provision indeed, although he might have a rabbit-proof fence running right against, or perhaps absolutely on his boundary, it would not be put there by the Board for his convenience, and, although it might be a benefit to some extent, they could be sure that the Board would do its best for the whole district.

Mr. NIXON (Gunbar) seconded Mr. Gibson's motion.

Mr. ALISON (Canonbar) supported Mr. Oakden's amendment.

The question of striking out the clause was put and lost.

The CHAIRMAN then put Mr. Oakden's motion to the meeting, and it was carried.

Clause 23 as amended put to the meeting and carried.

Clause 24.

Maintenance of barrier-fences.

24. It shall be the duty of the Rabbit Board to keep in good repair and efficiently maintain—

- (a) every barrier-fence erected by it and every fence converted by it into a barrier-fence; and
- (b) every barrier-fence erected or to be erected at the expense of the Crown within the boundaries of the Rabbit District:

Provided always that—

- (c) where any such fence as last aforesaid is along the common boundary of two Rabbit Districts the Minister shall determine which of the two Rabbit Boards shall be charged with the aforesaid duty, and the Rabbit Board charged therewith shall be entitled to receive from the other of such Boards half of the annual cost incurred in discharging such duty; and
- (d) the Railway Commissioners shall be charged with the duty of keeping in good repair and efficiently maintaining any barrier-fence erected or to be erected at the expense of the Crown along the boundaries of any lands vested in them, but the costs incurred in the repair and maintenance of such fences shall be a charge upon the Consolidated Revenue Fund.

Mr. BACON (Brewarrina) moved that the clause as printed be adopted.

Mr. HEBDEN seconded it.

Mr. ATKINSON proposed that after the word "shall" in line 16 the words "if the two Rabbit Boards fail to agree" should be inserted.

Mr. DAVIES (Gunnedah) seconded it.

Mr. BACON (Brewarrina) accepted the amendment.

The CHAIRMAN thought that it was superfluous. If they agreed they would pay, and if they did not agree they would not pay.

Mr. ATKINSON said there were many cases where the Boards might fail to agree.

Mr. T. BROWN, M.P. (Budgerabong), pointed out that clause 28 determined that point.

Mr. ATKINSON then said that he did not give the Minister the right, it only gave him the power to be arbitrator. He wanted to give the Boards the opportunity of determining on their own account. It said "the Minister shall." He wanted the Boards to do it.

Mr. FLANAGAN (Gunbar) said he would support the motion.

The question was put and carried.

Clause 24 as amended was put and carried.

Clause 25.

Power of Boards to borrow money.

25. (1) Any Rabbit Board may borrow on the security of a mortgage, or otherwise on the credit of any land, personal estate, or annual revenues, actual or prospective, belonging to the Board for carrying out the provisions of this Act in its district any moneys not exceeding in the whole the estimated revenues of the Board for four years:

Provided that no money shall be so borrowed except with the sanction of the Governor in writing under his hand:

Provided further that before any money is so borrowed the Board shall, by advertisement in some newspaper circulating within the rabbit district, give fourteen days' notice of its intention to borrow, and shall at the same time state in such notice the amount of the proposed loan, the rate of interest to be paid in respect thereof, the time, place, and manner of payment of the principal and interest due thereon, and the nature and estimated amount of the proposed security for such loan; and until the said loan is repaid the Board shall levy and collect a rabbit rate of not less than two-thirds of the maximum rate authorised by this Act.

No loan shall be for a longer period than eight years.

The Colonial Treasurer may, on behalf of the Crown, guarantee the repayment within the period for which it was granted, of a loan to a Rabbit Board, and in case of default by the Board in repayment within the period aforesaid, the loan or the unpaid balance thereof may, in the discretion of the Colonial Treasurer, be paid out of the Consolidated Revenue Fund or the General Loan Account, but may be recovered from the Board as hereinafter mentioned, and shall thereupon be returned to the Consolidated Revenue Fund or General Loan Account, as the case may require.

(11) After default for the period of three calendar months made by any Board in the payment of the principal sum and interest secured by any mortgage, deed, or bond made hereunder or purporting to be so made upon the rates and other revenues of the said Board, it shall be lawful for the mortgagee to make application to the Supreme Court that a receiver of the said rates and other revenues of such Board may be appointed. And when appointed under the direction of the said Court such receiver shall pay over to the said mortgagee from and out of the produce of such rates and revenues at such times and in such proportions as may be ordered by such Court the sum which such Court has found to be due to the said mortgagee under the said mortgage deed, and the said receiver shall in all respects have the same powers and be subject to the same obligations and liabilities as a receiver appointed under the equitable jurisdiction of the said Court, and shall continue to receive the rates and other revenues of such Board so mortgaged as aforesaid, and to pay them under such direction until such time as the mortgage debt has been fully paid off.

If under the guarantee hereinbefore provided the said debt, or any part thereof, has been paid out of the Consolidated Revenue Fund or General Loan Account, the Minister shall thereupon have the same rights as are given by this subsection to the mortgagee.

Mr. GIBSON (Hay) proposed that the clause be accepted as printed.

Mr. FREEMAN, looking at the second line, said he could not see what security was to be offered. It seemed to him that the only security they had to offer were the barrier-fences which they might erect and the rates.

Mr. FLANAGAN (Gunbar) would second Mr. Gibson's motion.

Mr. ALISON (Canonbar) said that personally he had hardly expected that they would make the progress they had made that morning, and he had not gone into this clause as closely as he desired, and they should adjourn now to give them time to think over it.

Mr. GIBSON (Hay) had not been certain about coming forward, and then he had moved it *en bloc*. This dealt with perhaps a million of money, and they should consider it carefully.

The CHAIRMAN said he hoped that every delegate to the Conference had carefully considered and read through the Bill before this.

Mr. ALISON (Canonbar) thought they could hardly have worked it out and be ready for it suddenly; as it had come on he thought they ought to adjourn this until 2 o'clock.

Mr. LAURENCE (Balranald) would like to know if the Board would become responsible personally for any money borrowed outside the rates.

The CHAIRMAN said that if they borrowed it legally they would not be responsible, but if they borrowed it illegally they would be responsible.

Mr. OAKDEN said he was against giving the Boards the power to overload them with increased taxation. He moved that the clause be struck out.

Mr. ROSS seconded Mr. Oakden. He thought the Board should not have the power to borrow so much money as four years' revenue. They could see by the experience of other Boards that it was a very dangerous way to get money. The Government should provide it in some other way than this. They should not elect men on this Board with power to anticipate the revenue of four years.

Mr. ALISON (Canonbar) rose to support the view taken by Mr. Ross and Mr. Oakden. He never liked this clause. It allowed a Board, appointed for one year, to mortgage the revenues of a Board for four years. He thought that they should not be allowed to anticipate their revenue for one year. Let them pay as they go; it was a good old system. The clause did not prevent them borrowing for wire-netting. Of course he would not support it if it had that effect. He thought it advisable to have some way of raising money to allow private owners to fence in their holdings, and he did not regard it as possible if this clause was struck out. He thought we should have some clause, and he favoured Mr. Brown's proposition in regard to wire-netting in place of this clause. He thought Mr. Brown's proposition much more likely to meet this case.

Mr. GIBSON (Hay) said that he would point out that all works in their initiatory stage generally involved a considerable amount of expenditure. The power to borrow money was given to Municipal Councils. He thought it was necessary, if they were going to carry out a system of local control, that the body who was appointed should have power to go to this extent of four years. It was not very much, four years' money, and to a large extent it would be for the barrier fences, not for individual holders interests, but for the interests of the people in the whole district.

Mr. ATKINSON said they should take up the position of the Government and spend the money when it was voted.

The CHAIRMAN did not see how the Minister was to advance the money without getting borrowing powers, without any security whatever. He did not see how they were going to ask the Minister to lend them money for wire-netting without security, and the only way they could give security was by giving the Board power to borrow. The difficulty always had been in advancing money for wire-netting. There had been no local body to advance the money, and to look after their interests. He thought they could trust these men, who were administering the Stock and Pastures Act, with the power of borrowing, for carrying on, according to law, the actual administration, and the advancing of money to settlers within their district for wire-netting.

Mr. ALISON (Canonbar) said that if the annually-elected men spent all the four years' revenue at once, the new settlers would have no power to get any money at all.

The CHAIRMAN said he was only putting his own view of the matter. They might have different views. It would be damaging the usefulness of the Pastures and Stock Board if they struck it out.

Mr. OAKDEN's amendment, "That the clause be struck out," was put to the meeting and lost.

Mr. BACON (Brewarrina) asked if it was competent to move a fresh clause to take its place. It seemed to him that it was too drastic. He thought they had gone ahead too fast.

The Honorable R. CARINGTON (Jerilderie) said they had emasculated the Bill.

Mr. BACON (Brewarrina) said that instead of the Board being able to borrow four years' revenue, they would borrow two years' revenue.

The CHAIRMAN said that he could not take that now. Mr. Bacon must prepare a new clause and propose it later.

Clause 26.

Rabbit Board may supply netting, &c.

26. The Rabbit Board may purchase wire-netting and other materials required in the construction of a rabbit-proof fence, and also any machinery, plant, or substances for the destruction of rabbits; and may enter into contracts for the sale or letting out thereof to the owner of any private holding or lands for use within the Rabbit District upon such terms as may be agreed upon in writing: Provided that where any sale or loan as aforesaid is made upon terms one-fourth at least of the price shall be paid on delivery of the articles sold or lent, and any money owing to the Board in respect of the sale or loan shall be a charge upon all the lands within the district owned by the person to whom the sale or loan has been made, in priority to any estate, right, title, or interest other than the estate, right, title, and interest of the Crown.

Mr. T. BROWN, M.L.A. (Budgerabong), proposed that clause 26 be struck out, and that in place of it the following clause be inserted,—“That the Minister be empowered to purchase wire-netting and other materials necessary for the construction of rabbit-proof fences; also any machinery, plant, or substance required in the destruction of rabbits; and may contract to sell or let same to Rabbit Boards or private holders upon the following terms:—

- (a) One-tenth of total cost, in the case of a sale, on application, and 5 per cent. on total cost, thereafter to be apportioned as follows:—4 per cent. interest, and remainder to be placed to a sinking fund for the purpose of discharging indebtedness to State by a system of deferred payments.
- (b) The value of the netting thus provided be secured to the Minister by a first mortgage on the land so protected.
- (c) The netting to be erected within twelve months after delivery has been taken.
- (d) The Minister to have discretionary powers as to how such advances are to be made.
- (e) The letting of any machinery, &c., to be a matter of agreement between the Minister and parties interested.”

He thought the Minister should have the power to raise money for letting out wire-netting. He did not hold very strong views on the terms on which it should be let out. He simply desired that those terms should be as liberal as possible, so that those interested might take advantage of it. He was only desirous of having the principle affirmed and was quite prepared to accept an amendment. The stand he took was, that to cope with the rabbit pest, particularly in the more scattered districts, and where the pest was now growing and becoming a menace to the settled districts, wire-netting should be used, and while barrier-fences afforded a certain amount of protection it was by no means sufficient, and the smaller the areas the greater the protection and the nearer they came to getting rid of this plague. In the western part of the Central Division, where the rabbits were the most prevalent at the present time, there were numbers of small holders holding from 10,000 acres to 2,560 acres, and these men were settled down in the midst of vast areas of abandoned Crown lands, and their only hope under any legislation was to fence in their holdings and to kill the rabbits within those holdings. At the present time they were trying to keep the rabbits down by killing, but they were not killing the rabbits that were bred within their own holdings, but the rabbits that came upon their lands from the abandoned areas around. Now, if they could assist those men to fight the rabbits on the small areas, and gradually work on by extending the fences they would gradually get the rabbits under. Some men fence in the holding with netting, and they were in a very different position to those who were not able to do it. There was an instance in the Melrose district. There were a number of 2,560 acre block men in a vast area of abandoned country, some of it practically abandoned to the rabbit and wallaby pest. The men ought to have been enabled to enclose their holdings. There was a selector out there who held second rate land, but, by enclosing, he has been able to carry ninety per cent. of fat sheep to send to market, and the surrounding men on the same area were only able to carry five to seven hundred sheep instead of two thousand, and their holdings were becoming worse and worse, as their feeding grounds were depleted by the millions of rabbits that crowded in from the surrounding lands. These men were not able to get this netting on easy terms, and if they passed this measure they would go a long way towards solving the rabbit problem.

Mr. LITTLE (Bullock Creek, N.) seconded the motion. He would like to point out that they also expected to be able to cope with the wallabies, as their country was infested from the Parkes district, and was completely eaten out by them. From a small portion of 160 acres they had taken over 1,000 wallabies. The whole country was taken possession of, and they had increased in such numbers that it was impossible to get rid of them. There only hope of contending with them was by getting wire-netting on easy terms from the Government.

Mr. GIBSON (Hay) said that this matter was one he was asked to bring before the conference, if it had not been brought forward by anybody else. There were a large number of men in his district in the neighbourhood of abandoned country, badly infested, and it was all very well for them as a Conference to propose Rabbit Boards, and to propose modes of assessment, but the best thing to do was to try to keep the people on the land. They should assist the people who took up these lands prior to rabbit legislation, who were receiving no benefits from any re-appraisements which were now taking place, in which the devastations caused by the rabbits were a factor, and the men were paying higher rates than the lands were now worth. These men have sunk their all on their property, and they were just struggling on from day to day in the hope of some concession being granted, such as the mover of the resolution had shadowed forth. If they gave these men wire-netting they would ask nothing more. They would be quite satisfied that it should be made a charge on the land, they did not ask for a free gift of the netting. They would be able to pay it back by instalments, and as the Crown was the landlord, he certainly thought it would be an advantage to the Crown that their lands should remain in a good tenants hands. If the men who had sunk all their money on these properties had to go under, who was going to take their place except under very great concessions. The best concession, and he thought the only concession that could be given to a lot of holders, to large as well as small holders, was that the Government should find the netting, and let them have it on easy terms.

Mr. ALISON (Canonbar) supported Mr. Brown's proposition. He would knock out that part where it said "payment for interest, &c." He said they were all tenants of the Crown. The general body of the people were as interested as the landlord in keeping this pest down, and he thought the people would voluntarily spend their money in endeavouring to improve the public estate. The State ought to pay its portion and contribute the netting, as long as the borrower paid back the principal. He thought it would be as well to eliminate the interest altogether, for the Crown was interested in preventing the spread of the pest.

Mr. FLANAGAN (Gunbar) supported the motion. Of course they knew circumstances altered cases all over the Colony. Some delegates thought that wire-netting was not requisite. Perhaps not in some parts of the country; but he could say this, that in his locality they commenced to grow wheat a few years ago, and they thought they could do it without wire-netting, but he had seen the rabbits eat as much at night as a reaper and binder took off in a day. They found it impossible to grow wheat without wire-netting. By borrowing money from their bankers some of them succeeded in wire netting 500 acres, and some up to 2,000 acres. There was a delegate there who cultivated 2,000 acres. He was more beneficial to the country than any wool-grower present. Mr. Harpur, of the Railway Department, had told them that 500 acres of wheat were more beneficial to the railways than 5,000 acres of wool. He himself was a wheat and wool grower, and he would say this, that he could produce as much from 500 acres by wheat as from 5,000 acres by wool, and his returns from 500 acres of wheat were more than from 5,000 acres by wool. If the small men had no wire-netting it would simply be a loss of time and money to put them on the soil, for they could not remain there.

Mr. SIDES (Hay) said he knew of an instance where a man had abandoned a run, or, rather, the rabbits had simply put him out of it. It was a property of 12,000 or 15,000 acres, and he was quite within bounds in saying that there were £3,000 spent on improvements on that land. The man had had to leave it. About two months ago that land was offered to him for £1,600, and he would not have it, for the simple reason that to fence it in would be a big expense to him. He had land adjoining it on which he had no stock, because it was overrun with rabbits. There was a necessity for the State to assist the landowners, large and small. There were not many of the large owners in a much better position than many of the small ones. He thought there were very few who would say "no" to the State assistance. They knew very well they had to put their own hands in their pockets and find the wherewithal there when they wanted assistance. That 4 per cent. should be done away with. Let them have actual cost. If the State did not assist, it would simply shut up the means of progress of a coming and a great country. The rabbits had come as a great flood, not as a wave. A $1\frac{1}{2}$ inch mesh was not a rabbit-proof fence. Rabbits, when they were not fed, got small; they got small themselves when they did not get enough to eat. $1\frac{1}{2}$ inch was quite small enough. Unless Parliament did something like this they might as well shut up the Parliament House, or not build the new one they were talking about.

Mr. VARCOE (Hillston) had great pleasure in corroborating the remarks of the previous speakers. He considered that this was the most important feature they had come there for—in fact, it was all they wanted. If they could only get this, it would not matter if they had no Rabbit Bill at all. It would not only be the salvation of many who were now struggling under a forlorn hope, but it would also be a stimulus towards encouraging people to settle down on the present abandoned Crown lands, turning them from a wilderness into smiling farms. He supported the motion.

Mr. GORMAN (Berrigan) had much pleasure in supporting Mr. Brown's amendment. He merely differed from him on a point of detail. He certainly did not agree with some of the speakers that the whole of the burden should fall on the State. He understood, from Mr. Alison's remarks, that he would not charge the settler any interest. He considered interest should be borne also. He certainly felt that if the State got rid of the rabbits on their own runs, and assisted the settlers by lending money for netting, and charging a reasonable rate of interest—say, 3 per cent., with a sinking fund of 5 per cent.—that was all they could expect. In Victoria the Shire Councils procured the wire-netting, and the settlers had to pay a higher percentage than that. It had been found to work well there.

Mr. STINSON (Coolamon) said that this was a very important matter. It was a very vital point with the Government. If all the different Boards applied for money it would mean an enormous expenditure. The Minister had told them that he would be only too pleased to come and join them in their deliberations. He thought it would be a very wise thing to avail themselves of that offer, and ask his advice upon this point. He would be able to help them materially. He would be able to offer suggestions to them, which would be of great value. Without his advice, they might pass resolutions which the Government would not accept, interested, as they were, to a great extent.

Mr. DAVIDSON (Condoblin) rose to support Mr. Brown's motion. He represented a district which was badly infested with rabbits and wallabies. On the Crown land adjoining the holdings there was a perfect wilderness of scrub. It would be almost impossible to destroy the rabbits and wallabies on this land, and, unless wire-netting was supplied to the farmers and settlers in that district, they would very soon have to abandon their holdings altogether. Within a radius of 20 miles from their Post Office there were eighty settlers struggling against this terrible pest. They had wallabies by hundreds and thousands. In one day they had burnt 6,000 scalps that had been collected in a very short time. Something must be done, and he was sure, from what the Minister had said, that he was anxious to settle people on the land.

Mr. BACON (Brewarrina) was in thorough accord with Mr. Brown. He thought it would be better to pass the clause, and then leave the matter to the Minister. They might leave the interest open. This was a matter upon which the Minister's views should be taken. He would point out that this resolution affected a lot of waste land in the Eastern Division, which was not generally taken into account, and which was infested with wallabies and native-dogs, and the latter were a very serious pest in some districts. He had great sympathy with the men who had pushed out into the wilderness, and had endeavoured to make two blades of grass grow where there had been but one. He wished them every success, and that they might go on and prosper. They had not only tried to grow two blades of grass, but also wheat, and they deserved success.

Mr. LAURENCE (Balranald) said there was one thing he would like to mention, and that was, from the experience they had had in the past of the Minister buying wire-netting to enable the holdings to be fenced in, they had found that he had paid far more than the private individuals themselves would have paid. They, themselves, knew best where to buy it, and how to get it on to their land. The Minister had bought the netting in Sydney, and in different places, and the enormous cost of carriage was added to the expense.

expense of the netting, and the people therefore could not take advantage of this. The people should be allowed to buy netting of the best description as recommended by the Conference, and the Minister should be asked to contribute one half of the cost of erecting the fence.

Mr. NIXON (Gunbar) had much pleasure in supporting the resolution proposed by Mr. Brown. There was no doubt that where the areas were not too large this would be very beneficial.

Mr. BRETT (Urana) wished to know if he was in order in proposing an amendment. He begged to move, "That, as the Minister very kindly offered to assist them, and as this was a very important matter, he should be asked to attend before they decided the matter." The Minister was the largest land-owner amongst them, and it was only fair that he should be present.

Mr. FREEMAN thought the best way out of the difficulty would be to pass the clause as it stood, and then to allow any amendment in the rate of interest to come in afterwards.

Mr. BRETT (Urana) said he did not think it was fair for them to pass an important amendment like that when the principal man who was interested was absent.

Mr. TAYLOR (Lands Department) proposed to put in after the word "Minister" the following, "with the consent of the Stock and Pastures Board."

The question of striking out clause 26 was put to the meeting and carried.

The question of substituting Mr. Brown's amendment as clause 26 was put to the meeting and carried.

When the vote on Mr. Brown's amendment was being taken, Mr. Alison asked the Chairman if he would be in order in submitting an amendment in the afternoon with regard to the interest, and the Chairman replied that he would.

The CHAIRMAN then reported that he would not be able to be present in the afternoon, and would be glad if they would elect some other gentleman to take the chair.

On the motion of Mr. ALISON, Mr. Oakden was elected Chairman unanimously.

The Conference then adjourned until 2 p.m.

On resuming after lunch, Mr. Oakden took the Chair at 2 p.m.

Mr. T. BROWN, M.L.A. (Budgerabong), wished to know whether they had yet determined the amount of the levies under the Rabbit Act, because he thought that was an important matter, to enable them to decide with regard to the constitution of the Board.

The CHAIRMAN pointed out that in the Bill it was provided that the maximum levy was to be $\frac{1}{4}$ d. per sheep, according to the stock returns. The levy might be less, but it could not be more. The next business before them was the adjourned consideration of the Honorable Rupert Carington's motion.

Mr. LESLIE (Forbes) said he had intended to ask the ruling of the Chair again with reference to whether they should proceed with that resolution, unless the clause which had already been passed, providing for eight members to constitute the Board, was recommitted; but he did not desire to place Mr. Oakden in the invidious position of giving a decision contrary to Mr. Lakeman's ruling. He would therefore move, "That this resolution stand over until Mr. Lakeman's return to the Chair."

The CHAIRMAN said he would ask the Conference not to put him in the position of, perhaps, giving a different ruling to Mr. Lakeman's on this matter. Either the discussion should be adjourned until the return of the Chairman, or he should not be asked to give another ruling.

Mr. WILKES (Broken Hill) moved a further adjournment until the return of the Chairman to the Chair.

Mr. FLANAGAN (Gunbar) seconded it.

The Honorable RUPERT CARINGTON (Jerilderie) begged to move, "That this motion be considered now."

Mr. BROOKE (Boggabri) seconded.

The Honorable Rupert Carington's amendment was put and carried by 20 votes to 14.

The adjourned discussion of the Honorable Rupert Carington's motion, "That the following words be an addition to clause 5, as amended," was then taken: "For the purpose of administering this Act, only two members be added to the existing Sheep and Stock and Pastures Boards, such members to be elected by the stock-owners and other persons taxed under this Bill; each stock-owner or tax-payer to have only one vote."

Mr. ALISON (Canonbar) said he now understood this motion, and he wanted the other members to clearly understand what it implied. The Stock and Pastures Board now consisted of five men elected by the sheep-owners, and three men elected by the large stock-owners. He understood that the Honorable Rupert Carington's proposal was that they should remain as at present, and that there should be two additional men who should only act on the Rabbit Board, and who should be voted for by every person who paid towards the Rabbit Fund, and that each person who voted for the Stock and Pastures Board should have only one vote for these two men. It would save a lot of trouble if this motion were carried. It would leave the Pastures and Stock Act as it was, it would leave the Sheep Diseases Act as it was, and for the purposes of the Rabbit Act, which they were now considering, it would enable them all to act together, with the addition of two men who would be elected by everybody who paid taxes toward the Rabbit Fund. It would not confuse the other Acts in any way. He was inclined to think that on the whole, it would facilitate the working of the Rabbit Act. The only difficulty he saw about it was this: they had a distinct assurance about it yesterday from the Minister that the Crown must not expect to come in as an ordinary ratepayer, but they must have some arbitrary representation on the Board. He could hardly understand how the Crown was to be represented under this motion. If the Crown nominated one or two representatives, the Board would be swelled to eleven or twelve. If the Honorable Rupert Carington could explain some way out of that difficulty, his decision would be much facilitated. If they had two extra members under this motion, and two representing the Minister, it would be twelve. That was a considerable number to pay for. Regarding the franchise, every one who was a taxpayer under this Bill, even if he only paid taxes up to 2s. 6d., would have a vote on those two extra men, and the franchise for the other members would remain as before.

Mr. WILKES (Broken Hill) wished to move an amendment: "That, for the purposes of this Act, the meaning of the Pastures and Stock Boards shall be the Pastures and Stock Board under the Pastures and Stock Act, with the addition of two members appointed under this Act by the Governor-in-Council on the recommendation of the Minister." His reason for moving this was that the Minister must be represented. He was as much for the small owner as any of them; but he could not stand there and see them go by at the

the expense of the big owner, who was most interested. He could produce figures to show that the small owners at the present time outvoted the big owners on the Stock and Pastures Board, and the big owners had no say. They had been told by the Minister that the Crown must have representation, and it was only right that he should have representation. He had spoken against the ways and means of carrying out the Act, but he was never against the Minister having representation. The Minister, however, should not be over-represented. The Pastures and Stock Act gave the power to tax unstocked runs, and a run within the meaning of the Sheep Act was 40 acres. They had got the franchise low enough when it was brought down to ten head of large stock, and if the small owners of under 40 acres could not trust the Minister to look after their interests, then they could not get a Bill at all. This amendment of his would make things as plain as could be. It would save trouble, and yet give representation to every class; and if a man had less than ten head of stock in the country he would have very little interest in the rabbit question.

Mr. WILKES' amendment lapsed for the want of a seconder.

Mr. T. BROWN, M.L.A. (Budgerabong), said it had been decided to place the whole of the control of this Bill under the Stock and Pastures Board; and, from a statement which had been made in reply to his question, he understood that this Rabbit Bill gave additional powers of taxation equal to those exercised under the Diseases in Sheep and Pastures and Stock Acts. The powers of taxation under this proposed Bill, by the resolutions of the Conference already carried, were equal to what obtained under those two Acts in their present operation. Now, that would add very considerably to the powers of this Board, and it brought in a large number of other holders, who had not so far been called upon to pay any form of taxation under the existing Acts, because under this Bill they brought in unoccupied lands, and assessed them as carrying so many sheep to the acre; and they also assessed cultivated land, not carrying stock, as carrying so much stock to the acre. And though these lands are not taxed under the Acts which constitute the present Board they will be taxed under this proposed Bill, and it has been generally conceded that in order to give fair representation all round, the basis of the franchise should be enlarged; and what they had to consider now was how to enlarge it. Now, he wished to invite their attention to the franchise as it stood at present. The Stock and Pastures Board consisted of eight members, three of whom were elected by the holders of large stock—horses and cattle—and five elected by the owners of sheep. These members, elected by the holders of different stock, constituted that Board, and had different powers on it, and it was now proposed to add the administration of this Act to those powers. It was now desirable to broaden the franchise so as to bring in others who had not the right to vote under these Acts. Now the Honorable Rupert Carington proposed to add two members to this Board, and so far as those two members were concerned, to have them elected on the one man one vote principle, without any reference to stock. Under the present franchise the holder of 5,000 head of large stock had the right to four votes, and the holder of 30,000 sheep had the right to four votes also, and now under the Honorable Rupert Carington's proposition they would have two further votes. How would the small holders stand? They would have the two votes under the one man one vote principle, and then if they had a less number than 500 sheep or ten head of large stock they would have only one vote. The most that any small holder would have would be four votes, while some of the large holders would have ten. Under the conditions of this Act they should broaden the basis of representation, considering the fact that they would double the amount of taxation. Let them broaden the basis under the Pastures and Stock Act and under the Sheep Act, particularly under the Sheep Act, so as to bring in a large number of taxpayers under this Bill who would be excluded from participating in the franchise if something like this were not done. Then there was the representation, which they must be prepared to give to the Minister on those Boards. They required the Government to come in and bear an important share of the expense which was necessary to bring the rabbit plague under, and to enable the Rabbit Boards to carry on their work effectively. There was not a bit of use in the Boards trying to cope with this question so long as the stock routes, &c., were left as No-man's Land, and the plague allowed to flourish there. They must bring the Department in and make a provision that the Department should bear a fair share of the expense of clearing those lands. The Minister had distinctly told this Conference that certain powers of representation on the Board charged with the administration of the Act must be given to the Department. He could not go to the general taxpayer and ask for a contribution towards funds which would be expended in this way unless he had a voice in that expenditure, and the only way out of the difficulty that he could see was to allow the Minister to nominate the Chairman. They could take it for granted that the Minister would only nominate the best man for the position of Chairman, and he would be of considerable service in helping the other members in dealing with this question. It would maintain the dignity of the Department, and he contended that it would in every way strengthen the position of the Board, and he thought they should make provision in this constitution for the Minister to have the right to nominate the Chairman on those Boards. It need not be elaborated, but there would be extended powers given to those Boards which would necessitate something in the nature of a permanent Chairman, and he thought—judging from the manner in which the Land Board Chairmen had been appointed—they had a guarantee that the Minister, to whom those powers were given, would appoint proper and good men to those positions, and would be in a position to help the Boards to deal with this important question. It might be said that one member of this Board should be elected on the rabbit basis of taxation. He was not particularly strong on that, because he did not want to see the expenses of the Board eaten up by too many representatives, but the notice of motion he gave during the morning would meet the situation as far as it was in his power to solve it. He wished to move, now, "That, for the purposes of this Bill, the constitution of the Stock Boards be altered so as to provide for—(1) The appointment of a Chairman by the Governor; (2) That one additional member be elected on an equal franchise by all contributors under the Rabbit Act assessments; (3) That three members be elected under the Stock and Pastures Act as at present provided, with a minimum voting power of five head of large stock; and (4) That five members be elected under the Diseases in Sheep Act as at present provided, with a minimum voting power of 100 head of sheep." This reduced the voting power from 500 sheep to 100 sheep so as to bring in the small men, and it was the best way out of the difficulty.

Mr. ALISON (Canonbar) said that this was an original motion, and he did not think it could be dealt with until the Honorable Rupert Carington's motion had been dealt with. If it came in as an amendment they should have to take it and debate it from beginning to end as an original motion. He thought the best way to arrive at a decision on this matter would be to have all these different propositions printed, when

when they might see what they meant; it was very difficult for them suddenly to gather what they meant. He would like to have it in front of him, so that he could tell what it was. If they accepted it as an amendment, it would be advisable to have both motions printed and put before them in the morning, or else they must discuss the motion from beginning to end.

Mr. T. BROWN, M.L.A. (Budgerabong), submitted that if the Chairman ruled that his motion was an original motion, and not an amendment on the Honorable Rupert Carington's motion, in the event of the Honorable Rupert Carington's motion being carried, it to a certain extent fixed the basis of the constitution of this Stock Board, and so disposed of his amendment as a motion altogether. He, therefore, submitted that it must be taken as an amendment to the Honorable Rupert Carington's motion.

Mr. GIBSON (Hay) seconded Mr. Brown's motion.

Mr. T. BROWN, M.L.A. (Budgerabong), said it was a very important proposition, but it would be better if they could now have these separate motions postponed and printed, and have them to consider in the morning.

The CHAIRMAN said that he did not wish to rule these amendments out, for he did not wish to stifle discussion on such an important matter.

Mr. BROOKE (Boggabri) wished also to move an amendment on this resolution. He quite agreed that it should be postponed until the morning, so that they could have the whole of the day before them. As it was now, Mr. Brown was proposing really to destroy the franchise of the Pastures and Stock Act and the Sheep Diseases Act. He thought the original Bill itself would be better. Under the original Bill they proposed to have three members elected by the Pastures and Stock Board. He proposed now, "That they should have four members selected by the Pastures and Stock Board, and the Minister should elect one, which would make five." This would do away with the enormous expense of having twelve members.

Mr. BACON (Brewarrina) moved that the debate on this matter be adjourned until the next morning.

Mr. FLANAGAN (Gunbar) seconded it.

Mr. BACON (Brewarrina) said that Mr. Brown's amendment raised fresh grounds, and it dealt with matters which were not included in the Honorable Rupert Carington's motion.

Mr. WILKES (Broken Hill) supported the amendment. He claimed to have as much intelligence as a few of them, and his memory could not carry all of it. He would like to see it in black and white.

Mr. GORMAN (Berrigan) did not know whether it was necessary for him to propose an amendment on Mr. Bacon's motion. He thought they should go on with the business. He opposed the amendment. He thought it was a most important question, and, as many of them would probably be leaving on the next evening, and the Conference would probably adjourn at 12 o'clock, they would not be able to give their vote. There was no necessity to arrive at a definite conclusion that evening, but they could go on discussing it, and they might go on the next day and solve it.

Mr. FREEMAN supported Mr. Gorman. He thought it was a most important matter, and although it might not be decided that night, it ought to be discussed freely, and then postponed until the next day for a vote or division.

The Honorable RUPERT CARINGTON (Jerilderie) said he would like to point out that a few minutes ago it had been decided to go on with this motion.

Mr. ROSS (Hume) thought this was a very important question, and he agreed with what Mr. Brown had said, but he had not got a thorough grasp of the question, and it was important that it should be put before the Conference. Half of them did not know exactly what they were doing. It was a question upon which he would like to say something, but he would not be justified in discussing it, unless they had copies of it put before them.

Mr. BROOKE (Boggabri) said, a few minutes ago a motion was put to go on with the business; he voted to go on, but since then half a dozen amendments had been brought forward, and they were in a different position now. That was his reason for moving for the adjournment. He thought it was the same with all of them.

Mr. VANSTON (Goodooga) thought this matter deserved very great consideration, for the small man must not be a football. The small man was a cheap barrier against the rabbits, and he should have the franchise.

Mr. GIBSON (Hay) said he was leaving Sydney that night, and others must also, and he thought that the Conference should meet them, and go on with this discussion.

Mr. ALISON (Canonbar) gave notice that when the discussion came on he wished to make an amendment.

The motion for adjournment of this clause was then put to the Conference by the Chairman, and carried by 23 votes to 14.

Mr. ALISON (Canonbar) gave notice that he would move next day a resolution to this effect,— "That the voting power under this and the Pastures and Stock Protection Act, and the Sheep Act, be on a similar basis, and that the said basis be one vote for every 250 sheep, or ten head of large stock; that the Government nominate one representative, who shall not necessarily be the Chairman."

Mr. BROOKE (Boggabri) gave notice that he would move the next day, "That clause 5 be omitted, with a view to the insertion of clause 6 in its place, with the following amendments: In lines 1, 9, 16, 18, page 4, insert the word 'four' instead of 'three'; lines 24 and 26, page 4, insert 'one' instead of 'two'."

Mr. ALISON (Canonbar) said that in clause 26 (Mr. Brown's clause passed that morning) he would move, "That 'four' be inserted instead of 'three.'"

Mr. BACON (Brewarrina) seconded the motion.

Mr. T. BROWN, M.P. (Budgerabong), said that if the Conference would consent to it, he would like to withdraw clause (A) and substitute an amended clause. He explained that he drew up the resolution very hurriedly on the first day, and his idea was very crudely put.

The CHAIRMAN ruled that this would be out of order unless the clause was recommitted.

Mr. GORMAN (Berrigan) moved, "That clause 26 be recommitted."

Mr. T. BROWN, M.L.A. (Budgerabong), supported Mr. Gorman. He wished to know whether it was right that it should be recommitted now, or at a future time when they were able to go through the Bill again.

Mr. HEBDEN (Wanaaring) thought it was understood that when this clause was passed they could go through it piece by piece, and pass it as it stood or alter it.

Mr. ALISON (Canonbar) said that they had accepted the principle with the right to amend it. He proposed that the sense of the meeting be taken as to whether it should be taken as a clause, and that it now be considered seriatim.

Mr. HEBDEN (Wanaaring) seconded it.

The CHAIRMAN said that had the clause been passed without any reservation being allowed by the Chairman, he should certainly rule that they go on with the other business, but on those grounds he thought that it might now be considered.

Mr. T. BROWN (Budgerabong) said that in lieu of subsection A he would submit the following:— "That repayment of principal, together with interest, be on a similar basis as that provided for the payment of principal and interest on conditionally-purchased land." That would enable the Minister to fix the interest and adjust the cost to the Department, and what was over and above that would go to the principal, and the effect would be, as the years went by, that the contribution towards the principal would be a yearly increasing one, and the contribution towards the interest would be a yearly decreasing one. That was what he had in his mind when he first drew up the resolution.

Mr. ALISON (Canonbar) withdrew his motion and seconded Mr. Brown's.

Mr. FLANAGAN (Gunbar) supported it.

Mr. BACON (Brewarrina) also supported it.

The CHAIRMAN then put the question to the Conference, and it was carried.

Clause 27.

Co-operation between neighbouring Boards.

27. Where the Rabbit Boards of neighbouring rabbit districts agree to co-operate in the erection of a barrier-fence for the joint protection of the said districts, the Rabbit Board which erects such fence shall be entitled to receive from the other Rabbit Board half the cost of erecting the said fence and half the annual cost of maintaining and repairing the same, unless the agreement shall provide for the payment of some other proportion of such costs; and for the purpose of this section the erecting of a barrier-fence shall include only the expense of rendering rabbit-proof any existing fence on the barrier that may be utilised or converted into a barrier-fence, and of erecting rabbit-proof fences in places on the barrier where such may be necessary: Provided always that any such agreement between Rabbit Boards shall be in writing.

Mr. BACON (Brewarrina) moved, "That clause 27, as printed, be adopted."

Mr. GORMAN (Berrigan) said the resolution they had just passed was too vague. He thought they should put in 1 per cent. It ought to be fixed.

Mr. BACON (Brewarrina) desired that, as many of the gentlemen were going that night, they should get through as much of the business as possible.

Mr. GIBSON (Hay) seconded Mr. Bacon.

Mr. HEBDEN (Wanaaring) said that clause 26, as a whole, had not been passed yet. He proposed "That clause 26, as amended, be passed."

Mr. GIBSON (Hay) seconded it.

Clause 26, as amended, was put to the meeting and passed.

Mr. BACON's motion, that clause 27 as printed be passed, was then put to the meeting and carried.

Clause 28.

Disputes between neighbouring Rabbit Boards.

28. In the case of any dispute arising between the Rabbit Boards of neighbouring Rabbit Districts as to the payment of any money or the doing of any act required to be paid or done under the provisions of this Act, or as to the carrying out of any agreement between them, the matter of the dispute shall be referred to the Minister, and his award thereon shall be final and conclusive to all intents and purposes: Provided that the Minister before making his award may refer the matter in dispute to any Local Land Board for investigation and report.

Mr. WILKES (Broken Hill) moved that clause 28 be passed as printed.

Mr. FLANAGAN (Gunbar) seconded it.

Mr. FREEMAN proposed that the word "provided" in line 4 down to the end be struck out.

Mr. WILKES (Broken Hill) wanted to know how the Minister was to decide on this; he did not think the Minister had sufficient machinery at his command. The Minister sent for investigation, he did not send for their decision. He must have some machinery for reporting, and he could not expect the Pastures and Stock Board to report to him, for that would be unfair as they would be concerned in the matter. Whom else could it be referred to. He thought it was only right that the Minister should have the right to refer it to some of his own officers, they being better officers than the Local Land Board.

Mr. FREEMAN, in moving the resolution, said he would like to point out that the Minister would have representation on both boards and the matter would be freely discussed, and any disagreement between the two courts could be fairly set out and be referred to the Minister as arbitrator only. If people disagreed and the matter was referred to arbitration, let the arbitrators settle it. Why should we have the delay. This may be an urgent matter and the rabbits might be increasing. They might want to get the wire-netting fences put up, and there might be some little disagreement about it. They might be delayed for six months while the whole matter was referred and discussed by the Local Land Board, and they sent for fences. The whole matter might be delayed for perhaps twelve months before it was settled. The whole matter could be fairly and honestly put before the Minister.

Mr. FREEMAN's amendment lapsed for want of a seconder.

Clause 28, as printed, was put to the meeting and carried.

Clause 29.

Rabbit Board may order destruction on private lands.

29. A Rabbit Board may, by notice in the *Gazette*, specify—
- (a) a date (not being less than months from the date of the notice) on or before which the owners and occupiers of all private holdings and lands within the Rabbit District shall respectively commence the work of suppressing and destroying rabbits on all such holdings and lands; and
 - (b) a period during which the said work shall be continued and systematically carried out; and
 - (c) the means (being lawful means and not expressly disapproved of by the Governor) which shall be adopted for the carrying out the said work.

Any such notice, or an abstract thereof, shall also be published in some of the newspapers circulating in the Rabbit District; but any omission to publish the same shall not affect the validity of the notice published in the *Gazette*.

The Rabbit Board may also give to the owner or occupier of any private holding or lands within the Rabbit District a peremptory notice in writing to forthwith suppress and destroy all rabbits on such holding or lands, and to adopt such means for the purpose as may be specified in the notice.

Mr. J. M. ATKINSON said that at line 11 he would move that the word "private" be omitted before "holdings and lands."

Mr. STINSON seconded the motion.

Mr. T. BROWN, M.L.A. (Budgerabong), wished to know if he was to understand that it was the intention of the mover of this amendment that the Board should not have the power to compel the killing of rabbits on lands held privately.

Mr. WILKES (Broken Hill) had an amendment before that. In subsection A the word "months" should be struck out and "fourteen days" be put in.

Mr. WILKES' (Broken Hill) amendment lapsed for want of a seconder.

Mr. WILKES (Broken Hill) altered his motion to "one month."

Mr. BRETT (Urana) seconded it.

Mr. BACON (Brewarrina) thought it should be more than that. He would move that it be "not less than two months." A man might want to get phosphorus and other things, and he would not have time if it were less than two months in many cases.

Mr. J. M. ATKINSON seconded *pro forma*.

Members: Make it three.

Mr. BACON (Brewarrina) said that in deference to some of the members he would make it three months.

The CHAIRMAN then put Mr. Bacon's amendment to the meeting to insert three months, and it was lost by 16 votes to 10.

As the CHAIRMAN was about to put the original motion,

Mr. HEBDEN (Wanaaring) proposed that it be two months, and Mr. Moore seconded it.

The CHAIRMAN then put Mr. Hebden's amendment, and it was carried.

Mr. ATKINSON's amendment, that the word "private" be omitted, was then put and carried by a large majority.

Mr. FLANAGAN (Gunbar) referred to the following words in clause 29: "Any such notice or abstract thereof shall also be published in some of the newspapers circulating in the Rabbit District, but any omission to publish the same shall not affect the validity of the notice." He did not think it should be penal against a man who never saw the *Government Gazette*. He did not object to it appearing in the *Gazette*, but he did not want it to be penal if any landholder did not commence to kill rabbits on any day, unless it was also published in the local paper. He would move that in line 20 the words, "but any omission to publish the same shall not affect the validity of the notice published in the *Gazette*" be omitted.

Mr. VANSTON seconded it.

Mr. LITTLE (Bullock Creek North) thought a personal notice should be served. It would be very much better.

Mr. BACON (Brewarrina) moved that the notice be sent by registered letter. He thought this should be added to the clause; but he would support Mr. Flanagan's motion, and if these words were struck out, he would move that this should be added.

The Honorable RUPERT CARINGTON (Jerilderie) opposed it on the grounds of expense. It would cost 4d. to register a letter and 2d. for the original postage; this would be 6d. on every landowner. Let the proclamation be stuck outside the post office.

Mr. FLANAGAN (Gunbar) accepted Mr. Bacon's addition.

Mr. LESLIE (Forbes) wished to draw their attention to clause 57 in the Act, which made provision for the giving of notice. This, he thought, would cover the whole ground.

The CHAIRMAN thought Mr. Bacon's amendment was not necessary, as clause 57 appeared to cover the whole thing. He would, therefore, put Mr. Flanagan's motion, that these words be omitted, without taking any notice of Mr. Bacon's addition.

The CHAIRMAN then put Mr. Flanagan's amendment, which was carried by 20 votes to 14.

Mr. BACON (Brewarrina) moved that "private" be struck out in line 24, clause 29.

Mr. LESLIE (Forbes) seconded it.

The question was put to the Conference and carried.

Mr. ALISON (Canonbar) moved to insert the following words in line 25, "to destroy to the best of their means and ability" in the place of the word "all" which should be taken out.

Mr. T. BROWN, M.L.A. (Budgerabong), pointed out to Mr. Alison that the effect of his amendment would be that the Boards would not be able to carry out this clause. Who could determine "what was his ability" except the man himself, and he might say he had no ability at all. According to the amendment, could the Board step in and carry out the provision? It should be left to the Board to determine whether everything had been carried out properly.

Mr.

Mr. ALISON (Canonbar) did not think that anybody could possibly imagine that they could destroy *all*. Mr. CUMMING (Hillston) seconded Mr. Alison's amendment.

Mr. GIBSON (Hay) said that if Mr. Alison would simply leave the word "all" out and use the other words it would be better.

Mr. ALISON (Canonbar) moved that the word "all" be struck out.

Mr. CUMMING (Hillston) seconded it.

The CHAIRMAN then said he was very glad they had proposed this. It would be an utter absurdity to say they could destroy "all" rabbits.

The question was then put and carried unanimously.

Mr. ALISON (Canonbar) moved to insert, "use all reasonable effort," for it seemed to him that they must have some limitation. That was all they could ask anybody to do, to use all reasonable effort. They could not compel people to do something which was beyond all reason. He thought there ought to be some safeguard to prevent oppression, and they ought to have some saving clause like this. Did anyone want them to use unreasonable efforts?

Mr. ATKINSON asked Mr. Alison to accept the following alteration "to use such efforts as may be deemed necessary by the Board."

Mr. ALISON (Canonbar) withdrew his amendment.

Mr. ATKINSON moved that the following words "to use such efforts as may be deemed necessary by the Board" should be inserted after the word "forthwith" in line 25, clause 29.

Mr. ALISON (Canonbar) seconded the amendment.

Mr. CUDMORE (Wentworth) moved to omit the word "necessary" from the amendment and to insert the word "sufficient."

Mr. ATKINSON accepted the alteration, and the question was put and carried.

Mr. WILKES (Broken Hill) moved that clause 29 as amended be passed.

Mr. HEBDEN (Wanaaring) seconded the motion.

Question put to the Conference and carried.

Mr. ATKINSON moved the adjournment of the Conference until 10 o'clock next morning.

Mr. FREEMAN moved, that as there were only three clauses left they should go as far as part II.

Mr. ATKINSON said he moved the adjournment because clause 30 was so very important that they could not discuss it under two or three hours. They could not do it justice unless they arranged to come back and go on until 8 o'clock.

Mr. CUMMING (Hillston) seconded Mr. Atkinson's motion. He considered that the clause could not be settled under two or three hours.

Mr. BACON (Brewarrina) supported Mr. Freeman.

Mr. T. BROWN (Budgerabong) said they ought now to consider whether they should not devote a little more time to the Bill, considering the amount of work they had to do. They should stay later and sit in the evenings. He thought that if they sat later on that evening they could pretty well finish the Bill.

Mr. DILL (Hay) would support Mr. Brown. He thought they should go on.

Mr. CUMMING (Hillston) said it had been already decided that the Conference should not sit until 5 o'clock. A resolution to that effect, that they should sit till 5 o'clock, had been lost in the morning.

Mr. A. BROWN (Narrabri) said a motion had been carried in the morning that they should adjourn at 4 o'clock. Therefore this motion was quite out of order.

The CHAIRMAN said it had been proposed that they should sit on until 5 o'clock, and it had been negatived.

The CHAIRMAN then put the question for an immediate adjournment. On the vote being taken it was found to be equal, 18 for and 18 against. In view of the decision given in the morning the Chairman gave his casting vote for the adjournment.

The Conference then adjourned until 10 o'clock next morning.

FIFTH DAY—13TH MARCH, 1897.

Mr. A. LAKEMAN took the Chair at 10.5 a.m.

Notice of motion was given by Mr. Leslie as an amendment on Mr. Brown's amendment, part 2, section 33, that the word "one" be struck out and the words "one and a quarter" be inserted.

The minutes of the previous meeting were read and confirmed.

The CHAIRMAN then said the first business was to decide on the constitution of the Board that would have to administer this Rabbit Act. The first thing the meeting should do was to re-assert who was to administer the Rabbit Act, and how many members there should be. There were a lot of motions on the notice paper, and some members thought it should be one way, but others thought it should be another way.

The Hon. RUPERT CARINGTON (Jerilderie) thought it was most necessary that they should be practically unanimous on this question of the constitution. He was ready to withdraw his amendment if Mr. Brown would alter his amendment in the following way: That for the purposes of this Bill the constitution of the Stock Boards be altered so as to provide for the appointment of a member instead of a Chairman by the Governor, with three members elected under the Stock and Pastures Act as at present provided, with a minimum voting power of five head of stock, together with five members elected under the Diseases in Sheep Act as at present provided, with a minimum voting power of 200 head of sheep. If they could agree to that, if they could go to the Minister with an unbroken front, they would strengthen his hands, and Parliament might be induced to carry it through. If Mr. Brown would consent, he would assume it as his own amendment. This was a very important question, and he was very anxious that it should be settled unanimously if it could.

Mr. T. BROWN, M.P. (Budgerabong), said he saw that there was a wide divergence between the views held by different members of the Conference, and he took it that the Conference understood at the outset that they were placing this Bill under the control of the Stock and Pastures Board to administer,

on the understanding that that Board should be reconstructed, as it were, and it had been given to that Conference pretty definitely to understand, that if the Stock and Pastures Board were to have these powers under this Bill, then Ministerial representation of some kind or other must find a place upon that Board. To secure that representation they must reconstruct the Board. It had also been put forward as a necessity to that end, that the franchise of the Stock and Pastures Board should be enlarged, because of the increased taxation powers given under it so as to give the franchise to those who would be called upon to bear this increased taxation. That was the position as he understood it. The Hon. Rupert Carington had endeavoured to go in the direction of meeting that position, but he had not been prepared to go as far as he would like to go. If it would expedite the business of the Conference, and they could agree upon the matter, he would be prepared, if the Hon. Rupert Carington would withdraw his amendment, to withdraw his own, and allow the Hon. Rupert Carington to introduce a motion on the lines that he had suggested, a modification of the two resolutions.

Mr. BROOKE (Boggabri) could not see why they should not go back to the original Bill or modification of the Bill. They had all come to the conclusion that the Pastures and Stock Board should administer the Act. The Bill provided that. In nineteen cases out of twenty no one would ever question the Board; and if they did they would simply apply for an election, and they would have a new Board on new lines. If anybody could show him any reason why they should not utilise the machinery which was offered them in the Act he would withdraw. He thought the wisest thing they could do was to accept the Minister's proposals in the Act.

Mr. CAMERON (Ivanhoe) said that the reason why they should not adopt the lines suggested by the Minister was, that if they did they would have to adopt the franchise which would be objectionable to a very large portion of the Conference.

Mr. BROOKE (Boggabri) said that was only a temporary provision, and if it did not answer satisfactorily they could have an election as provided for in clause 7, and the franchise could be altered in any way the Conference proposed.

Mr. ROSS (Hume) said that when this matter was before the Conference he fully understood that the Stock and Pastures Board were to administer this Act in the same way as they administered the Stock and Pastures Act; but if the Stock and Pastures Board had to run two Acts they might just as well have two Boards. It appeared to be the opinion of the Conference that the franchise of the Stock and Pastures Board should be put lower. He was quite prepared to give every man a vote down to 100 sheep. He would like the Conference to adopt an enlarged vote for the Stock and Pastures Board, and that would enlarge the situation, and the Board could then work the whole thing. He would suggest that the Board was quite large enough with the addition of a Government nominee. He did not see why they ought to have two sorts of members on the Board. Let them look after the rabbits and everything else. He could not support any proposal to put two men on the Board solely to administer the Rabbit Act, because if the Stock and Pastures Board were to work the two Acts independently he would just as soon have two Boards.

Mr. ALISON (Canonbar) said that the position at the present time was that the Honorable Rupert Carington had withdrawn his motion and adopted Mr. Brown's amendment with some alterations. It would then stand something like this, "That for the purposes of this Bill the constitution of the Stock and Pastures Boards be altered so as to provide for (1) the appointment of a member by the Government; (2) that three members be elected under the Pastures and Stock Act as at present provided, with a minimum voting power of five head of large stock; and (3) that five members be elected under the Diseases in Sheep Act as at present provided, with a minimum voting power of 200 head of sheep." There was a reduction from ten head of stock to five head. The whole constitution would be simply the present Boards under the Diseases in Sheep Act and the present Boards under the Stock and Pastures Act, and one additional member nominated by the Governor. He would be quite willing to withdraw his amendment, but he thought the reduction to five head of large stock was too low; it would be advisable to retain the ten head. If a man had not ten head of large stock, the probability was that he would be only a carrier, or someone who was not directly interested in land or stockowning. He thought it would be dangerous in the interest of those who were stockholders; and he could not see that there was any difference between the interest of the small and large stockowners. He would be very willing to support the new amendment if that alteration were made. He thought the minimum of 100 head of sheep was too low. The Honorable Rupert Carington had placed it at 200, but he would like to see it put at 250. The maximum taxation of this Act was 3d. per sheep, and now a man with 100 sheep would only contribute 4s. 2d. towards the fund. He would sooner let that man off altogether. He should not be taxed at all. It was hardly worth collection. It was not worth bothering a man about, and the lower they reduced the franchise the more danger there would be to stockowners—more danger of bringing in outsiders. A man with 250 head of sheep would contribute 10s. 6d. That was very low indeed, but he supposed it was worth having. If these alterations were made he would withdraw his amendment, and perhaps Mr. Wilkes and Mr. Bacon would see their way to do the same.

Mr. BACON (Brewarrina) said he would withdraw his resolution on the notice paper and support Mr. Brown's on the lines advocated by Mr. Alison.

Mr. T. BROWN, M.L.A. (Budgerabong), said that to meet Mr. Alison he was prepared to allow the Honorable Rupert Carington to substitute his motion, and to place the minimum voting power at ten head of stock, and the minimum voting power for sheep to 200, reserving to himself the right to try and reduce it afterwards by amendment.

The Honorable RUPERT CARINGTON (Jerilderie) then moved, "That, for the purposes of this Bill, the constitution of the Stock and Pastures Boards be altered so as to provide for (1) the appointment of a member by the Governor; (2) that three members be elected under the Pastures and Stock Act as at present provided, with a minimum voting power of ten head of large stock; (3) that five members be elected under the Diseases in Sheep Act as at present provided, with a minimum voting power of 200 head of sheep."

Mr. VARCOE (Hillston) seconded the motion.

Mr. BACON (Brewarrina) thought that the amount had better be fixed at 250 head of sheep.

Mr. ALISON (Canonbar) said that the best means of arriving at this, whether it should be 200 head of sheep, or 100, or 250, was to take a vote at once and settle it.

Mr. BACON (Brewarrina) considered that a vote should be taken as to whether 200 or 250 should be put in. This would save discussion.

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On the question being put, the CHAIRMAN declared it carried that 250 should be inserted in the motion instead of 200. He said that the resolution would then read as under:—"That, for the purposes of this Bill, the constitution of the Stock and Pastures Boards be altered so as to provide for (1) the appointment of a member by the Governor; (2) that three members be elected under the Stock and Pastures Act as at present provided, with a minimum voting power of ten head of large stock; (3) that five members be elected under the Diseases in Sheep Act as at present provided, with a minimum voting power of 250 head of sheep."

Mr. BACON (Brewarrina) said he would also point out the necessity of stating some minimum amount which would be collected on agricultural lands. It might possibly happen that 1,000 acres would be rated at a sheep to 5 acres and the owner would only have to pay on 200 sheep; he would suggest that in no instance should there be a collection on less than 250 sheep.

Mr. ALISON (Canonbar) said that that would be dealt with later on.

Mr. OAKDEN (Cobar) pointed out that they had previously passed a resolution that public lands should be assessed as having a certain carrying capacity, and, under this assessment, the Crown would have the right to vote. He would propose that as under the new clause which was proposed the Government would have the right to nominate a representative, they should have no power to vote for the other members of the Board.

Mr. BROOKE (Boggabri) then asked whether, if this amendment were carried, it would destroy his motion on the notice paper for the recommittal of the clause.

The CHAIRMAN then said that if the Conference carried this amendment, he anticipated that they would vote against Mr. Brooke's motion for recommittal. He would impress upon all the members that the vote he was about to take would really finally settle who was to administer the Rabbit Act. He stated that the Honorable Rupert Carington's amendment was to add the following to clause 5:—

- (1.) The appointment of a member by the Governor.
- (2.) That three members be elected under the Pastures and Stock Act, as at present provided, with a minimum voting power of ten head of large stock.
- (3.) That five members be elected under the Diseases in Sheep Act, as at present provided, with a minimum power of 250 head of sheep.

He then put the question to the Conference whether this addition should be made to the new clause 5, and it was carried by a majority of 23 votes to 5.

The CHAIRMAN then said that the next thing they had before them was the question of assessing the cultivated lands, and their voting power.

Mr. ALISON (Canonbar) said that as he was responsible for the vote that these lands should be estimated on the basis of one sheep to 5 acres, he would say that they should have a vote equal to the number of sheep at which they were rated, with a minimum of 250 sheep.

On the suggestion of the Chairman, Mr. Alison altered his resolution to read, "that where no returns are sent in, occupiers of cultivated land shall have the right to vote for the constitution of the Pastures and Stock Boards, the voting power to be proportionate to the number of sheep at which their lands are assessed, the minimum number of sheep qualifying for a vote to be 250, and that as the Government have the right to nominate a member on the Board, they shall not have any voting power for the other members.

Mr. BACON (Brewarrina) seconded the motion.

Mr. FLANAGAN (Gunbar) said that he would point out that a man with 320 acres would be assessed at 65 sheep, but he must pay at the minimum of 250 sheep.

Mr. LESLIE (Forbes) said he would ask Mr. Alison if he would strike out the word "no." He contended that under the Pastures and Stock Act everyone had to make a return, and, consequently, "no" was misleading.

Mr. BACON (Brewarrina) said that if the previous assessment of a sheep to 5 acres were altered to a sheep to 1 acre it would meet Mr. Flanagan's wants.

Mr. VANSTON (Goodooga) moved that the minimum be reduced from 250 to 100.

Mr. FLANAGAN (Gunbar) said he would second it.

Mr. ALISON (Canonbar) rose to a point of order. A motion had just been passed unanimously or practically unanimously, that the minimum should be 250 sheep. It was purely wasting time to go back again.

Mr. VANSTON (Goodooga) said he understood that Mr. Brown seconded the Honorable Rupert Carington's motion with the right of amendment afterwards.

The Honorable RUPERT CARINGTON (Jerilderie) said that he would move that it be 200 sheep.

Mr. BROWN seconded.

Mr. WILKES (Broken Hill) moved a further amendment that it be one sheep or one head of large stock, and let there be one man one vote.

Mr. WILKES' (Broken Hill) amendment lapsed for the want of a seconder.

Mr. ALISON (Canonbar) said that he did not want to stop discussion, but they had already taken a vote as to the minimum, the decision being for 250.

The CHAIRMAN said that it had been a compromise, and he had allowed Mr. Brown to reserve the right to take a vote afterwards as to the 200 minimum.

Mr. WILKES (Broken Hill) said that he would oppose the resolution reducing the minimum to 200. A man with 2,000 sheep would have four votes. Against what? Every man that owned an acre of land, every man who owned ten head of large stock, no matter whether he was a bullock driver or what he was. They should have some reason in this matter. There had been a lot of clap trap about the big man and the small man. The big man should not be burked. He claimed to be as liberal as any of them, but he thought they were going much too far.

Mr. CUMMING (Hillston) said the whole thing was in a nutshell. They all agreed that there should be a lower franchise. Two hundred and fifty was as near as they could get it, and they must leave it then to Parliament. They could all see from the large numbers in that Conference that they could do very well with a very much smaller number, and there was no need to add to the Boards.

Mr. GORMAN (Berrigan) confessed that he was a little bit mixed as to how they were getting on. He did not hold with Mr. Wilkes that this was a question of small men *versus* big. There were big men in the Conference, and they were able to look after themselves. The small man did not want to outvote the big men at all. If the minimum were fixed to 250, there were a number of small men who would not
be

be taxed at all, for without representation there could be no taxation. Some of the worst infested spots in his district belonged to men with only a couple of thousand acres. These men should be taxed. Then there was another point. They had passed a resolution that cultivated land should be taxed at an assessment. Many of the holders had let their lands on the share system, and probably the share men only had a couple of horses and a couple of cows. He presumed that these share men could not be called occupiers.

Mr. ATKINSON said they should be.

Mr. GORMAN (Berrigan) said that he did not think there was anything at all in the argument about the small man outvoting the big. It was simply a question about any man, no matter how small, having a vote.

The CHAIRMAN suggested to Mr. Bacon that he should add some words to his motion, "That every man be taxed up to the minimum."

Mr. BACON (Brewarrina) said that that was what he meant.

Mr. T. BROWN, M.P., said it was thought that 250 sheep should be the minimum voting power. That will mean that a man who returns stock would be taxed at the amount of 250 sheep, and a man who had no stock, but cultivated his land, would return 250 sheep, and would be entitled to the franchise. In order to be entitled to the franchise the holder of cultivated land must have 1,250 acres before he would reach that assessment. He contended that there were holders of less areas than that who would benefit by the Act, and they should be asked to contribute a fair share. In order to bring them in he wished to reduce the voting power, and make 100 the minimum. That would bring in the 640-acre man.

Mr. ALISON (Canonbar) said they would never get finished if they went on in this way. The small men did not escape the operation of the Act. They must destroy their own rabbits, but they would not have to pay any taxes. It simply was not worth while taxing them. There was the same principle of exemption under the land tax and the income tax. The amount to be collected from 100 sheep was not worth while. He did not see why they were so anxious to tax the smaller men, to compel them to pay their 4s. 2d. or 8s. 6d., as the case might be. They had already decided that by a vote, and if he chose to stick to a point of order it could not be raised again except by the consent of the meeting. He had no feeling in the matter. There was no necessity to bring in the men with under 250 sheep, and there was no harm in leaving them out; while, if they were left out, the expense of administration would be very much reduced, because it would cost as much as it was worth to collect the money.

Mr. LESLIE (Forbes) said that the members seemed to think that the Board would have to destroy rabbits. The Board would not. The destruction was to be done by the private owners. The Board would only have to administer the Act. Before the motion was put to the meeting he would like it to be made clear whether it was the intention of the proposer of the motion to increase the maximum voting power. He would be glad to give a man with 100 sheep the power to vote, but the big men should receive a much larger representation in order to compensate them.

The CHAIRMAN then put the question whether the minimum should be 100, 200, or 250 sheep.

The amendment that it be 100 sheep was lost by 23 votes to 11.

The amendment that it be 200 sheep was lost by 22 votes to 13.

The CHAIRMAN then put Mr. Alison's motion, "That where returns are sent in which are below the minimum, occupiers of cultivated lands shall have the right to vote for the constitution of the Stock and Pastures Boards, such voting power to be proportionate to the number of sheep at which their lands are assessed, the minimum number of sheep qualifying for a vote to be 250 sheep; and that as the Government have the right to nominate a member to the Board they shall not have any voting power for the other members."

The motion was carried by 20 votes to 10.

The Honorable RUPERT CARINGTON (Jerilderie) said that in his district they would be taxed twice, as far as he could make out, under this Bill. In his opinion they had made a great mistake in putting it on a stock basis instead of on a land basis.

Mr. ALISON (Canonbar) rose to a point of order. They had settled all that.

The Honorable RUPERT CARINGTON (Jerilderie) said they carried a certain amount of stock and they cultivated a certain amount of land in wheat, but they were able to run a number of sheep in summer on the stubble after the harvest was taken off, and that allowed them to carry a very much greater proportion of sheep than they could otherwise do.

The CHAIRMAN said that could not be gone into without the recommittal of the clause.

Mr. OAKDEN (Cobar) said he thought that they should now extend the franchise in the other way. They should at least give one more vote as the maximum. The limit now in the Diseases in Sheep Act was, for 30,000 sheep, four votes; and he proposed that an additional vote be given—40,000 sheep and over should have five votes.

The Honorable RUPERT CARINGTON (Jerilderie) wished to point out this voting would be partially under the Sheep Act, which provided for that.

Mr. OAKDEN proposed to add to the Schedule of the Diseases in Sheep Act, "40,000 sheep and over, five votes," because they had halved the minimum, and therefore he thought it was only fair to give an extra vote to the people who were the most interested. He supposed that for the hundred votes that had been admitted, they would only get one extra vote under this extra provision.

Mr. LESLIE (Forbes) seconded Mr. Oakden. He thought that the people who paid the largest contributions should have a larger representation than was provided for them. What was proposed was far less than might have been asked for, when they took into consideration the position of the men who held 100,000 sheep, who would return £416 13s. 4d. as against 10s 6d. each contributed by five men owning 250 sheep, and being entitled to a vote. Mr. Oakden's proposition would place holders of that description in a position to exercise five votes, while the men who paid two guineas as against £416 13s. 4d. would have eight votes. He thought Mr. Oakden had hardly gone far enough in what he was asking for, and he was sure that he was influenced by a desire to conciliate those who did not seem to think the largest taxpayers should have a further voting power. They were all well aware of how it would work, and he thought no reasonable man would object to concede this small increase in the voting power.

Mr. T. BROWN, M.P. (Budgerabong) protested very strongly against this proposal of Mr. Oakden's. He had come there with several others and had agitated for separate Rabbit Boards under a separate constitution, and when they were defeated they were told that it was desirable to place the administration of the Rabbit Act under the Pastures and Stock Board, and for that purpose the franchise of the Pastures and Stock Board would be extended. Now, this would really be a curtailment of the present

present franchise of the Pastures and Stock Board, and would concentrate the voting power in the hands of a few. As far as extending the franchise was concerned, they had only brought it down to the same basis as would accord with the taxes raised. If they passed this resolution, they would place the small holders in a worse position than they were in before.

Mr. FLANAGAN (Gunbar) said he agreed with Mr. Brown.

Mr. T. BROWN, M.P. (Budgerabong) said the members had promised them an extended franchise, and now they wanted to take away all that had been given by increasing the plurality of the vote.

Mr. CUMMING (Hillston) thought that the Act could be left as it was. That would get over all objections. If they lowered it at one end and raised it at the other, their work would be destroyed.

Mr. GORMAN (Berrigan) certainly thought that, in a spirit of fair play, if the large holders wanted this increased representation, the meeting should give it unanimously. In nearly all districts, the small holders were increasing and the large holders decreasing.

Mr. ALISON (Canonbar) said that this could only apply to the very far west, and he thought it would not be of any great importance, even to the large holders, but he did not see that they need object to pass it.

Mr. DILL said, as a matter of fairness, he thought the motion should pass, and those in the meeting who wished to act in a spirit of fairness should vote for it.

Mr. VANSTON (Goodooga) said he thought it was a very large jump from 250 to 40,000 sheep. Out in the west there were many men with something like 1,000 sheep, and these men would only have one vote.

Mr. LAWRENCE (Balranald) supported Mr. Oakden. He thought it only fair that this representation should be conceded.

Mr. OAKDEN (Cobar) pointed out that Mr. Brown was mistaken in thinking that if this were conceded, it would be taking away what had already been given to the small owners. It would only apply in a few districts. It was a very small matter.

The CHAIRMAN then put the question, and it was carried by 22 votes to 12.

Mr. VANSTON (Goodooga) then moved that all holders of over 3,000 sheep should have two votes.

Mr. CAMERON (Ivanhoe) seconded it.

The CHAIRMAN put the question to the Conference, and it was declared carried.

Clause 30.

30. If any owner or occupier shall neglect or fail to comply with the terms of any notice, whether published in the *Gazette* or given to him in writing as aforesaid, such person may be cited to appear before the Rabbit Board, and unless he satisfactorily explains his neglect or failure, or receives an extension of time to comply with the notice aforesaid, any person authorised by the Rabbit Board may enter upon the holding or land and use all such means and take all such measures and do and perform all and every such acts or things as to him may appear proper or necessary to be done to ensure the destruction of the rabbits upon such holding or land, and shall have free right of ingress, egress, and regress into, over, and across such holding or land for such period as may, in his opinion, be necessary for destroying such rabbits: Provided that—

- (a) entry shall not be made upon any holding or land under the provisions of this section unless and until the Board shall have obtained the consent of the Minister; and
- (b) poison shall not be used without notice being given to the occupier of the holding or land of the intention to use the same; and nothing shall be done in contravention of the Animals Infectious Diseases Act of 1888; and
- (c) the authorised person may at any time withdraw from the holding or land upon payment of the costs, charges, and expenses incurred by him up to the date of such withdrawal; and
- (d) nothing contained in this section shall prejudice any proceedings taken under the provisions hereinafter contained for the recovery of any penalty which may have been incurred by an owner or occupier.

Mr. CUMMING (Hillston) moved, "That clause 30 be passed as printed."

Mr. CAMERON (Ivanhoe) seconded it.

Mr. WILKES (Broken Hill) moved that subsection (a) be omitted.

Mr. FLANAGAN (Gunbar) seconded Mr. Wilkes.

Mr. WILKES (Broken Hill) said that if they had to get the consent of the Minister to go on land, that meant public land, and the Minister would never let them go on to it.

Mr. CUMMING (Hillston) proposed that after the word "*Gazette*" the word "and" be inserted instead of "or" in line 2 of clause 30.

Mr. ALISON (Canonbar) seconded it.

Mr. Cumming's amendment was put to the Conference and carried.

Mr. ALISON (Canonbar) said he must oppose Mr. Wilkes's amendment, but thought that it was decidedly advisable that they should not put all the power in the hands of the Board. He believed in the Boards as a rule, but they should not leave everything to them. He did not believe in the Board going on any holding without having some authority from whom to get permission. The Board could put a man to the expense of £1 per acre, and there should be some reference to the Minister about it. The Minister would want to know what they were going to spend, and so on. It was an enormous power to put into the hands of the Boards.

Mr. LITTLE (Bullock Creek) said he must object to Mr. Alison's opposition, for his experience in dealing with rabbits had been that unless the Boards had full power they could do nothing. They knew the conditions; they saw the rabbits; they knew more about it than the Minister. He should certainly support Mr. Wilkes's proposal. He thought they should give enormous powers to the Boards rather than to the Minister. The Boards were elected upon a free-will franchise. It seemed to him utterly unnecessary to go to the Minister. It might be referred by the Minister to the Land Board before his consent would take effect. They must give the Rabbit Boards full power. The great thing was to take the rabbits in time.

Mr.

Mr. BACON (Brewarrina) said that Mr. Wilkes had taken this up under a misconception. His meaning and intention were very good. He took it that it referred to land that was owned or occupied, and therefore Mr. Wilkes's amendment was unnecessary. It did not refer to public land.

Mr. OAKDEN (Cobar) asked if the Crown was not the owner of the public land.

Mr. WILKES (Broken Hill) said if they curtailed the power and made them go to the Minister, they might as well curtail the Act. The Act was to make destruction compulsory. To get the Minister's consent would take a certain time, and they could not go to the Minister and ask his consent as to whether they were to go on his lands. It would be no use creating a Board unless they had this power.

The CHAIRMAN then put the question to the Conference as to whether these words should be struck out, and it was carried by 20 votes to 8.

Mr. ALISON (Canonbar) said that there was now no power of entry. The whole thing was stultified, and there was no power to get on the land at all.

Clause 30, as amended, was put to the meeting and carried.

Clause 31.

Board to be repaid expenses.

31. All costs, charges, and expenses incurred by a Rabbit Board in destroying rabbits upon any private holding or land under the foregoing provisions, shall be repaid by the owner of such holding or land, and until the payment thereof shall be and remain a charge upon such holding or land, and shall take precedence of all mortgages or other charges whatsoever, but shall not take precedence of any debt due to the Crown.

Mr. VANSTON (Goodooga) moved, "That the clause be passed as printed."

Mr. FLANAGAN (Gunbar) seconded.

Mr. BAYLIS (Narrandera) moved "That the word 'private' be struck out of line 2, clause 31."

Mr. STINSON (Coolamon) seconded it.

The CHAIRMAN put the amendment to the meeting and it was carried.

Mr. OAKDEN (Cobar) moved, "That after the word 'owner' in line 3 the words 'or occupier' should be put in."

Mr. CUDMORE (Wentworth) seconded it.

The question was put to the meeting and carried.

Clause 31, as amended, was put to the meeting and carried.

Clause 32.

Destruction of rabbits on public lands.

32. It shall be the duty of the Minister to check, suppress, and destroy all rabbits which may from time to time be in or upon public lands, but such duty shall not commence until a reasonable period after moneys have been made available by Parliament for the purpose. The Minister may authorise the Rabbit Board to expend such moneys for the purpose of rabbit destruction on public lands, or may apportion a proportion thereof for expenditure in the erection or repair of barrier-fences, or may make such other arrangements for its expenditure for either or both of such purposes as he may deem necessary or expedient in the public interest.

The maximum sum which the Minister may expend, or of which he may authorise the expenditure, in any Rabbit District for any one year, shall bear the same ratio to the total amount received as Rabbit Rates during that year as the area of public lands in that District bears to the area of private lands therein, and such maximum sum shall be ascertained by multiplying the total amount received as Rabbit Rates by the area of public land and dividing the product by the area of private lands.

Mr. BAYLISS (Narrandera) moved, "That the word 'all' be struck out of line 11."

Mr. OAKDEN (Cobar) seconded it.

The question was put to the Conference and carried.

Mr. WILKES (Broken Hill) proposed, "That all the words from line 20 be struck out." He took this to be a very important part of the Bill. They had made destruction compulsory, and if they left this clause in, it would be like putting a man in the middle of a river and telling him to swim, and then putting 2 tons weight on his feet, so that he could not swim. Where did the Minister come in to destroy rabbits on his land? Of course, he had been tackled by the Minister the other day for saying that he would not destroy; but he maintained that this power would not allow him to destroy. The most he would have would be about £208 on several million acres. Any gentleman who had had any experience in killing rabbits knew that £208 would not deal with a million acres. The Minister's country must be taken to be the worst infested rabbit country. If they tied the Minister down so that he could not pay more than this £208 they would practically see that he would not spend a penny in killing rabbits.

Mr. MORGAN said he presumed that a tax of 1d. per sheep was only for supervision. And he presumed also that the Minister must kill rabbits on his land.

Mr. CUDMORE (Wentworth) said he would support Mr. Wilkes's proposal.

The CHAIRMAN then put the question to the meeting and it was carried.

The Honorable RUPERT CARINGTON (Jerilderie) suggested that a new clause of which he had given notice should be put in here: "That for the purpose of this Act the Minister for Lands for the time being be deemed the owner of all unoccupied Crown lands."

Mr. FLANAGAN (Gunbar) seconded it.

The question of inserting this clause after line 19 of clause 32 was put to the Conference and carried.

Clause 32, as amended, was put to the meeting and carried.

Clause 33.

Private rabbit-proof fences.

33. For the purposes of this Part, a rabbit-proof fence shall be taken to be—
- (a) a substantial fence which is hung with galvanized wire netting of a maximum mesh of one and a half inch, minimum width of forty-two inches, the wire in the netting being of a minimum gauge of seventeen, and which is furnished with suitable rabbit-proof gates or other appliances at necessary breaks in the continuity of the fence: Provided always that the dimensions of such fence, its height above ground, the depth below ground of the posts thereof and of the wire-netting thereon, and all other details in connection therewith, shall be in accordance with specifications to be published in the *Gazette* by the Rabbit Board; or
 - (b) a fence erected in accordance with the requirements of the Rabbit Act of 1890 whilst such Act was in force; or
 - (c) a fence which is reasonably sufficient for the purpose of excluding rabbits.

And the date when the rabbit-proof fence was erected or the fence was made rabbit-proof shall be immaterial.

The Rabbit Board of the District within which any fence alleged to be rabbit-proof is situated shall, if so required in writing by the owner of the fence, cause the said fence to be inspected; and if the Rabbit Board, after such inspection, is satisfied that the fence alleged to be rabbit-proof is rabbit-proof it shall grant a certificate to that effect; or if not so satisfied shall specify the repairs or modifications which are required to make such fence rabbit-proof; and when such repairs or modifications have been effected the Rabbit Board shall cause the said fence to be again inspected, and if then satisfied that the fence is rabbit-proof, it shall grant a certificate to that effect.

Upon any proceeding before a Local Land Board in respect of a rabbit-proof fence, a certificate by the Rabbit Board that a fence is rabbit-proof shall be *prima facie* evidence of the fact; and evidence in rebuttal shall not be adduced, unless the party intending to adduce such evidence has given to the other party the prescribed notice of his intention to adduce the same.

Mr. LITTLE (Bullock Creek) said, that as Mr. Brown was absent he would move the clause given notice of by Mr. Brown, "That the clause be altered to read that the minimum width be 36 inches instead of 42 inches."

Mr. FLANAGAN (Gunbar) seconded it.

Mr. ALISON (Canonbar) supported it. He said it was no use to put the public to more expense.

The question was then put to the meeting, and the amendment was declared lost by fifteen votes to thirteen.

Mr. LAURENCE (Balranald) proposed that the gauge be altered to eighteen; it was much cheaper and quite as effective.

Mr. CUDMORE (Wentworth) seconded the proposal.

Mr. LESLIE (Forbes) said he had given notice of a motion to the effect, that "1½ inch" be struck out and "1¼ inch" be substituted. He thought 1½ inch was no good. If fencing was to be of any effect, they must reduce the size of the mesh; and as the Conference had carried resolutions, asking the Minister to lend the money for the purpose of making fences to make the holdings rabbit-proof, the netting that was supplied must be effective or else the money would be wasted. He thought the Conference should affirm the necessity that that money should be expended in such a way that the netting would be as far as possible a total bar against the rabbits getting through. He might also point out that it would not in any way affect the fences which were already in existence. This new provision would only apply to the fences which would be hereafter erected, because the provisions went on to say "that nothing in this Bill would affect the rates which already existed;" and, therefore, he could not see that there could be any objection to the Conference affirming the desirability of having a 1¼ inch gauge instead of 1½ inch, as suggested in this Bill.

Mr. VARCOE (Hillston) seconded Mr. Leslie's proposal, but he would like the mover to alter it, so that it would read "that the mesh be 1¼ inch for a foot above the ground, and the mesh above that, say 1½ inch to 1¾ inch." The small mesh was only necessary for a foot from the ground.

Mr. CUMMING (Hillston) said that this provision was very necessary. He had seen that class of fence on Mr. Varcoe's holding, and it was one of the best fences he knew of.

Mr. BRETT (Urana) said he would second Mr. Leslie's original proposition without Mr. Varcoe's addition.

Mr. CUMMING (Hillston) said he would second Mr. Varcoe's amendment.

Mr. ALISON (Canonbar) thought they hardly recognised how enormously they proposed to increase the burden of the country if this motion of Mr. Leslie's were carried. They had already passed a motion allowing the Minister to advance money to the holders. He could advance 1½ inch mesh at a much better rate. If they made it 1¼ inch instead of 1½ inch and 42 instead of 36 they would put a great deal on to the cost. He thought 1½ inch was reasonably sufficient. He would ask the meeting to consider seriously before putting everybody in the whole of the Colony to such an enormous expense as this. He would much prefer to support Mr. Varcoe's provision than support Mr. Leslie's—that is to say, let it be 1¼ inch mesh for a foot from the ground. He was quite satisfied that rabbits would not get through 1½ inch a foot above the ground. He thought that would be a reasonable compromise, which Mr. Leslie might accept; otherwise they would be putting a stop to wire-netting by a great many people all over the Colony.

Mr. LESLIE (Forbes) said he was quite willing to accept the amendment. He wanted a description of fence that would reasonably exclude rabbits.

Mr. CAMERON (Ivanhoe) said he thought that if Mr. Varcoe's proposition were accepted, that it be 1¼ inch a foot above the ground, or even less, so far as his experience went, then from that to the top the mesh need not be less than 2 inches. He was perfectly satisfied that no rabbit attempted to go through a fence except at a height level with its head. He submitted that the combination netting which was being made would be very little, if any, more costly than the 1½ inch. There was, on his boundary, netting of that gauge put up, and rabbits on the other side came through the 1½ inch, and he was not protected

protected at all, even if $1\frac{1}{4}$ inch were to be on the other three sides. A great many people were in the same position, and it would be very unfair for those who had to erect fences, if they were subject to rabbits coming in on one of their boundaries.

The CHAIRMAN pointed out if this amendment were carried he thought it would be necessary to do something with the 42 inches again, because it would read $1\frac{1}{4}$ inch for a foot from the ground, and then Mr. Varcoe said that $1\frac{3}{4}$ inch was quite sufficient above that.

Mr. LESLIE (Forbes) said that he could not accept $1\frac{3}{4}$ inch, but would accept $1\frac{1}{2}$ inch. That would make a good fence, and decrease the cost, but he could not accept $1\frac{3}{4}$ inch.

Mr. VARCOE (Hillston) said there would be 6 inches in the ground and 1 foot above the ground of $1\frac{1}{4}$ inch, and above that a larger mesh.

Mr. ATKINSON pointed out that there was an injunction out, that only one firm should make this combination mesh. It would be wrong to pass this resolution in view of that fact.

Mr. DAVIES (Gunnedah) thought that people who had large quantities of fencing already put up should be allowed to run a foot of $1\frac{1}{4}$ inch mesh along the bottom, instead of putting up a fresh fence.

Mr. NIXON (Gunbar) said it was well-known that many fences were not rabbit-proof, and they should have a fence that would be rabbit-proof, if they were to define anything at all. He had seen the combination mesh, and that could be supplied at the 42 inches for less than the $1\frac{1}{4}$ inch was supplied at 36 inches.

Mr. CUMMING (Hillston) thought it would be more effective if they left them to choose with the two.

Mr. LESLIE (Forbes) moved that the mesh be $1\frac{1}{2}$ inch for the whole way. He thought it was going to extremes to make it $1\frac{1}{4}$ inch the whole way. They might as well put up a galvanized iron fence. One and a half inches was a practical fence.

Mr. ALISON (Canonbar) seconded Mr. Leslie's proposition.

Mr. BRETT (Urana) thought that the lower 18 inches from the ground should be $1\frac{1}{4}$ inch. He knew very well that $1\frac{1}{4}$ -inch mesh was simply useless to keep rabbits in. He had seen them go through it in large numbers. He knew a man with $1\frac{1}{2}$ -inch mesh, who, since putting it up, had had to erect several miles of $1\frac{1}{4}$ -inch netting to prevent the rabbits getting through.

Mr. ALISON (Canonbar) then suggested that a separate vote be taken for $1\frac{1}{4}$ -inch mesh for the lower 18 inches of the netting, and then a separate vote about what the mesh for the rest of the width should be.

The CHAIRMAN then put the question as to whether $1\frac{1}{4}$ inch should be the mesh for the lower 18 inches of the netting, and it was carried.

The question of $1\frac{1}{4}$ inch for the rest of the width was put and lost.

The question of $1\frac{1}{2}$ inch for the whole width was put and lost.

Mr. LESLIE (Forbes) then moved, "That the balance of 2 feet above the lower 18 inches should be a maximum mesh of not more than $1\frac{1}{2}$ inch."

Mr. BRETT (Urana) seconded the motion.

Mr. ALISON (Canonbar) moved as an amendment, "That it be $1\frac{5}{8}$ -in."

Mr. LAURENCE (Balranald) seconded Mr. Alison's amendment.

The CHAIRMAN then put Mr. Alison's amendment, and it was carried.

The CHAIRMAN then said that he thought it would be better to put these two resolutions in one, and say that the lower 18 inches shall be $1\frac{1}{4}$ -inch mesh, and the other 2 feet shall be $1\frac{5}{8}$ -inch mesh.

The question, on being put to the meeting, was carried.

Mr. LAURENCE (Balranald) proposed, "That in line 35 the word 'seventeen' should be changed to 'eighteen.'"

Mr. LITTLE (Bullock Creek) seconded this motion.

Mr. ALISON (Canonbar) said that he had some No. 19 in use, and it had lasted for ten years very well indeed.

Mr. LAURENCE's (Balranald) motion was then put to the meeting and carried.

Mr. DAVIDSON (Candobolin) then proposed, "That subsection (c) be struck out from this clause."

The amendment lapsed for the want of a seconder.

Mr. WILKES (Broken Hill) moved, "That in line 11 of page 14, clause 33, the words 'Court of Petty Sessions' be inserted instead of 'Local Land Board.'"

Mr. OAKDEN (Cobar) seconded the amendment.

The CHAIRMAN put the question to the Conference, and it was carried.

Clause 33, as amended, was put to the meeting and carried.

Clause 34.

"Boundary" and "adjoining."

34. For the purposes of this Part—

- (a) a rabbit-proof fence shall be taken to be on the boundary of any holding or land if it follows the line which is the actual, reputed, or accepted boundary thereof, or any line which in the opinion of the Local Land Board is sufficiently approximate to such boundary; and
- (b) the intervention of a road or watercourse (not being a permanent river) shall not prevent holdings or lands being taken to be adjoining.

Mr. WILKES (Broken Hill) proposed, "That in line 22, the words 'Pastures and Stock Board' be inserted instead of 'Local Land Board'."

Mr. OAKDEN (Cobar) seconded the amendment.

Mr. LESLIE (Forbes) said he had an amendment before that. In subsection (a), after the words "boundary thereof" he wished to insert "or, where boundaries are inaccessible or unfenceable, as near as possible to the boundaries thereof, having due regard to the natural formation of the country." He said that if they asked for these powers, the Local Land Board would be the only Board which could determine matters of this sort; and before striking that out they should know whether it would be necessary for this amendment of his to be carried out or not.

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Mr. DILL (Hay) said it was a very necessary amendment to bring in, and he would second it.

Mr. WILKES (Broken Hill) said, with the consent of his seconder, that as Mr. Leslie's proposition was a very good one, he would withdraw his motion.

Mr. DAVIES (Gunnedah) said, in support of Mr. Leslie, that it was often very difficult to erect rabbit-proof fencing, either in shifting country or in rocky country, on the proper boundaries, and this was a very necessary amendment. It was necessary for all people to get up their fences, as quickly as possible, and if they had to wait for the lines to be moved, and the boundaries re-marked, and get the approval of the Survey Department, and all that, they would never get their fencing up.

Mr. Leslie's (Forbes) proposition was then put to the Conference, and carried.

Clause 34, as amended, was put to the meeting and carried.

Clause 35.

Rabbit-proof fences across roads.

35. When any lands are intersected, divided, or bounded by a road or travelling stock reserve or route or public lands, the Local Land Board may grant to the owner of such lands permission to carry a rabbit-proof fence across such road, reserve, route, or public lands: Provided always that rabbit-proof gates be erected at places where the fence crosses such road or route, unless the Local Land Board shall in any case dispense for the time being with the erection of the same. Any permission or dispensation granted under this section may be revoked by the Board upon reference by the Minister or application by any person interested.

Mr. CAMERON (Ivanhoe) moved that Clause 35, as printed, be passed.

Mr. MOORE (Goodooga) seconded the motion.

The Honorable RUPERT CARINGTON (Jerilderie) said he presumed that the word "Board" in the last line but one meant "Rabbit Board."

Mr. CUDMORE (Wentworth) proposed that "gates should be registered in the usual way."

Mr. ALISON (Canonbar) then pointed out to Mr. Cudmore that there was a provision in another clause for a fine if a gate were left open, and Mr. Cudmore withdrew his amendment.

The original motion by Mr. Cameron was then put and carried.

Clause 36.

Rabbit-proof fences a distributed improvement.

36. When any Crown lands containing a rabbit-proof fence or portion thereof shall become the subject of any purchase or lease from the Crown, payment for such rabbit proof fence or portion thereof shall be made in accordance with the provisions of the Crown Lands Acts; but this enactment shall be subject to the following qualifications:—

- (i) Where any holding or group of holdings has been or shall be made rabbit-proof, the rabbit-proof fence shall be deemed to be an improvement distributed over the whole enclosed area of such holding or group of holdings (exclusive of any roads), so that every portion of such area shall be taken to be proportionately improved thereby.
- (ii) The amount so distributed in respect of the improvement shall, in all cases, be limited to one-half of the value of making the fence rabbit-proof: Provided always that if any portion of such rabbit-proof fence is upon or adjoining any land which becomes the subject of any purchase or lease from the Crown the purchaser or lessee thereof shall also be liable in respect of the fence itself.
- (iii) No portion of the value of any rabbit-proof fence erected as a barrier fence at the public expense shall be deemed to be distributed in accordance with this section.

Mr. LESLIE (Forbes) proposed, "That Clause 36 be passed as printed."

Mr. OAKDEN (Cobar) seconded the motion.

The Chairman put the question to the Conference, and it was carried.

Clause 37.

Rabbit-proof fences on occupation license or annual lease.

37. Any owner, whose holding consists wholly or in part of Crown lands under occupation license or annual lease, may give notice in the prescribed form to the Chairman of the Local Land Board that he intends to make such holding rabbit-proof; and in any case where notice as aforesaid shall have been given, and such holding shall have been made rabbit-proof in accordance with the terms thereof, such holding shall be deemed to have been made rabbit-proof as from the date of such notice, so far as regards the amount payable for improvements under this Act in connection with any lands which may be withdrawn from the occupation license or annual lease by becoming the subject of any purchase or lease from the Crown after the date of such notice: Provided always that the rabbit-proof fence shall be completed within one year from the date of such notice or within such further time as the Board on application may allow; and that the liability to pay any moneys under this Act in respect of such rabbit-proofing or any portion thereof shall be suspended until such fence shall have been completed.

Mr. LESLIE (Forbes) proposed that the "Local Land Board" should be struck out of lines 11 and 12.

Mr. CUDMORE (Wentworth) moved that the clause be passed as printed.

Mr. LITTLE (Bullock Creek) seconded Mr. Cudmore's proposition.

Mr. OAKDEN (Cobar) proposed that in line 21 the words "one or" should be altered to "two" years. If there was a large expense required, it might be impossible to carry out the work within a year.

Mr. DILL (Hay) seconded Mr. Oakden's proposition.

The CHAIRMAN then put Mr. Oakden's amendment to the meeting, and it was lost.

Mr. Cudmore's (Wentworth) original proposition, that the clause be passed, as printed, was then put to the Conference and carried.

Clause 38.

Rabbit-proof fences on lands within a group.

38. The provisions of the last preceding section shall apply in cases where it is intended to include the lands held under occupation license or annual lease within a group.

Mr. VARCOE (Hillston) proposed, "That this clause be passed as printed."

Mr. CAMERON (Ivanhoe) seconded the proposition.

The CHAIRMAN then put the question, and it was carried.

Mr. WILKES (Broken Hill) then moved the adjournment of the Conference, as the next matter to be dealt with was a very important one. They had only ten minutes left, and they could not discuss this very important clause in that time.

The CHAIRMAN, in adjourning the Conference, said he would like the members to carefully prepare any amendments they might have. They had plenty of time between this and Monday to go through the Bill thoroughly. He had to wait five and ten minutes sometimes before a gentleman would get up and propose an amendment. He hoped that on Monday they would all come prepared to get through the business quickly.

The Conference was then adjourned until 10 a.m. on Monday.

SIXTH DAY—15th MARCH, 1897.

Mr. Allen Lakeman (Hay) took the Chair at 10 a.m.

The minutes of the previous meeting were read and confirmed.

Clause 39.

Contributions towards cost of private rabbit-proof fences.

39. Where a boundary, or any part thereof, of any holding is fenced with a rabbit-proof fence, or a fence on such boundary, or part thereof, has been made rabbit-proof at the expense of the owner of such holding, a contribution towards the cost of the work shall be payable by the owner of any outside holding or lands adjoining the rabbit-proof fence.

The right to receive such contribution shall vest, and the liability to pay the same shall arise, when the then owner of such first-mentioned holding gives to the then owner of such last-mentioned holding or lands the prescribed notice of demand; and from and after the date when such notice is given, the amount of the contribution, or so much thereof as may for the time being be unpaid, shall, until payment, be and remain a charge upon the holding or lands in respect of which such contribution is payable.

The following provisions as to contributions shall apply:—

- (i) A contribution shall be payable only in respect of so much of the rabbit-proof fence as forms a common boundary fence.
- (ii) The amount of the contribution shall in every case be assessed according to the benefit derived, and to be derived, from the rabbit-proof fence, and shall in no case exceed half the value of the rabbit-proof fence, or in the case of a fence which does not belong or wholly belong to the owner who makes the same rabbit-proof, such contribution shall not exceed half the value of the work of making such fence rabbit-proof; and such value shall be the value regarded as at the date when the aforesaid notice of demand is given, and as determined by the Local Land Board.
- (iii) A contribution shall not be payable in any case where the Local Land Board is of opinion that the rabbit-proof fence has been erected, or the fence has been made rabbit-proof otherwise than *bonâ fide* for the purpose of excluding or destroying rabbits, or unless and until in the opinion of the Local Land Board the holding or lands from the owner whereof the contribution is demanded derives a benefit therefrom.
- (iv) Nothing in the Crown Lands Acts or in the Act ninth George the Fourth number twelve shall relieve any owner from the liability to pay a contribution under this Act.
- (v) It shall be immaterial whether the rabbit-proof fence was erected or the fence was made rabbit-proof before or after the passing of the Rabbit Act of 1890, or before or after the passing of this Act.

Mr. FREEMAN said, in sub-section (2) it said that "the amount of contribution should in every case be assessed according to the benefit to be derived from the rabbit-proof fence." It seemed to him that it would be a very hard matter to gauge what benefits would be derived from this rabbit-proof fence.

Mr. FLANAGAN (Gunbar) thought this provision dangerous. A fence might have been made rabbit-proof, but might have got into a bad state and so not be rabbit-proof, and as the Bill now stood there would be a danger that people who owned rabbit-proof fences which were not really rabbit-proof would be enabled to receive payment for their fences. Therefore he would wish to insert some words after these lines that would give the power to the Board to say whether they were rabbit-proof or not.

The CHAIRMAN said that to his mind the clause was explicit. They had already defined a rabbit-proof fence, and if it were not up to requirements the contribution could not be enforced.

Mr. FREEMAN moved, "That the whole of line 49 and line 50 down to the word 'shall' should be struck out and the words 'in every case,' in line 48, should also be struck out."

Mr. A. BROWN (Narrabri) seconded the motion.

Mr. ALISON (Canonbar) said he must oppose these words being struck out. He thought they were the most useful words they could have. In very many cases the benefit which was derived from the erection of a rabbit-proof fence was almost nil, and yet the one who derived no benefit from it had to pay.

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That was to him a very illogical thing to keep in a Bill. It was the one great flaw in the 1889 Act. He had a block of freehold land which joined a block of freehold land belonging to somebody else. The other person had erected a fence but there was a road between the two properties. He happened to be the licensee of the resumed area and he had to pay to his neighbour half the cost of his fence for something that did not do him the fraction of a farthing of benefit. He had to pay something like £20 or £30 a mile for the erection of this fence on his neighbour's property. This would show them at once how enormous the present danger was. If a resumed area were cut up enormously the licensee would be compelled to abandon the resumed area. He thought it was a most useful and just provision and should be left in the Bill.

Mr. WILKES (Broken Hill) said he must also oppose the motion. He was of the same opinion as Mr. ALISON. This was one of the finest clauses that had been embodied in the Bill. In the Western district the greatest objection to the 1890 Bill was this compulsory fencing. Surely, if a fence were put up by an eastern neighbour who had no rabbits, and on the west side of that the country was infested with rabbits, could anyone tell him where any benefit was to be derived by the western men. Most decidedly it would be the very reverse. Then why should the western side have to pay for that fence. In many cases such a fence was a harm to a man. It would have a very bad moral effect if a man had to go and pay for things that were absolutely detrimental to him. Suppose a man took a selection or a homestead lease on a run and the runholder put a fence round two sides of it that joined in a corner; it would not be of the slightest benefit to the homestead lessee, and he would have to pay his share.

Mr. CUMMING (Hillston) must also oppose the proposition. It would be very dangerous to take that clause out of the Bill. Mr. ALISON had put the thing in a nut shell. No man should have to pay unless he made use of the fence.

Mr. CAMERON (Ivanhoe) opposed it strongly. He spoke from experience of having to pay for a fence on one of his boundaries. It acted as a barrier to keep the rabbits in, and he had been very much inclined to make holes in it.

Mr. T. BROWN, M.L.A. (Budgerabong), also thought this was a wise provision. They knew that the rabbits were travelling from the western portion eastward, and the amount of benefit from a rabbit-proof fence depended very much which side of the fence you were on. It would benefit a man on the eastern side but it would be detrimental to a man on the western side.

Mr. FLANAGAN (Gunbar) supported Mr. Freeman's amendment. Some of the gentlemen seemed to think that the rabbits only travelled in one direction, west to east. Now, he held that when a man put up a rabbit-proof fence between himself and the adjoining holder it was the fault of the adjoining holder if he did not get any benefit. He might take it into his head not to erect fences on the other three sides, and if this clause were left in he would be compelled to pay half the cost of one side of his run being made rabbit-proof. He would be protected from one side. It was just the same as an enemy coming into the country. They did not know on what side the rabbits would come in. This compulsion to pay for half the boundary fence was of the greatest benefit in suppressing the rabbit plague.

Mr. VANCE (Hillston) said he would also support Mr. Freeman's amendment, for although a man might not get much benefit from it, he would be prevented from allowing rabbits to stock his neighbours' run. No man had a right to be a nuisance to his neighbour, and he should therefore be a sharer in the fences between the two.

Mr. ROSS (Hume) hoped that this clause would be struck out. They knew very well it had been the great crux of the last Rabbit Bill. He knew, as a matter of fact, that this fencing clause had been applied with very hard results in the past. Some people had put up fences knowing they were of no benefit at all. Fences had been put up in defiance of people's interests. Fences had been put up on one side of a road, and, as the road was open, the man on the other side had had to fence as well as pay for half the fence erected by his neighbour.

Mr. ALISON (Canonbar) said that Mr. Brown would remember that at the last Conference this clause was put in for the small holders especially.

Mr. FREEMAN said that his resolution was really put forward on behalf of the small men. Big things come out of little matters, and if by the network of these fences the selectors to the east of them benefit by them, surely they must pay. Take Goree, in Mr. Ross' own district, for instance. It was not a rabbit-infested district. It was not within 100 miles of rabbits. He had induced the Goree people to wire-net their holdings, and all those selectors in that district, without any liability at all by Act of Parliament, paid freely, without hesitation, for a share of that fencing.

Mr. FREEMAN's amendment was put to the Conference and lost.

Mr. ALISON (Canonbar) said he would like to have it made clear whether subsection 5 interfered with fences that had been made rabbit-proof before the Act of 1890. Were certain rights under that Act wiped away by this clause? It seemed to him to be dangerous if that were the case. He would like the opinion of the meeting on that point.

Mr. ATKINSON said that in line 37 of clause 40 it stated, "nothing contained in this section shall affect any right to an annual contribution towards the cost of the maintenance and repair of a rabbit-proof fence, accrued under or by virtue of the provisions of the Rabbit Act of 1890, and the Local Land Board shall have power to assess and determine the amount of any such contributions."

The CHAIRMAN said that he thought they might add some such provision as that to clause 39.

Mr. ATKINSON said that subsection B of clause 1 settled the matter.

Mr. ALISON (Canonbar) withdrew his objections.

Mr. LESLIE (Forbes) proposed that clause 39, as printed, be passed.

Mr. DILL (Hay) seconded it.

The question was put to the meeting and carried.

Clause 40.

Contributions towards maintenance of private rabbit-proof fences.

40. In any case where a contribution towards the cost of a rabbit-proof fence is to be paid under the provisions of the last preceding section, an annual contribution towards the expenses incurred in the maintenance and repair of the rabbit-proof fence shall also be paid; and for the purposes of such annual contribution the years shall be taken to run from the date, or recurring date of the notice of demand required by the said section.

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The right to receive such annual contribution, and a corresponding duty to maintain and repair the rabbit-proof fence, shall run with the holding whereof the owner was entitled to receive payment of the aforesaid contribution towards the cost of the rabbit-proof fence; and the liability to pay such annual contribution shall run with the holding or lands whereof the owner was liable to pay the aforesaid contribution towards the cost of the rabbit-proof fence.

The amount of such annual contribution shall be one-half the expenses of, or incidental to, the maintenance and repair of the rabbit-proof fence as determined by the Local Land Board.

Nothing contained in this section shall affect any right to an annual contribution towards the cost of the maintenance and repair of a rabbit-proof fence accrued under or by virtue of the provisions of the Rabbit Act of 1890, and the Local Land Board shall have power to assess and determine the amount of any such contribution.

Mr. LESLIE (Forbes) proposed that clause 40, as printed, be passed.

Mr. ROSS (Hume) seconded the motion.

The question was put to the meeting and carried.

Clause 41.

Contributions from the Crown towards private rabbit-proof fences.

41. Where—

- (a) a private rabbit-proof fence forms a common boundary fence between private and public lands; and
 - (b) particulars of the said fence have been furnished to the Minister before or after the erection thereof; and
 - (c) the Minister, after report by the Local Land Board, has approved in writing of the erection of such fence in accordance with such particulars,
- the same contributions shall be payable by the Crown in respect of rendering the fence rabbit-proof as would be payable by any private owner, and the amount of such contributions shall be determined by the Local Land Board in the same manner as if the said public lands were private lands.

Mr. ALISON (Canonbar) said that under the last Act the Minister was liable to pay for any fencing erected on Crown lands where he approved of it, and every Minister had exercised this power of approval so much that he had disapproved of every proposal. What was the good of a clause like this if the Minister was going to exercise the power of disapproval every time. He thought they ought to amend this clause so as to make the Minister liable the same as any private person, and yet it seemed as if the Minister should have some power of approval, but he could hardly see a way to get over it.

Mr. FREEMAN proposed an amendment that in line 47 the last word "and" be struck out and the whole of subsection (c) be struck out, and that these words be inserted "provided always that where the Crown pays such contribution they shall have the power of recovery from an incoming tenant, as provided for with regard to the contributions in respect of private rabbit-proof fences."

Mr. FLANAGAN (Gunbar) did not think this amendment was necessary. The public lands were virtually the Minister's lands, and he could make what bargains he chose with an incoming tenant. It was not necessary.

Mr. CAMERON (Ivanhoe) had an amendment on this clause that would meet the difficulty in a very few words. He moved that the words "or after" and the whole of subsection (c) be struck out. This would place the Minister on the same footing as any private holder. He would not say that the State had shirked its duty, but they had never paid for fences put along the public lands, and as the Minister would have some voice in approving in the erection of a rabbit-proof fence, it would be met by having the question submitted to him before the fence was erected. He said they ought to have some definite expression in the Bill as to what would be the Minister's duties with regard to fences that were to be erected between the public lands and the private lands. People had erected fences upon resumed areas, upon the clear assumption to them, that according to the Act the Minister was liable to a contribution of half the cost of erection, and this Conference ought to deal with the Minister's responsibility in so clear a manner that any person reading the Act would be able to understand what responsibility the State took and the responsibility of a private owner.

Mr. CUMMING (Hillston) seconded Mr. Cameron's motion.

Mr. ROSS (Hume) said he did not see why the Minister should not stand in the same position as a private person in this matter. If the Minister had the power to approve of a fence, as in the past, he simply would not approve of it.

Mr. ALISON (Canonbar) said he had found by the last few words "that the amount of the contribution shall be settled by the Local Land Board," the Crown was protected.

Mr. FREEMAN said he was quite willing to accept Mr. Cameron's amendment, and withdrew his own.

Mr. CAMERON's (Ivanhoe) amendment was then put to the meeting and carried.

Mr. OAKDEN (Cobar) proposed that clause 41 as amended be passed.

Mr. T. BROWN, M.L.A. (Budgerabong), seconded the motion.

Mr. J. M. ATKINSON wished to insert the words "fences that have been put up previous to this Act." This was a very important matter. They should make the Crown contribute where these fences adjoined the common boundary. The clause as it stood did not affect the fences that had been put up and were in use, and for which the Crown had declined to contribute. Those people would be placed in a very unfair position. He would move that the words "before or after" be inserted in line 47 after the word furnished.

Mr. CAMERON (Ivanhoe) did not see exactly how this amendment could be put in, because it applied to fences which had been erected in the past. He did not know of any case in which the Minister's consent had been asked before the fence was erected.

Mr. FLANAGAN (Gunbar) also pointed out that there were some lands which had fallen into the hands of the Ministers since 1890. The fences on these might have been between lessee and lessee and now they came into the hands of the Minister for Lands.

The CHAIRMAN said he did not think the amendment could be put in as indicated by Mr. Atkinson.

Mr. ATKINSON said he would put it in, in place of the word "and" in line 45. Supposing this Rabbit Bill were brought in, then owners who had erected wire-netting fences adjoining the Crown lands would at once furnish the Minister with the particulars required.

The CHAIRMAN said that he had better move for the recommittal.

Mr. VANSTONE (Goodooga) said he knew of cases where fences had been erected, and the lessee had brought his neighbours before the Land Board, and the fences had been proved to be not rabbit-proof.

Mr. OAKDEN's (Cobar) motion that the clause be passed as amended was then put to the meeting and carried.

Clause 42.

Private barrier-fences.

42. Where fences within a Rabbit District have, before the commencement of this Act, been rendered rabbit-proof by the expenditure of moneys voluntarily contributed or paid for the purpose by any Stock and Pastures Boards, or by any persons, the Rabbit Board of the District may apply any moneys raised by rabbit rates within the District in repaying to the said Stock and Pastures Boards or persons the moneys so contributed or paid by them as aforesaid, or any part thereof, if in the opinion of the Rabbit Board, the fences are barrier-fences within the meaning of this Act.

Mr. LESLIE (Forbes) proposed that the clause be passed as printed.

Mr. T. BROWN, M.L.A. (Budgerabong), seconded the motion.

The question was put to the meeting and carried.

Clause 43.

Grouping of holdings.

43. When a ring fence enclosing two or more holdings or any portion or portions thereof is a rabbit-proof fence, and the work of making the same rabbit-proof has been done by agreement between the owners of such holdings, the lands so enclosed belonging to such owners shall, with the consent of the Rabbit Board of the District, form a group of holdings within the meaning and for the purposes of this Act.

Any existing fence or portion thereof may be adopted so as to form part of the ring fence of any group, but not without the consent of any owner of such fence or portion thereof whose holding thereby becomes a holding forming part of the group.

The Minister for Lands may agree that any public lands shall be included within a group, and the Crown shall thereupon become liable in the same way as the owner of any holding of private lands within the group.

The Rabbit Board may agree that any rabbit-proof fence utilised or erected by it may be used for the purpose of the grouping of holdings.

Where any holding has been enclosed with a rabbit-proof fence, and any part of the holding afterwards becomes the subject of any homestead selection, purchase, or lease from the Crown, and is thereby withdrawn from the holding so enclosed as aforesaid, the new holding created by such homestead selection, purchase, or lease, and the residue of the original holding shall be deemed to form a group of holdings; and any portion subsequently withdrawn from the residue shall also be a holding within the group.

Any group of holdings constituted under the Rabbit Act of 1890 shall be a group of holdings within the meaning and for the purposes of this Act.

When the external boundaries of any holding or group of holdings have been made rabbit-proof, the owner or owners thereof shall not be liable to contribute towards the cost of erecting or maintaining and repairing a rabbit-proof fence round any holding or land situate within such external boundaries as aforesaid, or towards the cost of making rabbit-proof any existing fence round such holding or land within such external boundaries; and it shall be immaterial whether the said external boundaries have been made rabbit-proof before or after the passing of this Act.

Mr. FLANAGAN (Gunbar) moved that "three or more" be inserted in line 12.

Mr. SIDES seconded the motion.

Mr. LITTLE (Bullock Creek N.) moved that it should be "one."

Mr. BAYLIS (Narrandera) moved that the clause as printed be passed.

Mr. CUDMORE (Wentworth) seconded the motion.

Mr. FLANAGAN's (Gunbar) amendment was put and lost.

Mr. FREEMAN moved an amendment on subsection 3. It should be that on agreement to make a group of holdings the Minister may come in as a contributor. Supposing a number of holders cared to form a group, and a large portion of that was Crown land, the Minister might relieve himself of liability by not agreeing, and he thought it should be amended so that if an agreement be made to form a group the Minister shall be a contributor.

Mr. A. BROWN (Narrabri) seconded the motion.

The question was put to the meeting and lost.

The clause as printed was put and carried.

Clause 44.

Provisions governing groups.

44. A group of holdings shall be deemed to be a single holding so far as regards any such contribution towards the cost of the erection, maintenance, or repair of rabbit-proof fencing as may be payable by or to the owners of adjoining holdings outside the group. And the following provisions shall apply to the holdings forming part of a group, and to the owners thereof:—

- (i) The liabilities of such owners as between themselves, in respect of sums expended or to be expended for the erection or repair of the ring fence, or of amounts paid or to be paid as contributions towards the cost or maintenance of any portion of such fence, shall be proportionate to the respective areas of the holdings of such owners, and in any case of dispute shall be declared by the Local Land Board; and the amount declared by such Board to be payable by any such owner shall be a charge upon his holding.
- (ii) The majority in number of the owners whose lands may for the time being constitute a group may, from time to time, by an instrument in the prescribed form, appoint any person to be the secretary of the group; and proceedings may be taken by or against the secretary for the time being of a group, as nominal plaintiff or defendant representing all the owners of all grouped lands.
- (iii) In any case where a group of holdings is not known to have a duly appointed secretary or the duly appointed secretary cannot be found, the Rabbit Board of the district in which such group or any portion thereof is situated may designate the owner of any land included within the group to be the nominal defendant representing all the owners of all grouped lands for the purposes of any proceedings proposed to be taken against such group or such owners; and proceedings may thereupon be taken against such owner as nominal defendant in the same way as if he were the duly appointed secretary of the group.
- (iv) In any case where judgment has been recovered against the secretary of a group or other nominal defendant as aforesaid, and has not been satisfied, or where an order for the payment of money has been made against such secretary or other nominal defendant, and has not been complied with, the person entitled under such judgment or order may apply to the Local Land Board to settle the respective amounts to be contributed by the owners of the holdings within the group for satisfaction of such judgment or compliance with such order; and the Local Land Board shall thereupon settle the said respective amounts in proportion to the respective areas of the holdings of such owners; and the person entitled under such judgment or order may take proceedings against each or any of such holders for the amount settled by the Local Land Board.
- (v) If any part of a holding within a group shall be withdrawn from such holding, by reason of its becoming the subject of any homestead selection or purchase or lease from the Crown, or by reason of such holding being subdivided, the new holding created by such homestead selection or purchase, lease, or subdivision shall be a holding within, and forming part of, the group.
- (vi) A holding shall not cease to form part of a group, by reason only of any change of ownership in respect of such holding, or of any other holding within such group; but any owner may, with the permission of the Rabbit Board, and subject to any conditions which it may impose, detach his holding from the group of which it formed part if the boundaries of such holding have been made rabbit-proof.
- (vii) If at any time it be made to appear to the Rabbit Board that a group of holdings is too large to allow the work of destroying rabbits being satisfactorily performed, and that the owners holding not less than one-half of the grouped lands desire that such group of holdings may be subdivided, it shall be lawful for the Board to authorise the subdivision of such group, and to determine the line or lines of subdivision. And the subdivision rabbit-proof fence or fences shall, in all respects, be dealt with as if the same formed part of the ring fence of such group.

Mr. CAMERON (Ivanhoe) proposed that clause 44 as printed be passed.

Mr. VANSTON (Goodooga) seconded it.

The question was put to the meeting and carried.

Clause 45.

Destruction by owners and occupiers.

45. It shall be the duty of every owner and of every occupier of any private holding or lands from time to time to suppress and destroy, by lawful means, and at his own cost, all rabbits which may from time to time be upon such lands, or upon any roads bounding or intersecting the same, or any part thereof.

Any owner, or any occupier, of any private holding or lands who fails to fully and continuously perform such duty as aforesaid to the best of his means and ability shall be liable to a penalty on the first conviction of not less than *two* nor more than *ten* pounds, and on the second conviction of not less than *five* nor more than *twenty-five* pounds, and on the third or any subsequent conviction of not less than *thirty* nor more than *fifty* pounds; and the existence of rabbits on any private holding or lands shall be *prima facie* evidence that the owner or the occupier thereof (as the case may be) has failed to fully and continuously perform such duty to the best of his means and ability.

Mr. CAMERON (Ivanhoe) moved that the word "private," in line 14, and the word "all," in line 15, be struck out, and that the following be inserted after the word "cost," in line 15, "to the best of his ability and to the satisfaction of the Board." The first part of the clause would then read

as follows:—"It shall be the duty of every owner and of every occupier of any holding or lands from time to time to suppress and destroy, by lawful means, and at his own cost, to the best of his ability and to the satisfaction of the Board, rabbits which may from time to time be upon such lands, or upon any roads bounding or intersecting the same, or any part thereof."

Mr. FLANAGAN (Gunbar) seconded the motion.

Mr. WILKES (Broken Hill) moved an amendment on Mr. Cameron's amendment that the words "to the best of his ability, &c.," be struck out of the amendment. They would entail endless litigation. There was no doubt that every man would come forward and say he had done it to the best of his ability. Destruction would never be compulsory if that were carried. If the Boards were not fit to deal with the question they were not fit to deal with any question. If these words were inserted it would destroy the whole force of the Act.

Mr. HEBDEN (Wanaaring) seconded Mr. Wilkes' amendment.

Mr. CUDMORE (Wentworth) supported Mr. Cameron.

The Hon. RUPERT CARINGTON (Jerilderie) thought the House would never agree to pass this motion. They should leave the word "private" in.

Mr. J. M. ATKINSON wished to say a few words in reply to the Hon. Rupert Carington. The Minister had distinctly told them to frame their own Bill and to give it to him. It was no business of theirs what Parliament would pass. If Parliament passed any other Bill, they would be able to say they had not wanted it. They would be able to say, "We never recommended such a proposal; we proposed a certain Bill; we proposed what was right to us." The Hon. Rupert Carington wanted them to propose a bread-and-butter Bill to put before the House for them to swallow.

On Mr. ALISON's (Canonbar) suggestion the Chairman put the different portions of Mr. Cameron's motion separately.

The question of striking out the two words "private" and "all" in lines 14 and 15 was put and carried.

Mr. CAMERON (Ivanhoe) said he was quite willing, in view of Mr. Wilkes' amendment, to strike out the words "to the best of his ability."

The question of adding after the word "cost," in line 15, "and to the satisfaction of the Board the" was then put and carried.

Mr. T. BROWN, M.L.A. (Budgerabong), said that in compliance with the desire of the Condoblin Stock Board, he would move that the following words be struck out, "or upon any roads bounding or intersecting the same or any part thereof," unless the road was under lease or occupation.

Mr. ALISON (Canonbar) seconded the motion. He said the private holder should not have to destroy rabbits on the roads.

Mr. LESLIE (Forbes) moved a further amendment that the word "boundary," in line 16, be struck out. He would like the remainder of the words to be left in. He would point out that roads aggregating very large areas were fenced inside holdings, and therefore those that were inside any property that had been made rabbit-proof would of course be cleared by the owner. The owner should only be made to kill on roads when those roads were inside his run.

Mr. BAYLIS (Narrandera) said the amendment should be altered to read that the owner should kill rabbits "upon any roads enclosed by the said owner, bounding or intersecting the same."

Mr. FREEMAN thought that Mr. Brown's motion should be carried.

Mr. BACON (Brewarrina) said there was a difficulty. In the Western Division there was a reserved road of five or ten chains through the homestead leases. This road had to be paid for as part of the resumed area. Unless it was clearly defined that the holder of the homestead lease had to pay for the destruction of those rabbits it would lead to confusion. As it was now the pastoral tenant had to pay the rent for the road, although the homestead lessee had the use of it. The pastoral tenant should not be also made to pay for the destruction of the rabbits.

Mr. WILKES (Broken Hill) said there was not the slightest doubt that if a road were outside a holding the Crown should pay for the destruction of the rabbits. If the road was not in one lease it must be either in some other lease or else in possession of the Crown. He said that if a road were taken out of a homestead lease it was also taken out of lease and license. As a rule the roads were left in the homestead leases.

Mr. ALISON (Canonbar) said the case was not as Mr. Wilkes stated. He said that when roads were declared between selections, and so on, they were for the use of the public, but were still left in the license. They could easily imagine a resumed area being cut up so that the holder of the area had no use for the road at all. Under this clause he would be obliged to keep the rabbits down whether he had use for the road or not.

Mr. LESLIE (Forbes) said that it was in order to try and protect the lessee who was really paying for these roads, for which he had no use, that he proposed this amendment. Lessees had to pay rent for roads until they were proclaimed, although they were not in their occupation. He wanted to protect the interests of those men, so that they should not be compelled to kill rabbits on roads which were not in their occupation.

Mr. SIDES (Hay) said that the parties on either side of a road should have to pay for killing the rabbits on the road between them. Of course, if a road were within a run they were bound to kill them.

Mr. ROSS (Hume) could not support the clause as it stood. He thought the Rabbit Board should decide who should bear the cost. It would be hard on the Crown if they had to kill the rabbits on all the roads of the Colony, because half the roads were used by the holders of the adjoining lands. It would also be hard on a man on a holding to be compelled to kill rabbits on a road which was perhaps miles away.

Mr. DILL (Hay) said that he had lost nearly the whole of his resumed area. The roads, amounting to 40 or 50 miles, were enclosed by free selectors, and unless he abandoned the balance of the resumed area to the Crown he would be liable for killing the rabbits. If this clause were not carefully amended he and many others would be subject to injustice.

Mr. ATKINSON moved an amendment that the clause remain as printed, with the addition after "thereof" of the following, "if enclosed by the said owner."

Mr. ALISON (Canonbar) said he would accept the amendment.

Mr. ATKINSON said that, of course, would be on land which was enclosed with a rabbit-proof fence.

Mr. T. BROWN, M.L.A. (Budgerabong), pointed out to Mr. Alison that this clause was to deal with killing rabbits on holdings, whether they were enclosed by a rabbit-proof fence or not.

Mr. LITTLE (Bullock Creek North) seconded Mr. Atkinson.

Mr. ALISON (Canonbar) pointed out that this amendment would leave the clause exactly as before. There were no instances in the Colony where a resumed area had not been "enclosed," that was to say, enclosed with a wire-fence, but in many instances it was not wire-netting. "Enclosed," under the present Land Act, meant "enclosed by a sufficient fence," it did not mean a rabbit fence. He would like the mover of the amendment to make it read "enclosed with a rabbit fence."

Mr. FLANAGAN (Gunbar) said that the word "owner" should be substituted by the word "user." He knew of cases where there were fences on each side of a road, and the selector on one side had wire-netted. The man who had wire-netted could not use the road. He thought the Board should say who was the user of the road, and that would settle the matter. The man who used the road should destroy the rabbits on it.

Mr. Atkinson's amendment was then put and carried.

Mr. ALISON (Canonbar) moved to add "within a rabbit-proof fence" after the word "enclosed" in the resolution just passed.

Mr. CUMMING (Hillston) seconded Mr. Alison.

Mr. T. BROWN, M.L.A. (Budgerabong), pointed out to Mr. Alison that the effect of this resolution would be that there would be no compulsory destruction of rabbits enforced on any land not enclosed by a rabbit-proof fence. The object of this particular clause, on the contrary, was to provide for compulsory destruction of rabbits outside wire-netting enclosures.

Mr. ALISON (Canonbar) acknowledged the truth of Mr. Brown's remarks and withdrew his amendment.

Mr. BROWN (Budgerabong) then moved his amendment—that the following words, "or upon any road bounding or intersecting the same or any part thereof," be struck out.

Mr. ALISON (Canonbar) seconded the motion.

The question was then put and lost.

Mr. LESLIE (Forbes) proposed that the word "private" be struck out of line 18.

Mr. WILKES (Broken Hill) seconded the motion.

The question was put and carried.

Mr. LESLIE (Forbes) moved, that in line 20, after the word "ability," they should insert "and to the satisfaction of the Board."

Mr. T. BROWN, M.L.A. (Budgerabong), thought "to the best of his means and ability" should be struck out.

Mr. LESLIE (Forbes) accepted it.

Mr. WILKES (Broken Hill) seconded it.

Mr. ALISON (Canonbar) pointed out that it was very dangerous to strike out these words. Of course it would have to be to the satisfaction of the Board, because the Board—before it could enter upon any land—must be satisfied that the destruction was not being properly carried on. Individuals must be protected against the arbitrary power of the Board.

Mr. T. BROWN, M.L.A. (Budgerabong), said that Mr. Alison was speaking rather late in the day. He was only proposing to strike this out in conformity with what had been done before. If this were left in, who was to determine that the owner had used his best means and ability?

Mr. ALISON (Canonbar) said a man might be doing his very best to get the rabbits down, and yet the Board might decide that he was not doing his best. The Board should be made to prove its case. There should be a third person an arbitrator. Thousands and thousands of pounds might be thrown on to a man if this were cut out. They did not know whom the Boards would be composed of. If those words were struck out the private owner had no appeal whatever. He had to submit to what a bare majority of the Board might decide. Five men might put some individual, whom they disliked, to an expense of thousands of pounds. It was too much power to give any body of men, that of being judge and executive at the same moment. He hoped they would retain those words.

Mr. LITTLE (Bullock Creek North) pointed out that, unless the Boards had full power, nothing could be done. People would dodge the Boards, and while they had the power of electing the Stock Boards there was not the slightest danger of their being harshly dealt with.

Mr. WILKES (Broken Hill) supported Mr. Brown's amendment. Who was to say what was a man's ability? A man might say that he had done it to the best of his ability, and yet be blind or deaf and have no ability whatever. "Ability" here meant the word "willingness." It was only a quibble.

Mr. LESLIE (Forbes) pointed out that Mr. Alison had said that the owners would have no right to appeal. He would draw Mr. Alison's attention to clause 53 regarding powers of appeal.

The CHAIRMAN said he thought they were wasting time over nothing. The clause, as he read it, provided a penalty for occupiers who did not kill their rabbits. As the Stock and Pastures Board were going to administer the Act they would have to initiate the proceedings before anybody could be prosecuted under this clause. The clause was elastic enough, and yet gave the Pastures and Stock Board sufficient power.

Mr. ATKINSON suggested the further amendment, that the words, "to the best of his means and ability" be struck out, and that the words, "and to the satisfaction of the Board" be not inserted.

Mr. T. BROWN, M.L.A. (Budgerabong), pointed out that Mr. Atkinson's amendment was practically his.

Mr. J. M. ATKINSON withdrew his motion.

Mr. T. BROWN, M.L.A. (Budgerabong), pointed out that his strong objection to leaving the words in was that they set up another standard of what was sufficient killing, and the owner relying on that could frustrate the efforts of the Board to compel him to kill. A similar provision had to be wiped out of the Victorian Act before the Shire Councils there could enforce the provisions of the Act regarding killing.

Mr. T. BROWN's, M.L.A. (Budgerabong), amendment was put and carried.

Mr. FLANAGAN (Gunbar) moved that the word "continuously" should be struck out of line 19. It would be a great hardship if this were left in. There were times when men were taking off their clips, and so on, when they could not busy themselves with killing.

Mr. ROSS (Hume) thought the word should be left in.

Mr. CUMMING (Hillston) seconded Mr. Flanagan. He thought the provision should be a little more elastic. A man might kill with a little arsenic many more than in another way, and after a shower of rain it would be better to wait for a week or two.

Mr.

Mr. T. BROWN, M.L.A. (Budgerabong), moved that the "minimum fines" be struck out and the "maximum fines" retained in clause 45. He thought this matter could be safely left to the Board.

Mr. HEBDEN seconded Mr. Brown's resolution.

The question was put and carried.

Mr. T. BROWN, M.L.A. (Budgerabong), moved that the words "and the existence of rabbits on any private holding or land shall be *prima facie* evidence that the owner or occupier thereof (as the case may be) has failed to fully and continuously perform such duty to the best of his means and ability" be struck out.

Mr. FLANAGAN (Gunbar) seconded the motion.

The question was put to the meeting and carried.

Mr. BROWN, M.L.A. (Budgerabong), moved that Clause 45, as amended, be passed.

Mr. HEBDEN seconded the proposal.

The question was put to the meeting and carried.

Clause 46.

Natural enemy of rabbits.

46. The Governor may from time to time, by proclamation in the *Gazette*, declare any animal, bird, or reptile to be a natural enemy of the rabbit, and prohibit within districts (whether Rabbit Districts or not) to be specified in such proclamation the wounding, killing, or capturing, selling or disposing of any such animal, bird, or reptile without a special permit in that behalf, and may from time to time correct, modify, or revoke any such proclamation.

Any proclamation issued under the Rabbit Act of 1890, whereby any animal, bird, or reptile was declared to be a natural enemy of the rabbit, shall continue in force according to the tenor thereof, unless and until revoked under the provisions of this section.

Any person who without lawful authority (the proof of which shall be on the person claiming to have the same) wounds, kills, captures, or sells or disposes of any animal, bird, or reptile declared to be a natural enemy of the rabbit shall be liable to a penalty of not less than two nor more than twenty pounds.

Mr. DAVIES (Gunnedah) thought the word "capturing" should be left out. He said if they had spring-traps they were more likely to catch the iguana and the snake than the rabbit. He thought they should provide that no trap should be used that was absolutely destructive to life. If they had tip-traps, and the natural enemy of the rabbit got in one, a neighbour who had a down on any man could get him fined. He thought spring-traps should not be used at all, for if the natural enemy of the rabbit got into the teeth of a spring-trap he would be destroyed.

Mr. OAKDEN (Cobar) moved that the word "wilfully" be put in before the word "wounds."

Mr. J. M. ATKINSON pointed out that the word "wilfully" would not do it. If they dug a hole or set a trap they did it "wilfully." It should be "intentionally."

Mr. WILKES (Broken Hill) seconded Mr. Oakden's amendment.

Mr. DAVIES (Gunnedah) moved that the setting of spring-traps, or any trap absolutely destructive to life, be prohibited.

Mr. FREEMAN seconded Mr. Davies' amendment.

Mr. FLANAGAN (Gunbar) opposed that. In his district there was a rabbit factory which had people trapping 10,000 rabbits a day. Would that not be more than the iguanas they would kill? It would be dangerous to hinder traps to be set for rabbits.

Mr. WILKES (Broken Hill) pointed out that Mr. Davies' amendment would not apply in all cases. In his district they must set traps for the native dogs.

Mr. CAMERON (Ivanhoe) pointed out that if this were carried, not only would the owners of land be prevented from using spring-traps, but they would be prevented from using any other method of killing rabbits which would be inimical to the life of the natural enemy. In many districts of the Colony the most efficient manner of destroying rabbits was the use of poisoned water, and yet this was dangerous to the natural enemy.

Mr. A. BROWN (Narrabri) pointed out that native cats came about the houses and destroyed chickens and so on, and in his district nothing would live unless they killed the native cats. He thought an exception should be made with regard to killing "about household premises or yards." When they found native cats or iguanas destroying the poultry about the homesteads they must kill them.

The CHAIRMAN said he thought they would kill them all the same.

A MEMBER: Wire-fence the fowls.

Mr. A. BROWN (Narrabri) moved an amendment "except within 100 yards of a dwelling house."

Mr. LAURENCE (Balranald) said that foxes were the natural enemy of the rabbit, and he wished to know if they were to be allowed to spread all over the country.

Mr. CUDMORE (Wentworth) said that if Mr. Brown had had as much experience with the rabbits as he had had, he would be glad to protect the wild cats, and put the fowls in a glass case.

Mr. OAKDEN (Cobar) seconded Mr. A. Brown's amendment, which was then put to the meeting and lost.

Mr. DAVIES' (Gunnedah) amendment was then put and lost by a large majority.

Mr. OAKDEN (Cobar) moved that the word "wilfully" be put in line 42, and in line 33 before the word "wounding" and the word "wounds."

Mr. WILKES (Broken Hill) seconded the resolution, which was then put and carried.

Mr. T. BROWN, M.L.A. (Budgerabong), moved that in line 45 the minimum fines be struck out.

This was put to the meeting and carried.

Clause 46, as amended, was then put to the meeting and carried.

Clause 47.

Burning without notice during winter months.

47. For the purpose of destroying or suppressing rabbits, any owner or occupier, may, at any time, with the consent of the Rabbit Board first had and obtained, notwithstanding anything in any Act contained, burn or ignite any straw, stubble, grass, herbage, scrub, wood, or other inflammable material on his land subject to conditions to be imposed by the Board.

Clause 47, as printed, was put to the meeting and carried.

Clause

Clause 48.

Authorised persons may enter private land.

48. Any authorised person may from time to time enter upon any private holding or land at any time with or without assistants, dogs, horses, and vehicles in order to search whether any rabbits are on such land, or to erect or repair barrier-fences or gates, or to examine and inspect land, or for any purpose whatsoever under this Act, and may remain thereon so long, and do all such things as may be necessary or reasonable.

Any person who falsely represents himself to be or personates an authorised person under this Act in any manner whatsoever shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned with or without hard labour for any period not exceeding *six* months, or to forfeit and pay a penalty of not more than *one hundred* pounds, or both.

Any person who wilfully assaults, obstructs, hinders, or interrupts, or causes to be assaulted, obstructed, hindered, or interrupted, any authorised person in the exercise of any power or authority vested in him by this Act, shall for every such offence if not otherwise specially provided for be liable to a penalty not exceeding *twenty* pounds; and no proceeding for recovery of such penalty nor the payment thereof shall be a bar to any action at law 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.

For the purposes of this section an authorised person means a person having authority from the Minister or from a Rabbit Board, and such authority may be a general authority.

Mr. T. BROWN, M.L.A. (Budgerabong), moved that in line 1 the words "on production of his authority on demand by the owner" be inserted after the word "person."

Mr. BAYLIS (Narrandera) seconded the motion.

The question was put and carried.

Mr. WILKES (Broken Hill) moved that in line 2, section 48, the words "private" and "dogs" be struck out.

Mr. OAKDEN (Cobar) seconded the resolution.

Mr. BRETT (Urana) proposed that the word "dogs" be left in.

On the request of Mr. Flanagan the Chairman put the two words separately.

The question of striking out the word "private" was carried.

The question of striking out the word "dogs" was lost.

The Hon. RUPERT CARINGTON (Jerilderie) moved that "horse" be substituted for "horses."

Mr. SIDES (Hay) seconded the motion.

Mr. BRETT (Urana) said he did not think the work could be done with less than three horses.

Mr. OAKDEN (Cobar) said it was a person who was authorised by the Board who was to use this authority, and he did not think the Board would allow him to do more than he ought.

The question was put and lost by a large majority.

Mr. T. BROWN, M.L.A. (Budgerabong), moved that the words "the Minister or from" be struck out of line 26.

Mr. WILKES (Broken Hill) seconded the motion.

Mr. T. BROWN, M.L.A. (Budgerabong), explained that this was merely to leave the power in the hands of the Board.

Mr. ALISON (Canonbar) said that if they struck out those words they did not leave the Minister any power of entry. Surely it was advisable that the Minister should have power of entry. It could do no harm. He did not see what it was put in for. But then he did not see why it should be struck out. The Minister should have power to go in and have a look if he liked.

Mr. FLANAGAN (Gunbar) did not agree with Mr. Alison. He said it would be a very strange proceeding if they wanted to go on a man's land to kill the rabbits if they had to wait for the permission of the Minister.

Mr. BACON (Brewarrina) said it would be an absurd thing to limit the Crown.

The question was put and lost by 18 votes to 17.

Clause 48, as amended, was put to the meeting and carried.

Clause 49.

Various offences.

49. Any person who—

(a) wilfully carries, drives, or passes any live rabbit through, under, or over any rabbit-proof fence or gate; or

(b) wilfully leaves open any gate in a rabbit-proof fence; or

(c) without lawful authority (the proof of which shall be on the person claiming to have the same) wilfully destroys, injures, tears-up, depresses, or removes any portion of a rabbit-proof fence or gate, or excavates under, or in any way tampers with, any portion of such fence or gate, so as thereby to endanger its effectiveness; or

(d) attempts to do any such act as is hereinbefore mentioned, or procures the same to be done

shall be liable to be imprisoned, with or without hard labour, for any term not exceeding *six* months, or to pay a penalty not exceeding *one hundred* pounds, or both.

A rabbit-proof fence or gate, for the purposes of this section, shall mean a fence or gate apparently intended to protect any land from rabbits, and shall include a barrier fence, or gate therein, and it shall be immaterial whether or not such fence or gate is in accordance with the requirements of this Act.

Mr. WILKES (Broken Hill) proposed, "That clause 49 as printed be passed."

Mr. BACON (Brewarrina) seconded the motion.

The question was put to the meeting and carried.

Clause

Clause 50.

50. Any person who without lawful authority (the proof of which shall be on the person claiming to have the same) wilfully liberates or attempts to liberate, or has in his possession any live rabbit, shall be liable to a penalty not exceeding *one hundred* pounds for every such offence; but nothing herein contained shall be construed to prohibit any person from keeping live rabbits in any safe enclosure with the permission of the Minister first had and obtained.

Mr. FLANAGAN (Gunbar) moved, "That clause 50 be passed as printed."
The question was put to the meeting and carried.

Clause 51.

51. Any person who destroys, injures, removes, or interferes with any trap, snare, poison, matter, or thing which is used or required for the purpose, of capturing or destroying rabbits, and which is lawfully placed upon any land for such purpose, shall be liable to a penalty not exceeding *twenty* pounds.

Mr. BROWN (Budgerabong) moved, and Mr. Cumming seconded, "That the clause be passed as printed."

The question was put to the meeting and carried.

Clause 52.

Summary proceedings before Justices.

52. Any proceedings for—

- (a) the recovery of any sum of money, which any private person is under or by virtue of the provisions of this Act required or made liable to pay, whether such sum of money be due in respect of rabbit rates, costs of rabbit destruction, contributions towards rabbit-proof fencing, or otherwise howsoever; or
- (b) the recovery of penalties or punishment of offences under this Act or any Regulation made thereunder

shall be heard and determined in a summary way before two Justices in accordance with the provisions of the Act or Acts in force for the time being regulating summary proceedings before Justices.

Where the Justices, upon such proceedings, adjudge or order any sum of money to be paid and the same is not paid, either immediately after the adjudication or conviction, or within the time then and there allowed by the Justices, payment of the said sum may be enforced by distress and sale of the goods and chattels of the person adjudged or ordered to pay the same in the manner provided by the said Act or Acts: Provided always that nothing herein contained shall affect any other remedy provided in the Crown Lands Acts.

Any person may take proceedings under this Act for the punishment of any offence hereby enacted; but where the land upon which an offence is committed is situate within a Rabbit District any fine or penalty imposed for such offence shall belong and be paid to the Rabbit Board of the District—any law or statute to the contrary notwithstanding—and the Justices imposing such fine or penalty shall order accordingly.

Mr. WILKES (Broken Hill) moved, "That in line 9, subsection (a), the word 'private' be struck out."

Mr. OAKDEN (Cobar) seconded it, and it was carried.

The Honorable RUPERT CARINGTON moved, "That lines 28 and 29 be struck out of clause 52 down to the word 'enacted', and that the following be inserted, 'all information shall be laid and proceedings at law taken by the Board through its officers.'"

Mr. BRETT (Urana) seconded the Honorable Rupert Carington's motion.

The question was put to the meeting and carried.

Mr. CUDMORE (Wentworth) said he would like to add, "That in section (b) they should insert 'Court of Petty Sessions' instead of 'two Justices' in line 17.'"

Mr. DILL (Hay) seconded it.

Mr. ALISON (Canonbar) said that it occurred several times, and should be altered in each case.

Mr. OAKDEN (Cobar) seconded Mr. Alison.

Mr. ALISON's (Canonbar) amendment was put and carried.

Mr. VANSTON moved, "That clause 52, as amended, be passed."

Mr. CAMERON (Ivanhoe) seconded the motion.

The question was put to the meeting and carried.

Clause 53.

Appeals to General Sessions.

53. Any person who shall think himself aggrieved by any adjudication, order, fine, penalty, or punishment made or imposed by Justices under this Act, may appeal against the same, and the provisions of the Criminal Law Amendment Act of 1883 in respect of appeals in cases of summary conviction shall extend and apply to every such appeal.

Mr. LESLIE (Forbes) proposed, "That clause 53 be passed as printed."

Mr. CUMMING (Hillston) seconded.

The question was put to the meeting and carried.

Clause 54.

Orders may be enforced by action.

54. In any case under this Act where any sum of money is ordered to be paid by Justices or by a Court of General or Quarter Sessions, and the same is not paid within the period named in such order, it shall be lawful for the person entitled to receive payment of such sum to sue upon such order in the District Court or the Supreme Court.

Mr. LESLIE (Forbes) proposed, "That clause 54 be passed, as printed."

Mr. HEDDON (Wanaaring) seconded the motion.

The question was put to the meeting and carried.

Clause

Clause 55.

Objections to Jurisdiction.

55. In any proceedings under this Act, the jurisdiction of the Local Land Board, or Court, or Justices before whom the proceedings are had, shall not be ousted on the ground that the case raises any question of title to land, or that the defendant does not reside within the boundaries of the jurisdiction of the Board or Court or Justices before which or whom the proceedings are had: Provided that the land in respect of which the case arises shall be situated within the boundaries of the jurisdiction of such Board or Court of Justices.

A Rabbit Board shall be taken to be a Local Authority within the meaning and for the purposes of the Justices Enabling Act of 1872.

Mr. BACON (Brewarrina) moved, "That clause 55 be passed as printed."

Mr. J. M. ATKINSON seconded the motion.

The question was put to the meeting and carried.

Clause 56.

Proceedings before Local Land Boards.

56. In any proceedings which under this Act may be had before a Local Land Board for the determination of any contribution, value, or other sum of money (not being an amount payable under any rabbit rate or as compensation by a Rabbit Board), the Local Land Board in determining the sum payable may give time for the payment thereof, and to that end may determine instalments by which the same may be paid, and fix the dates on or before which such instalments shall respectively be paid.

Where any proceedings under this Act are had before a Local Land Board an appeal or reference shall lie to the Land Appeal Court; but if no appeal or reference is made the determination or decision of the Local Land Board shall be final and conclusive.

The provisions of the Crown Lands Acts regulating proceedings before Local Land Boards, and upon appeals and references to the Land Appeal Court under such Acts shall, as far as practicable, be applied to proceedings, appeals, and references under this Act; and for the purposes of proceedings under this Act, the Land Appeal Court and Local Land Boards and the respective members and officers thereof shall have the same authorities and powers as are conferred by the Crown Lands Acts for the purposes of proceedings under the said Acts, and in addition thereto the Land Appeal Court and a Local Land Board shall have power to make such orders as to the costs of any proceedings before the Local Land Board as may appear to be just.

Mr. LESLIE (Forbes) moved, "That clause 56 be passed as printed."

Mr. DAVIES (Gunnedah) seconded the motion.

The question was put to the meeting and carried.

Clause 57.

Provision for giving of notices.

57. Any notice given under or for the purposes of this Act, or any Regulation made thereunder, may be given in any one of the following ways:—

Personally to the person to whom the notice is addressed.

By letter sent through the post and directed to the last known place of abode or of business in New South Wales of the person to whom the notice is addressed.

By advertising the same twice at least in some newspaper circulating in the district in which the lands the subject of such notice are situate, an interval of a week or more being allowed to elapse between such advertisements: Provided that notice shall only be given as last aforesaid when the whereabouts, or the last place of abode or of business in New South Wales, of the person to whom such notice is addressed cannot be discovered by the person issuing such notice.

And any notice required by this Act to be given to the owner or the occupier (as the case may be) of any holding or land, shall in cases where several persons are the owners or the occupiers thereof, be duly given if given to one of such owners or occupiers as the case may be.

Mr. ALISON (Canonbar) moved, "That in line 43 the word 'registered' be inserted before the word 'letter.'"

The Honorable RUPERT CARINGTON (Jerilderie) said it would be too expensive.

Mr. FLANAGAN (Gunbar) seconded the resolution, as he thought that this would be the readiest way of proving delivery.

Mr. BACON (Brewarrina) supported it, and said that in a former Act a registered letter was required as proof of the service of the notice.

The amendment was put to the meeting and carried.

Clause 57, as amended, was put to the meeting and carried.

Clause 58.

58. For the purposes of any proceeding under this Act, the description of any holding or lands need not be a description by metes and bounds, but shall be sufficient if it make such reference to the holding or land either by name, situation, boundaries, or otherwise, as to allow of no reasonable doubt as to what holding or land is referred to.

Mr. BACON (Brewarrina) moved, "That clause 58 be passed as printed."

Mr. ALISON (Canonbar) seconded the motion.

The question was put to the meeting and carried.

Clause

Clause 59.

59. Where the name of the owner of any holding is unknown to any person giving notice or taking proceedings under this Act, any notice required to be given may be addressed to the owner as such without mentioning his name, and any order or decision may in like manner be made or given against the aforesaid owner as such.

Mr. CAMERON (Ivanhoe) proposed, "That clause 59 be passed as printed."

Mr. VARCOE (Hillston) seconded the motion.

The question was put to the meeting and carried.

Clause 60.

Moneys charged upon holdings.

60. Whenever by any section of this Act, any sum of money is expressed to be charged upon any private holding or land, any person thereafter becoming the owner of such holding or land shall be affected with notice of such charge, and shall be liable to pay the sum so charged or so much thereof as may for the time being be unpaid as if he were the person originally liable; but nothing herein contained shall operate to determine the liability of any person originally or previously liable.

Whenever any sum of money is charged upon any private holding or land, and any portion of such holding or land is detached from the residue thereof by subdivision, withdrawal, or otherwise howsoever, the portion so detached shall be charged with a ratable part of the aforesaid sum.

Mr. OAKDEN (Cobar) moved, "That in line 16 'private' be struck out, and also in line 23."

Mr. WILKES (Broken Hill) seconded the motion.

The question was put to the meeting and carried.

Mr. LESLIE (Forbes) moved, and Mr. OAKDEN seconded, "That the clause as amended be adopted."

The question was put to the meeting and carried.

Clause 61.

Power to raise money by mortgage.

61. It shall be lawful for any owner of a holding who holds the same as mortgagee to add to the mortgage debt any sums expended by, or recovered from, him for the erection or repair, or as a contribution towards the cost of the erection or repair of any rabbit-proof fence upon, near, or for the benefit of such holding; and it shall be lawful for any trustee of a holding to raise the sums required or recovered for any such purpose by mortgage of such holding, in the same way as if a power to mortgage had been contained in the instrument creating or declaring the trusts thereof.

Mr. ATKINSON moved, "That clause 61 be passed as printed."

Mr. LESLIE (Forbes) seconded it.

The question was put to the meeting and carried.

Clause 62.

Power to make Regulations.

62. Whenever in any section of this Act the expression "prescribed" is used in connection with any matter, and whenever in any section of this Act "Regulations" are referred to, the Governor may, in every such case, frame regulations for the purpose of giving effect to the provisions of such section. And for the purpose of carrying this Act into full effect generally, the Governor may make Regulations which may provide for the enforcement thereof by penalties not exceeding, in any case, ten pounds, and shall, upon being published in the *Gazette*, be valid in law: Provided that a copy of every such Regulation shall be laid before both Houses of Parliament within fourteen days from the publication thereof, if Parliament be then in Session, or otherwise within fourteen days after the commencement of the next ensuing Session.

Mr. LESLIE (Forbes) moved, and Mr. CAMERON seconded, "That clause 62 be passed as printed."

The question was put to the meeting and carried.

The CHAIRMAN then adjourned the Conference until 2 o'clock.

Clause 5.

The question of recommitment of clause 5 was put and carried.

Mr. ALISON (Canonbar) then moved for Mr. A. Brown the following amendment, "That the franchise for the Pastures and Stock Protection Boards be on the following basis:—

10,000 to 20,000 sheep ...	...	...	...	...	3 votes.
20,000 „ 30,000 „ ...	...	...	...	...	4 „
Above 30,000 „ ...	...	...	...	...	5 „

He said that clause 5, as moved by the Honorable Rupert Carington, provided that the Pastures and Stock Protection Boards should be the Rabbit Board for the district, and that the working of the Rabbit Act be placed in the hands of the Pastures and Stock Board. The next sentence went on to say that the Crown might be represented on those Boards in proportion to the revenue paid by them as assessment to the Rabbit Destruction Fund. Now he understood that later on they had substituted for that the proposition that the Government should nominate one member. As a consequence the following words should be struck out, "the Crown may be represented on the Stock and Pastures Protection Boards in proportion to the revenue paid by them as assessment to the Rabbit Destruction Fund."

The CHAIRMAN then put the question of striking out these words, as it was a necessary consequence of having passed the resolution that the Government should nominate a member, and it was carried.

Mr.

Mr. ALISON (Canonbar) then moved Mr. A. Brown's motion.

The CHAIRMAN said he would like to point out that holders of 40,000 sheep and over were already given five votes under clause 5. He thought it would be better to fix the franchise from the beginning if they were going to alter it at all.

On resuming after lunch Mr. A. Lakeman took the chair at 2:20 p.m.

Clause 4.

Rabbit Districts.

4. For the purposes of this Act, New South Wales shall be divided into Districts, herein-after referred to as Rabbit Districts.

The Districts into which New South Wales may from time to time be divided for the purposes of the Diseases in Sheep Acts shall be Districts for the purposes of this Act, but the operation of this provision shall be subject always to the powers next hereinafter conferred on the Minister.

The Minister may, by notification in the *Gazette*—

- (a) declare that any Borough or Municipal District shall form a Rabbit District; or
- (b) combine two or more Sheep Districts wholly or in part into one Rabbit District; or
- (c) create Rabbit Districts without reference to the boundaries of any Sheep District; or
- (d) alter or modify the boundaries of any Rabbit District.

Any such notification shall operate and take effect as from the date thereof, but may by notification be corrected, modified, or revoked.

Mr. LESLIE (Forbes) moved the recommittal of clause 4 with a view to insert "declared rabbit infested" in line 13 after the word "be".

The question of recommittal was put and carried.

Mr. LESLIE (Forbes) then moved, "That the words 'declared rabbit infested' be inserted in line 13 after the word 'be'".

Mr. FREEMAN seconded the insertion of those words.

Mr. ATKINSON opposed the motion.

Mr. T. BROWN, M.L.A. (Budgerabong), said he would like to know whether it would be desirable to declare the whole of the Colony to be rabbit infested. There was a large portion of the Colony in which there were no rabbits. Powers should be reserved to declare certain districts infested, but he could not see the force of declaring the whole Colony infested, when only a little more than a half was really infested.

Mr. LESLIE's (Forbes) motion was put and carried.

Clause 4, as amended, was put to the meeting and carried.

Clause 5.

Mr. ALISON (Canonbar) on behalf of Mr. A. Brown moved the recommittal of this clause with a view to amend the franchise.

From 5,000 to 20,000 sheep	...	...	...	...	3 votes.
" 20,000 „ 40,000	"	...	...	...	4 „
Over 40,000 sheep	...	...	...	...	5 „

Mr. BROOKE (Boggabri) said he would second Mr. Alison's amendment.

Mr. SIDES (Hay) seconded Mr. T. Brown's amendment.

Mr. ALISON (Canonbar) said that it had been decided previously that 3,000 sheep should have two votes and Mr. Brown's amendment would alter that. He did not think that that was right, it was out of order.

The CHAIRMAN said that he could not accept Mr. T. Brown's amendment in that form. Strictly speaking, it was out of order.

Mr. T. BROWN, M.L.A. (Budgerabong), then moved, "That the voting be on the following basis:—

250 to 3,000 sheep	...	...	...	...	1 vote.
3,000 „ 5,000	"	...	...	...	2 votes.
5,000 „ 20,000	"	...	...	...	3 „
20,000 „ 40,000	"	...	...	...	4 „
Over 40,000 sheep	...	...	...	...	5 „

Mr. LESLIE (Forbes) moved an amendment, "That the franchise be as follows:—

250 to 3,000 sheep	...	...	...	...	1 vote.
3,000 „ 10,000	"	...	...	...	2 votes.
10,000 „ 20,000	"	...	...	...	3 „
20,000 „ 30,000	"	...	...	...	4 „
30,000 „ 40,000	"	...	...	...	5 „
40,000 „ 50,000	"	...	...	...	6 „
50,000 „ 60,000	"	...	...	...	7 „
60,000 and over...	...	...	...	...	8 „

Mr. CUDMORE (Wentworth) seconded it.

Mr. LESLIE's (Forbes) amendment was put, and the voting was equal, 15 to 15.

The CHAIRMAN then took a second vote which resulted in Mr. Leslie's amendment being carried by 18 votes to 16.

Mr. ALISON (Canonbar) moved, "That lines 42, 43, 44, 45, 46 and 47 of the original Bill reading as under:—'A Rabbit Board shall, within such time as may be prescribed, appoint one of its members to be Chairman thereof, and if such Board shall fail to appoint a Chairman the Governor may appoint one of such members to be the Chairman of such Board; and the Chairman and other members shall be entitled to receive, out of the revenues of the Board, such fees as may be prescribed,'—be reinserted."

Mr. BAYLIS (Narrandera) seconded the motion.

The CHAIRMAN then put the question, and it was carried.

Clause

Clause 33.

Mr. LITTLE (Bullock Creek North) moved that clause 33 be recommitted with a view to inserting the word "thirty-six" in lieu of "forty-two" in line 34.

The recommittal was carried.

Mr. LITTLE (Bullock Creek North) then moved that "thirty-six" be inserted instead of "forty-two," and said his reason was that since they had fixed the width of the netting they had reduced the size of the mesh and this had made it very expensive. There was no reason why they should put up the extra 6 inches of width when it was only required in certain places such as where there were watercourses and rocky places. In these cases it would take 3 feet of extra width.

Mr. McGRATH (Mossgiel) said that if it were less than 42 inches it would be useless. The rabbits would jump it.

Mr. BAYLIS (Narrandera) said that in the Narrandera district the first that he put up was 36 inches and it had had to be made higher. He himself had seen rabbits jumping up and climbing over the 36-inch netting.

Mr. CUDMORE (Wentworth) said his experience had been the same. Leaves blew up against the fence and sand accumulated, and it was almost useless. If a fence were only 36 inches high it was so low that the rabbits could climb over easily.

Mr. ALISON (Canonbar) supported Mr. Little. In his experience he had never known a rabbit jump over a 36-inch wire netting. He had never heard of it before. They were there to vote a minimum. There was nothing to prevent the people from putting up 5 feet if they liked. They had to make a legal minimum. That was sufficient care of the individual's interest. They should not compel those who were not desirous of having a 42-inch netting to put it up. In many instances there were wires just above the netting which would prevent jumping over. This extra 6 inches would mean enormous expense, and they ought to think seriously before doing it.

Mr. SIDES said he quite agreed with Mr. Alison. He had several miles of 3-foot netting up surrounding crops. It had been up for years, and he had never known a rabbit to go over. While $\frac{1}{2}$ -inch netting at that height was better than 5 feet of $1\frac{1}{2}$ -inch, if 42 inches were made the legal minimum it would be a real hardship to many people.

Mr. DAVIDSON (Condobolin) supported Mr. Little. He thought 36 inches was quite sufficient.

Mr. BRETT (Urana) said that from his experience a 36-inch fence would be simply useless. The rabbits would jump over it in hundreds.

Mr. ROSS (Hume) opposed the motion to introduce 36-inch netting. He had seen them jump over it without touching it at all. He had had experience with both widths, and considered that anything under 42 inches would be perfectly useless.

Mr. BOLTON (Wagga) said they were to propose the most effective way of dealing with the rabbit question, and not to do anything in the way of cheeseparating, and say "possibly" a rabbit would not jump over. They must arrive at something thoroughly effective in every way.

Mr. DILL (Hay) said he could vouch for it that many of the gentlemen present had seen rabbits jumping over 36-inch fences. He had seen them not once, but often.

Mr. ATKINSON said that now that the rabbit stories were badly ousting the snake yarns, he would say that he had had experience with both widths, and his conclusion was that the 36-inch fence was useless. He had taken it down and replaced it with 42-inch, because the rabbits used to go over it.

Mr. LITTLE (Bullock Creek North) said he thought there must be something of the opossum about rabbits that climbed over fences as some gentlemen had said they did.

The CHAIRMAN then put the question of inserting "thirty-six" instead of "forty-two," and the voting was equal, 15 to 15.

On the vote being taken again Mr. Little's amendment was lost by 17 votes to 16.

Mr. ALISON (Canonbar) moved that in line 35 the word "seventeen" be reinserted in place of the word "eighteen," which had been inserted by amendment. He said that over the whole of Victoria and Queensland and New South Wales the gauge was 17, and although he was anxious to make the netting as cheap as possible and the minimum as low as possible, he was inclined to think that they had gone a little too far in deciding for the 18 gauge.

Mr. LESLIE (Forbes) seconded Mr. Alison's motion. He said if 18 gauge were the minimum they would compel a man adjoining to pay for half a fence in which he did not believe, and he thought the man who had to pay had a right to be considered.

The question was put and carried.

Clause 41.

Mr. ATKINSON moved the recommittal of clause 41, with a view to cut out subsections (a) and (b) with a view to the insertion of a fresh clause. The question of recommittal was put and carried.

Mr. ATKINSON then moved, "That subsections (a) and (b) be struck out, and the following inserted:—'(a) A private rabbit-proof fence forms a common boundary fence between private and public lands whether erected before or after the passing of this Act; and (b) Particulars of the said fence shall be furnished to the Minister.'"

Mr. LITTLE (Bullock Creek North) seconded it.

The question was put to the meeting and carried.

Mr. J. FLANAGAN (Gunbar) moved, "That the following be inserted as a new clause:—'A small group of land owners, say five or more, may form their land into a sub-rabbit district, and have full management and control of same for the purposes of the Rabbit Act.'"

Mr. T. BROWN, M.L.A. (Budgerabong), seconded it.

Mr. ROSS (Hume) thought that was dangerous. He did not see why four or five small holders had the right to a district alone more than one large holder.

Mr. ATKINSON did not think it would be possible to make this provision unless they had their own little Stock and Pastures Board to themselves.

The question was put and lost.

Mr. A. L. P. CAMERON (Ivanhoe) moved, "That a new clause be introduced providing that any Rabbit Board be empowered to borrow moneys for the carrying out of this Act, such moneys not to exceed in the whole the revenue of the Board for three years."

Mr.

Mr. ALISON (Canonbar) rose to a point of order. They had decided the previous day that clause 25 should be struck out, and this really proposed to reinsert it.

Mr. M'GRATH (Mossgiel) seconded the resolution.

The CHAIRMAN then ruled it out of order.

The Hon. R. CARINGTON (Jerilderie) then moved, "That the member of the Rabbit Board nominated by the Governor shall not be entitled to act as a member of either the Sheep or the Pastures and Stock Board unless he be duly elected by the existing franchise."

Mr. BROOKE (Boggabri) rose to a point of order.

The CHAIRMAN then ruled the Hon. Rupert Carington's motion out of order.

The Preamble.

A Bill to make better provision for the destruction of rabbits; for the erection and maintenance, and to provide for contributions towards the expence of rabbit-proof fences; to constitute and define the powers and duties of Rabbit Boards; to enable rates to be imposed; to amend the Crown Lands Acts; and for other purposes.

The CHAIRMAN then suggested that the Preamble of the Bill, which had been postponed, should be left to the Draftsmen to deal with.

Mr. ALISON (Canonbar) moved, "That the Preamble be postponed."

Mr. LESLIE (Forbes) seconded the motion, and it was put to the meeting and carried.

Clause 1.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the "Rabbit Act of 1896"; and any references in the Animals Infectious Diseases Act of 1888 to the Rabbit Nuisance Act of 1883 shall be read as references to this Act.

The Rabbit Act of 1890, together with all regulations made thereunder, is hereby repealed.

The repeal hereby enacted shall not of itself—

- (i) abate, prejudice, or affect and proceeding now pending in any Court or before any Local Land Board or other authority;
- (ii) prejudice or affect any proceeding, matter, or thing lawfully done or commenced or contracted to be done under the authority of the said Act or any regulation made thereunder;

and provided always that notwithstanding such repeal—

- (a) all offences committed or penalties incurred against or under the said repealed Act, or any regulation made thereunder, may be respectively tried, punished, enforced, and dealt with as if this Act had not been passed; and
- (b) all rights accrued and obligations incurred under or by virtue of the said repealed Act or any regulation made thereunder shall, subject to any express provision of this Act in relation thereto, remain unaffected by such repeal.

Mr. ALISON (Canonbar) moved that Clause 1, as printed, be passed.

Mr. MOORE (Goodooga) seconded it.

The question was put before the meeting, and it was carried.

Clause 2.

Interpretation of Terms.

2. In this Act, unless the context otherwise requires:—

"Crown Lands Acts" means the Crown Lands Acts of 1884, 1889, and 1895, together with any Acts passed or to be passed for the amendment of the said Acts or any of them.

"Diseases in Sheep Acts" means the "Diseases in Sheep Act of 1886," together with all Acts passed or to be passed for the amendment thereof.

"Governor" means the Governor, with the advice of the Executive Council.

"Holding" means any land or aggregation of lands constituting one property, whether held under the same title or different titles or under titles of different kinds, together with all proclaimed, reserved, or reputed roads intersecting or bounding the same.

"Local Land Board" means the Local Land Board of the Land District in which the land in question is situate, or any Local Land Board duly appointed to act in place of such Board as aforesaid.

"Minister" means the Secretary for Lands for the time being, or any other Minister from time to time charged with the administration of this Act.

"Occupier" means the owner if he resides on the holding, but if not, his resident manager.

"Owner" means—

- (a) the person registered as the holder of any lease or license, or promise of lease or license from the Crown; or
- (b) The person registered as the holder of any purchase, whether conditional or otherwise, from the Crown; or
- (c) the applicant for a homestead selection whose application has been confirmed; or
- (d) The person entitled at law to an estate of freehold in possession in any land granted by the Crown for private purposes; or
- (e) the person in whom is vested any land taken or appropriated under authority of any statute authorising land to be taken or appropriated for the purpose of any private undertaking.

"Prescribed"

"Prescribed" means prescribed by this Act or any regulation to be made thereunder.

"Private holding" means a holding consisting of lands which are not public lands as hereinafter specified.

"Private lands" means lands which are not public lands as hereinafter specified.

"Public land" means—

- (a) land vested in the Crown which is not the subject of any lease or license, or promise of, or agreement for, any lease or license under the Crown Lands Acts or under any other Act authorising the occupation or use of land vested in the Crown, and which is not the subject of any contract for the sale thereof; or
- (b) any land which is the subject of any dedication or permanent reservation for public uses or purposes, not being for a road, whether the said land has been granted for the said uses or purposes or not, and which is not for the time being lawfully held under any lease or license, or promise of, or agreement for, any lease or license.

The CHAIRMAN then suggested that Clause 2 be left to the draftsman to make the interpretations according to the Bill.

Clause 2 was therefore postponed.

Clause 3.

Parts of the territory may be exempted from certain provisions.

3. The Governor may, by proclamation in the *Gazette*, exempt any part or parts of New South Wales to be specified in the proclamation from the operation of the provisions contained in Parts I and II hereof; but any such proclamation may by proclamation be corrected, modified, or revoked.

The CHAIRMAN said they had passed a resolution to the effect that New South Wales should be declared rabbit infested, and this clause 3 gave the Governor power to declare some districts not infested. These two resolutions were therefore conflicting. He thought they ought to cut out clause 3 if the Conference thought that the whole of New South Wales should be under one law without any exemption anywhere.

Mr. ALISON (Canonbar) said it might be desired to declare towns, villages, and boroughs, and so on, to be exempted from the operation of this Act.

The Hon. RUPERT CARINGTON (Jerilderie) thought the clause might read in this way, "the Governor may, by proclamation in the *Gazette*, exempt any part or parts of New South Wales from being declared rabbit infested." He thought it was a most valuable power to give the Governor. It was absurd to declare George-street, Sydney, rabbit infested.

Mr. FREEMAN said he would support Mr. Alison in this matter; it was much better to protect those portions of the Colony that were not at present infested from being open to become infested.

Mr. ALISON (Canonbar) said he wanted to draw the attention of the Conference to the fact that the two clauses were not in consonance. He moved "that the Governor may, by proclamation in the *Gazette*, exempt boroughs, towns, and villages from the operations of the provisions contained in parts 1 and 2 hereof."

Mr. BOLTON (Wagga) thought this Conference should make every feasible suggestion for the suppression of the rabbits. It was just possible that the rabbits might be as thick in a municipality as anywhere else. Mr. Carruthers had said that in Broken Hill they were so thick that the dying rabbits got under the school and it had to be closed. If they removed such a place from the operations of the Act and declared it uninfested they would be declaring an untruth.

Mr. SIDES (Hay) said it would be a mistake to exclude municipalities and towns. He had been in towns very early in the morning, and had seen as many rabbits about the stables as out in the fields.

Mr. HAYES said it was clear that if the Conference had passed a resolution that the whole of New South Wales be declared rabbit infested this clause should be struck out. As far as the municipalities were concerned everyone who knew the country knew that they were just as much infested as anywhere else. The town of Hay had as many rabbits as any other part of that district.

Mr. ALISON (Canonbar) said he had been misunderstood. He only wanted to point out that the two motions were contradictory. He did not mind if it was left one way or the other.

Mr. T. BROWN, M.L.A. (Budgerabong) said it ought to stay as it was. The Minister ought to have power to except certain portions.

Mr. DILL (Hay) proposed that clause 3 be struck out.

Mr. FREEMAN seconded.

The question was put before the meeting, and carried by 25 votes to 8.

Clause 25.

Mr. CAMERON (Ivanhoe) moved the recommittal of clause 25.

Mr. CUMMING (Hillston) seconded the motion.

The question of recommittal was put and carried.

Mr. CAMERON (Ivanhoe) proposed that clause 25 be struck out, and the following be inserted:—
 "That any Rabbit Board be empowered to borrow moneys for the carrying out of this Act, such moneys not to exceed in the whole the revenue of the Board for three years." He said that if they eliminated from the powers of the Board the power to borrow money they would thoroughly emasculate the Bill and make it unworkable. The Rabbit Board must be on the same lines as a Municipal Council. Without giving them the power to borrow money they would be practically useless. With regard to the part of the clause naming three years as the limit, he was not particular on that point. They could amend that in anyway they chose. They all knew perfectly well that the initial expenses of a Rabbit Board or any other Board were very much greater than they had any idea of. The Government would have power to buy wire-netting, and to advance it to those who required it under this Bill, but it was possible that that clause

clause would be rejected by Parliament, and they must make provision in that clause in case it was rejected. They should endeavour to make the suggestions which they drew as acceptable to the country and the Minister and themselves as it was possible to make them. If they objected to the power to borrow three years rates, let a vote be taken as to whether it should be three, two, or one. If the Conference rejected this clause he would endeavour to get what he wished put in the Bill in another form, that is, with two years inserted, and if that were rejected, then with one year; and then if that were rejected, and they adhered to the decision that was given a day or two previously, then he would feel that they had in a measure damned the Bill, and, as Mr. Flanagan had said, they might as well go home.

Mr. BOLTON (Wagga) said he quite agreed with the last speaker. He said that if war were declared against anyone else there would be a large sum of money voted for it, and he said that a large sum of money should be voted to wage war against the rabbits. It appeared to him that they must resist the rabbits at any expense, and should put forth every effort by main force to keep them down. He hoped the operations of this Act would be so successfully carried out that they would have no great call or necessity for borrowing later on, but now they required a large sum to take proper measures. He had great pleasure in seconding Mr. Cameron's motion.

Mr. FLANAGAN (Gunbar) said he would support Mr. Cameron's motion. They were giving certain powers to deal with the rabbits, and one of the powers conferred was that of erecting barrier fences. Now they knew very well that they could not erect barrier fences without money, and rates could only be collected once a year, and one year's rates, he was certain, would not erect much barrier fence. Therefore, if they were going to deal with this national nuisance, they would have to confer a power on the Board to borrow money.

Mr. J. HAYES, M.L.A. (Deniliquin), said that this was a matter which he thought absolutely necessary. Many of the Boards would find it necessary to put a ring fence round their district, and this would cost money. The Conference would therefore act wisely in carrying this motion unanimously.

Mr. CUMMING (Hillston) said that he thought that they were overlooking the fact that the initial expense would be the heaviest of all. They must leave something to posterity. It would be quite safe to give the Boards this power.

Mr. ALISON (Canonbar) rose to oppose the motion. He really thought that Mr. Cameron's allusion to the municipalities was a most unfortunate one, because up to the present moment most of the municipalities in this Colony were bankrupt.

A Member: That is their own fault.

Mr. ALISON (Canonbar) said he thought it might be the Rabbit Board's own fault, too. They might borrow four years' revenue, and they might lay such a burden on the Rabbit Boards that they would have nothing to spend on rabbit destruction for a long time. He really thought they would be acting wisely if they refrained from conferring this power of borrowing. They did not know how far it might be extended if they left this part of the clause in as for one, two, or three years. It might be desirable to leave it in for four years. Very few of them would vote for four years. If they passed the clause allowing the Boards to borrow, as sure as fate four years would be inserted when in Parliament. From the experience of the past history of the Colony of bodies being allowed to borrow, he thought if they had not got the experience now that it was exceedingly dangerous they did not profit by their experience.

Mr. WILKES (Broken Hill) said that they had affirmed the principle of the Boards being elected from year to year, and why should they tie down the Boards in this way? This year the Board would borrow, and next year's Board would be tied down hand and foot.

Mr. ROSS (Hume) said he would oppose the reintroduction of this clause. He thought that it was most dangerous. He considered the main object of the Stock Boards under the Rabbit Bill would be to see that private individuals killed the rabbits themselves. He did not want the Stock Boards to kill rabbits. All the Boards were to do was to see that private individuals killed the rabbits themselves. If they gave the Boards power to borrow they would do it in the most extensive way.

Mr. CAMERON (Ivanhoe) said the case had been instanced by Mr. Alison of the difficulty that had arisen with regard to municipalities borrowing money. If the municipalities had already borrowed too much money that was their look-out, and their own fault. And Mr. Alison's argument, as far as he could see, would apply to any Board in any part of the world borrowing money. Any Board in the world might get themselves into difficulties by borrowing too much money. But they did not necessarily get themselves into difficulties, and notwithstanding the difficulties that the municipalities had got themselves into, nobody in that Conference supposed for one moment that corporate bodies should not have the power to borrow money for some time or other. He was not particular whether it was two years or three years, but he did say that unless they had that power it would be impossible to carry on the business of the Rabbit Board. He thought that Mr. Hayes had put it clearly before the Conference that that Board could not carry on without some borrowing powers. If members had not made up their minds which way they would vote, he implored them to vote to give the Boards some borrowing power.

The question was put and lost by 25 votes to 13.

Mr. ALISON (Canonbar) moved that a committee be appointed to confer with Mr. Alexander Oliver, with a view to drafting the proposals of the present Conference so as to bring them into harmony with one another and with other Acts. That the said committee consist of the Chairman, the Honorable Rupert Carington, Mr. J. M. Atkinson, Mr. Bacon, Mr. T. Brown, M.L.A., Mr. Leslie, Mr. Cudmore, Mr. Freeman, Mr. Flanagan, and the mover, two to form a quorum.

Mr. HEBDEN (Wanaaring) proposed that the resolutions passed by the Conference be handed to Mr. Alexander Oliver, and that he be asked to draft a Bill on those resolutions, and that there be no committee.

Mr. WILKES (Broken Hill) supported Mr. Hebden's motion, and said that if the resolutions were not clear enough to be understood by Mr. Oliver, then it was certain that the committee could not explain them.

Mr. T. BROWN, M.L.A. (Budgerabong), suggested that the Conference should adjourn until Wednesday morning, and that the Chairman should interview Mr. Alexander Oliver, and report to the Conference, on Wednesday morning, how long it would take Mr. Oliver to draft the Bill. They could then come to a decision whether a committee was required or not.

The Chairman then read the following letter from the Secretary of the Board for Exports:—

Department of Mines and Agriculture, Board for Exports, 40, Young-street, Sydney, 15 March, 1897.

Sir,

By direction of the Honorable the Minister for Mines and Agriculture, I have the honor to request the indulgence of your Conference, before closing the session of to-day, in order to lay before the gentlemen present the action being taken by my Board in connection with the export of hares and rabbits.

I shall be in attendance for that purpose.

I have, &c.,

JAS. STEPHENSON,

Secretary.

A. Lakeman, Esq., Chairman, Rabbit Conference.

Mr. T. BROWN, M.L.A. (Budgerabong), said that this was an important matter, and the Secretary of the Board for Exports would be in a position to give them valuable information. He would move that the Conference allow Mr. Stephenson the opportunity of addressing them at the conclusion of the business on Wednesday.

Mr. Brown's motion was carried unanimously.

The Chairman then adjourned the Conference until Wednesday morning at 10 a.m.

SEVENTH DAY—17TH MARCH, 1897.

Mr. Allen Lakeman took the Chair at 10 a.m.

The minutes of previous meeting were read and confirmed.

The CHAIRMAN then reported that he had seen Mr. Oliver; but he could not have the Bill ready until, at the earliest, the beginning of the following week. It would be a rather difficult matter to draft.

Mr. BAYLIS (Narrandera) said, that as many of the delegates were anxious to get home, and it was no use their remaining for another week, he would propose that a sub-committee be formed of five gentlemen to confer with Mr. Oliver, and receive the Bill from him, and present it to the Minister, and to explain the intentions of the Conference both to Mr. Oliver and to the Minister if necessary. He would nominate the Chairman, Mr. Allen Lakeman, together with Mr. T. Brown, M.L.A., the Honorable Rupert Carington, Mr. Alison, and Mr. Bacon as the sub-committee of five to deal with this matter.

Mr. J. M. ATKINSON seconded Mr. Baylis' motion.

Mr. BAYLIS (Narrandera) said that three should form a quorum.

Mr. J. M. ATKINSON thought that one should form a quorum, as it was only a matter of explaining the intentions of the Conference.

Mr. BAYLIS' (Narrandera) motion was then put, and carried unanimously.

The CHAIRMAN then reported that he had received a note from Mr. Alexander Oliver, from which he would like to read them an extract, and which ran as follows:—"I hardly understand what is the intention of the Conference in regard to the constitution of the 'Rabbit Boards.' Referring to clause 5 on the printed amendments—"That for the purposes of the Bill, &c.,"—does this mean that the constitution of the Pastures and Stock Protection Boards is to be altered only for *Rabbit Administration purposes* or *generally* and for all purposes? If the latter, it will be an amendment of the Stock and Pastures Acts, and not of Mr. Carruthers' Bill only. It will, on the other hand, be rather awkward to have the Boards constituted one way for stock purposes, another for rabbits, especially at meetings when business of both kinds is to be transacted."

Mr. ALISON (Canonbar) said he thought the idea, when the clause dealing with that matter was passed, was this, that the Sheep Diseases Directors met and transacted their business, and then the Stock Board met and transacted their business, and then it was the intention he thought, that the Rabbit Directors would meet and transact their business, but they would sit as separate Boards.

Mr. ATKINSON took it that they had to alter the constitution of the Diseases in Sheep Act, as they put in nine men instead of eight. He thought the Government representative would take the Chair on the Rabbit Board and form the ninth man.

The Hon. RUPERT CARINGTON (Jerilderie) said that sitting as they did together there had never been any friction between the Sheep Directors and the Stock and Pastures Directors. They did the sheep business first and the other afterwards. Why should there not be a third section? He did not see that the Government nominee would have any more right to sit as a Sheep Director than the Stock and Pastures Directors had.

Mr. T. BROWN, M.L.A. (Budgerabong), said that this was quite a revelation to him, and to use a hackneyed expression, he did not know where he was on this question. The Minister's Bill provided for a separate Rabbit Board, and it went on to provide that the present Stock and Pastures Board might for the purpose of this Bill be constituted a separate Rabbit Board, that Municipalities might be constituted separate Rabbit Boards according to their areas, and the people affected might come in and require a Rabbit Board to be constituted on an elective basis, independently of the Stock Board or of the Municipalities. These were the provisions of the Minister, and that was the constitution that he was supporting. Now every speech that had been made on the occasion of the passing of that clause was in the direction of giving the Stock and Pastures Board the power to administer this Rabbit Act. It was struck out that the Minister should have no power of constituting, on the wish of the people affected, any other Board but the Pastures and Stock Board to do this work. Now he understood from that position that the wish of this Conference was that the administration of this Act, from the top to the bottom, with the exception of the Municipal Councils, should be part and parcel of the work given to the Stock and Pastures Board, and looking upon it from that standpoint, and knowing the large interests that would be affected by it, and seeing that it was not practically with the province of the Stock and Pastures Board as at present constituted,

constituted, he had set himself the task of liberalising the franchise of the Stock Board not for the purpose of constituting out of the Stock and Pastures Board another Board—the Rabbit Board—but for the general purposes of the Stock and Pastures Act, and that was what he had pointed out to the Conference all along, that to carry out their idea they would have to amend the Pastures and Stock Act and the Diseases in Sheep Act in order to give the rest of the taxpayers a franchise. That would not be necessary if another Board were established to administer this Rabbit Act. Now they had set to work to liberalise the franchise for the Stock and Pastures Board, and they had done so in such a manner, he was inclined to think, that they had liberalised the apex and curtailed the base, and that when it came before Parliament the whole edifice would topple over. They had liberalised the franchise reducing the minimum to 250 sheep, and increasing the voting power from four to eight. Now, if that did not apply to the other functions of this Stock and Pastures Protection Board, in so far as that dealt with Stock and Pastures matters, and Diseases in Sheep matters, then on this basis they were constituting another Board with a different franchise, and it did not follow that the men elected on the one franchise would be the men who would be chosen on the other. What he wanted to know was this: What was the position this Conference intended to take up? The whole thing was fraught with difficulties. The Conference had set out with the idea of placing the whole of the administration of this Bill in the hands of the Stock and Pastures Board, as constituted for Stock and Pastures purposes, but as they had gone on they had lost that idea, and had been working with a view of establishing a separate Board within the Stock and Pastures Board for purposes of administering this Bill. (Members: No, no.) If that was not so, then why was it objected that the Government nominee should not sit upon matters affecting any business but the rabbit business? Would he not be a member of the Stock and Pastures Board? If this combination were not given, his contention was, that they were not placing the administration of this Bill under the Stock and Pastures Board, but they were placing it under a separate Board, with a different function. Now they had got themselves into this very difficult position, and it seemed to him that he was borne out in his contention by Mr. Oliver. Mr. Oliver could not say what was the intention of this Conference. It might be, looking at it from one standpoint, that the Stock and Pastures Board were to administer this Act. But when they came to other provisions in this Bill he could only come to the conclusion that the Stock and Pastures Board as a Stock and Pastures Board were not to administer this Act, that a Rabbit Board which might be a Stock and Pastures Board, and might not be, was to administer the Act. He thought the Conference should rescind the whole of the resolution, and go back to the Minister's proposal. The Stock Boards would be the administering machinery, and it would only be where the people came and asked for some other form of administration to be set up that it would be set up.

The CHAIRMAN said that he would rule any discussion on the matter out of order. Why he read this letter was to show the difficulties which Mr. Oliver had, and the difficulties that the Committee would have, and he thought it just as well to take the sense of the large body of the Conference, as they were there, as to what really was the meaning of that particular section of the Act which they had passed, whether the Stock Boards were to be constituted as a separate Board, or, as Mr. Brown put it, whether the Rabbit Boards were to be handed over to the Stock Boards, and the Stock Boards were to be constituted with a new franchise.

Mr. ALISON (Canonbar) said that he thought Mr. Brown had altogether mistaken what had been said in the morning. The franchise under the Sheep Diseases Act would be altered. The Constitution of the Stock and Pastures Board would be altered. In accordance with their resolutions those people who were Directors under the Sheep Act and under the Pastures and Stock Act would be the Rabbit Board under this Bill for the purposes of this Bill, and then there would be the Government representative who for the purposes of this Bill, for the purposes of the Rabbit Act, would be called in. The Government did not provide any funds under the Stock and Pastures Act, and therefore they should not have a man representing them on the Pastures and Stock Board. It was their intention that when rabbit business was to be discussed the Government representative should enter the room and discuss it. They had not altered anything or proposed to alter anything except to liberalise the franchise. He did not know that he altogether approved of it himself, but it was done and they could not alter it. They did not propose that there should be a separate election for the Rabbit Board. There would be one election for the Sheep Directors and one election for the Pastures and Stock Board Directors, and the whole of these people formed a Rabbit Board, with the addition of one man for the Rabbit Act, and the Rabbit Act alone, to represent the Government.

The CHAIRMAN then said that he thought this was one of the difficulties that Mr. Oliver would have, and he thought that what Mr. Alison had stated simplified the matter, and it should be put to Mr. Oliver that the Pastures and Stock Board were to be elected on the franchise of the new Rabbit Board, so to say, but that they would conduct their own business as a Stock and Pastures Board for themselves, and the Diseases in Sheep Act Directors would conduct their business, and the Rabbit Board would be conducted by the nine members. If that was what the Conference meant he would be glad to have them vote on the question, and he would convey their decision to Mr. Oliver.

The Chairman then took a vote as to whether this view was the view of the Conference, and it was carried.

Mr. CUMMING (Hillston) moved that the following resolution be pressed upon the consideration of the Minister "That the Government should continue to offer a substantial reward for a discovery that would tend to entirely destroy the rabbit pest, and ask the Governments of other colonies to also contribute." He thought that this matter was worthy of their consideration. Science no doubt would step in one day and solve the problem, as it had done already in Europe with regard to the silk industry, which had been saved by science, and in America the citrus industry had been saved by science also. He thought that if this succeeded it would save all the trouble of this Bill or any other.

Mr. FLANAGAN (Gunbar) seconded it. He thought it would be a very wise thing if the expenses could be curtailed by some new invention. It would be a foolish thing if they did not ask the Government to keep on offering rewards for inventions that would deal more effectively than they could with the rabbits.

The resolution was then put to the Conference and carried.

Mr. T. BROWN, M.L.A. (Budgerabong), then moved, "That Mr. Stevenson, the Secretary of the Board for Exports, be now allowed an opportunity of addressing the Conference."

Mr. ALISON (Canonbar) seconded, and it was carried.

Mr.

Mr. STEVENSON said he had no intention of detaining them very long. He came there merely by direction of the Board for Exports, and with the consent of the Minister for Mines, to explain to them on what lines the Board for Exports intended dealing with the rabbits and hares of the Colony. Although the rabbits were under the Lands Department, the hares were under the Department of Mines. He supposed that if they had arrived at a cross-breed it would have to be administered by a third department. The Board for Exports had made certain arrangements, based to a certain extent on the lines adopted in Victoria. About two years ago, when Victoria first took up the export of hares and rabbits, more particularly the latter, they sent a few hundreds of carcasses just as an experiment. It was with great difficulty that the merchants were got to take it up. Last year they sent 1,318,000 carcasses to London, besides about 60 per cent. more, rejects; altogether more than $2\frac{1}{2}$ millions of rabbits were destroyed last year under those arrangements. In January this year they sent 183,000 carcasses to London, bringing back a total return of about £7,250. That was instead of having the pest destroyed by letting the carcasses lie on the ground, they were making a commercial article of them. It was proposed to do the same in New South Wales. The Board for Exports had made arrangements for cold storage, and had imported an expert from Victoria to manage the business. The proposal was that the Board for Exports would arrange for refrigerating chambers built in Sydney, that local refrigerating stores should be constructed in the country, and cool trucks provided on the railways. The country produce would be brought to Sydney, stowed in the freezing chamber, and packed and exported by the Board. The Board for Exports would find all cases, and the cost of these would be included in the charges. The conditions were that the rabbits should be trapped or snared, killed, gutted, and bled, and the liver and kidneys must be left in the carcass. Care must be taken to keep the furs clean, and this could be done by hanging them over rails in pairs. Cases with a rail from end to end, and holding from fifteen to twenty pairs, were the best for this purpose. The carcasses, immediately on being killed, were to be forwarded to the Export Depot by a quick train. The Government expert would receive, grade, pack, and brand them, and the charge for handling, freezing, and shipping would be $1\frac{1}{2}$ d. per pair, cases included. All sweated, damaged, or unsightly carcasses would be rejected, and must be immediately removed by the owner or his agent. The railway rates for hares and rabbits, in not less than 5 cwt. lots, delivered to the Government Export Depot in Darling Harbour, would be:—

		s.	d.			s.	d.
Up to 50 miles	...	6	0	per ton.	Up to 200 miles	...	18 8
" 75 "	...	8	6	"	" 225 "	...	20 0
" 100 "	...	10	10	"	" 250 "	...	21 5
" 125 "	...	12	11	"	" 300 "	...	24 2
" 150 "	...	15	0	"	" 350 "	...	26 11
" 175 "	...	16	10	"	" 400 "	...	29 6

It might be roughly argued that a ton of railway freight would represent about 140 pairs of hares or 340 pairs of rabbits. That was the position up to the present, and the Minister had arranged that he would go with the expert and Mr. Stevenson, and meetings would be held in the country to speak on this question, and to discuss the matter fully there. A meeting would be held in Bathurst on the following Monday, and in other towns at later dates. Information that might be sent to the Board would be received and carefully attended to. They had all preparations made, and they had no doubt that within a few years they would be able to say that scarcely a rabbit could be seen near a railway line where it could be got to the market.

Mr. CAMERON (Ivanhoe) said that he had listened to Mr. Stevenson's remarks with pleasure, but he considered that the rabbits in New South Wales, or in any part of Australia, should not in any way be regarded as a subject for commercial enterprise. To him the rabbit was a scourge that they ought to stamp out by every means that lay in their power. There was no doubt that all those living within the vicinity of railway lines, or even within 20 miles of them, would benefit very much by this, but those portions of the Colony were insignificant in comparison with the large area which was overspread with rabbits, and he did not think that the Conference should recommend anything of that sort. Let them treat the rabbits as their worst enemy, and let them form no portion of any scheme of commercial enterprise in this Colony.

The Honorable RUPERT CARINGTON (Jerilderie) would cordially support the remarks made by Mr. Cameron. He would go even further; he would give any man six months who froze rabbits for export. He would move a resolution, "That it is inadvisable that rabbits should be made an article of export."

Mr. CAMERON (Ivanhoe) seconded the Honorable R. Carington's motion.

Mr. ROSS (Hume) said he felt, like the Honorable Rupert Carington, very strongly on this matter. He thought the Conference last year had passed a similar resolution. The exportation of rabbits was a thing that should not be encouraged. It would be all very well where there were railways and where the rabbits were not too thick, but where the rabbits were numerous they were not fit for export. And if they were to encourage the export of rabbits—to send them home—it would simply be to encourage the breeding of rabbits. Of course, they knew that where those rabbits were caught, and sent home, was where the country was good and the rabbits not so thick. He thought they ought not to encourage this in any shape or form; for wherever a rabbit factory was established, the rabbits would simply increase rapidly. The Government should let the matter alone.

Mr. SIDES (Hay) said he did not think the Conference came here to make rabbits a commercial commodity. They had come here to devise some means to destroy their worst enemy. It was beyond question that they were their enemy, and if rabbits were to be cultivated, they might as well stop breeding sheep; because, if rabbits were exported and put on the market in London, their sheep would come down in value terribly as the meat supply would be so much increased. He thought they should put their faces totally against cultivating rabbits in this way.

Mr. WILKES (Broken Hill) said that the best argument with regard to this was given to the Minister yesterday on the blackberry question. He showed them that there were a number of people who were living, in a manner, on the blackberries. He said they could not help that; the pest must be got rid of. There was one thing Mr. Stevenson had not pointed out. There was only a certain class of rabbits

rabbits that was good for export. In his district there were tanning works, and during the winter months there were no rabbits good for that purpose, because the does were heavy in young and were, therefore, not fit for export. He would most heartily support the Honorable Rupert Carington's motion.

Mr. FLANAGAN (Gunbar) said that the local authorities should see the rabbits were not being kept for commercial purposes in any locality, and when the power was in the hands of any Stock Board it was their duty to see that the rabbits were not kept for commercial purposes, but he thought they were unnecessarily alarmed, and should not prevent a person alongside a railway fetching in an auxiliary to catch rabbits and do the work for him, sending them to Sydney for export and so giving employment to labour. He certainly thought they should not foster the rabbits but the Stock Boards should not interfere with a private individual if he chose to try to make money out of the rabbits he killed.

Mr. T. BROWN, M.L.A. (Budgerabong), said that this was a most extraordinary development. It seemed to him that some of the members had got so completely hypnotised by the idea that the rabbits were to be destroyed by the Rabbit Boards, that they could not conceive of their being destroyed in any other way and turned to some benefit. Now he thought that what Mr. Stevenson had done was simply to show to the Conference how they might in another way destroy the rabbits. He did not propose that the rabbits should be cultivated for export, he proposed to destroy them and convert them into an article for export. One gentleman announced the extraordinary idea that if they put rabbits on the English market the price of sheep would go down. He did not see if they could turn the rabbits into a profitable product for export, why it could not be done as well as sending all the skins as they did now. They skinned the rabbits and exported the skins, so long as it was profitable to do so, and why should they not export the rabbits? If it would interfere with the value of the sheep he would not mind. It would simply be a matter of the survival of the fittest. It seemed to him to be a most extraordinary stand to pass such a resolution as this. He would propose that Mr. Stevenson be thanked for having given them this address, and he would certainly oppose the Honorable Rupert Carington's resolution.

Mr. ALISON (Canonbar) said that without reflecting on Mr. Brown in any way, he thought the picnic the previous day must have affected him. He had been getting hold of the wrong ideas altogether. They were there to consider how to eradicate the rabbit and they only wanted to put their disapproval on anything that would continue the rabbit. If they made rabbits an article of export they might continue for ever, and they were there to destroy them root and branch. They had brought in all sorts of resolutions to make everybody destroy the rabbit, and it would not do for them to say that they had a contract with the Meat Company to supply rabbits for export. He agreed with the Honorable Rupert Carington, and thought that if the factories were put up it would create vested interests. Their situation was different to that in Victoria. In Victoria they were not more than 60 miles from a port and never far from a railway. That made it more profitable. The last resolution passed by the Conference was to the effect that the Government be asked to renew the reward for a means of destruction. It had been stated that the Queensland Government had discovered that they could propagate chicken cholera so effectually as to destroy the rabbits. He supposed that that was the hope of all of them that something of that kind would come about. But seeing the idea was utterly foreign to them he might say that so far as chicken cholera was concerned M. Pasteur found that where he was beaten on that point was purely that the climatic conditions of western New South Wales were fatal to the virus that he was propagating, and that when it had reached a temperature of 110 the virus was destroyed. However, it might be found that a virus could be cultivated that could stand that temperature.

The Hon. RUPERT CARINGTON (Jerilderie) then said that he would like to preface his amendment by moving, "That the thanks of the Conference to Mr. Stevenson be accorded for having so kindly ventilated his views on the subject." His paper was very interesting and they thanked him very kindly for the discussion, although they did not agree with him.

The vote of thanks to Mr. Stevenson was then carried unanimously.

Mr. STEVENSON said that he must have made himself understood very poorly if he did not convey his meaning that they should use all possible means to stamp out the rabbits, and he had suggested this as one of the means adopted with a considerable measure of success in Victoria. Within a few miles of the railway in Victoria they never see a rabbit. However it was no use to attempt to assist men who would not be assisted, and he could only now have the pleasure of conveying the resolution of the Conference to the Minister, and he had no doubt that the Minister would allow the matter to drop into that obscurity which, perhaps, it should never have been brought from.

The Hon. RUPERT CARINGTON's (Jerilderie) resolution that it was not advisable that rabbits should be made an article of export was then put and carried.

Mr. W. LAWRY moved the following resolutions:—

1. "That if the present Act is efficiently administered, no fresh legislation is either necessary or desirable."
2. "That the only means of effectually dealing with the rabbit pest is to *make it worth while* for those holding lands under various tenures from the Crown to undertake the cost and trouble of destruction."
3. "That this can best be done by granting such extension of their tenancies, or such other concessions as may be considered desirable, as will not only induce them to wire-net their boundaries, but also to subdivide with wire-netting. Freeholders will, in their own interests, take such remedial measures as they consider advisable to protect their property."
4. "That as the whole Colony is admittedly over-run, the whole Colony should be declared infested, and the many salutary provisions of the present Act be thus brought into operation."
5. "That in the administration of the present Act the Government should give facilities, if possible by Regulations thereunder, for neighbouring owners, lessees, or licensees to obtain prompt remedies by legal action against one another for breaches of the Act; and it should be provided that all Crown lands, in order to prevent the law being a dead letter, should be treated in exactly the same way as those held by private owners."
6. "That barrier fences having proved to be only temporary expedients no taxation be imposed on the sheep farmer for their erection or maintenance."

7. "That with regard to the unoccupied scrub and inferior lands and resumed areas in the hands of the Crown, the Minister should obtain, if necessary, any special powers required to deal with these areas in a broad and statesmanlike manner in the direction of giving long tenure, with a first charge for cost of improvements approved by the Crown, thus bringing the major part of the lands into productive occupation, making them eventually an asset of value, and causing in the meantime the expenditure of large sums in wire-netting and other improvements, and the consequent employment of large numbers of working men."
8. "That such portions of the above-mentioned lands as are too barren to be utilised in any way, and are found to be dangerous as breeding grounds of vermin, should be fenced off with wire-netting when found to be infested."

Mr. T. BROWN, M.L.A. (Budgerabong), asked the Chairman's ruling as to whether Mr. Lawry was in order in bring in these questions now.

The CHAIRMAN then said that Mr. Lawry would not be in order.

Mr. ALISON (Canonbar) moved, "That Mr. Lawry be heard."

Mr. ROSS (Huene) seconded the motion.

The question was then put, and lost by 13 votes to 10.

Mr. ALISON (Canonbar) moved, "That the hearty thanks of the Conference be accorded to Mr. Allen Lakeman for his services as Chairman." They would all agree that Mr. Lakeman by his keen and quick picking out of the situation had expedited their work in the most astonishing fashion, and he was sure that Mr. Lakeman had enabled the gentlemen present to return to their homes probably a week sooner than any other gentleman.

The vote of thanks was carried with acclamation.

The Conference was adjourned *sine die*.

(No. 1.)

DRAFT of Amended Rabbit Bill embodying the alterations and additions proposed at the Rabbit Conference, together with others consequential thereon, for submission to the Secretary for Lands.

60^o VICTORIÆ, 1897.

A BILL

intituled

An Act for suppressing or checking the Rabbit Pest by means of Local Administration, and by systematic and effective methods ; and to make provision in furtherance of, or in connection with, the said purposes.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

1. This Act may be cited as the "Rabbit Act of 1897."

Short title.

2. The Rabbit Act of 1890, together with all regulations made thereunder, is hereby repealed :

Repeal of Rabbit Act of 1890.

Provided that the repeal hereby enacted shall not of itself—

Proviso.

- (I) abate, prejudice, or affect any proceeding now pending in any Court or before any Local Land Board or other authority ;
- (II) prejudice or affect any proceeding, matter, or thing lawfully done or commenced or contracted to be done under the authority of the said Act or any regulation made thereunder ;

and that notwithstanding such repeal—

- (a) all offences committed or penalties incurred against or under the said repealed Act, or any regulation made thereunder, may be respectively tried, punished, enforced, and dealt with as if this Act had not been passed ; and

- (b) all rights accrued and obligations incurred under or by virtue of the said repealed Act or any regulation made thereunder shall, subject to any express provision of this Act in relation thereto, remain unaffected by such repeal.

New South Wales to be deemed rabbit-infested.
Proviso.

3. For the purposes of this Act the entire territory of New South Wales shall be deemed to be either actually rabbit-infested or liable to become so: Provided always that the Governor may, by proclamation in the Gazette, from time to time, declare exempt from the provisions of Parts I and II of this Act any part or parts of the Eastern Division of this Colony; and may by like proclamation alter or revoke any such proclamation.

PART I.

Rabbit Districts and Boards—Powers of Boards—Rates, &c.

Rabbit Districts.

4. The several Districts for the time being constituted Districts for the purposes of the Diseases in Sheep Acts, and hereinafter referred to as Sheep Districts, shall be Districts for the purposes of this Act.

Constitution of Rabbit Boards.

5. For every Rabbit District there shall be a Rabbit Board, which shall consist of nine members, constituted as hereinafter provided, who shall each hold office for one year:

Provided always that if it should appear to the Governor that the member appointed by the Governor as hereinafter provided has failed to do or is incapable of doing his duty, he may remove such member and appoint a person in his place for the unexpired period of office of the member removed.

Every Rabbit Board shall, within the prescribed time, appoint one of its members to be Chairman thereof, and if such Board shall fail to appoint a Chairman the Governor may appoint one of such members to be such Chairman. Every member shall be entitled to receive, out of the revenues of the Board, the prescribed fees.

Constitution of Rabbit Board.
Quorum.

6. The Rabbit Board of a Rabbit District shall be composed as follows:—

One member shall be appointed by the Governor.

Five members, being those holding office for the time being as Directors of the Sheep District which coincides with such Rabbit District.

Three members, being those holding office for the time being as Directors elected under the provisions of the Pastures and Stock Protection Acts.

Such nine persons shall be the Rabbit Board for a Rabbit District, and five of such persons being present at any meeting of such Board shall be a quorum.

Rabbit Board to be a corporate body.

7. The members of a Rabbit Board shall be a corporate body under the style or title of the "Rabbit Board of District," and under such style or title every such Board shall have perpetual succession and a common seal, and be capable in law of suing and being sued.

The validity of any acts of a Rabbit Board shall not be affected by any informality or irregularity in its constitution; and the fact that at any time all the seats on the Board are vacant shall not of itself operate to dissolve the corporation.

Provisions regulating the Board's transaction of business.

8. A Rabbit Board—

- (a) may employ a Secretary and such other officers and servants as may be necessary, and pay them out of the revenues of the Board:

Board: Provided that all such officers and servants shall be under the exclusive control, and hold office during the pleasure, of the Board;

- (b) shall cause proper minute books to be kept of all its proceedings;
- (c) shall cause true and regular accounts to be kept of all moneys received or paid under the authority of this Act, and shall give the owner or occupier of any private holding within the Rabbit District access thereto at all reasonable hours;
- (d) shall produce for inspection to any person duly authorised in writing by the Minister or the Colonial Treasurer all its books, accounts, agreements, vouchers, letters, or other documents which may relate to any matter under this Act;

9. All fines, penalties, rates, and other moneys received by a Rabbit Board under or by virtue of this Act shall form part of a fund to be called the Rabbit Fund of the District. The Rabbit Fund.

Moneys forming part of the Rabbit Fund of the District may be applied by the Rabbit Board to the payment of any expenses of, or incidental to, the administration of this Act by the Board, or of any costs or expenses incurred in accordance with provisions of this Act, and not otherwise.

The Governor may cause the accounts in connection with the Rabbit Fund of the District to be audited, and the expenses of the audit shall, if the Governor so require, be paid out of the Rabbit Fund.

10. Every Rabbit Board shall in each year make or cause to be made an estimate of the probable sum which will be required (in addition to fines, penalties, and other revenues) for the effective administration of this Act in the Rabbit District; and the said sum shall be raised by a Rabbit Rate upon stock within the District. Rabbit rate.

Subject to the provisions hereinafter contained, the amounts levied under the rate shall be proportionate as far as practicable to the stock returns under the Pastures and Stock Protection Acts—

- (I) The Rabbit Board shall, in the first instance, strike the rate upon an assessment of so much per sheep, but not so as to exceed one halfpenny per sheep in any one year.
- (II) Public lands shall be taken to be capable of carrying one sheep to ten acres, and be rated on that basis.
- (III) Cultivated private lands shall be taken to be capable of carrying one sheep to five acres, and be rated on that basis in every case where no returns for such cultivated lands have been made under the Stock and Pastures Protection Acts:

Provided always that only half rates shall be levied upon any holding now or hereafter enclosed by a fence which, in the opinion of the Board, is rabbit-proof.

(iv) The Rabbit Board shall have access as prescribed to—

- (a) returns of sheep made to Clerks of Petty Sessions and Inspectors of Sheep under the Diseases in Sheep Acts or any other Acts; and
- (b) returns collected by the police or other authorised persons for statistical or other purposes.

11. When the amount payable under the rate upon any holding has been determined the prescribed notice of such amount shall be given to the person liable to pay the same. Notice of amount due under rate to be given.

The amount so determined shall, except in case of appeal, be paid to such person or bank, and on or before such date as may be respectively specified for the purpose in such notice: Provided that the amount may be payable in instalments if the Board so directs.

The person liable to pay such amount shall be the occupier of the holding if the same be occupied, but if not, then the owner thereof; but nothing herein contained shall affect any agreement between landlord and tenant in respect of the said liability.

Rate-book to be kept.

12. Every rate and every determination of the amount payable upon any holding under such rate shall be entered in a book—to be called the Rabbit Rate Book—which shall be kept in the prescribed form and manner; and all persons shall have access thereto at all reasonable times. The said book shall, on the production thereof, be *prima facie* evidence of the rate and of the amount determined as being payable under such rate upon any holding. The Rabbit Board may from time to time make such amendments and supply such omissions in the entries in such book as may be necessary, and no such amendment or omission shall be held to invalidate the rate or any determination of amount: Provided that—

- (a) every person aggrieved or affected by any such alteration shall have the same right of appeal therefrom as he would have had if his name had been originally inserted therein or if no such alteration had been made; and
- (b) except in the case of an amendment rendered necessary by the result of an appeal, the determination of the amount payable shall be taken to have been made at the date of the amendment.

Evidence of rate.
Rate when not
invalidated.

13. The production of a copy of the Gazette containing the hereinbefore required notice of the striking of a rate by a Rabbit Board shall be conclusive evidence that the rate has been duly struck.

No determination of the amount payable shall in any case be held to be invalid by reason of any failure to give notice of such amount in accordance with the provisions hereinbefore contained: Provided always that, except in cases of appeal, proceedings shall not be taken to recover the amount payable in respect of any holding unless and until due notice thereof has been given.

Appeal from rate
to Court of Petty
Sessions.

14. If any person is aggrieved by the amount determined as payable by him under the rate, he may, within twenty-one days after the aforesaid notice has been given, appeal to a Court of Petty Sessions by a notice in the prescribed form, accompanied by the prescribed deposit; and the said Court shall determine the amount payable under the rate, and may order interest to be paid thereon at the rate of five pounds per centum per annum, calculated from the date specified in the notice as the date for payment; and payment of the amount finally determined, with or without interest, as the case may be, shall be made to the person or bank specified in the notice within one month from the date of the final determination thereof.

Recovery of unpaid
rates, &c.

15. Any amount due as Rabbit Rate may be recovered in a summary way before a Court of Petty Sessions.

Any sum due as a Rabbit Rate in respect of any private holding or land shall be, and until the payment thereof, remain, a charge upon the said holding or land.

Rabbit Board may
erect and maintain
barrier fences.

16. A Rabbit Board shall have power to—

- (a) erect a barrier fence on any land, whether public or private, within or without the Rabbit District, and repair and maintain the said fence; and
- (b) utilize and convert into a barrier fence any private fence, whether rabbit-proof or not, on any land within or without such District, and repair and maintain the said fence; and
- (c) erect and maintain a barrier fence across any road or travelling stock route making gates in such fence for the passage of members of the public and their stock; and
- (d) place a rabbit-proof gate in any barrier fence wheresoever the same may be required, and repair and maintain such gate; and
- (e) co-operate with the Rabbit Board of any neighbouring Rabbit District in the construction and maintenance of any such work as is hereinbefore mentioned.

A barrier fence shall be taken to mean a rabbit-proof fence which protects, or will protect from the incursions of rabbits the Rabbit District, or any part thereof, whether erected without or within the boundaries of the Rabbit District; and the decision of the Stock Board that a barrier fence protects, or will so protect, the Rabbit District or any part thereof shall be conclusive of the fact, as against the owner or occupier of any holding or lands within the Rabbit District.

17. If any barrier fence shall be erected by any Rabbit Board on the boundary of any Rabbit District, the Board of the adjoining District shall be liable to pay to such Board as aforesaid half the cost of erection and maintenance of such fence, or such fence may be erected and maintained at their joint expense in accordance with such agreement as they may enter into.

Payment for
boundary fence of
two districts.

18. A Rabbit Board shall not be liable to pay or make compensation for anything lawfully done in exercise of the foregoing powers except where a barrier fence is erected upon any private holding or land so as to cause damage by severance.

Case where compen-
sation given.

The amount of compensation due to any person shall, upon application by him as prescribed, be determined by a Court of Petty Sessions; and in fixing such compensation the said Court may take into consideration and set off any benefit accruing to such person's property by the construction of such fence, and shall have power to award costs to or against any party appearing before it.

19. It shall be the duty of the Rabbit Board to keep in good repair and efficiently maintain—

Barrier fences to be
maintained.

- (a) every barrier-fence erected by it and every fence converted by it into a barrier-fence; and
- (b) every barrier-fence erected or to be erected at the expense of the Crown within the boundaries of the Rabbit District:

Provided always that—

- (c) where any such fence as last aforesaid is along the common boundary of two Rabbit Districts the Minister, if the Boards of such Districts fail to agree in regard to the maintenance of such fence, shall determine which of the two Rabbit Boards shall be charged with the aforesaid duty, and the Rabbit Board charged therewith shall be entitled to receive from the other of such Boards half the annual cost incurred in discharging such duty;
- (d) it shall be the duty of the Railway Commissioners to keep in good repair and efficiently maintain any barrier-fence erected or to be erected at the expense of the Crown along the boundaries of any lands vested in them, but the costs incurred in the repair and maintenance of any such fence shall be a charge upon the Consolidated Revenue Fund.

20. It shall be lawful for the Minister, out of any moneys voted for that purpose by Parliament, to purchase and supply to Rabbit Boards, or to owners of private lands, wire-netting and other materials required in the construction of rabbit-proof fences, and also any machinery, plant, or substances for the destruction of rabbits; and may enter into contracts for the sale or letting out thereof to such Boards or owners: Provided that the repayment of principal and interest thereon shall be on a basis similar to that prescribed by law for payment of principal and interest on conditionally-purchased lands—

Supplying netting
and materials.

that the security for such repayment be a first mortgage on the holding to be wire-netted or supplied with other appliances for the destruction of rabbits;

that the said netting be erected within twelve months after delivery thereof;

that

that the amounts and times and mode of supplying such wire-netting and other appliances be in the discretion of the Minister;

that the letting of machinery or other appliances for the destruction of rabbits be subject to such terms and conditions as may be agreed upon between the Minister and the Boards or between the Minister and the owners of private lands.

Co-operating Board
to contribute toward
barrier fence.

21. Where the Rabbit Boards of neighbouring Rabbit Districts agree in the prescribed manner to co-operate in the erection of a barrier fence for the joint protection of the said Districts, the Rabbit Board which erects such fence shall be entitled to receive from the other Rabbit Board half the cost of erecting the said fence and half the annual cost of maintaining and repairing the same, unless the agreement shall provide for the payment of some other proportion of such costs; and for the purpose of this section the erecting of a barrier fence shall include only the expense of making rabbit-proof any existing fence on the barrier that may be converted into or used as a barrier fence, and of erecting rabbit-proof fences in places on the barrier where such may be necessary.

Arbitration in case
of disputes between
Boards.

22. In the case of any dispute arising between the Rabbit Boards of neighbouring Rabbit Districts as to the payment of any money or the doing of any act required to be paid or done under the provisions of this Act, or as to the carrying out of any agreement between them, the matter of the dispute shall be referred to the Minister: Provided that the Minister before making his award may refer the matter in dispute to any Local Land Board for investigation and report; and may thereupon either make such award himself or refer the whole matter, together with such report (if any), to the Land Appeal Court to make an award. Every such award shall be final and conclusive for all purposes.

Rabbit Board may
require rabbits to be
destroyed.

23. A Rabbit Board may, by notice in the Gazette, specify—

- (a) a date (not being less than two months from the date of the notice) on or before which the owners and occupiers of all holdings and lands within the Rabbit District shall respectively commence the work of suppressing and destroying rabbits on all such holdings and lands; and
- (b) a period during which the said work shall be continued and systematically carried out; and
- (c) the means (being means previously sanctioned by the Minister) which shall be adopted for the carrying out of the said work.

Any such notice, or an abstract thereof, shall also be published in some of the newspapers circulating in the Rabbit District.

The Rabbit Board may also give to the owner or occupier of any holding or lands within the Rabbit District a peremptory notice in writing to take all proper steps in order to suppress and destroy rabbits on such holding or lands, and to adopt such means for the purpose as may be specified in the notice. The expression "proper steps" in this section means such steps as may be deemed proper by the Rabbit Board.

Powers of Board if
owner or occupier
makes default.

24. If any owner or occupier shall neglect or fail to comply with the terms of any notice whether published in the Gazette, or given to him in writing as aforesaid, such person may be summoned to appear before the Rabbit Board, and unless he shall explain his neglect or failure to the satisfaction of the Board, or receives an extension of time to comply with the notice aforesaid, any person authorised by the Rabbit Board may enter upon the holding or land and use all such means and take all such measures and do and perform all and every such acts or things as to him may appear proper or necessary to be done to ensure the destruction of the rabbits upon such

such holding or land, and shall have free right of ingress, egress, and regress into, over, and across such holding or land for such period as may, in his opinion, be necessary for destroying such rabbits: Provided that in any case in which a Municipal Council is such owner or occupier, the Council Clerk shall be the person to be summoned on behalf of such Council, and provided also that—

- (a) poison shall not be used without notice being given to the occupier of the holding or land of the intention to use the same; and nothing shall be done in contravention of the Animals Infections Diseases Act of 1888; and that
- (b) the authorised person may at any time withdraw from the holding or land upon payment of the costs, charges, and expenses incurred by him up to the date of such withdrawal; and that
- (c) nothing contained in this section shall prejudice any proceedings taken under the provisions hereinafter contained for the recovery of any penalty which may have been incurred by an owner or occupier.

25. All costs, charges, and expenses incurred by a Rabbit Board in destroying rabbits upon any holding or land under the foregoing provisions shall be repaid by the owner or occupier of such holding or land, and until the payment thereof shall be and remain a charge upon such holding or land, and shall have priority over all mortgages or other charges whatsoever upon such holding or land, other than debts due to the Crown. In the case of land within a Borough or Municipal District such costs, charges, and expenses shall, until payment, be and remain a charge on the revenues of such Borough or District.

Owner or occupier
to pay expenses
incurred by Board.

26. It shall be the duty of the Minister to suppress and destroy all rabbits which may from time to time be in or upon public lands, but in any case where moneys have been made available by Parliament for the purpose of rabbit destruction, such duty shall not be taken to have commenced until after the expiration of months from the day when such moneys so became available. The Minister may authorise the Rabbit Board to expend such moneys or any portion thereof for the purpose of rabbit destruction on public lands, or may apportion a proportion thereof for expenditure in the erection or repair of barrier-fences, or may make such other arrangements for its expenditure for either or both of such purposes as he may deem necessary or expedient in the public interest.

Minister to destroy
rabbits on public
lands.

27. The fact that Parliament has not appropriated moneys for the purpose of suppressing or destroying rabbits in any Rabbit District, or that moneys are not available for that purpose, shall not exonerate the Minister from liability under this Act as an owner of public lands in any case in which a private owner would be liable in respect of private land: Provided that any claim for costs, charges, or expenses lawfully incurred by a Rabbit Board in the destruction or suppression of rabbits upon public lands shall be enforceable by such Board against the Minister as nominal defendant pursuant to the provisions of the "Claims against the Colonial Government Act," and any Act amending the same. And a Court of Petty Sessions shall be deemed to be a "competent court" within the meaning of the Act thirty-ninth Victoria number thirty-eight: Provided always that it shall be lawful for the Minister in any case to apply to the Land Appeal Court for an order of such Court staying any proceedings taken against him under this section; and such Court may grant such order if satisfied on the evidence before it that—

Liability of Minister
under this Act.

- (a) The Minister has taken, or is about to take, immediate steps for the purpose of suppressing or destroying rabbits on the public lands in question.
- (b)

- (b) The degree to which the public lands in question are infested by rabbits is so inconsiderable that no danger of adjoining lands becoming infested thereby will be incurred for a period of months.
- (c) The public lands in question are being so fenced off, or separated by rabbit-proof fencing, from adjoining lands, as to practically preclude or reduce to a minimum the danger of adjoining lands becoming infested by the rabbits on such public lands.

Any such order staying proceedings under this section shall be under the hand of the President of the Land Appeal Court, and shall be obeyed by the Court to which it is directed, but shall in no case continue in force for a longer period than months from the date of such order.

PART II.

Private Rabbit-proof fences—Grouping of Holdings, &c.

Description of a
rabbit-proof fence.

28. For the purposes of this Part, a rabbit-proof fence shall be some one of the three kinds of fence herein described—

- (a) a substantial fence at least forty-two inches in width hung with galvanised-wire netting of a maximum mesh of one and a quarter inches for the lower width of eighteen inches, and one inch and five-eighths of an inch for the remaining width, the wire in the netting being of a minimum gauge of seventeen, such fence being furnished with suitable rabbit-proof gates or other appliances at every necessary break in the fence: Provided that all other dimensions of such fence, including the height above ground, the depth below ground of the posts thereof and of the wire netting thereon, and all other details in connection therewith shall be in accordance with specifications to be published in the Gazette by the Rabbit Board; or
- (b) a fence erected in accordance with the requirements of the Rabbit Act of 1890 while such Act was in force; or
- (c) a fence reasonably sufficient in the opinion of the Land Board for the purpose of excluding rabbits.

And the date when the rabbit-proof fence was erected or the fence was made rabbit-proof shall be immaterial.

The Rabbit Board of the District within which any fence alleged to be rabbit-proof is situated shall, if so required in writing by the owner of the fence, cause the said fence to be inspected; and if the Rabbit Board, after such inspection, is satisfied that the fence alleged to be rabbit-proof is rabbit-proof it shall grant a certificate to that effect; or if not so satisfied shall specify the repairs or modifications which are required to make such fence rabbit-proof; and when such repairs or modifications have been effected the Rabbit Board shall cause the said fence to be again inspected, and if then satisfied that the fence is rabbit-proof, it shall grant a certificate to that effect.

Upon any proceeding before a Local Land Board in respect of a rabbit-proof fence a certificate by the Rabbit Board that a fence is rabbit-proof shall be *prima facie* evidence of the fact; and evidence in rebuttal shall not be adduced, unless the party intending to adduce such evidence has given to the other party the prescribed notice of his intention to adduce the same.

29. For the purposes of this Part—

- (a) a rabbit-proof fence shall be taken to be on the boundary of any holding or land if it follows the line which is the actual, reputed, or accepted boundary thereof, or where the boundaries are inaccessible or incapable of being fenced, if such fence follows such boundaries as nearly as possible, having regard to the physical features of the country, or if such fence follows any line which in the opinion of the Local Land Board is sufficiently approximate to such boundary; and
- (b) the intervention of a road or water-course (not being a permanent river) shall not prevent holdings or lands being taken to be adjoining.

Definition of
"boundary" and
"adjoining."

30. When any lands are intersected, divided, or bounded by a road or travelling stock reserve or route or public lands, the Local Land Board may grant to the owner of such lands permission to carry a rabbit-proof fence across such road, reserve, route, or public lands: Provided always that rabbit-proof gates be erected at places where the fence crosses such road or route, unless the Local Land Board shall in any case dispense for the time being with the erection of the same. Any permission or dispensation granted under this section may be revoked by the Board upon reference by the Minister or application by any person interested.

Rabbit-proof fence
may cross road.

31. When any Crown lands containing a rabbit-proof fence or portion thereof shall become the subject of any purchase or lease from the Crown, payment for such rabbit-proof fence or portion thereof shall be made in accordance with the provisions of the Crown Lands Acts; but this enactment shall be subject to the following qualifications:—

Rabbit-proof fence
to be an improve-
ment.

- (I) Where any holding or group of holdings has been or shall be made rabbit-proof, the rabbit-proof fence shall be deemed to be an improvement distributed over the whole enclosed area of such holding or group of holdings (exclusive of any roads), so that every portion of such area shall be taken to be proportionately improved thereby.
- (II) The amount so distributed in respect of the improvement shall, in all cases, be limited to one-half of the value of making the fence rabbit-proof: Provided always that if any portion of such rabbit-proof fence is upon or adjoining any land which becomes the subject of any purchase or lease from the Crown the purchaser or lessee thereof shall also be liable in respect of the fence itself.
- (III) No portion of the value of any rabbit-proof fence erected as a barrier fence at the public expense shall be deemed to be distributed in accordance with this section.

32. Any owner, whose holding consists wholly or in part of Crown lands held under occupation license or annual lease, may give notice in the prescribed form to the Chairman of the Local Land Board that he intends to make such holding rabbit-proof; and in any case where notice as aforesaid shall have been given, and such holding shall have been made rabbit-proof in accordance with the terms thereof, such holding shall be deemed to have been made rabbit-proof as from the date of such notice, so far as regards the amount payable for improvements under this Act in connection with any lands which may be withdrawn from occupation license or annual lease by becoming the subject of any purchase or lease from the Crown after the date of such notice: Provided always that the rabbit-proof fence shall be completed within one year from the date of such notice or within such further time as such Board on application may allow; and

Notice of intention
to fence occupation
license or annual
lease, &c.

that

that the liability to pay any moneys under this Act in respect of such rabbit-proofing or any portion thereof shall be suspended, until such fence shall have been completed.

Notice of intention to bring occupation license or annual lease within a group

The provisions of this section shall apply in cases where it is intended to include the lands held under occupation license or annual lease within a group.

Adjoining holdings to contribute half value of rabbit-proof fence.

33. Where a boundary, or any part thereof, of any holding is fenced with a rabbit-proof fence, or a fence on such boundary, or part thereof, has been made rabbit-proof at the expense of the owner of such holding, a contribution towards the cost of the work shall be payable by the owner of any outside holding or lands adjoining the rabbit-proof fence.

The right to receive such contribution shall vest, and the liability to pay the same shall arise, when the then owner of such first-mentioned holding gives to the then owner of such last-mentioned holding or lands the prescribed notice of demand; and from and after the date when such notice is given, the amount of the contribution, or so much thereof as may for the time being be unpaid, shall, until payment, be and remain a charge upon the holding or lands in respect of which such contribution is payable.

The following provisions as to contributions shall apply :—

- (I) A contribution shall be payable only in respect of so much of the rabbit-proof fence as forms a common boundary fence.
- (II) The amount of the contribution shall in every case be assessed according to the benefit derived, and to be derived, from the rabbit-proof fence, and shall in no case exceed half the value of the rabbit-proof fence, or in the case of a fence which does not belong or wholly belong to the owner who makes the same rabbit-proof, such contribution shall not exceed half the value of the work of making such fence rabbit-proof; and such value shall be the value regarded as at the date when the aforesaid notice of demand is given, and as determined by the Local Land Board.
- (III) A contribution shall not be payable in any case where the Local Land Board is of opinion that the rabbit-proof fence has been erected, or the fence has been made rabbit-proof otherwise than *bonâ fide* for the purpose of excluding or destroying rabbits, or unless and until in the opinion of the Local Land Board the holding or lands from the owner whereof the contribution is demanded derives a benefit therefrom.
- (IV) Nothing in the Crown Lands Acts or in the Act ninth George the Fourth number twelve shall relieve any owner from the liability to pay a contribution under this Act.
- (V) It shall be immaterial whether the rabbit-proof fence was erected or the fence was made rabbit-proof before or after the passing of the Rabbit Act of 1890, or before or after the passing of this Act.

Adjoining holding to contribute half cost of maintenance.

34. In any case where a contribution towards the cost of a rabbit-proof fence is to be paid under the provisions of the last preceding section, an annual contribution towards the expenses incurred in the maintenance and repair of the rabbit-proof fence shall also be paid; and for the purposes of such annual contribution the years shall be taken to run from the date or recurring date of the notice of demand required by the said section.

The right to receive such annual contribution, and a corresponding duty to maintain and repair the rabbit-proof fence, shall run with the holding whereof the owner was entitled to receive payment of the aforesaid contribution towards the cost of the rabbit-proof fence; and the liability to pay such annual contribution shall run with the holding or lands whereof the owner was liable to pay the aforesaid contribution towards the cost of the rabbit-proof fence.

The

The amount of such annual contribution shall be one-half the expenses of, or incidental to, the maintenance and repair of the rabbit-proof fence as determined by the Local Land Board.

Nothing contained in this section shall affect any right to an annual contribution towards the cost of the maintenance and repair of a rabbit-proof fence accrued under or by virtue of the provisions of the Rabbit Act of 1890, and the Local Land Board shall have power to assess and determine the amount of any such contribution.

35. Where a private rabbit-proof fence, whether erected before or after the passing of this Act, forms a common boundary fence between private and public lands, and particulars of such fence have been or shall be furnished to the Minister, the same contributions shall be payable by the Crown in respect of rendering the fence rabbit-proof as would be payable by any private owner, and the amount of such contributions shall be determined by the Local Land Board in the same manner as if the said public lands were private lands. The Crown to contribute in certain cases.

36. Where fences within a Rabbit District have, before the commencement of this Act, been rendered rabbit-proof by the expenditure of moneys voluntarily contributed or paid for the purpose by any Stock Boards, or by any persons, the Rabbit Board of the District may apply any moneys raised by rabbit rates within the District in repaying to the said Stock Boards or persons the moneys so contributed or paid by them as aforesaid, or any part thereof, if, in the opinion of such Board, the fences are barrier-fences within the meaning of this Act. Barrier fences erected before the passing of this Act may be paid for.

37. When a ring fence enclosing two or more holdings or any portion or portions thereof is a rabbit-proof fence, made rabbit-proof by agreement between the owners of such holdings, the lands so enclosed shall, with the consent of the Rabbit Board of the District, form a group of holdings within the meaning and for the purposes of this Act. Formation of groups.

Any existing fence or portion thereof may be adopted so as to form part of the ring fence of any group, but not without the consent of any owner of such fence or portion thereof whose holding thereby becomes a holding forming part of the group.

The Minister may agree that any public lands shall be included within a group, and the Crown shall thereupon become liable in the same way as the owner of any holding of private lands within the group.

The Rabbit Board may agree that any rabbit-proof fence used or erected by it may be used for the purpose of the grouping of holdings.

Where any holding has been enclosed with a rabbit-proof fence, and any part of the holding afterwards becomes the subject of any homestead selection, purchase, or lease from the Crown, and is thereby withdrawn from the holding so enclosed as aforesaid, the new holding created by such homestead selection, purchase, or lease, and the residue of the original holding shall be a group of holdings; and any portion subsequently withdrawn from the residue shall also be a holding within the group.

Any group of holdings constituted under the Rabbit Act of 1890 shall be a group of holdings within the meaning and for the purposes of this Act.

When the external boundaries of any holding or group of holdings have been made rabbit-proof, the owner or owners thereof shall not be liable to contribute towards the cost of erecting or maintaining and repairing a rabbit-proof fence around any holding or land situate within such external boundaries as aforesaid, or towards the cost Person not coming within group not entitled to contribution.

cost of making rabbit-proof any existing fence around such holding or land within such external boundaries; and it shall be immaterial whether the said external boundaries have been made rabbit-proof before or after the passing of this Act.

Grouped holdings.

38. A group of holdings shall be deemed to be a single holding so far as regards any such contribution towards the cost of the erection, maintenance, or repair of rabbit-proof fencing as may be payable by or to the owners of adjoining holdings outside the group. And the following provisions shall apply to the holdings forming part of a group, and to the owners thereof:—

- (I) The liabilities of such owners as between themselves, in respect of sums expended or to be expended for the erection or repair of the ring fence, or of amounts paid or to be paid as contributions towards the cost or maintenance of any portion of such fence, shall be proportionate to the respective areas of the holdings of such owners, and in any case of dispute shall be declared by the Local Land Board; and the amount declared by such Board to be payable by any such owner shall be a charge upon his holding.
- (II) The majority in number of the owners whose lands may for the time being constitute a group may, from time to time, by an instrument in the prescribed form, appoint any person to be the secretary of the group; and proceedings may be taken by or against the secretary for the time being of a group, as nominal plaintiff or defendant representing all the owners of all grouped lands.
- (III) In any case where a group of holdings is not known to have a duly appointed secretary or the duly appointed secretary cannot be found, the Rabbit Board of the District in which such group or any portion thereof is situated may designate the owner of any land included within the group to be the nominal defendant representing all the owners of all grouped lands for the purposes of any proceedings proposed to be taken against such group or such owners; and proceedings may thereupon be taken against such owner as nominal defendant in the same way as if he were the duly appointed secretary of the group.
- (IV) In any case where judgment has been recovered against the secretary of a group or other nominal defendant as aforesaid, and has not been satisfied, or where an order for the payment of money has been made against such secretary or other nominal defendant, and has not been complied with, the person entitled under such judgment or order may apply to the Local Land Board to settle the respective amounts to be contributed by the owners of the holdings within the group for satisfaction of such judgment or compliance with such order; and the Local Land Board shall thereupon settle the said respective amounts in proportion to the respective areas of the holdings of such owners; and the person entitled under such judgment or order may take proceedings against each or any of such holders for the amount settled by the Local Land Board.
- (V) If any part of a holding within a group shall be withdrawn from such holding, by reason of its becoming the subject of any homestead selection or purchase or lease from the Crown, or by reason of such holding being subdivided, the new holding created by such homestead selection or purchase, lease, or subdivision shall be a holding within, and forming part of, the group.

- (VI) A holding shall not cease to form part of a group, by reason only of any change of ownership in respect of such holding, or of any other holding within such group; but any owner may, with the permission of the Rabbit Board, and subject to any conditions which it may impose, detach his holding from the group of which it formed part if the boundaries of such holding have been made rabbit-proof.
- (VII) If at any time it shall appear to the Rabbit Board that a group of holdings is too large for the effective destruction of rabbits, and that the owners holding not less than one-half of the grouped lands desire that such group may be subdivided, it shall be lawful for the Board to authorise the subdivision of such group, and to determine the line or lines of subdivision. And the subdivision rabbit-proof fence or fences shall, in all respects, be dealt with as if the same formed part of the ring fence of such group.

PART III.

Destruction of rabbits by owners and occupiers—Offences, &c.

39. It shall be the duty of every owner and of every occupier of any holding or lands from time to time to suppress and destroy, by all lawful means, at his own cost, and to the satisfaction of the Rabbit Board, rabbits which may from time to time be upon such lands, or upon any roads bounding or intersecting the same, or any part thereof.

Duty of occupiers and owners to destroy rabbits.

Any owner or occupier of any holding or lands who fails to fully and continuously perform such duty as aforesaid shall be liable to a penalty on the first conviction of not more than *ten* pounds, and on the second conviction of not more than *twenty-five* pounds, and on the third or any subsequent conviction of not more than *fifty* pounds.

Penalty for default.

40. The Governor may from time to time by proclamation in the *Gazette* declare any animal to be a natural enemy of the rabbit, and prohibit within districts (whether Rabbit Districts or not) to be specified in such proclamation the wilful wounding, killing, or capturing, selling, or disposing of any such animal without a special permit in that behalf, and may from time to time correct, modify, or revoke any such proclamation.

Natural enemies of rabbits protected.

Any proclamation issued under the Rabbit Act of 1890 whereby any animal was declared to be a natural enemy of the rabbit, shall continue in force according to the tenor thereof, unless and until revoked under the provisions of this section.

Any person who without lawful authority (the proof of which shall be on such person) wilfully wounds, kills, captures, or sells or disposes of any animal declared to be a natural enemy of the rabbit shall be liable to a penalty of not more than *twenty* pounds.

Penalty for killing, &c., natural enemy of rabbit.

41. For the purpose of destroying or suppressing rabbits, any owner or occupier, may, at any time, with the consent of the Rabbit Board first obtained, and notwithstanding anything in any Act contained, burn or ignite any straw, stubble, grass, herbage, scrub, wood, or other inflammable material on his land subject to conditions to be imposed by the Board.

Any owner or occupier may burn without notice.

Authorised person
may enter holding.

42. Any authorised person may, on the production of his authority, if demanded by any owner, from time to time enter upon any holding or land with or without assistants, dogs, horses, and vehicles in order to search whether any rabbits are on such land, or to erect or repair barrier-fences or gates, or to examine and inspect land, or for any purpose whatsoever under this Act, and may remain thereon so long, and do all such things as may be necessary or reasonable.

Penalty for person-
ating or obstructing
authorised person.

Any person who falsely represents himself to be or personates an authorised person under this Act shall be guilty of a misdemeanour, and shall on conviction be liable to be imprisoned with or without hard labour for any period not exceeding *six* months, or to pay a penalty of not more than *one hundred* pounds.

Any person who wilfully assaults, obstructs, hinders, or interrupts, or causes to be assaulted, obstructed, hindered, or interrupted, any authorised person in the exercise of any power or authority vested in him by this Act, shall for every such offence if not otherwise specially provided for be liable to a penalty not exceeding *twenty* pounds; and no proceeding for recovery of such penalty nor the payment thereof shall be a bar to any action at law 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.

For the purposes of this section an authorised person means a person having authority from the Minister or from a Rabbit Board, and such authority may be a general authority.

Penalty for
miscellaneous
offences.

43. Any person who—

- (a) wilfully carries, drives, or passes any live rabbit through, under, or over any rabbit-proof fence or gate; or
- (b) wilfully leaves open any gate in a rabbit-proof fence; or
- (c) without lawful authority (the proof of which shall be on such person) wilfully destroys, injures, tears-up, depresses, or removes any portion of a rabbit-proof fence or gate, or excavates under, or in any way tampers with, any portion of such fence or gate, so as thereby to endanger its effectiveness; or
- (d) attempts to do any such act as is hereinbefore mentioned, or procures the same to be done

shall be liable to be imprisoned, with or without hard labour, for any term not exceeding *six* months, or to pay a penalty not exceeding *one hundred* pounds, or both.

A rabbit-proof fence or gate, for the purposes of this section, shall mean a fence or gate apparently intended to protect any land from rabbits, and shall include a barrier fence, or gate therein, and it shall be immaterial whether or not such fence or gate is in accordance with the requirements of this Act.

Penalty for keeping,
liberating, &c.,
rabbits.

44. Any person who without lawful authority (the proof of which shall be on the person claiming to have the same) wilfully liberates or attempts to liberate, or has in his possession any live rabbit, shall be liable to a penalty not exceeding *one hundred* pounds for every such offence; but nothing herein contained shall be construed to prohibit any person from keeping live rabbits in any safe enclosure with the permission of the Minister first had and obtained.

Permission to keep
rabbits.

Penalty for
interfering with
traps, &c.

45. Any person who destroys, injures, removes, or interferes with any trap, snare, poison, matter, or thing which is used or required for the purpose of capturing or destroying rabbits, and which is lawfully placed upon any land for such purpose shall be liable to a penalty not exceeding *twenty* pounds.

PART IV.

Procedure—Miscellaneous provisions.

46. Any proceedings for—

- (a) the recovery of any sum of money, which any person is, pursuant to the provisions of this Act, required or made liable to pay, whether such sum of money be due in respect of rabbit rates, costs of rabbit destruction, contributions towards rabbit-proof fencing, or otherwise howsoever; or
- (b) the recovery of penalties or punishment of offences under this Act or any regulation made thereunder

Petty Sessions to
adjudicate sum-
marily on offences
and money claims.

shall be heard and determined in a summary way before a Court of Petty Sessions in accordance with the provisions of the Act or Acts in force for the time being regulating summary proceedings before Justices.

Where the Court of Petty Sessions, upon such proceedings, adjudge or order any sum of money to be paid and the same is not paid, either immediately after the adjudication or conviction, or within the time then and there allowed by the said Court, payment of the said sum may be enforced by distress and sale of the goods and chattels of the person adjudged or ordered to pay the same in the manner provided by the said Act or Acts: Provided always that nothing herein contained shall affect any other remedy provided in the Crown Lands Acts.

Any person may take proceedings under this Act for the punishment of any offence hereby enacted; but where the land upon which an offence is committed is situate within a Rabbit District any fine or penalty imposed for such offence shall belong and be paid to the Rabbit Board of the District—any law or statute to the contrary notwithstanding—and the Court imposing such fine or penalty shall order accordingly.

47. Any person aggrieved by any adjudication, order, fine, penalty, or punishment made or imposed by a Court of Petty Sessions under this Act, may appeal against the same, and the provisions of the Criminal Law Amendment Act of 1883 in respect of appeals in cases of summary conviction shall extend and apply to every such appeal.

Power to appeal
from Petty Sessions.

48. In any case under this Act where any sum of money is ordered to be paid by a Court of General or Quarter Sessions, and the same is not paid within the period named in such order, it shall be lawful for the person entitled to receive payment of such sum to sue upon such order in the District Court or the Supreme Court.

Action in the
Supreme or District
Court in certain
cases.

49. In any proceedings under this Act, the jurisdiction of the Local Land Board, or Court before whom the proceedings are had, shall not be ousted on the ground that the case raises any question of title to land, or that the defendant does not reside within the boundaries of the jurisdiction of the Board or Court before which the proceedings are had: Provided that in such last-mentioned case the land in respect of which the proceedings are had shall be situated within the boundaries of the jurisdiction of such Board or Court.

Jurisdiction of Court
or Justices not to be
ousted.

50. In any proceedings before a Local Land Board for the determination of any contribution, value, or other sum of money (not being an amount payable under any Rabbit Rate or as compensation by a Rabbit Board), the Local Land Board in determining the sum payable may allow time for the payment thereof, and may determine the instalments by which the same may be paid, and appoint the dates on or before which such instalments shall respectively be paid.

Proceedings before
Local Land Board
and on appeal.

Where

Where any proceedings under this Act are had before a Local Land Board an appeal shall lie to the Land Appeal Court; and the Minister or such Board shall have the like powers of reference to such court so far as practicable, as he or it now has under the Crown Lands Acts; but if there be no appeal or reference the determination or decision of the Local Land Board shall be final and conclusive.

The provisions of the Crown Lands Acts as to procedure to apply.

The provisions of the Crown Lands Acts regulating proceedings before Local Land Boards, and upon appeals and references to the Land Appeal Court under such Acts shall, as far as practicable, be applied to proceedings, appeals, and references under this Act; and for the purposes of proceedings under this Act, the Land Appeal Court and Local Land Boards and the respective members and officers thereof shall have the same authorities and powers as are conferred by the Crown Lands Acts for the purposes of proceedings under the said Acts, and in addition thereto the Land Appeal Court (on appeal) and a Local Land Board shall have power to make such orders as to the costs of any proceedings before the Local Land Board as may appear just.

Whenever any question of law shall arise in a case before the Land Appeal Court, such Court shall, if required in writing by any of the parties within the prescribed time and upon the prescribed conditions, or may of its own motion, state and submit a case for decision by the Supreme Court thereon, which decision shall be conclusive. Every such case shall purport to be stated under this section, and shall state the names of the persons who are parties to the appeal, reference, or other proceeding, and shall be transmitted to the Prothonotary of the Supreme Court to be dealt with as to the setting down of the case for argument, and the hearing of the same, and its return with the decision of the Supreme Court thereon, as the Judges or any two of them shall direct. The Supreme Court for the purposes of this section may consist of two Judges only, and shall have power to deal with the costs of, and incidental to, any case stated under this section as it may think fit.

Authentication of documents, &c.

51. Any notice, information, complaint, agreement, or other document, by or from a Rabbit Board, shall be sufficiently authenticated if it is signed by the Chairman of the Board, or under his direction by the Secretary of the Board, and authority in the Chairman or Secretary to so sign shall be presumed unless and until the contrary is shown; and it shall not be necessary for the Rabbit Board to affix its common seal to any document not being a deed.

Any notice or other document given to or served upon a Rabbit Board may be given to or served upon the Secretary or Chairman thereof.

Service of notices.

52. Any notice given under or for the purposes of this Act, or any regulation made thereunder, may be given in any one of the following ways:—

Personally to the person to whom the notice is addressed.

By registered letter sent through the post and directed to the last known place of abode or of business in New South Wales of the person to whom the notice is addressed.

By advertising the same twice at least in some newspaper circulating in the District in which the lands the subject of such notice are situate, an interval of a week or more being allowed to elapse between such advertisements: Provided that notice shall only be given as last aforesaid when the whereabouts, or the last place of abode or of business in New South Wales, of the person to whom such notice is addressed cannot be discovered by the person issuing such notice.

And

And any notice required by this Act to be given to the owner or the occupier (as the case may be) of any holding or land, shall in cases where several persons are the owners or the occupiers thereof, be duly given if given to one of such owners or occupiers as the case may be.

53. For the purposes of any proceeding under this Act the description of any holding or lands need not be a description by metes and bounds, but shall be sufficient if it make such reference to the holding or land either by name, situation, boundaries, or otherwise, as to allow of no reasonable doubt as to what holding or land is referred to. General description of lands sufficient.

54. Where the name of the owner of any holding is unknown to any person giving notice or taking proceedings under this Act, any notice required to be given may be addressed to the owner as such without mentioning his name, and any order or decision may in like manner be made or given against the aforesaid owner as such. Proceedings when owners unknown.

55. Whenever by any section of this Act, any sum of money is expressed to be charged upon any private holding or land, any person thereafter becoming the owner of such holding or land shall be taken to have notice of such charge, and shall be liable to pay the sum so charged or so much thereof as may for the time being be unpaid as if he were the person originally liable; but nothing herein contained shall operate to discharge the liability of any person originally or previously liable. Effect of moneys being charged.

Whenever any sum of money is charged upon any holding or land, and any portion of such holding or land is detached from the residue thereof by subdivision, withdrawal, or otherwise howsoever, the portion so detached shall be charged with a ratable part of the aforesaid sum.

56. It shall be lawful for any person in whom any holding is vested as mortgagee to add to his mortgage debt any sums expended by, or recovered from, him for the erection or repair, or as a contribution towards the cost of the erection or repair of any rabbit-proof fence upon, near, or for the benefit of such holding; and it shall be lawful for any person in whom any holding is vested as a Trustee to raise the sums required or recovered for any such purpose by mortgage of such holding, in the same way as if a power to mortgage for any or all of such purposes had been contained in the instrument creating or declaring the trusts thereof. Power to raise money by mortgage.

57. Whenever in any section of this Act the expression "prescribed" is used in connection with any matter, and whenever in any section of this Act "regulations" are referred to, the Governor may, in every such case, frame regulations for the purpose of giving effect to the provisions of such section. And for the purpose of carrying this Act into full effect generally the Governor may make regulations which may provide for the enforcement thereof by penalties not exceeding, in any case, *ten* pounds, and shall, upon being published in the Gazette, be valid in law: Provided that a copy of every such regulation shall be laid before both Houses of Parliament within fourteen days from the publication thereof, if Parliament be then in Session, or otherwise within fourteen days after the commencement of the next ensuing Session. Regulations by the Governor-in-Council.

58. In this Act, unless the context otherwise requires:—

"Crown Lands Acts" means the Crown Lands Acts of 1884, 1889, and 1895, together with any Acts passed or to be passed for the amendment of the said Acts or any of them. Interpretation.

"Diseases in Sheep Acts" means the "Diseases in Sheep Act of 1866," together with all Acts passed or to be passed for the amendment thereof.

"Governor" means the Governor, with the advice of the Executive Council.

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- “Holding” means any land or any collection of lands constituting and worked as one property, whether held under the same title or different titles or under titles of different kinds, together with all proclaimed, reserved, or reputed roads intersecting or bounding the same.
- “Local Land Board” means the Local Land Board of the Land District in which the land in question is situate, or any Local Land Board duly appointed to act in place of such first-mentioned Board.
- “Minister” means the Secretary for Lands for the time being, or any other Minister from time to time charged with the administration of this Act.
- “Notification” means notification published in the *Government Gazette*.
- “Occupier” means the owner if he resides on the holding, but if not, his resident manager.
- “Owner” means—
- (a) the person registered as the holder of any lease or license, or promise of lease or license from the Crown; or
 - (b) the person registered as the holder of any purchase, whether conditional or otherwise, from the Crown; or
 - (c) the applicant for a homestead selection whose application has been confirmed; or
 - (d) the person entitled at law to an estate of freehold in possession in any land granted by the Crown for private purposes; or
 - (e) the person in whom is vested any land taken or appropriated under authority of any statute authorising land to be taken or appropriated for the purposes of any private undertaking;
 - (f) in respect to public lands, the Minister;
 - (g) in respect of lands situate within the boundaries of any Borough or Municipal District, the Council of such Borough or District for the time being.
- “Pastures and Stock Protection Acts” means the Act forty-fourth Victoria number eleven, or as amended by the Act forty-fifth Victoria number twenty-three, or any other Act now or hereafter to be passed.
- “Prescribed” means prescribed by this Act or any regulation to be made thereunder.
- “Private holding” means a holding consisting of lands which are not public lands as hereinafter described.
- “Private lands” means lands which are not public lands as hereinafter described.
- “Public Land” means—
- (a) land vested in the Crown which is not the subject of any lease or license, or promise of, or agreement for, any lease or license under the Crown Lands Acts or under any other Act authorising the occupation or use of land vested in the Crown, and which is not the subject of any contract for the sale thereof; or
 - (b) any land which is the subject of any dedication or permanent reservation for public uses or purposes, not being for a road, whether the said land has been granted for the said uses or purposes or not, and which is not for the time being lawfully held under any lease or license, or promise of, or agreement for, any lease or license.
- “Stock Board” means the Board of Directors constituted pursuant to the provisions in force for the time being of the “Pastures and Stock Protection Act” as amended by the Act forty-fifth Victoria number twenty-three, or any other Act.
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*DRAFT of a Bill amending the "Diseases in
Sheep Acts Amendment Act of 1878."*60^o VICTORIA, 1897.**A BILL***intituled*

An Act to amend the "Diseases in Sheep Acts Amendment Act of 1878," in respect of Elections of Sheep Directors thereunder.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

1. For the purposes of the First Election of Directors under the Diseases in Sheep Acts Amendment Act (forty-first Victoria number nineteen) to be holden after the passing of this Act, and for all subsequent Elections of such Directors, instead of the words "five hundred" in section five of that Act, the words "two hundred and fifty" shall be read; and for the purposes aforesaid instead of the First Schedule to the said Act, there shall be substituted the Schedule following, viz. :—

Amendment of Sheep
Diseases Acts in
respect of voters'
qualification and
scale of votes.

FIRST SCHEDULE.

SCALE of Votes which owners or superintendents of sheep stations shall be entitled to record at Elections of Sheep Directors.

250 and not over 3,000 sheep	...	...	...	1 vote.
Over 3,000 and not over 10,000 sheep	...	...	...	2 votes.
Over 10,000 and not over 20,000 sheep	...	...	...	3 votes.
Over 20,000 and not over 30,000 sheep	...	...	...	4 votes.
Over 30,000 and not over 40,000 sheep	...	...	...	5 votes.
Over 40,000 and not over 50,000 sheep	...	...	...	6 votes.
Over 50,000 and not over 60,000 sheep	...	...	...	7 votes.
Over 60,000	...	...	...	8 votes.

2. In any case in which the returns made under the Diseases in Sheep Act of 1866, or any Act amending that Act, are for a less number of sheep than two hundred and fifty, the owners or occupiers of the land in respect of which such returns have been made, shall, if the same be wholly or mainly cultivated lands, have a right to vote at the Elections of Sheep Directors on a scale proportioned to the carrying capacity of such lands; provided that the carrying capacity of such lands shall be taken to be acres to one sheep.

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