



NEW SOUTH WALES – COLONIAL SECRETARY

LETTERS RELATING TO MORETON BAY AND QUEENSLAND RECEIVED 1822 – 1860

LETTERS RECEIVED 1858 AND PAPERS FILED WITH THEM – REEL A2.41 [PART 1] CONTINUED FROM REEL A2.40

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					1858 10 15	At top: "M14439 – 15 th Oct 58" Scab in Sheep Act of 1858 22 nd Victoria No 10	A2.41	001 – 004
					1858 10 13~	Power is given by 15 th Clause to Governor with advice of Executive Council, to appoint in such Sea Port Towns or other places as may be deemed expedient fit persons to be Inspectors for purpose of examining sheep & assisting generally in carrying provisions of Act into effect; & to fix salary or remuneration to be granted to such Inspectors Shall a Circular be addressed to Bench at Chief place of Petty Sessions in each Police District, enquiring if an Inspector be considered necessary & requesting them, if so, to nominate a fit & proper person for appointment Salaries & all other payments under the Act are to be made out of the unappropriated fund raised under Acts 18 Vict No 26 & 19 Vict No 27; but no claim is to be made for any such payment after such fund shall have been exhausted (Sec 19) Shall enquiry be made at Treasury as to amount now at the credit of such fund?		
					1858 10 18	Appointments to be made by Governor General & Executive Council under 15 Section of the Act appear to be intended to be limited to Sea Port Towns & such places as it may be expedient from particular circumstances to have them – as on border between N S Wales & Victoria In the other cases a Circular might perhaps be sent as proposed – a copy of what was written before is enclosed & if sent might perhaps go as altered in pencil & Notes in margins [p 001-002]		
					1858 10 25~	It appears by enclosed Memo from Clerk of Executive Council that Minute for appointment of an Inspector at Brisbane & another for Rockhampton, Wide Bay etc has been sent to Department of Lands & Public Works ["W V" in margin here] & that it has been retained by that Dept as a matter to which it properly belongs. It will therefore only be necessary to send to that Department, the other two applications in this office 58/3158, 58/3723 Put by		
					1858 10 18~	See remark at the end of this Memo		
					1858 10 25~	At top: "M14439" [Memo] Enquire of Mr Merewether what was done in this case as to appointments		005 – 006

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					[no date]	Applications herewith. They were sent by mistake to Land & Works. I have letter? in February? on sending to Lands & Works they tell me that appointments of this nature have always been handled? by them and so <u>they keep them</u> Mr Appel has asked for Brisbane, Mr King for Port Curtis, Rockhampton & Wide Bay <i>[very difficult to read]</i>		
						[PRINTED] At top: "M14439" Supplement to the New South Wales Government Gazette of Friday 8 October, 1858 – No 155 <i>[pp 1633-1638]</i> <u>ANNO VICESIMO SECUNDO</u> <u>VICTORIAE REGINAE</u> No X An Act for the prevention of Scab in Sheep [Assented to 7 th October, 1858] Preamble: Whereas it is necessary to adopt measures for checking the spread among sheep of the disease called the Scab ... Interpretation: 1. The following terms in inverted commas whenever herein used shall bear the meaning set against them respectively if not repugnant to or inconsistent with the context:- "Run" – Any run station or other place where sheep are kept and depastured "Owner" – Any owner proprietor lessee licensee overseer superintendent or person in possession or charge "Sheep" – Any ram ewe wether or lamb "Infected Sheep" – Any sheep infected with a disease called Scab or sheep that shall form part of a flock so infected "Public Road" – Any road or other way ordinarily used by the public for six years at least without successful opposition from the owner of the land or any way over which sheep cattle horses or drays have been usually or commonly driven by the public "Travelling Sheep" – Sheep driven or carried along or over any place other than the run on which they are ordinarily kept and depastured "Destroy" – Entirely to consume by fire or entirely to bury three feet at least under ground <i>[p 008-012 – Running Title at top of these pages: 22^o VICTORIAE, No 10 / Scab in Sheep Act – 1858]</i> 2. Destruction of Infected Sheep – Time frames, penalty, notices to adjoining runs – re disposal of skins & wool in bags or bales – to be marked inn red with letter S 3. Compensation for destroyed sheep – Time frames – Justices in Petty Sessions – compliance – certificate...Schedule hereto marked A – Colonial Treasurer & payment from amount 4. Warrant to examine suspected sheep – Warrant Schedule B – requirements – penalty not exceeding twenty pounds 5. Special Inspector appointed in case of suspicion of infection Bench of Magistrates & jury (not less than four sheep farmers or sheep managers) – Inspector & payment for services - Certificate – Colonial Treasurer 6. Proceedings after examination of sheep - Justices in Court of Petty Sessions – Certificate in form of Schedule hereto marked C – Warrant in	A2.41	007 – 012

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						<p>form of Schedule hereto marked D – penalty not exceeding fifty pounds - time frames – Court of Petty Sessions</p> <p>7. Certificate of cost of destruction - Warrant – Justices in Court of Petty Sessions – Certificate in form of Schedule hereto marked E – Colonial Treasurer</p> <p>8. False report a misdemeanour - Persons appointed by Justices to examine sheep – imprisonment two years with or without hard labour</p> <p>9. Wilfully communicating scab a misdemeanour - Persons guilty – imprisonment - two years with or without hard labour</p> <p>10. Notice to be affixed to run of scab having broken out - Notices at each point of entrance of any public road intersecting the run – details re notice – liability for non-compliance not exceeding fifty pounds</p> <p>11. Penalty for depasturing sheep on infected run - Time frame – penalty not exceeding one hundred pounds & further ten pounds</p> <p>12. Travelling sheep to be branded - Pitch tar or paint – size of brand – penalty not exceeding sixpence per sheep – between runs of same owner not more than forty miles not deemed travelling sheep</p> <p>13. Imported sheep to be reported immediately to Inspector and not to be removed without his certificate - Sheep imported into any seaport – report of importation to Inspector – requirements: shorn then dressed – medicaments – details – penalty not exceeding thirty pounds</p> <p>14. Sheep not to be brought across the boundary from Victoria until certificate obtained from Inspector - Details – penalty not exceeding five shillings</p> <p>15. Inspectors to be appointed - Governor with advice of Executive Council - seaports towns or other places – fund, salary or other remuneration</p> <p>16. Inspectors to enter upon suspected runs and examine sheep Notice in writing to be left at residence of owner – timing - mentions 5th Section – penalty for offences not exceeding twenty pounds</p> <p>17. Diseased sheep travelling may be destroyed - Justices to issue Certificate per 6th section – non-compliance penalty not exceeding five pounds – removal of sheep imprisonment not exceeding one year with or without hard labour</p> <p>18. Inspector liable to penalty for delay or misconduct in the discharge of his duty - Penalty not exceeding twenty pounds</p> <p>19. Fund for carrying Act into effect – Details - Acts of Council 18 Victoria No 26 & 19 Victoria No 27 – fund under warrant of Governor – Colonial Treasurer</p> <p>20. Recovery of Penalties - Justices – details non-payment – imprisonment not longer than six months</p> <p>21. Continuance and Short Title - Until 31st day of December 1860 – cited as “The Scab in Sheep Act of 1858”</p> <p>SCHEDULE A <u><i>Certificate of Destruction of Sheep</i></u></p> <p>SCHEDULE B <u><i>Warrant to Examine Sheep</i></u> [Column headings: General Description of Sheep and Number / Where now running or being / Name of person in ostensible possession / Name of supposed Owner]</p>		

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						<p>SCHEDULE C <u>Certificate of Sheep being infected</u> (To be indorsed on preceding Warrant)</p> <p>SCHEDULE D <u>Warrant to destroy Sheep</u> [Column headings: General Description of Sheep and Number / Where now running or being / Name of person in ostensible possession / Name of supposed Owner]</p> <p>SCHEDULE E <u>Certificate of Costs of destroying Sheep</u></p> <p>By Authority: WILLIAM HANSON, Government Printer, Sydney, 1858</p>		
				Colonial Secretary's Office, Sydney	1855 01 19	<p>[PRINTED] 1855 <u>NEW SOUTH WALES</u> <u>SCAB IN SHEEP ACT OF 1854</u> Ordered by the Council to be Printed, 3rd July, 1855 <i>Abstract of Proceedings with reference to the Appointment of Inspectors, throughout the Colony, for examining Sheep under the Scab Act, 18 Victoria, No 26</i> In accordance with 16th Clause of above Act, following Circular was addressed to Benches of Magistrates throughout Settled Districts, & to Commissioners of Crown Lands beyond the Boundaries</p> <p>"I do myself the honour by direction of the Governor General to call your attention to the 16th Clause of the Scab Act 18 Vict No 26, wherein it is enacted that Inspectors should be appointed <i>*faint pencil note added: in such places as it may be deemed expedient</i> for the purpose of examining sheep and assisting generally in carrying the provisions of the Act into effect; and I am instructed by His Excellency to request, whenever the necessity shall, in your opinion, have arisen for the appointment of an Inspector in your District, that you will report to me the circumstance X at your earliest convenience <i>faint pencil note added: which may seem to you to require such appointment</i> and also whether it will be desirable to unite your District with any and what other District under the same Inspector"</p> <p>"2. I am further to request that, on the occurrence of any such contingency, you will be so good as to submit the name of any person whom you may consider suitable and willing to perform the duties of Inspector" <i>pencil note added: if appointed</i></p> <p>[PRINTED] At top: 2. <u>SCAB IN SHEEP ACT OF 1854</u> The following is the result of the foregoing reference up to the <u>30th June 1855</u> <u>DISTRICT / NUMBER OF SHEEP / NAME OF INSPECTOR APPOINTED / SALARY PER ANNUM/ REMARKS</u> Patrick Plains/ 73,798 / Walter Rotton / £50 / - Yass / 140,129 / Thomas Turner / £75 / -</p>	A2.41	013 – 014

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						<p>Maneroo / 421,659 / Richard Popham / £200 / - Goulburn / 170,603 / Robert John Sheriff / £75 / - Queanbeyan / 152,621 / Patrick Buckley / £80 / - Mudgee / 67,988 / Samuel Ayres / £50 / - Murrumbidgee / 922,255 / John Tucker – John Baker / £200 - £200 / The Murrumbidgee has been divided into two equal parts - the Police Districts of Moulamein & Deniliquin, and the Murrumbidgee portion of the Balranald Police District, being allotted to Mr Tucker, and the remaining portion of the Murrumbidgee District to Mr Baker Sydney, Parramatta, Newcastle, Aldingbourne and Hartley / / // These Benches have reported that no necessity has arisen for the appointment of Inspectors in their respective Districts Maitland / 7570 / / / The number of sheep being small, it was not considered necessary to appoint an Inspector Armidale / 1,074,998 / Lewis Markham / £200 / - Lachlan / 271,927 / Joseph Harrold / £150 / - Wellington/ 49,794 / Francis Sands / £50 / - Tamworth / 520,985 / // The Bench nominated the Chief Constable as Inspector; but as it was considered that his police duties would be interfered with, the Bench was called upon to name some other person Scone and Murrurundi / 157,224 / Henry Newcomen / £80 / - N B The Salaries of the Inspectors range according to the Stock in the District, from £50 to £200 per annum, the latter being the maximum</p>		
				Audit Office, Sydney JOHN STIRLING	1855 06 11	<p>[PRINTED] 1855 NEW SOUTH WALES SCAB IN SHEEP ACT OF 1854 <i>Ordered by the Council to be Printed 21 June 1855</i> RETURN to an Address from the Legislative Council of New South Wales, dated 19 June 1855, praying that His Excellency will be pleased to cause to be laid upon the Table of this House: - “A Return showing the number of diseased sheep already destroyed under the Act of Council, 18 Victoria, No 26, and the amount paid in compensation, specifying the names of the parties compensated, and the districts in which the sheep were destroyed”</p> <p><u>At top: “SCAB IN SHEEP ACT OF 1854”</u> A RETURN showing the number of Diseased Sheep already destroyed under the Act of Council, 18 Victoria No 26, and the amount paid in Compensation, specifying the names of the parties compensated; and the Districts in which the Sheep were destroyed; also, showing the amount of Assessment paid in each District of the Colony NAME OF DISTRICT / NAME OF PARTY COMPENSATED / NO. OF SHEEP DESTROYED / AMOUNT PAID IN COMPENSATION - £sd / TOTAL COMPENSATION PAID FOR EACH DISTRICT - £sd / TOTAL AMOUNT OF ASSSSMENT COLLECTED IN EACH DISTRICT - £sd <i>(Amounts of Compensation & Assessments not noted here)</i> Albury / Robert Brown / 3935 / Messrs Bear & Dunsford / 2034 / Albert / ... / ... / ... / ... / Amount of Assessment noted only ... / / Bathurst /</p>	A2.41	015 - 016

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						W Pringle / 1946 / G Bonnor / 666 / R Bonnor / 112 / W Mackie / 2180 / R T B Walker / 1526 / T Pye junior / 669 / J Mackinnon / 712 / M Kelly / 965 / J S Brown / 852 / T Norris / 3106 Binalong / P Welsh / 590 Bligh / ... / ... / ... / ... / Amount of Assessment noted only Brisbane / ... / ... / ... / ... / Amount of Assessment noted only Braidwood / ... / ... / ... / ... / Amount of Assessment noted only Carcoar / J F Clements / 3242 / Christina Chestrie / 608 / J Grant / 777 / Cassilis / ... / ... / ... / ... / Amount of Assessment noted only Campbelltown / ... / ... / ... / ... / Amount of Assessment noted only Clarence / ... / ... / ... / ... / Amount of Assessment noted only Darling Downs / ... / ... / ... / ... / Amount of Assessment noted only Dungog / ... / ... / ... / ... / Amount of Assessment noted only Grafton / ... / ... / ... / ... / Amount of Assessment noted only Gundagai / J Macdonald / 1960 / Gwydir / ... / ... / ... / ... / Amount of Assessment noted only Goulburn / ... / ... / ... / ... / Amount of Assessment noted only Hartley / ... / ... / ... / ... / Amount of Assessment noted only Ipswich / ... / ... / ... / ... / Amount of Assessment noted only Lachlan / P Malley / 1047 / Liverpool Plains / ... / ... / ... / ... / Amount of Assessment noted only Lower Darling / ... / ... / ... / ... / Amount of Assessment noted only Maneroo / W M Bell / 8176 / Maranoa / ... / ... / ... / ... / Amount of Assessment noted only Moreton / ... / ... / ... / ... / Amount of Assessment noted only Molong / ... / ... / ... / ... / Amount of Assessment noted only Mudgee / W Bowman / 2278 / Murrumbidgee / ... / ... / ... / ... / Amount of Assessment noted only Murrurundi / ... / ... / ... / ... / Amount of Assessment noted only Muswellbrook / ... / ... / ... / ... / Amount of Assessment noted only New England / ... / ... / ... / ... / Amount of Assessment noted only Orange / ... / ... / ... / ... / Amount of Assessment noted only Patrick's Plains / ... / ... / ... / ... / Amount of Assessment noted only Paterson / ... / ... / ... / ... / Amount of Assessment noted only Penrith / ... / ... / ... / ... / Amount of Assessment noted only Picton / ... / ... / ... / ... / Amount of Assessment noted only Rylstone / ... / ... / ... / ... / Amount of Assessment noted only Scone / ... / ... / ... / ... / Amount of Assessment noted only Shoalhaven / ... / ... / ... / ... / Amount of Assessment noted only Wagga Wagga / J Peter / 9605 / J Peter / 3778 /		

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						<p>destroyed 1241 sheep, under provisions of this Act, within 14 days from 22nd day of May last, but that Penrith Bench had refused to grant Certificate to enable him to obtain compensation for such destruction, on the ground that no particular hour had been inserted in notices given, & praying relief <u>Petition received, & referred to Select Committee on this Act</u></p> <p>VOTES No 41, WEDNESDAY, 29 AUGUST, 1855</p> <p>2. Scab Act of 1854: - Mr Morris presented Petition from certain Stockholders & others, in district of Liverpool Plains, approving generally of principle of this Act, but suggesting certain amendments therein <u>Petition received, & referred to Select Committee now sitting on this Act</u></p> <p>VOTES No 65, THURSDAY, 1 OCTOBER, 1855</p> <p>3. Scab Act of 1854: - Mr George Macleay, as Chairman, brought up Report from, & laid on the Table the Evidence taken before, the Select Committee appointed, on 31st July last, to take into consideration the operation of the Act 18 Victoria No 26, if necessary, to amend the same. <u>Order to be printed</u></p> <p>LIST OF WITNESSES</p> <p>Mr Dorsey ... Page 1</p> <p>Mr Lawson Page 4</p> <p>Mr C W Pitts Page 5</p> <p>Mr J D Maclean Page 8</p> <p>Mr L De Salis Page 10</p> <p>Mr J T Baker Page 14</p> <p>Mr E B Boulton Page 15</p> <p>Mr T Walker Page 17</p> <p>Mr J Peter Page 19</p> <p>Mrs Howell Page 21</p> <p>Mr G Campbell Page 23</p> <p>Mr G Lang Page 25</p> <p>The Colonial Treasurer Page 28</p> <p>Letter handed in by Mr Donaldson Page 31</p> <p>Mr John Giblett Page 33</p> <p>The Colonial Treasurer Page 33</p>		
				Legislative Council Chamber, Sydney George Macleay, Chairman	1855 10 11	<p>[PRINTED]</p> <p>1855</p> <p><u>NEW SOUTH WALES</u></p> <p><u>SCAB ACT OF 1854</u></p> <p>REPORT FROM THE SELECT COMMITTEE ON</p> <p><u>THE SCAB ACT OF 1854</u></p> <p>THE SELECT COMMITTEE of the Legislative Council, appointed on 31st July, 1855 "to take into consideration the operation of the Act 18 Victoria, No 26, and, if necessary, to amend and, if necessary, to amend the same," have agreed to the following Report.</p> <p>In pursuance of the duty assigned to them, your Committee proceeded to obtain from gentlemen practically acquainted with sheep farming, their opinions as to the policy and working of the Scab Act passed during the last Session, & their cognizance, so far as it might extend, of the estimation in which the Act is held among those interested, in their respective neighbourhoods. These gentlemen were selected, as far as it was possible at the time in Sydney, with reference to their connexion with the Pastoral Districts</p>	A2.41	019 – 021

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						<p>The result of this inquiry has been, to persuade your Committee that the Act has been founded on correct principles; for, although it has been in existence little more than nine months, the disease, which it was intended to eradicate, & which, at commencement of the year, threatened to overrun the whole country, & reduce its flocks to the hopelessly morbid condition of those of neighbouring Colony of Victoria, has been effectually arrested, while this most desirable object has been obtained without exciting dissatisfaction, except to a very limited extent; in fact, your Committee feel themselves authorized to state their belief, that the Act, in its general tenor, meets with approval throughout the Colony</p> <p>your Committee fully coincide in the views of these gentlemen, and are not disposed to recommend any relaxation in the provisions in question, except so far as regards clean sheep that may have become mixed with flocks known to be scabby, and which under the present Act, are subjected <i>ipso facto</i> to the same treatment as it they were already diseased. Such sheep, your Committee believe, are not necessarily infected, & should not therefore, be so summarily destroyed. In these cases the proprietors, it is clear, for their own interest, will persist in the isolation of the suspected animals, until their freedom from scab can be ascertained</p> <p>[p 2] (<i>summary</i>) Re travelling sheep – imported sheep – introduction of diseased rams from England, transmission by coasting steamers, most disastrous in Northern Districts – sheep from Victoria – powers & duties of Inspectors – to be appointed at Ports of Sydney, Newcastle & Brisbane – Veterinary Surgeons might be appointed, to be paid by fees – Returns for purpose of Assessment - duty of Chief Constable in each Police District</p> <p>[p 3] (<i>summary in parts</i>) Suggestions if adopted will very materially enlarge scope of present Act, recommend, in lieu of bringing in an Act to amend it, said Act be repealed & new Bill be brought in – re evidence of the Colonial Treasurer</p> <p>Discussion re present Act – compensation – assessment etc</p> <p>Bill embodying the alterations which your Committee have agreed to suggest, accompanies this Report</p> <p>Two Petitions for compensation for destruction of sheep, under provisions of this Act, have been referred for the consideration for your Committee</p> <p>Mr Back's case (see Mrs Howell's evidence page 21) seems peculiarly hard, and, under all the circumstances, your Committee are inclined to recommend it to the favourable attention of the House</p> <p>Mr Giblett's claim for indulgence does not appear quite so founded, & your Committee regret that they must decline to being it again under notice</p>		
						<p>[PRINTED] <u>PROCEEDINGS OF THE SELECT COMMITTEE ON THE SCAB ACT OF 1854</u> <u>THURSDAY, 9 AUGUST, 1855</u> Present: Mr Cowper, Mr G Macleay, Captain Dumaresq, Captain Finch, Mr Hood, Mr Icely Mr G Macleay called to the Chair <u>Witnesses Examined – Mr Dorsey, Mr Lawson</u> <u>TUESDAY, 13 AUGUST, 1855</u> Present: George Macleay in the Chair Captain Dumaresq, Mr G Bowman, Mr Hood, Mr Icely, Mr Cowper <u>Witnesses Examined – Mr C W Pitts, Mr J D McLean, Mr Leopold de Salis</u> <u>WEDNESDAY, 22 AUGUST, 1855</u></p>	A2.41	022 – 023

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						<p>Present: George Macleay in the Chair Mr Cowper, Mr Donaldson, Captain Dumaresq, Mr Icely <u>Witnesses Examined – Mr J T Baker, Mr E B Boulton, Mr T Walker</u> <i>THURSDAY, 23 AUGUST, 1855</i></p> <p>Present: George Macleay in the Chair Mr Bowman, Captain Dumaresq, Mr Hood <u>Witnesses Examined – Mr J Peter</u> <i>THURSDAY, 30 AUGUST, 1855</i></p> <p>Present: Charles Cowper in the Chair Captain Dumaresq, Mr Icely <u>Witnesses Examined: Mrs L Howell, Mr G Campbell</u> <i>WEDNESDAY, 5 SEPTEMBER, 1855</i></p> <p>Present: George Macleay in the Chair Captain Dumaresq, Mr Icely, Mr Bradley, Mr Hood <u>Witnesses Examined: Mr G S Lang and The Colonial Treasurer</u></p> <p>[p 2] <i>TUESDAY, 25 SEPTEMBER, 1855</i></p> <p>Present: George Macleay in the Chair Mr Cowper, Captain Dumaresq, Mr Hood <u>Committee deliberated and adjourned</u> <i>WEDNESDAY, 3 OCTOBER, 1855</i></p> <p>The Chairman was in attendance, but not being able to form a quorum, the <u>Committee did not meet</u> <i>FRIDAY, 5 OCTOBER, 1855</i></p> <p>Present: George Macleay in the Chair Captain Finch, Mr Cowper, Mr Hood, Mr G Bowman, Captain Dumaresq, Mr Donaldson Witness Examined – Mr John Giblett</p> <p>1. It was Resolved, that the Petition from Mr John Giblett could not be entertained by the Committee, but that from Mr Robert Sutton Back be favourably recommended to the consideration of the Council</p> <p>2. The Chairman submitted a Report to the Committee, and moved that the same be adopted</p> <p>Question put Committee divided Ayes 3 – Captain Finch, Mr Hood, Captain Dumaresq Noes 3 – Mr Cowper, Mr Bowman, Mr Donaldson The votes being equal, Chairman gave his casting vote in favour of the <u>Report being adopted, & declared question to be carried in the affirmative</u> <i>WEDNESDAY, 10 OCTOBER 1855</i></p> <p>Present: George Macleay in the Chair Mr Martin, Mr Hood, Mr Donaldson Witness Examined – The Colonial Treasurer</p>		
						<p>[PRINTED] <i>1855</i> <u>NEW SOUTH WALES</u> MINUTES OF EVIDENCE TAKEN BEFORE THE SELECT COMMITTEE <u>ON THE SCAB ACT OF 1854</u> <i>WEDNESDAY, 9 AUGUST, 1855</i></p> <p>Present: Mr Cowper, Captain Dumaresq, Mr Finch, Mr Hood, Mr Icely, Mr Macleay G MACLEAY, IN THE CHAIR</p>	A2.41	024

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						<p>William McTaggart Dorsey, called in and examined: – [Margin: W McTaggart Dorsey] 1. <i>By the Chairman</i>: Resident & proprietor of sheep, Moreton District? Moreton Bay & Leichhardt Districts, have no sheep in Leichhardt 2. Is disease called scab in these districts? Lately in station belonging to Mr Lawson, killing sheep 6 weeks ago 3. How has disease been introduced? By contagion from imported rams 4. <i>By Mr Cowper</i>: Did Mr Lawson receive compensation? Full compensation 5. Was wool taken from sheep before compensated? Not on station, cannot speak on that point 6. When were sheep destroyed? Disease broke out twice. At the time I was in Sydney with Mr Lawson, anxious to go home, destroyed remainder some 2 or 3 thousand sheep 7. Do you know whether wool taken? On shearing scab discovered, do not know, under circumstances would have taken wool to market 8. <i>By Mr Finch</i>: Scab discovered on regular shearing? Yes, intention of Act re saving of portion of sheep 9. <i>By the Chairman</i>: Do you think wool from diseased sheep danger to neighbours? I do, mercy of servants 10. <i>By Mr Cowper</i>: Object of Act defeated if transport of wool allowed? Tallow might be saved, three or four shillings per sheep, by skin alone disease is conveyed 11. <i>By the Chairman</i>: Danger of sheep escaping during boiling down, carrying disease to neighbours? No danger, would keep kidney fat 12. Are there some stations without boiling down apparatus? Fat might be saved 13. Boiling down without remuneration or destroying them & claiming remuneration? Rather have it fixed by law to take remuneration – discusses assessment, private association [p 2] 14-18. Private association, Ipswich? Yes, it failed – committee, storekeepers, persons unacquainted with sheep, animosity – Mr McTaggart's sheep destroyed, not compensated – bankrupt association – I refused to sign deed of settlement – succeeded in eradicating disease 19. <i>By Capt Dumaresq</i>: It induced people to kill their diseased sheep? Yes, disease broke out in four runs - Mr McTaggart's, Mr Prior's, Mr Heley's, Mr Lawson's – Government compensation, private enterprise 20. <i>By Mr Cowper</i>: Introduction of disease from imported rams? No Inspector, information under Act, German rams destroyed 21. Inspector at port? No, should be one for port & district, to remove imported sheep once examined & passed 22-28. <i>By the Chairman</i>: Amend Act, imported sheep – dipped, inspected quarantined - Steamers are pest houses – scab, northern country - Medical man, disease originated, New South Wales – imported, Northern District spontaneous – mischievous servants mixing sheep 29-31. <i>By Mr Cowper, the Chairman</i>: First clause of Act, sheep diseased, destroyed 6 weeks – killed promptly – danger of communicating disease 32-33. <i>By Mr Cowper</i>: By 20th clause, sheep destroyed 14 days – authority to kill, Bench, Leichhardt nearest Bench Gayndah 200 miles – clause oppressive</p>		025

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						<p>34-37. <i>By Mr Finch, the Chairman</i>: Sufficient time – killed within a month, if no Inspector, 2 or 3 magistrates to report – concealment of diseased sheep, have Act, will destroy sheep – three weeks inspecting & killing</p> <p>38-39. <i>By Capt Dumaresq</i>: curable disease – sheep farming systems, vegetative system, new regime, large flocks, labour scarce, curing process [p 3]</p> <p>40. <i>By the Chairman</i>: Intermediate Districts, different flocks, same runs</p> <p>41. <i>By Captain Dumaresq</i>: hired servants, curing process, objection</p> <p>42-45. <i>By Mr Cowper</i>: Object to employment - exposure to arsenic or oxy-muriate of mercury – cure disease, small flocks, extensive country – four shillings a head for diseased sheep</p> <p>46-49. <i>By the Chairman, Mr Cowper</i>: Act popular, sheep farmers - Northern District – some improvement desirable - animal skin, fat – re law</p> <p>50. <i>By Chairman</i>: compensation, tallow saved</p> <p>51. <i>By Mr Cowper</i>: scabby sheep, Moreton Bay - disease extirpated – re penalties</p> <p>52-56 <i>By the Chairman</i>: Inspector, Moreton District – appointed one under own little Act – Inspector, Circulars to Benches, competent person - £200 a year – dreadful tribunals, Squatting Benches – bribery – Police districts, expense, Inspector, £200-£250 year</p> <p>57. <i>By Mr Cowper</i>: respectable man to be at port, sheep landed – suspected, dipped</p> <p>58-61. <i>By the Chairman</i>: duties of Inspector laid down in Act – Magistrate, re Act – Inspectors powers, travelling sheep – Crown Land Commissioners</p> <p>62. <i>By Mr Finch</i>: Re powers – to stop sheep anywhere</p> <p>63. <i>By the Chairman</i>: power to enter private properties</p> <p>64-65. <i>By Mr Cowper</i>: large flocks – assessment</p> <p>66-67. <i>by the Chairman</i>: sheep proprietors to north, increased assessment [p 4]</p> <p>Alexander Robertson Lawson, called in and examined: - [Margin: A. R. Lawson]</p> <p>1. <i>By the Chairman</i>: resident Northern District? Burnett District</p> <p>2-4. <i>By Mr Cowper</i>: Scab - lost 22,000 sheep – re Act, effect - absent (in England)</p> <p>5-6. <i>By the Chairman</i>: Extensive runs at Burnett - Scab, compensation, cure disease, modes of dressing – re northern climate, eradication</p> <p>7. <i>By Mr Hood</i>: Sheep removed – disease more virulent in south</p> <p>8. <i>By the Chairman</i>: Curing, servants to dress sheep – shortage, carelessness</p> <p>9. <i>By Mr Finch</i>: Tallow saved - caul & kidney-fat</p> <p>10. <i>By Mr Cowper</i>: Wool taken before destroying sheep - labour market</p> <p>11-13. <i>By the Chairman</i>: scab, cutaneous disorder, disease in skin, hazardous to save wool, value of tallow, compensation</p> <p>14-18. <i>By Mr Cowper, the Chairman, Mr Hood</i>: values of destroyed sheep – northern district – introduction of disease</p> <p>19-22. <i>By the Chairman, Mr Finch, Mr Icely</i>: Inspectors powers – private properties – notice to proprietor, overseer</p> <p>23. <i>By Mr Hood</i>: compensation, sheep driven – not if diseased</p> <p>24-26. <i>By the Chairman</i>: consideration of Act – amendments – popular in north</p> <p>27-29. <i>By Mr Cowper</i>: policy of Act approved of, destruction of sheep, compensation – compensation too small – re taking of wool</p>		026
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						<p>-----</p> <p>[p 5] TUESDAY, 14 AUGUST, 1855 Present: Mr G Bowman, Mr Hood, Mr Cowper, Mr Icely, Captain Dumaresq, Mr G McLeay G MACLEAY, IN THE CHAIR</p> <p>[p 5] Charles William Pitts, called in and examined: – [Margin: C W Pitts] 1-3. <i>By the Chairman:</i> sheep proprietor – Moreton Bay & Darling Downs – south country also? Murrumbidgee 4-15. <i>By the Chairman, Mr Hood:</i> scab in sheep – disease in his district, Moreton Bay. northern districts – sheep landed from steamers, imported rams into Wide Bay; Darling Downs – brought into district from New England – northern districts, general opinion of Scab Act of 1854; funds raised for destruction of sheep scabbed - £3000 raised in northern districts – 15 or 20 thousand sheep destroyed on 3 stations – Mutual Insurance Society – broken down, ceased when Act in force – member of committee 16. <i>By Mr Cowper:</i> parties subscribed paid up? - refused when Act introduced – Mutual Insurance Company 17-26. <i>By the Chairman, Mr Cowper:</i> discussion re Act & private associations beneficial – tax – unanimity northern districts – meeting in Sydney similar association – southern squatters refused to join 27-29. <i>By Mr Bowman, the Chairman:</i> subscribers – the Society – funds – remaining shareholders 30-33. <i>By Mr Bowman, the Chairman:</i> £3 thousand sound sheep – value of sheep destroyed – compensation 3 shillings 6 pence per head – allowed to skin & boil down sheep – Society – fleece & tallow in addition to compensation – diseased sheep, dangerous to neighbouring flocks</p> <p>[p 6] 34-40. <i>By the Chairman (contd), Captain Dumaresq:</i> 3rd clause of Act – sheep infected – destroyed within 14 days – report of Inspector 41-43. <i>Captain Dumaresq, the Chairman:</i> disease curable – risk – efficacious to destroy sheep – effect 10 years ago Darling Downs district – 2 or 3 flocks destroyed – scabby with catarrh – 2 flocks cured of scab – dressing of mercury – risk much greater now – runs fully stocked 44-47. <i>By the Chairman, Mr Hood, Mr Icely:</i> labour – good scabbers – difficult to procure throughout Colony – at their mercy 48-49. <i>By the Chairman:</i> proprietor of diseased sheep better off when sheep destroyed – 4 shillings a head compensation – risk in retaining them, chance of cure 50-54. <i>By Captain Dumaresq, the Chairman:</i> sorry if Act repealed? – neighbours subscribed funds to destroy diseased sheep in Northern districts – nine-tenths of squatters in Northern districts in favour of Act – complaints re short time for killing of sheep, no other 55-63. <i>By the Chairman (contd), Mr Icely:</i> private association – advantage of wool & tallow – query re permission in Act? – decision of Inspector – tallow, skin, <i>acarus cutaneous</i> – boiling, killing, risk – caul & kidney fat – carcass roasted, fat – burning, tallow – South America, tallow from sheep – tallow, roasting, burning, boiling, boiling apparatus</p> <p>[p 7]</p>		028
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						<p>64-69. <i>By Captain Dumaresq, the Chairman, Mr Hood:</i> Campbell has travelling boiling down apparatus – sheep, seven shillings if boiled down – risk – caul & kidney fat saved – compensation four shillings – eight shillings, Mutual Assurance Society – saving of skin, danger in sheep to be boiled down, caul & kidney fat – safe operation – compensation</p> <p>70-75. <i>By Mr Bowman, the Chairman, Mr Icely:</i> skins, packed in bales under cover, hides & tallow – risk – run with diseased sheep, unsafe for some months – particles of wool & cuticle, acari or eggs, left on bushes & ground – contagion – scabby skins – dogs, drays, road side – skinning, insect dies – live wool, live sheep, live insect – skin or fleece live animal – moisture in skin, skin dirt, insect – scabby sheep</p> <p>76-79. <i>By the Chairman, Mr Hood:</i> 16th clause of Act – Inspectors to have authority greater than ordinary constables – magistrates – power – duties defined – power of examining all sheep – without notice to proprietor – other duties of Inspectors to be defined in Act – no further suggestions</p> <p>80-85. <i>By the Chairman, Mr Hood:</i> Suggestions re Act generally – travelling sheep, tarred brand – proper parties to take office of Inspector – men of integrity, knowledge of disease – to be paid, men of right stamp – travelling sheep, pass from Inspector of district – difficult – start sheep at once in order to take advantage of market, weeks pass, no Inspector's certificate – branded</p> <p>[p 8]</p> <p>J D Maclean, called in and examined: - [Margin: J D Maclean]</p> <p>1-2. <i>By the Chairman:</i> resident in Northern districts – since 1843, occupation of grazier, came to Colony 17 years now, all his life spent as a grazier, left school 15 years of age, sent into bush, lived there ever since – Acquainted with sheep farming in Scotland? too young when left home, father a sheep farmer north of Scotland, his experience entirely in this Colony</p> <p>3-14. Acquaintance with scab disease? first sheep diseased, cured with difficulty; shifted from original run to new country, never occupied – small number – diseased sheep in large flocks, scarcity of labour, hopeless to cure them – cost of curing them: labour cheaper, had convict labour – despite cheap labour, medicines, different appliances, cost 15 pence a head in curing. Value of wool lost – total cost of disease per head – lost one third of wool of those sheep every year – cost of dressing & loss of wool: loss of two shillings per head in year – half annual value, rather have a thousand clean than two thousand unclean sheep – glad to take half the value & destroy them – present time advantage to take half value of clean sheep – difficulty of curing disease much greater now</p> <p>15-23. Parties who destroy diseased sheep under Act - wool & tallow saved – dangerous clause to be introduced into Act – Act passed to extirpate disease - compensation – every sheep destroyed, expeditious manner, least chance of disease lying dormant – diseased sheep destroyed, take half price – inside tallow – system roasting & boiling down, wool, skin</p> <p>Third clause of Act – fourteen days sufficient time after disease known in flocks – how existence of disease be ascertained, clause vague – proper expression: after sheep were known to be infected – fourteen days sufficient? General object of Act, to prevent spread of disease</p>		031

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						<p>Sheep diseased – better for proprietor that they be destroyed at once – greater length of time sheep kept, greater danger for neighbouring flocks [p 9]</p> <p>24-26. <i>By Mr Bowman</i>: opinion re compensation, four shillings diseased sheep – sufficient <i>By the Chairman</i>: If too high, rise to dishonesty – penalty – management of flocks</p> <p>27-28. 16th clause of Act, power of Governor to appoint Inspectors – specific powers to examine sheep – power to stop travelling sheep, to come onto runs, information from responsible party flocks doubtful, reason to believe they were diseased</p> <p>29-30. <i>By Captain Dumaresq</i>: To see proprietor before entering or person in charge – overseer</p> <p>31-35. <i>By the Chairman</i>: inspect travelling sheep, not to be put in yard – danger, convey disease – Inspectors full power to overhaul all travelling sheep</p> <p>36-38. <i>By Mr Bowman, Mr Icely, the Chairman</i>: notice to driver of sheep – Inspectors – sufficient power to inspect travelling sheep, destroyed at once if diseased</p> <p>39-40. <i>By Mr Icely</i>: Curing disease – sheep die after dressing, depends on weather, heavy rain – die in great numbers</p> <p>41-48. <i>By the Chairman</i>: disease arises spontaneously? Thinks not; cases of scab arisen from contagion, disease in cured sheep – moved them from Bathurst to New England – similar climate – under same general treatment at both places, disease did not break out again</p> <p>49-55. re Act, proprietors of sheep – confidence? unpopular? – some objections – sheep proprietors of southern district – general principle of Act? Yes, Act entirely – numbers for & against? only one objected to it altogether, all the others were in favour [p 10]</p> <p>56-58. To carry on assessment for another year – not oppressive if Act carried out faithfully – should disease spread, higher assessment to stop horrid scourge – was one of parties joining association at north to eradicate disease without assistance, paid share for first flocks with disease to northward – compensated parties with diseased sheep, Government compelled us to pay again</p> <p>59-62. Private association for eradication of disease in north, similar associations in other districts? Government measure more efficacious than private enterprise – discuss; general Act like this desirable? Yes, little complaint by residents from northward</p> <p>Suggestions on subject? Whole of carcase to be made use of in diseased sheep being allowed – fraught with several evils, boiling down, compensation, loss of time, risk of infection, Act can hardly be too stringent – object the eradication of malignant disease “scab” – Act at present more efficient than if weakened by proposed alterations</p> <p>-----</p> <p>Leopold de Salis, called in and examined: - [Margin: L De Salis]</p> <p>1-12. <i>By the Chairman</i>: Sheep proprietor in Lachlan & Murrumbidgee Districts? Acquainted with disease called Scab in sheep? Yes - seen a little of it, drawn up observations to hand to Committee (<i>witness handed in same, vide Appendix</i>), recent introduction in our districts by travelling</p>		032
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						<p>sheep purchased at Richmond Common, great breeding place of scab. Great pest-house? Yes, sheep should be burned. Disease introduced in last 12 months? Within 9 months, totally destroyed two large establishments. If Scab Act 1854 not in operation disease would have spread? Over every sheep farm in district. Sheep farmers would have been ruined? Several establishments with disease, stopped at once by Act. Feeling of alarm excited in Murrumbidgee district, would people have formed associations? Difficult to do, might have done, many proprietors not resident, others with narrow & contracted views. Collect assessment? Not without sanction of Act, majority probably would admit justice of such assessment, would have declined subscribing, doubts of success. Murrumbidgee district free from scab, exception of parts near Port Phillip? No scab for many years, since Mr Manning cured his sheep twelve years ago, scab does not arise spontaneously, during 14 years, seen sheep neglected in cold & wet country, never knew scab to arise. Where broken out, from contagion? Clearly. Possible to cure sheep diseased? Practically impossible.</p> <p>[p 11]</p> <p>13-15. Difficulty getting fresh runs & finding persons to undertake cure? expense – scabby sheep, if no Act in operation, cheaper to kill - discuss</p> <p>16. Re Act, approval in his neighbourhood? – heard gentleman against in Sydney, since signed petition</p> <p>17-19. Murrumbidgee District – Act boon, assessment not objected to</p> <p>20. <i>By Captain Dumaresq</i>: Expenses, Act – Sydney, sheep proprietors</p> <p>21-22. <i>By the Chairman</i>: Magistrates, re compensation to negligent proprietors, proof of negligence – proof sheep visited, symptoms of scab, scratching, notice to overseer – rule only applies if disease arose spontaneously, spreads gradually</p> <p>23. <i>By Mr Bowman</i>: If in time, possible to cure disease at first introduction to flock – examining, destroying or specking each sheep, symptoms, no trustworthy servants</p> <p>24. <i>By the Chairman</i>: import disease, negligence – in general among flocks for long time before reported – shepherd never seen disease, overseer unaware, symptoms of scab not explained to shepherd</p> <p>25. <i>By Capt Dumaresq</i>: management of sheep – observe sheep scratching</p> <p>26. <i>By the Chairman</i>: Scratch, grass seeds</p> <p>27. Dangerous power to give Bench of Magistrates if disease arises spontaneously? Scab does not arise spontaneously – scab in flocks for 6 months stopped by cutting off one flock, country expense paying for 40 or 50 thousand sheep, disease does not spread over whole establishment unless gross negligence – to prevent negligence has written suggestions, handed to Committee</p> <p>28. Governor General, optional power to refuse compensation, suspected partiality of Bench or subsequent proof of negligence – Bench of Magistrates empowered to order six or seven thousand pounds without any future inquiry, if necessary, on subject</p> <p>29. Appeal to Executive? Some inexpensive appeal</p> <p>30. 3rd clause of Act all diseased sheep destroyed within 14 days, too short? More than sufficient, promptitude desirable – simple operation to kill sheep, throw into fire</p> <p>31. <i>By Capt Dumaresq</i>: Exception, parties not knowing within time? Copy of Act to be sent to each sheep proprietor</p>		034

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						<p>32. <i>By Chairman:</i> Knowledge of Act in extreme squatting districts? Sheep owners should be acquainted with Act & nature of scab</p> <p>33. How to be determined that sheep diseased? Through Inspectors, unless parties destroy of own accord [p 12]</p> <p>34. <i>By Mr Bowman:</i> What proof should Inspectors, to know what scab is? No person to be appointed Inspector unless well known to be acquainted with disease</p> <p>35. <i>By Capt Dumaresq:</i> How is he to get at the fact? Inspector permitted to examine sheep</p> <p>36. <i>By the Chairman:</i> Proprietor isolated & weeks & months before known – punishment against neglect provided by Act, stringent enquiries when compensation demanded</p> <p>37. Disease in advanced stages, in opinion of Inspector & other competent parties, to give no compensation, would fine & imprison manager? Yes, if could no pay fine would imprison manager, gross neglect</p> <p>38. Disease develops gradually? State of disease, properly managed - one case 26,000 sheep destroyed, 5-6 months to arrive at this state – called public attention to fact of scab before manager admitted existence of disease</p> <p>39. Did party receive compensation? Opposed, received compensation £18,000</p> <p>40. Could not pretend destroyed within 14 days? Certainly not</p> <p>41. Any other abuse under Act? Of opinion compensation paid for lambs not 6 months;</p> <p>42. Resulted from proprietor's false oath, not defect of Act? Killing delayed until lambs certain age, destroyed before 6 months old</p> <p>43. 28th clause of Act, "all sheep shall be deemed infected with the disease called the scab, within the meaning of this Act, which shall have been mixed with sheep so infected, at any time within three months previously" do you approve of that? Stringent clause; if belong to same flock, ought to be destroyed</p> <p>44. Distinct flock, possible escape – careful man, sheep mixed with scabby flock, still clean</p> <p>45. Quarantine such sheep – careful if mixed diseased flock, destroyed</p> <p>46. <i>By Mr Hood:</i> moving sheep, notice to Inspector – travelling sheep, clear bill of health, Inspector</p> <p>47. <i>By the Chairman:</i> travelling sheep, branded</p> <p>48. Imperative in Port Phillip – infection communicated</p> <p>49. <i>By Mr Bowman:</i> fat sheep, market</p> <p>50. <i>By the Chairman:</i> diseased sheep, destroyed, fleece & tallow</p> <p>51. unsafe, fleece – negligent parties</p> <p>52. Fleece, concession</p> <p>53. Dangerous, boil down – fleece, disease spreads, negligent people, no apparatus to boil down</p> <p>54. Caul & kidney fat</p> <p>55. <i>By Capt Dumaresq:</i> Compensation – caul, loss to owner</p> <p>56. <i>By Mr Icely:</i> Inspectors, acquainted with flocks in his district</p> <p>57. <i>By the Chairman:</i> Authority, notice to proprietor or owner</p> <p>58. Power to examine, stop travelling sheep [p 13]</p> <p>59. Put into yards – powers of Inspectors</p>		035
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						<p>60. Further suggestions for Committee – good effects from passing Act, committees of stockowners, frame bye-laws binding upon all stockowners – Committees, Legislative Council & country matters - scab, catarrh & native dogs</p> <hr/> <p>APPENDIX <i>Suggestions as to Scab</i> Scab, Catarrh, compared with fire Havoc when neglected – exceeds loss caused by fire - value of sheep sacrificed – sufficient to ransom Sydney from fury of enemy Important to legislate – compares defences of Port Jackson, present outlay, annual expenditure Re flocks behaviour – shepherds trespass adjoining stations – high roads, sheep travelling – scab & catarrh highly infectious, instant suppression, equally a matter of public necessity as early extinction of fire in Sydney Compares with conflagration of crowded town, firemen wanting or incapable, water deficient, remedy prudent sacrifice of property surrounding blazing building. So, with diseased sheep in Australia – care of incapable & negligent managers, incapacity & negligence of shepherds, re curing individual sheep must sacrifice few for sake of many In accordance with this idea, put magical stop upon catarrh raging in my flocks – discusses – insisting shepherds prompt in destroying first sheep showing symptoms Foolish reluctance in sacrificing few sheep, neglect of managers, ravages occasioned by catarrh – suggests same also cause of spread of scab Managers to acquaint themselves with nature of scab, also shepherds – ascertain each sheep scratched in a day, shepherds as anxious to stop ravages of scab as employers, if negligent managers give chance to examine their flocks <u>at least once a week</u> – assure Committee many managers never for months see sheep under their charge – no-one going to out-stations except ration-carriers Highly approving of principle of present Scab Act – to render it efficient, must include punishment of <u>neglect</u>: -</p> <ol style="list-style-type: none"> 1. Bench not compelled to grant compensation to negligent proprietors 2. His Excellency power refusing compensation – negligent proprietors, suspected partiality of Bench, subsequent for negligence 3. Compensation claimed – manager & shepherd to give proof of their actions 4. Bench power ordering employed to pay all wages due to shepherd into hands of Court; fine or imprison manager for neglect – Inspector's report [p 14] <p>Nothing short of these provisions will render Scab Act efficient – similar clauses against neglect re spread of Catarrh</p> <p><i>Suggestions as to Catarrh</i></p> <ol style="list-style-type: none"> 1. Shepherds to kill sheep, symptoms of catarrh, body of such sheep inspected by manager & destroyed 2. Shepherd to send word to manager, by watchman or other persons, payment 3. Manager – actions to be taken – suspicious sheep: refusing to eat, hanging their ears, lagging behind, shewing other symptoms of disease there & then caught, slaughtered & destroyed 		037

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						<p>4. Camp sheep at night, vary feed 5. Adjoining proprietor not carrying out Spirit of Act, Bench to inquire fine or imprison manager or shepherd, confiscate diseased flock without compensation, destroyed. Re wool & tallow of sheep so slaughtered - arrangements Bench may sell sheep so confiscated under certain conditions of cure & removal – details</p> <p>----- WEDNESDAY, 22 AUGUST, 1855 Present: Mr Cowper, Mr Hood, Mr Donaldson, Mr Icely, Captain Dumaresq, Mr G Macleay GEORGE MACLEAY in the Chair John Thomas Baker called in and examined – [Margin: J T Baker]</p> <ol style="list-style-type: none"> 1. <i>By the Chairman:</i> Reside – Dundee, New England 2. Proprietor of sheep – managing for Mr Bloxsome for many years 3. Charge of diseased sheep, scab – No 4. Acquainted with character of disease – no, seen it, never had anything to do with it 5. In the neighbourhood? – Not immediate – not immediate neighbourhood 6. How long since left New England – 6 weeks 7. Merits of Scab Act discussed – yes 8. General opinion of sheep proprietors in district – opinion it was a good Act 9. Read Act – Yes 10. To suggest improvements in any provisions – no clause re punishment for mismanagement, scab owing to mismanagement, penalty attached to neglect 11. Scab arises spontaneously, sheep badly treated – think so 12-13. Instances of arising this way – heard of through rumour 14-15. Thorough knowledge of disease – No 16. Cases of scab in New England attributed to contact – believe so 17. If shown disease arises spontaneously, punishment inflicted on parties whose sheep in miserable condition – if it could be done [p 15] 18. Proof – difficult 19. Cold country New England, season sheep in miserable condition – alluded to checking it 20. <i>By Mr Cowper:</i> Policy of Act much discussed – Yes 21. Any opinion expressed re provisions oppressive – some consider it oppressive 22. <i>By Mr Hood:</i> Part of Act oppressive, heard time allowed for destruction of infected sheep (14 days) too short – No, never 23. <i>By Mr Cowper:</i> 14 days too short – No 24. <i>By Capt Dumaresq:</i> Not after disease known to exist – No 25. <i>By Mr Donaldson:</i> As practical sheep farmer, consider it hard proprietors of sound sheep pay tax, proceeds to those whose sheep ae diseased – might, to their own benefit also 26. New England less dread of disease if there had been no Scab Act – can't say 27. What way can it affect you – it would affect me, prevent the risk 28. <i>By Mr Hood:</i> Possible to cure sheep of scab – believe it is 		038

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						<p>29. Present state of labour market, large flock of sheep cured of scab by means other than destruction – has heard too expensive 30. Best course with diseased sheep is to destroy them – Yes 31. <i>By Mr Donaldson</i>: Equitable to destroy them, expense – Yes 32. Are you a sheep proprietor – No 33. <i>By the Chairman</i>: If Act carried out 2 years, precautions would be unnecessary against this disease – lessen amount of disease 34. Disease may arise – yes certainly 35. Although known no cases – not known 36. <i>By Capt Dumaresq</i>: Re powers of Inspectors of Scab, permitted to go on runs searching for disease – yes to be empowered 37. Giving notice of intention to visit sheep – no objection to it 38. <i>By the Chairman</i>: Being able to show received information sheep diseased – Absolutely necessary, to carry out Act 39. Power to examine all travelling sheep, to stop them is diseased – Yes 40. Persons competent to act as Inspectors in each district, on small salaries £100–£200 a year – Depend on duties, extent of district & whether Inspector in each Police district</p> <p>----- Edward Baker Boulton, Esq called in and examined [Margin: E B Boulton] 1. <i>By the Chairman</i>: Sheep proprietor in Wellington District? I am 2. Acquaintance with scab in sheep? No 3. Never? Never amongst my sheep 4. Any disease in neighbourhood? None, in former years was scab in my neighbourhood, & strange sheep occasionally found in my flocks, they never took it 5. How long mixed together? Can't say, if strange sheep discovered taken out & killed 6. Positive they were scabby? No, flocks they came from were scabby, individual sheep in my flocks may not have been so 7. Opinion of neighbouring sheep proprietors re policy of Act? I do not know a single individual against it in our district 8. You have been many years a sheep proprietor, heard many discussions re this disease, do you believe it possible to get rid of disease on large establishment, do you think by any mode of dressing it could be eradicated? Difficult to say, I have no practical knowledge, under impression it cannot be got rid of without great risk 9. To neighbouring proprietors? And great expense to individual, impossible on some stations, cannot command proper labour 10. Labour would be difficult to procure at present time? As difficult as at any time during whole of gold times [p 16] 11. In district very little spare land, very little open country to remove sheep after dressing? Some runs removal very difficult as stations closely adjoining 12. Scarcely any owner of a run has more than sufficient room for sheep at present? Depends on nature of run, has his separate from head stations, very extensive, lie very far apart – these are exceptions to general rule 13. Deem it highly inexpedient to allow man to attempt cure of his diseased sheep by dressing? Think so; would mar efficiency of Act, not one in hundred has necessary apparatus for boiling down within reasonable time.</p>		039

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						<p>No man can with ordinary boilers usually found on station, boil down more than 50 sheep a day – flock of 1000 sheep would take 20 days, infection might spread considerably</p> <p>14. Disease will arise spontaneously? Doubt it, particularly in fine woolled sheep – may do in coarsest woolled sheep, Leicesters for instance</p> <p>15. Heard of such cases? No, disease arises from contact – with reference to Leicester sheep, one of our largest sheep owners never had scab among sheep, until introduced Leicester sheep into flocks to get heavier fleeces about 10 years ago</p> <p>16. Scab maybe brought from England by Leicester sheep? Yes, general opinion in England, as here, that coarse woolled sheep more liable to cutaneous disease than in fine woolled sheep</p> <p>17. Any chance of establishing in various pastoral districts private mutual insurance companies for purpose of eradicating disease? Might be in one district, but difficult in another. Where there were a number of intelligent settlers, might be done as was the case at Moreton Bay</p> <p>18. Not carried out in fully there? Was until Scab Act took its place</p> <p>19. If system not carried out generally in all districts, scarcely worthwhile to carry it out in one? If one district refuses to join, it might be continually scabbing others adjoining, as they would endeavour to cure their own in lieu of destroying</p> <p>20. Endless work on part of those districts, where such companies were established, would see no finality in it? They have to insure against uninsured district</p> <p>21. You think Act of this kind better preventative? Much better, best preventative that has ever been attempted in this or any other Colony</p> <p>22. Have you read Act? Yes</p> <p>23. Term of 14 days from time of their being infected too short a period for destruction of diseased sheep? Not too short for safety</p> <p>24. <i>By Capt Dumaresq</i>: That is after discovery of disease? Yes</p> <p>25. <i>By the Chairman</i>: Clear all flocks cannot be diseased at same time? No, one or two flocks at most</p> <p>26. No practical difficulty in destroying flocks, as disease become apparent? Some cases of individual hardship</p> <p>27. In no case can 20 or 30 thousand could become diseased at once, without grossest inattention and stupidity? No doubt, spreads by contact</p> <p>28. If carries spontaneously, unlikely in 20 or 30 thousand sheep at once? No</p> <p>29. Think 14 days not too short? No, it is quite long enough</p> <p>30. Witnessed boiling down process? Yes, have boiled down sheep on small scale, eighty gallon boilers, could not get rid of more than 10 or a dozen a day</p> <p>31. Seen on large scale? Yes</p> <p>32. How many sheep destroyed in a day? Cannot say</p> <p>33. Seen at rate of one thousand a day? No, about 300</p> <p>34. Have you heard of greater number being killed for boiling down? Made inquiries re time to boil down flock of sheep, told 2 or 3 days; to accomplice that, great many men needed for killing & skinning</p> <p>35. Number of men employed in skinning & cutting up; but simply in killing sheep preparatory to skinning & taking fat out, how many men required to destroy 500 sheep in a day? Cannot say</p>		

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						<p>36. Could 5 men destroy 1000 sheep in a day, by cutting throats & knocking them on head? Yes</p> <p>37. Aware under provisions of this Act, Inspectors may be appointed in each District? Yes</p> <p>38. Desirable to give these Inspectors power of entering upon runs & estates of sheep proprietors to inspect sheep, where they have heard disease exists? Might do so, first going to a Magistrate for a Warrant</p> <p>39. In some Districts where Magistrates residences not easy to get at, desirable that Inspector has power of proceeding to the spot & after reporting himself to proprietor or overseer, proceed to look at sheep alleged diseased? Yes, see no objection</p> <p>[p 17]</p> <p>40. <i>By Captain Dumaresq</i>: Also sheep on road? Yes, Care should be taken to have for Inspectors men thoroughly conversant with business</p> <p>41. <i>By Chairman</i>: Likely such men in each District? Yes, think so</p> <p>42. Suggest any alteration in present system, as carried out under the Act? Re payment of Inspectors, number of scabby sheep under this Act must by degrees become very small, so hardly worthwhile giving salary per annum, perhaps pay Inspectors by fee or per centage</p> <p>43. Parties in your neighbourhood capable of undertaking these duties? Yes, if advertisement put in paper for persons to tender, plenty to be found; might join it on with other occupations</p> <p>44. <i>By Mr Hood</i>: Think danger in saving caul & kidney fat? Not at all</p> <p>45. Allow to be given to proprietor in addition to compensation? No. Government should take care of that, to be sent down & sold by public auction for benefit of scab fund</p> <p>46. Deduct from compensation amount equal to value of tallow? Yes</p> <p>47. <i>By Mr Cowper</i>: Not give more than 4 shillings a head, nor allow owners to take fat? No, fear it would introduce abuses, perhaps interfere with working of Act. Let Act be carried on in its integrity. Squatter in New England owing to grossest carelessness had 13 thousand scabby sheep destroyed under provisions of this Act, believe not a scabby sheep to be found in the whole of that extensive district. Had Act not been in force, what would have been present state of Northern squatters, with a knowledge that at <i>one station</i> they were endeavouring to cure 13000 sheep of scab</p> <p>-----</p> <p>Thomas Walker, called and examined [Margin: T Walker]</p> <p>1. <i>By the Chairman</i>: Proprietor of sheep in Murrumbidgee district? Yes</p> <p>2. You have never had scab among you sheep? No, do not recollect that it ever has been amongst them</p> <p>3. You had read Act? Yes</p> <p>4. Think it is calculated to carry out object which is intended, eradication of this disease? It will eradicate disease existing at present time, apprehends this disease will again recur</p> <p>5. Believe scab in sheep can arise spontaneously? I do</p> <p>6. Aware this disease is occasioned by small insect, an <i>acarus</i>, settling under cuticle? Yes, analogous to disease called "itch" indicated by existence of animalculae in skin</p> <p>7. Believe animalculae will arise spontaneously, consequence of vitiated juices? Not much weight should be attached to my opinion, impression they would arise in certain states of health of sheep</p>		040

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						<p>8. Think creation might take place? My impression, think filth & poverty of condition produce disease, independent of contact</p> <p>9. Arrived at opinion from what you have read? Yes, read & heard</p> <p>10. Heard of cases of scab arising spontaneously? Have not, personal experience is of no account</p> <p>11. Have said arrived at this conclusion from what you read & heard, I asked if heard of cases arising spontaneously in Colony? Can mention no case within my knowledge</p> <p>12. Have you not heard that cases in which scab occurred, attributed to contagion? Yes, generally attributed to that origin</p> <p>13. <i>By Mr Cowper:</i> Formerly, practice to have fixed yards, fold sheep at night, understood to create the disease? Have not personal experience, general observer, interest in matter, do not remember having heard attributed to that cause</p> <p>14. <i>By the Chairman:</i> Disease supposed to arise in this country from contagion, sheep travel more now, throughout whole Colony, than any former period; desirable that every sheep master insure himself against this disease; every person however careful liable to have sheep diseased by travelling flocks? Highly desirable to prevent sheep infected with the disease from travelling & contacting sound flocks</p> <p>15. Aware Melbourne now affording very good market for sheep from all parts of country; time occupied on journey, possible sheep start from station, believed to be sound by proprietor, although seeds of disease may be among them or they contacted disease on road? Might be possible, would not suggest you should enact a law on that account</p> <p>16. Do not think it is possible? No, I do not</p> <p>17. Aware lately flock of sheep started from Richmond Common [p 18]</p> <p><i>[contd]</i> apparently quite clean & carried disease to Murrumbidgee District where no disease known before – Have not heard</p> <p>18. You have not lived on your station, not so well aware of what is going on, re transmission of sheep to distant markets, as would be if you lived in interior? Probably not, do not live on my station, have constant communication with superintendent, most intelligent & observing man, very good correspondent</p> <p>19. Aware that, though not in your neighbourhood, scab within one hundred miles of your station? Yes</p> <p>20. On both sides – Yes</p> <p>21. Loughnans had sheep destroyed 50 miles from your station? Yes</p> <p>22. If sheep not killed, your sheep in great danger? Expect some law applicable to such case in existence, would protect me sufficiently</p> <p>23. Law authorizing destruction of diseased sheep? Law to make it compulsory on owners to keep diseased sheep upon their own ground; if after certain time, cure not effected, proprietor bound to destroy them without compensation</p> <p>24. Even with best shepherds, some sheep might lag behind & wander over boundaries of their run? Would impose severe penalties, view to prevent such occurrence</p> <p>25. What benefit to any proprietor who got his sheep diseased through such an agency? Would be of no benefit but many a man gets his house burned down because his neighbour 's house is on fire</p>		041

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						<p>26. Law authorizes him to pull down burning house to save his own? Yes, gives no compensation to owner of house so pulled down</p> <p>27. Same principle, why should not destruction of diseased sheep be compulsory? Principle not same, if scabbed sheep can be kept from contact with sound sheep, & be curable</p> <p>28. 99 cases out of 100 fires arise from carelessness? Difficult to trace cause of fire in most cases</p> <p>29. Authorize after a time destruction of sheep that remained in state of disease? Yes, if sheep found for length of time in state dangerous to others, would destroy them, would not give proprietor compensation</p> <p>30. What you object to in this Act is compensation given to parties who have diseased sheep destroyed, that compensation being drawn from pockets of those whose sheep are sound? Yes, & more, object to destruction of property at all without opportunity being given to preserve it. Act is objectionable as it ordains destruction without delay, of valuable property</p> <p>31. Any chance of curing scab? Sure it can be cured, done repeatedly within my knowledge</p> <p>32. In early days of Colony done when labour cheap? Expense may be greater now</p> <p>33. In all cases heard of sheep being cured by dressing, were they not removed to uncontaminated runs? Not aware, I am not a good authority</p> <p>34. Not sufficient knowledge of disease to say whether sheep be cured while still kept on same run, all evidence shows imperative to remove them to fresh runs? On most runs there would be portions uncontaminated, to which sheep removed after dressing</p> <p>35. Think any proprietors of lands within boundaries or of runs in interior, have sufficient space to carry sheep to new ground? Yes, careful sheep owner will not have all his sheep attacked at once & will have some reserved pasture</p> <p>36. Think careful sheep holder would destroy diseased ones before they infected rest? Yes</p> <p>37. <i>By Mr Hood:</i> Heard of instances where disease broken out in various flocks at once? Yes</p> <p>38. In some cases. Impossible to cure them? Should legislate rather for ordinary state of things than for extreme cases</p> <p>39. <i>By the Chairman:</i> Look upon yourself as safe from disease in Murrumbidgee district at present? No one is ever safe in this world</p> <p>40. Worthwhile to insure sheep at £2 a thousand? No, think with proper system of legislation applied to case, might do without that. Present law appears a very objectionable measure; lessens obligation of self-reliance, gives rise to carelessness</p> <p>41. Think proprietor would sell sheep for 4 shillings a head, amount of compensation given? Would sell scabby sheep at that price</p> <p>42. No doubt; you said it would give rise to carelessness. implies parties indifferent, supposing that would get 4 shillings at the worst? Acts in that direction, inducing them to be less careful than if they were to get nothing</p> <p>43. Although 4 shillings a head given as compensation, proprietor still a loser & must be great object with him to avoid the disease, compensation just saves him from entire ruin, & nothing more? Is equal division of loss between himself & public, arrangement seems objectionable to me</p> <p>44. Exceedingly hard if the disease in spite of all your</p>		

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						<p>[p 19] <i>[contd]</i> care, were brought by travelling flock among your sheep, no remedy for you, as in 9 cases out of 10, whose parties with travelling sheep have not a penny? Special remedy might be provided for such cases, if present law were abrogated. Even were there none, would not be entirely without remedy, is responsibility resting on any one who does me injury in that way, would be liable to me for damage done</p> <p>45. Generally those persons have no property to fall back on? Think not. When catarrh carried through country was not so. Owners of sheep travelling are not generally men of straw</p> <p>46. <i>By Mr Cowper:</i> You have had good deal of communication with persons in interior upon policy of this Act, have you heard policy of Act generally complained of? Great diversity of opinion, communicated with 2 or 3 sheep owners opposed to it. Very large sheep holder, Andrew Brown, of Coerwull opposed it. James Walker of Wallerawang also opposed to it. He did not sign Petition, but thought Act erroneous in principle. Andrew Brown's opinion very valuable, a man thoroughly conversant with subject, has great interest in it. Also has had scabby sheep & cured them</p> <p>47. If found necessary, in order to provide for compensation claimed under this Act to double amount of assessment for that purpose or even to go further, do you think sheep proprietors will submit to increased rate without feeling it oppressive? Do not know how far those supporting Act may be disposed to submit to such increased taxation, but those who do not approve of it will feel doubly aggrieved</p> <p>48. Conclude your opinion in this, that even though all scabby sheep were destroyed, no guarantee that it would break out again? It is my opinion that it would break out again from carelessness & bad management</p> <p>49. You do not look upon this Act as one of a temporary, but as one of permanent character? Can imagine similar state would recur after a while. No doubt as this is so stringent an Act, all sheep at present diseased will be destroyed, my first objection to law that it ordains a wholesale destruction of valuable property without opportunity given to save it. Also object parties, comparatively strangers to matter, should be called upon to pay for that property</p> <p>50. <i>By the Chairman:</i> Aware that in Port Phillip nine-tenths of sheep are diseased? I'm told so</p> <p>51. Consequently mutton consumed of their own growth must be diseased? Yes, to certain extent</p> <p>52. Aware that remedies usually applied for scab are mineral poisons? Yes, arsenic, acid, corrosive sublimate, tobacco also employed</p> <p>53. Although application made only to cuticle, flesh must be unwholesome? Do not know, do not think people in Victoria die faster than those here. Do not know that rate of mortality is greater than here</p> <p>54. Do not conceive it to be desirable that we have meat of similar quality brought into our market? No, I do not</p> <p>55. <i>By Captain Dumaresq:</i> Do you not think if Inspectors of Scab are to be appointed, they should have extended powers; for instance, would you see any objection to them going on runs, upon understanding that there are diseased sheep, first giving notice of their intention? It is essential that they should have such powers, it is an evil attendant upon such an Act as the present, that parties are authorized to enter upon one's properties</p>		042

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						<p>56. You think the powers which it is necessary the Inspectors should have, an additional evil attendant upon the Act? Yes, it forms an objection</p> <p>57. It is an encroachment upon liberty? An interference with a man's business affairs is an evil; & it is objectionable that there should be any parties authorized to come upon our properties & spy out their nakedness, if they have any</p> <p>58. [85 in error here] Still, if the Act is to be maintained, this is a necessary part of it? Yes</p> <p>59. <i>By the Chairman:</i> Do you regard it as an evil that officers should go on board a ship, & if disease is found to exist, send her into quarantine? It is an evil, but an unavoidable one</p> <p>60. For the benefit of the many, must not individuals suffer? Yes, if there is a sufficient public object to be gained, of course they must</p> <p>-----</p> <p><i>THURSDAY, 23 AUGUST, 1855</i></p> <p>Present: Mr G Bowman, Mr Hood, Captain Dumaresq, Mr G Macleay G MACLEAY, IN THE CHAIR</p> <p>John Peter called in and examined: - [Margin: J Peter]</p> <p>1. <i>By the Chairman:</i> You are a large proprietor of sheep in Murrumbidgee district? I am</p> <p>2. Since you were examined before Committees, which sat last Session upon the scab in sheep that disease has been introduced into your district, has it not? Yes, immediately before the Act was passed</p> <p>3. What has been result of introduction of the disease into that district? It has been attended with almost ruinous results to some parties</p> <p>4. Did it spread very rapidly? Yes, to some of the neighbouring stations [p 20]</p> <p>5. When did disease come to the district? Was introduced by sheep brought from county of Cumberland.</p> <p>6. Was disease propagated on the road, as well as in neighbourhood of the station to which sheep were taken? Yes</p> <p>7. Had it not been for existence of this Act do you believe ravages of the disease would have been more extensive than they have been? Much more</p> <p>8. Do you think it would have extended throughout whole district? I think no clean sheep would have been left in that district, but for the Scab Act</p> <p>9. Do you found your belief upon the fact, that the sheep, upon stations contiguous to those where there were diseased sheep, contracted the disease? Yes</p> <p>10. Your belief then is that this Act is a valuable one? Sheep would be perfectly valueless without it, at least, in district where I reside</p> <p>11. I presume you meet with a number of sheep owners, both in Sydney & in country, what is general impression with respect to this Act? All that I meet with appear to be in favour of Act</p> <p>12. Do you believe it possible to establish, in separate districts of country, mutual insurance companies to provide against losses by scab? I think it would be difficult to carry them out, sheep owners are so much scattered</p> <p>13. By the third clause of Act, all parties are bound to destroy their sheep within 14 days after they become infected, do you think that term is too short? Yes, I think it should be extended to 28 days</p>		043

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						<p>14. Why would you propose that time should be extended? Owners of the sheep & superintendents are often absent from stations; & before overseer could write to either of them & receive an answer, 14 days would in many cases, have expired. Besides it might not be possible, within that time, to get an order from a Magistrate to examine the sheep</p> <p>15. Is not every proprietor of sheep bound, if not for his own sake, for the sake of his neighbour to keep an overseer or person in charge of his sheep station? Yes, but on many stations, it is not done</p> <p>16. <i>By Captain Dumaresq:</i> Is there no one on the stations who is responsible? Where there is a superintendent, he is responsible, but he is often absent & station is then left to a working overseer, who would not undertake to destroy sheep</p> <p>17. <i>By the Chairman:</i> Do you think there would be danger to neighbouring flocks, as well as to proprietor himself, to allow sheep to remain for a whole month, after they were known to be infected? No doubt it would be attended with a little more danger, but many parties are much dissatisfied with short time at present allowed, because it is almost impossible to comply with it, were there large number to destroy. Besides you may have to send a hundred miles to get a competent person to examine sheep</p> <p>18. But the disease would not be likely to break out among all the flocks at once, it would only make its appearance in one or two flocks at first? Flocks of three or four thousand</p> <p>19. I suppose three or four thousand might be destroyed by five or six men in course of a week? It would occupy six men for a fortnight to destroy four thousand sheep, to burn them</p> <p>20. <i>By Captain Dumaresq:</i> They could be killed in much less time? But they must be burned as they are killed</p> <p>21. <i>By the Chairman:</i> If sheep are at all in tolerable order, will they not, when fire has commenced burning fiercely, form a sort of fuel? No, they would require wood to burn them, even if they were fat</p> <p>22. Clause to which I have referred says, they shall be destroyed "fourteen days after such sheep shall become so infected" – is not wording of that clause rather vague, is it possible to tell precise time when sheep become infected? It should be "from the time they show symptoms of disease". Disease would first be shown in two or three sheep & Inspector should at once be apprised, in order he might inspect them</p> <p>23. Then do I understand you to say, that sheep should be destroyed within twenty-eight days from time when Inspector declares them diseased? As soon as overseer observes symptoms of disease, he should send to Inspector; & time should be counted from date of letter, or from period when overseer or neighbouring sheep owner declared them diseased</p> <p>24. Do you think danger would arise, if parties were allowed to preserve skins of sheep so destroyed? Yes, it would be better to destroy skins & give owners full compensation</p> <p>25. As a matter of course then, you would object to persons boiling them down? They should be destroyed at once, upon first appearance of scab</p> <p>26. Would you allow caul & kidney fat be taken? No, that would assist to burn them, & it would cause delay if they were taken</p> <p>27. The 16th clause of Act provides, that it shall be lawful for Governor to appoint proper persons as Inspectors, do you think there would be any difficulty to find Inspectors competent to discharge duties required of them? No, not if they are sufficiently paid</p>		

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						<p>28. Would you give these Inspectors power when they heard of disease existing, to enter upon any proprietor's run or estate to inspect sheep, upon giving notice of his intention to do so? By all means he should have power of inspecting sheep without an order from any Magistrate. Time would be lost in obtaining an order, & no harm could result from his inspecting them without one</p> <p>29. Would you also give them power to examine travelling sheep on the road? Yes</p> <p>30. You would make it imperative upon them to inspect sheep that were travelling? Yes, all travelling sheep should be inspected at every station they pass through</p> <p>31. You would give them authority to stop sheep if diseased? Yes, to stop them until a Magistrate had been communicated with [p 21]</p> <p>32. As a matter of course you think it desirable that some penalty should await refusal of shepherds, or parties in charge of travelling sheep, to stop? Yes, it would be necessary that they should be punished, if they refused to obey order of Inspector</p> <p>33. Latter part of 28th or interpretation clause is as follows "All sheep shall be deemed infected with the disease called the scab, within the meaning of this Act, which shall have been mixed with sheep so infected, at any time within 3 months previously". Do you think it desirable to look upon sheep who have not shown signs of disease but have mixed with diseased sheep, as already infected? No, I think not</p> <p>34. You think it possible clean sheep may mix with those which are diseased, without becoming infected? I have had clean sheep mixed with scabby sheep for days together & they remained clean, they never showed any symptoms of disease afterwards</p> <p>35. But, on the other hand, are not the chances very great against sheep so mixed remaining clean? Yes, certainly they are; but if taken out at once, they very often escape</p> <p>36. Is it not well, seeing destructive nature of this disease, & danger to neighbouring flocks likely to arise from sheep which have been so mixed, to provide against this risk? No doubt but it would be a very great loss to destroy a flock of sheep, unless you were certain they were diseased</p> <p>37. Has not a case recently occurred in Murrumbidgee district where diseased sheep escaped into a flock, & were subsequently picked out as proprietor thought - & has not disease since showed itself in flocks so mixed? Yes, but they only picked out those they could find, they might have left some scabby sheep behind</p> <p>38. Is there not danger at all times when sheep are so mixed, that there may be some oversight? Yes, great danger, but it would be a great loss to proprietor to destroy a flock, because a scabby sheep had got into it</p> <p>39. Would you run the risk? Yes, I have done so, I have picked out a scabby sheep which has got into my flock while travelling</p> <p>40. But in the case of breeding sheep on your stations, would you run the risk? I would pick out scabby sheep & save the flock; but I would send it to some isolated place to prevent their coming in contact with other sheep</p> <p>41. <i>By Mr G Bowman:</i> Would that depend upon time that scabby sheep had been among clean flock? I would not destroy a flock because a scabby sheep had mixed with them a week or fortnight; I would however take the</p>		044

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						<p>precaution to keep that flock away from others. I think it would be a pity to destroy them, until they showed signs of scab</p> <p>42. <i>By the Chairman:</i> You have read this Act; can you suggest any improvement in any of its provisions? No other than I have stated, that Inspectors should have power to inspect any sheep, & that they should remain in neighbourhood while they were destroyed</p> <p>43. You think Inspector should remain to see provisions of Act carried out? Yes, or if unable to remain, leave a competent person to see that Act is carried out</p> <p>44. He should take charge of sheep until they were destroyed? Yes, in destroying sheep the owner might get careless & allow some to escape</p> <p>45. Have you known a case of that kind? Yes, one case where sheep have escaped, while process of destruction was going on. I would also suggest that all parties travelling with sheep should be compelled to give 12 hours' notice at any sheep station, before passing through the run; & produce a certificate, if required, attested by Clerk of the Bench in district from where the sheep have been depastured for 6 months previously, stating full particulars as to health, ownership, & destination of said sheep</p> <p>-----</p> <p><i>THURSDAY, 30 AUGUST, 1855</i></p> <p>Present:- Mr Cowper, Captain Dumaesq, Mr Icely C COWPER, IN THE CHAIR</p> <p>Mrs Lucy Howell, called in and examined:- [Margin: Mrs Lucy Howell]</p> <p>1. <i>By the Chairman:</i> You resided until lately at Arkstone Forest near Yass? Yes</p> <p>2. Petition which was presented by me to Council from Mr Robert Back, was in reference to sheep, the property of yourself & other persons with whom you were interested, as well as to those of Mr Back himself? Yes</p> <p>3. Is Mr Back your superintendent or in what way is he connected with you? He rented my farm & stock & had the management of it</p> <p>4. The stock destroyed were partly your property & partly the property of persons who had placed them in your care? Yes, I had them on terms</p> <p>5. Were you residing on your farm at the time the sheep alluded to in the petition were destroyed? Yes</p> <p>6. Then you are familiar with all the circumstances I presume? Yes, we were not aware of the Act being in force, in consequence of not having received papers regularly</p> <p>7. How far do you reside from Yass? About thirty miles</p> <p>8. Have you not any regular means of communication with the post? Yes, but there was great irregularity in delivery of letters & papers. They only came over once a week, & then we sometimes had six papers together, at other times we received but three or four, in fact we scarcely got half the papers, & we never received the paper which contained the Scab Act. I did not know the Act was in force until I was informed by Mr Hume, a friend residing about seven miles from us, that it was</p> <p>9. You did not know that an Act had been passed by the Council for the destruction of scabby sheep? No</p> <p>[p 22]</p> <p>10. What steps did you then take to make yourself acquainted with the law? I immediately wrote to Mr Styles, Clerk of the Bench, who sent me a</p>		045

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						<p>copy of the Act & immediately on receiving it, necessary steps were taken, such as giving notice to nearest sheep owners. Notice was given three days previous & on the hour named, the work of destruction commenced</p> <p>11. Mr Back is not now within such a distance as to be able to attend the Committee? No, he was taking cattle for Mr William Howell of Lower Murrumbidgee, about 400 miles from Sydney & I do not know whether he has arrived</p> <p>12. He has prepared this petition under your instruction, or with your concurrence? With my concurrence but I had left home before the petition was drawn out by Mr Styles</p> <p>13. What course was taken to obtain compensation for sheep destroyed? Mr Back went in with persons who were present at their destruction to give evidence before the Bench</p> <p>14. Parties who were present at the destruction did attend, as required by third section of the Act? Yes, they were present several times during time of slaughter, & of their being burned. They went in twice or thrice, once the Court did not sit.</p> <p>15. They went to give evidence when you applied to the magistrates for compensation? Yes</p> <p>16. Why did magistrates refuse to give you compensation? Because it was either two or three days, I am not sure which, over the six weeks named in the Act. Delay was occasioned by my not knowing in time that Act was in force, & difficulty arising from scarcity of labour, of getting sufficient hands to destroy so large a number within the time. The sheep were all killed within time specified, but they were not all burned</p> <p>17. They were actually killed? They were all dead, but not all burned. First thousand that were killed, my own property, were burned within four days of time of being killed</p> <p>18. Then Act was complied with, as far as your own sheep were concerned? Yes</p> <p>19. Was that stated to magistrates? Yes & they would have given compensation for them</p> <p>20. Why did you decline to accept that? Mr Back thought if he accepted that, he would lose his claim for the other 3,400</p> <p>21. Period which you say extended a day or two over the six weeks, included Sundays? It did; because as such a quantity had to be burned, the fires were kept burning on Sabbath days. If Act had not been so stringent, they need not have been burned for they had all been dressed, & scarcely a spot of scab was to be seen among the whole number. They had been dressed, but not within three months</p> <p>22. <i>Mr Icely</i>: There were still some specks upon them? Yes, but very trifling, they had been dressed & were to undergo another dressing just after shearing, everything was in preparation</p> <p>23. <i>By the Chairman</i>: You were in hopes they would have been cured in that way? Yes & we went to expense to prepare stuff for dressing them</p> <p>24. Have you applied to Government for compensation for these sheep? Yes, by petition</p> <p>25. What was the answer? That Government had nothing to do with it, but that it must be referred to Council</p> <p>26. Can you state of your own knowledge that it is true as alleged in the petition that the men worked night & day in order to comply with the law?</p>		

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						<p>I can positively state that it is, having myself sent food in the middle of the night to them, when they could not come home. I have sent them bread, meat, tea and sugar that they might keep on at work, that destruction might be effected within the time</p> <p>27. Were you subjected to expense in destroying them? To very great expense</p> <p>28. Have you any idea of the sum paid by Mr Back for purpose of fulfilling the Act? We paid the men three shillings a day besides their food</p> <p>29. How many extra men were employed? I am not prepared to say the number of men but know there were six, & we had besides assistance of some black boys in catching sheep & putting fires together. Expense of blacks was merely cost of their food, we gave them no money</p> <p>30. <i>By Mr Icely:</i> You used every means in your power to get sheep destroyed? Yes, everything was done that could be done</p> <p>31. They were all killed? Yes, but not totally destroyed as required by Act</p> <p>32. Had you been aware of existence of the Act, you would have taken necessary steps before? Yes</p> <p>33. <i>By the Chairman:</i> Can you state exact date upon which you were informed by Mr Hume of passing of the Act, your petition says late in the month? It was about the 21st. Immediately on receiving information, I wrote to Mr Styles to ask if such were the case; he replied & said I had no time to lose. I then gave notice to the two persons adjoining me, Mr Turner & Mr James Poplin, living one within a mile & the other eight miles off; and on Saturday, nine days after I received the first information from Mr Hume, work of destruction commenced</p> <p>34. <i>By Captain Dumaresq:</i> How long had you been aware that there was disease in your flocks? I had been aware some time & had done everything to cure them, & as I stated just now, I believe another dressing would have effected a cure, for there were so many on which not a spot was to be seen; for instance, the thousand first destroyed, my own sheep, had not a spot on them</p> <p>35. Then you are of opinion that, had not the operation of this Act interfered, you could have cured your sheep? Yes</p> <p>36. Had you fresh ground to put them on? Yes, I had even rented ground to send them to, everything was done that could be to effect a cure [p 23]</p> <p>37. <i>By Mr Icely:</i> How long before they were destroyed had they been dressed? I am not quite certain</p> <p>38. Do you know whether it was before or after shearing? They were not dressed after shearing; we were preparing to dress them at the time they were destroyed</p> <p>39. You had dressed them some months before? Yes</p> <p>40. How were they dressed? In the first instance with corrosive sublimate & arsenic, & afterwards they had been dressed with lime, & I believe another dressing would have cured them. I am of opinion that lime will cure scab</p> <p>41. <i>By the Chairman:</i> In refusing to grant certificate for compensation required by Act, did magistrates express any regret that they could not do so, or did they recommend your petition to Government? Magistrates signed the petition & certified that everything had been done by me that could be done under circumstances. (<i>Vide Appendix</i>)</p>		046

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						<p>42. Was there a good quantity of wool on sheep at the time they were destroyed? No, it was just after shearing but there were about six hundred lambs destroyed with all the wool on</p> <hr/> <p>APPENDIX We the undersigned being the Justices herein referred to, respectfully beg to recommend the prayer of this petition to the favourable consideration of the Legislative Council, as we believe every exertion was made by Mr Back to comply with the requirements of the Act. JNO G C WILLIAMS, J P [John G C Williams] JNO BLAKE, J P [John Blake] Yass, 1 July 1855 This certificate was appended to the petition presented to Council, but it was ruled by the Speaker to be out of order, and was therefore detached from the petition</p> <p>----- George Campbell, called in and examined:- [Margin: G Campbell] 1. <i>By the Chairman:</i> You are proprietor of sheep in County of Murray? Yes 2. And have been for some years past, owner of a considerable number of sheep? Yes 3. Have you ever had them diseased? No 4. Have you ever had scabby sheep in your neighbourhood? Yes 5. <i>By Capt Dumaresq:</i> In adjoining runs? Yes, for a period of six or seven years 6. <i>By the Chairman:</i> And you were fortunate enough to escape contagion? Yes 7. Have you considered the Act that was passed last Session, called "an Act to provide for the destruction of sheep infected with scab"? Yes 8. What is your opinion of its policy? That it was quite uncalled for 9. In what respect do you think it uncalled for? In every respect 10. Do you think there are many persons in the Colony who would concur with you in that opinion? All in our district, with perhaps a few exceptions 11. Do you or do you not think the compulsory destruction of scabby sheep necessary? I do not 12. Do you think the scab a curable disease? Quite so, I would not be sorry to take a flock or two of scabby sheep, provided they were to be mine on curing them. I could dip a thousand a day 13. <i>By Capt Dumaresq:</i> Have you plenty of run? I could manage to form fresh stations were my sheep to be attacked with scab, for purpose of curing them. I am of opinion that proprietors who permit their flocks to become scabby are unfitted to possess sheep; they cannot have sufficient energy which is very requisite in sheep farming. The neighbour adjoining my estate, amongst whose sheep the disease was so long prevalent, used to shear his sheep twice a year. His sheep used to get among the flocks frequently but the moment they were seen, shepherds were directed to cut their throats & burn them on the run; but then, either superintendent or some other person was constantly on the alert. No sheep are allowed to pass through my run, without superintendent being present; I have sometimes had as many as ten thousand pass through, which I have suspected of disease, but my sheep have never taken either scab or catarrh</p>		

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						<p>14. <i>By the Chairman:</i> Have you had any opportunity, since passing of this Act, of ascertaining opinions of persons in other districts than your own, with reference to it? Yes, both to the north & south. In Maneroo & Bathurst I know a great many persons who are entirely opposed to it.</p> <p>15. Is it or is it not your opinion that operation of the Act will be at all beneficial – do you think it will tend, in any degree, to prevent spread of the disease? I think the same neglect that, in the first instance, allowed disease to increase to such a fearful extent, will cause it to increase again</p> <p>16. Suppose it should be considered necessary to increase assessment to provide means for compensation to those whose sheep may be destroyed, what do you think will be the feeling of parties who will have to pay the tax? They will be more opposed to it than ever</p> <p>17. Do you think the feeling of opposition to it is growing or subsiding? I think it is increasing</p> <p>18. Is there any scab in your district now? None that I am aware of</p> <p>19. <i>By Capt Dumaresq:</i> Do you consider that the disease will arise spontaneously? Yes, from neglect, & keeping them in too large flocks [p 24]</p> <p>20. You do not know it as a fact? No, but it is well known that if a large number of animals are herded together, they will easily breed disease; & if two or three thousand sheep are kept in a flock, and at the same time neglected, disease is very likely to arise</p> <p>21. Do you know to what your neighbour ascribed the appearance of the disease in the first instance? I do not; but as he was generally drinking & his shepherds were constantly drunk also, sheep consequently were neglected & became very poor</p> <p>22. You do not know whether he ascribed it to contagion from passers by? I think not</p> <p>23. But might not the disease have been introduced by sheep passing through? Sheep must pass through my run before they can get to him. Sixteen years ago, my brother bought an estate with a great many scabby sheep on it, but they were all cured in a short time. You cannot trust to professed scab doctors</p> <p>24. <i>By Mr Icely:</i> Can you trust to your own servants? I think not at all, unless you superintend them</p> <p>25. Supposing you do superintend them, in dipping the sheep may not some of the spots be avoided? I think not. I have seen 20,000 sheep washed in warm water previous to their being shorn & they were passed through the tub at the rate of from 1000 to 1200 a day. I did not permit any sheep to be put out unless it was clean</p> <p>26. Is there no danger of the men putting diseased sheep into the flock in the night? Since the present Act has been passed, I think that it is very likely that it may be done</p> <p>27. Do you not think it likely that men employed as scabbers may act upon the same principle as rat catchers, & do so in order to retain employment? I would not trust to scab dressers, I would see it done by myself or employ a proper person to superintend them, in whom I had confidence</p> <p>28. <i>By the Chairman:</i> Have you considered the various clauses of the Act; & if it should be considered desirable to continue it, are you prepared to suggest any amendments which might make it less oppressive? I would allow a person four or six months to get rid of the scab, & if his sheep were not cured at the end of that time, I would fine him £100 for each diseased</p>		047

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						<p>flock, compel him to boil down or destroy his sheep, & give him no compensation. I think that what I have suggested would be more likely to rid the country of scab than the present Act</p> <p>29. <i>By Mr Icely</i>: Would there not be very great risk of their spreading the disease in four or six months? They would remain on the run</p> <p>30. Might not sheep that were "winged" as it is called, be lost in the bush & get into other flocks? Not if you employ a careful shepherd to look well after them</p> <p>31. <i>By Capt Dumaresq</i>: You would propose that instead of granting compensation to parties destroying their sheep, they should pay for having the disease? I would give them four or six months or perhaps longer, to cure the disease, & if at the end of the term they were not cured, sheep should be destroyed without compensation; but I think there is no doubt whatever that owners would succeed in curing them, rather than permit them to be destroyed without compensation</p> <p>32. <i>By the Chairman</i>: You think circumstances of the Colony are not so much changed from what they were, but that scabby sheep may still be cured? Yes</p> <p>33. Without putting owners to a ruinous expense? Yes, I know that if scab were to attack my sheep tomorrow, I would cure them if I were permitted the time I have mentioned, to do so</p> <p>34. You do not think it necessary to destroy sheep & their wool for the purpose of exterminating this disease? Decidedly not. It might be advisable to restrain farmers from keeping their sheep in larger flocks than 1000 or 1500</p> <p>35. <i>By Capt Dumaresq</i>: How could that be done? I presume that Council could as easily pass on Act to that effect, as they passed the present Act for the prevention of scab which compels me to destroy my sheep</p> <p>36. <i>By Mr Icely</i>: Have you not known scab to be in small flocks? Only when they have been neglected</p> <p>37. <i>By the Chairman</i>: Are you aware whether there has been any change of opinion with reference to this Act; whether any persons who were formerly in favour of it, are now opposed to it? Yes, I know persons who signed the petition for passing of present Act, who are now opposed to it</p> <p>38. Do you know any instances of sheep owners of large possessions who have changed their minds in this way? Yes</p> <p>39. Many or only one or two? I know of two who did so</p> <p>40. <i>By Mr Icely</i>: You have never had the scab yourself? No but we have had it all round us. Stray scabby sheep have been picked out of the flocks, on the estate which I possess & have been destroyed</p> <p>41. Do you not think there is considerable risk from diseased sheep passing through a run? Not if you are careful. I have had as many as 10,000 sheep suspected to be affected by catarrh, pass over my run; but I obliged the parties owning them to give me notice that they would pass through on a certain day</p> <p>42. <i>By Capt Dumaresq</i>: If the Act were to be continued in force, of course you would give stringent powers to Inspectors? I think sheep owners would be sufficient Inspectors themselves</p> <p>43. <i>By the Chairman</i>: You are opposed to Legislative interference with sheep at all? Yes, I think former law was quite sufficient</p> <p>44. <i>By Mr Icely</i>: Do you think it possible for a man to keep diseased sheep within the boundaries, without a breach of the former Act? Yes</p>		

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						<p>45. Under that law you cannot keep them within a quarter of a mile of a boundary or public road? I am quite aware of clause which you allude to</p> <p>[p 25] WEDNESDAY, 5 SEPTEMBER, 1855 Present:- Mr Bradley, Mr Icely, Captain Dumaresq, Mr G Macleay, Mr Hood G MACLEAY IN THE CHAIR Gideon Lang, called in and examined:- [Margin: G Lang] 1. <i>By the Chairman:</i> You are deeply interested in sheep farming? Yes 2. And have been for some years? For thirteen years 3. In the Murrumbidgee district chiefly I believe? Yes & also in Port Phillip for several years 4. Have you ever had the misfortune to have your sheep diseased with scab? Yes 5. While you were in the Port Phillip district? Yes 6. What was the result of that state of your flocks, have you ever been able to cure them? Yes 7. By dressing them? Yes, with corrosive sublimate and tobacco 8. In what year was that? In 1842 9. Had you an abundance of labour at that period? We had plenty 10. What number of sheep were diseased? I think somewhere about 1500 11. Having only that number I presume you were enabled to remove them to a fresh run? No, we cured them without removing them 12. How long were they undergoing the process of cure? They were what is called cured at one dressing, but we were not certain for two years when we had removed to another part of the country; I do not think we should have been quite certain of doing it on the old run 13. The disease broke out again? It threatened to do so but whenever any symptom of disease was seen in a sheep it was killed 14. It broke out in individuals although it did not spread? Yes 15. What number of sheep did you lose in consequence of dressing them in that particular way? At this distance of time I could not say but it was very few. My brother is a medical man, & so adjusted the materials, that we lost fewer than any others in the country 16. Did you lose fifty percent? Nothing like it 17. Twenty? Not half of it 18. Would you, if you had the disease among your flocks now, have recourse to the same mode of treatment? No, I would kill them instantly 19. You think it would be dangerous to attempt to cure them now in consequence of not having sufficient labour, of the impossibility of getting a fresh run, and the absolute certainty of expense attending it? Yes. In fact, there was scab lately on the other side of the Murrumbidgee Plain from us, so that we expected to get it, & my partner & I determined if it broke out, to destroy the sheep without making any attempt to cure them. We thought it more profitable to sacrifice one flock than to chance infection to the rest of our sheep 20. You approve then, on the whole, of principles on which this Act is founded? Yes, quite. I am going extensively into sheep to the North, & I would hesitate very much to do so, if we had no such insurance</p>		048

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						<p>21. Do you think sum of four shillings, proposed to be given as compensation to parties, who have their sheep destroyed under provisions of this Act, is too much? I do not</p> <p>22. <i>By Captain Dumaresq</i>: Nor too little? Nor too little, I think it a very fair sum</p> <p>23. <i>By the Chairman</i>: You regard eight shillings as about the price of a store sheep? I think that is high for store sheep without fleece</p> <p>24. Do you think the proprietor of diseased sheep better off if paid four shillings a head & required to kill, than he would be if he were allowed every chance of curing them? I do certainly; he could purchase with that one-half the number of clean sheep, & breed up his number again; one clean sheep is better than two scabbed</p> <p>25. <i>By Captain Dumaresq</i>: Would you try to save the wool & tallow? I would do what I could</p> <p>26. <i>By the Chairman</i>: You would wish to save the fleece? Certainly I would try to save it</p> <p>27. You think the Act should allow proprietor to save the fleece? Yes</p> <p>28. When you say you would save the tallow, do you mean you would give permission to proprietor to boil down the sheep, or merely that you would allow him to take the inside fat? To boil down, so long as it would not take too much time. I would leave it to Inspector, checked by a jury, to decide whether time ought to be allowed. If only one or two sheep showed symptoms in a flock of fat wethers with the fleece on, I think it would be a wanton destruction of property to burn them. It would be very easy, while boiling them down, to mark & kill at once any sheep that showed symptoms, so as to reduce the risk to almost nothing</p> <p>29. Do you not think that of necessity a great deal of time would be lost, after sheep were known to be diseased, in removing the fleece or skin, & obtaining the tallow? No doubt, in many cases, so much time would be lost, that they ought to be killed at once. I highly approve of their being killed when necessary, but I do strongly object to a greater destruction of property than is absolutely necessary, and would protest against placing such power in any one man living. I would propose that, instead of leaving it to the Inspector to condemn sheep on his unchecked judgment, it should be open to proprietor or his agent, to call in a jury of neighbours & leave it to them & Inspector to decide, both if they are diseased, and what time (within a certain limit) ought to be allowed for killing off; depend upon it, neighbours will err, if at all, on the safe side</p> <p>[p 26]</p> <p>30. Do you not think there is danger attending carriage of fleeces of diseased sheep through the country? There may be, but I think it is so very remote that I do not think it should enter into the calculation; it would only be in case of a man wilfully spreading disease & if he wanted to do so, he would find means whether wool was burned or not. I have heard of many cases of wilful infection, & I think its summary & severe punishment should be provided for</p> <p>31. Where we proceed to such an extreme length as we do by this Act, to carry out so great an object as eradication of this disease, would it be worth while to run such risk for the sake of saving a few hundred pounds to individuals? I think the danger is so remote from that source, that it would be a great pity to destroy the property to prevent it</p>		049

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						<p>32. <i>By Captain Dumaresq:</i> You would give the parties four shillings a sheep, & allow them to save what they could? Yes, if the Inspector & jury decided that I t was safe to do so; principle upon which I would do that, is, that a store sheep after shearing is worth at least six shillings; but if it goes on for a year, the wool growing & fattening, I consider that that is so much over the value for which the four shillings is given; & he should have that</p> <p>33. <i>By Mr Icely:</i> You are then giving the full price of the sheep? I do not think so because a fat sheep with his fleece on his back is worth sixteen shillings, and a store sheep without fleece worth six shillings</p> <p>34. <i>By the Chairman:</i> It does not follow that all sheep will be fat; in fact, if they have the scab, it is very unlikely that they will be so? I go on the principle that four shillings should be given for store sheep after shearing, & if they have any value over & above that, the four shillings does not pay for it. The object in view I take it, is to obtain security at the smallest expense, & four shillings per head for <i>lean sheep without fleece</i> just hits the mark. It is so much, that a man would rather take it than risk infection of the rest of his sheep, or penalties & risks of actions consequent on concealment; yet so little, that not even a madman would infect sheep for the sake of it. But if you look upon the four shillings as remuneration for sheep of all conditions & fleeces, it is quite certain it no longer answers, as the twelve shillings additional to be got for fat wethers & with fleece, would induce them to make every endeavour to conceal the disease, until they got them disposed of, & loss would be so great that even neighbours would wink at it. Leave it to the jury to say whether the fleece & tallow are to be saved & avoid all risk & save property where it is possible</p> <p>35. <i>By Mr Hood:</i> It is possible, if persons are very careful, that the fleece & tallow might be saved, but do you not think it would be running a great risk to allow it to be done generally? I do not think, if you had a jury of neighbours, they would take the dangerous side of the question</p> <p>36. <i>By the Chairman:</i> From what you have said of the expense of attempting to cure diseased sheep, do you not think that a proprietor of them had great reason to congratulate himself, if he gets a sum like four shillings a head? Yes, if I were not to get four shillings, in such a case I would destroy the first flock that showed, without it, & get rid of the rest as soon as I could</p> <p>37. Do you not think that, if he gets so much, he should not be put in a position to damage his neighbours, by keeping the sheep during all the time necessary for shearing and boiling them down, and afterwards to carry the wool through the country? I think he is well off with four shillings for scabby sheep, lean & without fleece, but if I had fat wethers with eleven months wool worth sixteen shillings, the four shillings would be poor remuneration. If necessary for the safety of my own & neighbour's sheep, I would not object to any sacrifice; but so peremptory a rule would create much individual hardship without any corresponding benefit to the public. I would, in fact, as I said before, leave it to be decided at the time by a jury, under the whole circumstances of the case, what time (within a certain limit) should be allowed</p> <p>38. Do you think the term of fourteen days for the destruction of diseased sheep is too short – the whole of a man's flocks would rarely become diseased at one time – the disease spreads by degrees, it seldom shows on more than two or three in a flock at one time, so that if proper inspection</p>		

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						<p>were kept up, it would be detected before the whole of the sheep were scabbed. Under these circumstances, do you not think fourteen days sufficient, or would you extend the time? I would leave that to be decided at the time by the jury. I would give them a discretionary power</p> <p>39. <i>By Captain Dumaresq</i>: Still there might be some penalty upon the proprietor, if he knowingly keeps back the knowledge of the disease? Most undoubtedly, nothing can be too severe for that. It is provided for in the Act; the proprietor would receive no compensation, & there ought to be a very heavy fine besides. Men with sheep worth sixteen shillings in Sydney, might chance getting them down before the disease has spread rather than take the four shillings</p> <p>40. <i>By Mr Icely</i>: Do you not think there is very great risk in attempting to keep sheep for the purpose of boiling them down, in many establishments where their means are limited? Certainly, and in such cases they should be killed at once; but I would leave that to the jury to decide</p> <p>41. During that time, there is a risk of sheep jumping the hurdles & getting at large? There is a danger certainly, but if the proprietor gives notice as he ought to do, when he saw the first sheep beginning to pick themselves, & when, very likely, there would not be a dozen scabby sheep in the whole flock, I think there would be very little risk in giving a few weeks to boil them down, if they were thought fit. I would leave the time to discretion of the jury</p> <p>42. You would not confine them to fourteen days? I would confine them to three weeks or a month. In that time they could kill & skin the sheep. I would not shear them but let them skin them</p> <p>[p 27]</p> <p>43. <i>By Captain Dumaresq</i>: Would it not take a shorter time to skin them than to shear them? Yes</p> <p>44. <i>By the Chairman</i>: The <i>acarus</i>, which is the cause of the disease, has its resting place in the skin – if found in the fleece it is simply astray – it lives & breeds in the skin? Yes, so I have read</p> <p>45. Then would it not be better to take the wool off before the skin? It is easy to take the wool off after skinning</p> <p>46 There is less danger in removing the wool than the skin? That depends on whether the insect dies, when the skin is off the sheep</p> <p>47. I think you said three weeks would be the extreme limit you would allow for boiling down? Yes, I think that should be the extreme limit</p> <p>48. The wording of the Act, which is to this effect, “after the said sheep shall become so infected”, is so vague, that it is difficult to say whether it is after the sheep become infected, or after they become declared to be infected? I mean after the jury have declared them infected</p> <p>49. With respect to the Inspectors, to whom there is no especial authority given by this Act, do you think it desirable that they should have any greater powers than are apparently given in this Act – would you give them power to enter upon runs or stations after giving notice to the proprietor? Yes, on the very shortest notice</p> <p>50. And to inspect sheep travelling without any notice whatever? Yes</p> <p>51. Would you give them authority to stop travelling sheep if they found them diseased? Yes, further, to stop them on suspicion, until satisfied that they were not diseased</p> <p>52. Do you think competent persons, to act in this capacity, could be found to act in the greater number of districts? I have no doubt of that</p>		050

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						<p>53. I presume you think it would be only right to give them such a moderate amount of salary as would place them above temptation? Yes</p> <p>54. In as much as temptation might be offered by unscrupulous parties travelling with sheep? Yes</p> <p>55. <i>By Mr Icely:</i> Would you recommend immediate destruction in the case of travelling sheep? Yes, but I would leave it either to the travellers or the settlers, whose sheep they said were scabbed, to call upon the jury. I do not think any such absolute power should be given to one individual over any man's property</p> <p>56. You would stop diseased sheep travelling? Yes</p> <p>57. <i>By Mr Hood:</i> But while they were detained, sheep might get away? In saying sheep should be stopped, I mean that the Inspector should have them under his authority. I would leave it to him to leave them where they were, or to fix upon the place where they should remain</p> <p>58. <i>By the Chairman:</i> When you say a jury you mean any number of persons that can be conveniently convened, from six to two? Yes</p> <p>59. To consist of sheepowners or overseers? Yes, either, or any respectable men, who were acquainted with the disease; because in many parts of the country they could not get sheepowners. I think it should be made a point, that Inspectors have had considerable experience in scab, for they will otherwise be stopping people & giving a great deal of trouble on false alarms</p> <p>60. Do you not think a knowledge of the disease may be easily obtained by a man with an observant eye? I should not like to trust to that, even the most experienced may be deceived by appearances in this disease</p> <p>61. Do you think that, in every district of the Colony, there could be found sufficient men acquainted with the disease? I know we could get enough from Port Phillip, if the pay was adequate</p> <p>62. There are a great number of sheep at Port Phillip in a state of disease? Yes, a great many</p> <p>63. To be scabbed is the normal state of Port Phillip sheep? Something very like it</p> <p>64. They are taken to market in that state? Yes, I believe so</p> <p>65. After having been dressed with the mineral medicaments? Yes.</p> <p>66. <i>[numbered 60 in document]:</i> Do you believe mutton in that state can be wholesome food? I have eaten it & felt no bad effects</p> <p>67. Do you not think that the arsenic & corrosive sublimate with which the sheep are dressed, may be taken into the system? They may be taken into the system, but whether in quantities to hurt any person, I cannot say</p> <p>68. <i>By Captain Dumaresq:</i> Still you would not knowingly sanction such a thing? I would not</p> <p>69. <i>By the Chairman:</i> Do you believe that sheep districts of this Colony would soon become in the same state as those in Port Phillip, were it not for the existence of this Act? I have not the least doubt of it</p> <p>70. The sheep runs are now so immediately in contact with each other, that anything like this disease runs like wildfire? Yes, & once it got to a certain length, it would be impossible to eradicate it by the most stringent law. Where there is only one flock in one station scabbed, it is a constant risk to all within many miles, as the single man in charge of that flock, going to sleep & letting his sheep out of sight, scatters the disease in all directions, the flocks being immediately broken up into small lots which join the first flock they fall in with. But where a number of stations in a district have</p>		

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						<p>disease, it was even in old times almost impossible to escape infection, and still more so to clean them, but now it would be throwing good money away to try it; the only effective plan is to kill the first flock it appears in, for, if it is allowed to spread, so many catch, that to kill them would be to exterminate all the sheep in the Colony, & you can neither kill nor cure</p> <p>71. You reside in Sydney & mix with a great deal with sheep farmers, & those interested in this matter? Yes [p 28]</p> <p>72. What is the general opinion, so far as you can judge, of the character of the Act? I have never heard two opinions, except from Members of Council. Everyone I have asked has approved of it, & I have asked a great many</p> <p>73. Have you any other suggestions to make with regard to any clauses of the Act, or the Act generally? Only about the jury. As I said before, I would not leave it in the power of any one man to condemn & destroy sheep, but would leave the most absolute power in the hands of the jury.</p> <p>74. As the law is now, the parties must get a certificate? I think that is too circuitous a course. It is to save time I recommend the jury, who in themselves are sufficient protection. Any two men upon being called upon to act as jury, should have the power instantly to condemn, & an order signed by them & by the Inspector should be sufficient</p> <p>75. Would you give the shepherd or person in charge the right of challenging this jury at all? No, I would not as a right, but it might be an instruction to the Inspector never to refuse to get other jurymen in place of those objected to, unless some risk was incurred thereby</p> <p>76. Would parties, so circumstanced, look upon themselves as in better circumstances than if they had to depend on the fiat of the Inspector? I think so, beyond a doubt</p> <p>77. But the jury might be less known to parties whose sheep were destroyed than the Inspector? I think the parties would not object to refer the matter to respectable men in the neighbourhood</p> <p>78. <i>By Mr Icely:</i> Would you give the Inspector a casting vote? No; for, if the existence of disease was so doubtful that the votes were equal, I think it would be fair to allow the appearances either to develop themselves or disappear while additional jurymen were called. They would always be inclined to go against the suspected sheep</p> <p>79. <i>By the Chairman:</i> On account of their desire to save themselves from the liability to disease – there would not be much chance of favour being shown? If there is any risk, I think it is on the other side. I have heard it objected to this Act, that people would scab their sheep on purpose to get the four shillings a head; they must be mad as well as dishonest to do so. The only sheep, that there could be any inducement so to dispose of, would be ewes so old that they could not fatten; & only stations where such are likely to be, are those newly occupied, where they have bred on for six or seven years with original stock ewes. In a stock of 20,000 there could not be more than a 1000 worth £200, and who would risk 20,000 sheep for £200, leaving principle & risk of detection out of the question. As for the talk about cruelty, it is mere twaddle; the sheep are to be killed at any rate, & killing them for scab is no more cruel than killing them for mutton or tallow</p> <hr/> <p>The Honorable Francis L S Merewether, M L C, Colonial Treasurer, examined:</p>		051

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						<p>[Margin: The Hon F L S Merewether, M L C]</p> <p>1. <i>By the Chairman:</i> The Return to an Address of the Legislative Council, dated June 19, shows amounts paid on account of assessment under the Scab Act, & those not paid – will you have the goodness to inform the Committee what now remains unpaid? The amount remaining unpaid yesterday was £429 13s 9d. This morning £10 has been received, which reduces balance unpaid to £419 13s 9d. The total amount paid up to the present date is £16,126 13s 8d, not including fines which have been imposed for failure to pay within prescribed time. An additional sum of about £152 has been received on account of these fines</p> <p>2. What are the reasons assigned, as far as you can learn, for non-payment? I think it has been owing, generally, to want of knowledge of the requirements of the law, or inattention</p> <p>3. You have not heard that parties have pleaded that the Act itself is defective in its power to enforce the fine? I had heard it stated that, placing reliance on some alleged defect in the Act, some persons would refuse to pay the assessment, but no case has come within my knowledge in which such an intention has been carried out</p> <p>4. You have reason to believe that the whole of this money will shortly be paid? Yes. It was expected that two or three persons would resist the claim made upon them, but they have not done so; and I believe the whole amount due will be paid</p> <p>5. <i>By Captain Dumaresq:</i> Have any of the parties paid under protest? None that I am aware of, unless in cases in which there may have been a question as to the correctness of the amount of assessment charged</p> <p>6. You would see from the nature of the protest whether it was founded upon a defect in the law? I have not received any protest founded on a defect in the law</p> <p>7. <i>By the Chairman:</i> Will you have the kindness to look at the 27th Clause: has there not been some difficulty with respect to your payment of sums in compensation, owing to the wording of this clause? The clause is very obscure, and very defective in its wording; if it be intended, as I presume it is, to authorize the satisfaction, out of the general revenue, of any legal demands for compensation under the Act, should there not be at the time sufficient funds at the credit of the assessment account to meet them. The words of the clause, to which I refer, are these: "It shall be lawful for said Colonial Treasurer to pay any moneys legally demandable from him under this Act, either as compensation for sheep destroyed or otherwise, out of public funds in his hands, before any portion of the assessment hereby directed shall be actually received by him". Now putting a strict construction on these words, they might be held to mean that, when once the Treasurer had received <i>any portion</i> of the assessment, his power to advance out of the general revenue should cease. And as, at a very early date in this year, a solitary shilling was paid for assessment, and for a long time stood alone at the credit of the account, it might be maintained that that one shilling took away the Treasurer's power of paying compensation out of the general revenue. I did not, however, consider it necessary to raise any question on the subject, until the demands for compensation exceeded the amount of assessment leviable in</p> <p>[p 29]</p> <p>the present year. I then took the opinion of the Law Officers as to whether I should be justified in satisfying further demands out of the other funds in</p>		052

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						<p>my hands. They stated that the matter was not free from doubt, but they advised that payments should be made in anticipation of the next year's revenue; provided that the Treasurer kept well within the amount of the revenue which might be expected to be derived next year from this source</p> <p>8. It is desirable then that this clause should be made less vague? Certainly; and it appears to me that, under the opinion of the Law Officers, I shall not be in a position to pay any further amount of compensation than has been already claimed</p> <p>9. The assessment of next year being anticipated? The amount of payments made, and of claims sent in, to the present time, is £11,754 in excess of the receipts of the present year. The receipts of next year cannot be estimated at more than about £17,000, and therefore if I have not actually reached the margin advised by the Law Officers to be left, I have come very near it. If it is the intention of the Committee to make any alteration in the clauses referring to instructions to the Treasurer as to payments, I would suggest a slight modification in the fourth clause. In that clause it is provided that the Treasurer shall pay the compensation authorized, on demand. Now the practice is, that no payments are paid by the Treasurer out of public funds, without the warrant of the Governor General, and I think that practice should be observed in respect to payments made out of the funds derived from the assessment. But, if the payments are to be made by way of advance out of the General Revenue, the Treasurer cannot legally make them in the manner provided by the present Act, as the Constitution Act requires that no payment may be made by the Treasurer out of the General Revenue without the warrant of the Governor General. I advert to this matter, because many persons who have come to the Office have maintained that the Treasurer is bound to hand them the money over the counter on the production of the certificate.</p> <p>10. <i>By Mr Hood:</i> Where would insert that? After the words "the said Treasurer" I would add "under the warrant of the Governor General"</p> <p>11. <i>By the Chairman:</i> Have you any other remark to make with respect to any other clauses? In Many of the Acts imposing duties upon Officers in the country districts, a penalty is imposed for the non-performance of the duties; and I think it desirable that such penalties should be introduced into this Act. I would suggest that the Clerk of Petty Sessions, or other Officer, who may be responsible for making the assessment and for serving notices, etc, should be subjected, for any failure on his part, to a penalty say not exceeding five pounds, which is amount fixed for similar failures of duty under the Impounding Act, & also under the Publicans' Licensing Act.</p> <p>12. Would you propose any penalty to be levied upon the Inspectors in case of non-performance of their duties? On looking at the provisions of the Act, it appears to me that the duties of the Inspectors are not sufficiently defined, to admit of their non-performance being punished by a penalty. If a Clerk of Petty Sessions is instructed to serve a notice or perform any similar duty on or before a certain day, & he omits to do so, there is a definite and unquestionable offence for which to impose a fine, but it would be difficult to fix penalties for duties so indefinitely set forth as are those of the Inspectors appointed under the Act</p> <p>13. <i>By Captain Dumaresq:</i> Might not the Inspector be fined, if he failed to visit and inspect sheep after receiving notice? Certainly; but I am giving my opinion with reference merely to the provisions of the present Act, in respect to the duties of the Inspectors</p>		

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						<p>14. <i>By the Chairman:</i> It is proposed to define their duties more clearly: under such circumstances might it not be desirable to impose penalties for non-performance? I think it would be</p> <p>15. What is the total amount of compensation at present paid? £20,078 13s 9d</p> <p>16. And the amounts claimed? Further claims received and not paid amount to £7974</p> <p>17. Does that include the claim made by Mr Daniel Cooper? Yes</p> <p>18. Has compensation been refused in that case in consequence of the difficulty already referred to, or in consequence of any representations that have been made with reference to the circumstances of the case? I have been directed by the Government not to pay that amount without further instruction upon the subject</p> <p>19. Pending the inquiry? Yes</p> <p>20. You are not aware of the peculiar circumstances, I presume? I have only a general knowledge of the case. I have not had occasion to look closely into the particulars</p> <p>21. An inquiry is to be made into the circumstances? I believe so; the case is under the consideration of the Crown Law Officers</p> <p>22. Are these claims coming in fast at this time? Claims to the amount of, and upwards of, £14,000 have been received since 11th June last, when a Return of the amount of compensation paid was rendered for the Council by the Auditor General</p> <p>23. Are many of those that have come in been for sheep destroyed recently, or in the earlier part of the year? They are principally for sheep destroyed in the months of April, May and June</p> <p>24. Have you reason to believe that many more will come in; have you any knowledge of the subject? I have no knowledge of the subject at all</p> <p>25. There will be a balance, as far as you can at present judge, of eight or nine thousand pounds, in round numbers, remaining to be provided for? The balance to be charged against the next year's revenue will be more than that – nearly £12,000, as I have before stated</p> <p>26. You have anticipated that? That amount will be advanced from the General Revenue in the present year, & will be repaid from proceeds of the assessment for next year</p> <p>27. The next year's revenue will cover all that you have as yet paid? Yes</p> <p>28. At what do you estimate the revenue of next year? About £17,000</p> <p>29. Taking the sheep at eight millions, and the probable increase, would not that entitle</p> <p>[p 30]</p> <p><i>[contd]</i> you to make a higher estimate than that? I think we can scarcely expect any increase next year that would yield more than a thousand pounds of assessment at the present rate</p> <p>30. The salaries of the Inspectors will still be paid, I presume, under any circumstances? They will be paid, as a matter of course, so long as their services are continued</p> <p>31. And, as it will be desirable to maintain Inspectors, even though there should be good reason to believe that the disease has disappeared in the next twelve months, it will be necessary to have a fund out of which they shall be paid hereafter, unless they are paid out of the General Revenue? Certainly</p>		053

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						<p>32. Can you state how the Inspectors have been appointed, and what is the average of their salaries? I believe they have been appointed by the Governor General, on the recommendation of Magistrates, Crown Land Commissioners, or other residents in the districts in which they were to act. Their salaries range from £50 to £200, according to the number of sheep in the districts assigned to them</p> <p>33. Can you inform the Committee whether complaints have been made of want of proper performance of duties of any of these parties? I am not aware of any; but such complaints do not pass through my Office, and I am not therefore able to give any information on the subject</p> <p>34. I have received two or three letters from an Inspector named Baker, complaining that he could not get his salary, which had been due to him for six months; to what was that irregularity owing? It was owing, I believe, to his not having rendered to the Auditor General his salary papers in proper form; and I understand that he was subjected to some further delay after he did send in the correct papers, because, when they reached his Office, the Auditor General had received instructions to suspend all further payments on account of claims under the Assessment Act, pending the reply of the Law Officers as to whether they could be legally made</p> <p>35. Mr Baker, I suppose, is now receiving his salary? Yes</p> <p>-----</p> <p>[p 31] <u>Letter handed in by Mr Donaldson</u> Collaroy, Merriwa 15 September, 1855 MY DEAR SIR, Permit me to offer the following remarks for your consideration, as one of the Committee now sitting on the Scab Act</p> <p>Great complaints have been made of the very stringent character of the 2nd & 3rd clauses of the Act; but, considering the magnitude & importance of the evil to be contended with – the facility with which, above all others, this disease is communicated – the carelessness and indifference so frequently manifested by those having infected flocks as to whether it is extended to their neighbours' flocks or not – and the dire consequences that would ensue to individuals, and the Colony at large (Port Phillip to wit), were its ravages not checked by legislative enactment – I do not think that, as a <i>preliminary</i> step, its requirements in demanding the summary destruction of all diseased sheep, are too severe. The amount of compensation awarded is quite another affair, being in most cases insufficient; nor is it based on equitable principles – but more of this hereafter.</p> <p>The demands made on the Treasury for compensation money show that a very large number of sheep have been destroyed, and this, by having struck at the root of the evil, the operation of the Act has affected much good. This being accomplished, I think it a matter of fair question – whether it may not <i>now</i> be suffered to relax somewhat in the severity of its "destructive" clauses? – more efficiency being, at the same time, given to those adopting precautionary and preventive measures; for I assume the position that no one can be so infatuated as to desire the total repeal of the Act, or who is not willing to accede to some assessment by way of assurance, imperfect though this may be, against its ravages. I would still advocate the compulsory destruction of sheep infected with the disease. Curative measures, especially on a large scale, are tedious, uncertain and</p>		054

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						<p>expensive; would keep the danger too long on hand, perpetuating the risk; and even to a reputed <i>cure</i> there would always be some doubt attached. I would, therefore, discard this idea; but, as a modification of the present mode of destruction would suggest that owners of the scabby sheep should have the option conceded to them of boiling down their deceased flocks, under the following restrictions:</p> <ol style="list-style-type: none"> 1. That the boiling take place on the identical Sheep Station where the sheep may happen to be running at the time of infection. They are not to be removed to the Head Station (or any other place) for this purpose, if not there in the first instance 2. That the slaughtering do not take place within one mile of any public road or thoroughfare 3. That it be accomplished within reasonable but <i>specified</i> time; commencing within 14 days from the appearance of the disease, and allowing, say 14 days, for each 1,000 sheep 4. That notices to neighbours, to the same effect as those at present required, be given 5. That the skins of the slaughtered animals be not removed, but fellmongered on the spot; and the wool then washed and dried prior to removal <p>A proposition to wash and dry the <i>skins</i> instead, would not meet the object in view; there is no assurance that it would be properly done; and if, as is supposed, the insect that is the cause of the disease proceeds "<i>ab ovo</i>", a mere dabble in a waterhole is very unlikely to impair the vitality of a deposit of eggs entangled in the wool, protected, as they would probably be, by an incrustation of dried matter. Such vitality would, however, unquestionably be destroyed during the partial decomposition to which the skins would be submitted in order to have the wool stripped</p> <p>I propose that the adoption of this course be entirely at the discretion of the owner; leaving open to him also the alternative of destroying his diseased sheep by slaughter and fire. That he will embrace the former, as entailing the smaller amount of loss, in all possible cases, is not to be doubted; and as, in such cases, I propose that no compensation be granted, the Assessment Fund will experience much relief, and the amount of the tax may either be reduced, or, what I think would be more to the purpose for a few years longer, applied to ensuring strict obedience to the provisions of the Act, by paying for efficient supervision, and awarding more liberal compensation for those otherwise destroyed. Many instances will occur when boiling cannot be advantageously resorted to: when the diseased sheep are either too young, too old, in low condition, and where the owner has it not in his power to comply with the conditions on which the alternative of boiling is allowed him. In these cases compensation ought to be given; and, referring to the above category, it is devious that the amount ought to be regulated by the value of the animal sacrificed – by a sliding scale, in fact. I maintain that it is not just, under any circumstances, that a worn-out, toothless, old ewe, should be valued at the same rate as a prime, maiden of eighteen months – an animal too young to yield a return from the pot, but, at the same time, from its "prospect", of very superior value. I would submit that a maximum and minimum value be established, and that before deceased [as it is] sheep are destroyed, their rateable value, between these extremes, should be assessed by competent judges. In deciding upon the maximum and minimum value, I would have it borne in</p>		

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						<p>mind that the value of the skin is to be deducted; for I see no objection to its being retained on the conditions detailed in connexion with boiling. There is, therefore, the worth of the carcass only to be estimated – probably 5s. or 6s. as a maximum, and 2s.6d. as a minimum, may be thought fair. An arrangement of this kind would at once silence the outcry – a very senseless one it appears to me – that has been raised about the possibility of people intentionally infecting old crawlers, with a view to obtain the 4s. compensation for their destruction, as more than their value. The difficulty in adopting it consists in the selection of fitting Assessors; and I confess that I do not see my way clearly out of it. Benches of magistrates in the country districts are, no doubt, quite competent to perform the task; but the delegation of the duty entirely to</p> <p>[p 32]</p> <p><i>[contd]</i> them appears of rather too one-sided a character. If a Government Officer could be associated with them, as a counterpoise, the plan might answer. Under any circumstances, I consider that the duty, by whomsoever performed, ought to be paid for, as it involves trouble and loss of time I would not abate any of the precautionary measures specified in the Act; such as posting notices, at the point of intersection of roads with the boundaries of the run; keeping runs, that have carried infected sheep, clear of stock for six months, etc. I would provide that, at these places, all hurdles & yards be burnt; & that the distance, which infected flocks are required to keep from public roads, be increased from ¼ mile to ½ or even 1 mile. I would also add the following:-</p> <p>That all sheep imported into the Colony should, immediately on being landed at their port of debarkation, be <i>shorn</i> and washed, by immersion in strong infusion of tobacco, or other specific</p> <p>That they should not be allowed to leave the port for the interior till examined by competent & authorized judges & pronounced clean; a certificate to that effect, & permit to travel, being given. Moreover, that, in the event of their being reshipped to any other Colonial port, on arrival at such port, the same process of ablution be gone through, the original permit exhibited to the Inspector, if there be one resident – if not, the nearest Magistrate by whom, on his being satisfied that all rules have been complied with, it shall be endorsed; and with this sanction only should they be allowed to proceed into the interior, under very severe penalties, extending even to the destruction of the animals in addition to fine. And, with reference to the bearing on this part of the “prophylactic” of my next suggestion, I would require that all imported stock, proceeding from Sydney or Maitland towards the interior, should be conveyed a certain portion of the journey in pens fitted on drays, from which they are not to be removed, but fed and watered therein</p> <p>Some such measures as the above would have prevented much, if not all, the evil that has arisen of late in the Northern Districts; for it is notorious that the disease was originally introduced there by imported rams, and I cannot too pointedly call your attention to the prevention of such an occurrence in future</p> <p>My next suggestion is that, from a certain radius, say 50 to 80 miles, from Sydney and Maitland, as centres, no sheep now depasturing within 5 (?) miles of any leading thoroughfare, along which stock proceeding to market are usually driven, & no stock whatsoever, so proceeding to market & having once entered within the circle, and no imported stock, except as</p>		055

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						<p>provided for in preceding section, should be allowed to return or proceed to the interior</p> <p>This may appear harsh & unreasonable, but I believe it to be a wise precaution. When we consider the vast numbers of sheep that converge toward these points, the presumption is that, if disease exists in any part of the Colony, it is almost sure to be manifested in some of these flocks. Unscrupulous persons may send for sale, to the butcher, sheep of whose sound condition they may have some <i>suspicion</i>, in hope that sale may be effected before the disease becomes manifest to ordinary observation. Others, without evil intention, may send sheep in which the disease is latent; and to any flock it may have been communicated on the road. And all the circumstances attendant upon the driving of sheep long distances, filth, starvation, overdriving, and poverty, are so favourable to the development of the disease, that there appears to be sufficient amount of risk to warrant the measure I have recommended. I am persuaded that, if enquiry were made, it would be found that much of the scab that has prevailed in the Western and North-western Districts is traceable to this source – and it is not to be wondered at. Sheep arrive at market, having travelled a long distance, probably overdriven; many of these are unsaleable for butcher's purposes, are bought up by speculators, turned out into some miserable apology for pasture land in the neighbourhood; fevered, impoverished, and covered with dirt – what is more likely, not merely to develop the disease, if only latent, but even to engender it? And, as soon as a sufficient number, of all sorts & descriptions, and from all parts of the Country, are accumulated in this way, the reckless purchaser forthwith starts them off into the interior, to scatter destruction in their path. It may be urged against this proposal, that the sheep-owner is thereby compelled, at any sacrifice, to sell his sheep, after they have passed the Rubicon; but I think I will be borne out in saying that the objection does not hold good in practice: for the outside proprietors are too well aware of the risk they would run, to dream of bringing back to their stations, under any circumstances, a flock they have once sent to market. The danger lies in the operations of the speculators alluded to; who have for the most part no great interest, beyond their immediate purchase, at stake, and who buy at a price to cover the risk.</p> <p>I will only allude cursorily to one other precaution that would be desirable, viz, that it would be well, could means be devised, to avoid the necessity of sending sheep, that are trespassing, to <i>public pounds</i>.</p> <p>I remain, my dear Sir, Yours very truly, ROWLAND J. TRAILL</p> <p>STUART A. DONALDSON, ESQ – M.L.C.</p> <p>-----</p> <p>[p 33] <i>FRIDAY, 5 OCTOBER, 1855</i> Present:- Mr G Bowman, Mr Finch, Mr Cowper, Mr Hood, Captain Dumaresq, Mr G Macleay G MACLEAY IN THE CHAIR Mr John Giblett, called in and examined:- [Margin: Mr John Giblett]</p>		056

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						<p>1. <i>By the Chairman:</i> You Are resident at Penrith? At South Creek</p> <p>2. You have addressed a Petition to Council, praying for compensation for certain sheep having been killed in consequence of their being infected with scab? Yes</p> <p>3. You state in your Petition, that, after these sheep were destroyed, "upon application to Penrith Bench of Magistrates for a certificate of their destruction, they refused to give such certificate, upon the ground that no particular hour was inserted in the notices given", in accordance with the third clause of the Act? Yes</p> <p>4. These sheep of yours were destroyed in May? Yes</p> <p>5. How long had they been diseased? All I know of their being diseased was about seven or eight days prior to any destroying. I sent a notice to the Bench, that there were symptoms about the sheep that I did not understand, and requested them to send someone to inspect them.</p> <p>6. Do you deal in sheep for the butchers? No</p> <p>7. Were these breeding sheep? Part breeding, and part wethers</p> <p>8. How long had they been in your possession? About seven years, the first stock.</p> <p>9. Were these sheep in a very bad state? So Mr Cox says. No doubt they were bad, for some little time elapsed, & I had been away; I was about to cure them, I thought I might do so; I did not understand the matter</p> <p>10. If they were so bad, do you mean to say that you did not know it above seven or eight days before they were destroyed? I had been absent in the Goulburn country six weeks, and on my return, one of the men said there was something the matter with the sheep, and that I had better go and look at them; I went and looked at them, & had a suspicion that it was something like Scab. I then sent an intimation to the Bench, & requested that some competent person might be sent to look at them; that they declined, but said, Mr Cox was a proper person to decide. I went there; & he came & looked at them, and pronounced them to be scabby</p> <p>11. You then destroyed them straightway? Yes, I gave notice to all the neighbours round, and Mr Edward Cox sent one of the constables from Penrith to count the sheep. He was subsequently sent to see them destroyed, and saw us burning them</p> <p>12. Did you send the notice in writing? Yes</p> <p>13. You omitted to state the hour at which you intended to commence the destruction? Yes</p> <p>14. Had you the Act in your possession? I had seen the Act, but the necessity of stating the hour was an oversight</p> <p>15. It was in consequence of that omission the Bench refused to give you a certificate? Yes</p> <p>16. You stated the number to be destroyed? I stated about the number; for finding the sheep diseased I was desirous to get quit of them as soon as possible</p> <p>17. Were you the first person who reported the sheep to be diseased? I believe so</p> <p>18. You had been six weeks absent? Yes</p> <p>19. Were they perfectly clean before you left? To the best of my belief they were perfectly clean</p> <p>20. Did you hear upon you return that they had mixed with other sheep? No</p> <p>21. <i>By Captain Dumaresq:</i> You have not a memorandum from the Magistrates, stating that it was only upon the ground you have mentioned</p>		

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						<p>that they refused to give you a certificate? No; they dismissed the case as not being formal</p> <p>22. <i>By the Chairman:</i> It was on that sole ground that they refused? Yes, on the ground of informality</p> <p>-----</p> <p>WEDNESDAY, 10 OCTOBER, 1855</p> <p>Present:- Mr Donaldson, Mr G Macleay, Mr Hood, Mr Martin G MACLEAY IN THE CHAIR</p> <p>The Honourable Francis Lewis Shaw Merewether, M.L.C. Colonial Treasurer further examined:- [Margin: F. L. S. Merewether]</p> <p>1. <i>By the Chairman:</i> When you last did us the favour to appear here, you stated that you had paid at that time the sum of £20,078 13s.9d. as compensation for sheep destroyed under the provisions of the Scab Act, and that there were further claims received, but not paid to the amount of £7,974? Yes</p> <p>2. Making a total of £28,052 13s.9d.? Yes</p> <p>3. Did that include the claim of Mr Daniel Cooper? Yes, one claim of Mr Daniel Cooper, the only one of which I was aware at that time; but since then another claim has come in, in the name of Cropper and Cooper, to the amount of £1,982 16s. [p 34]</p> <p>4. Have any further payments been made since you were last examined? Yes, further payments have been made to the amount of £4,399 16s., including the claim I have just mentioned; & there is still a claim for £132 unpaid. That will leave an over draft of £16,006 5s.6d.</p> <p>5. <i>By Mr Donaldson:</i> That almost absorbs the amount of the second year's assessment? Yes</p> <p>6. <i>By the Chairman:</i> Are any claims coming in now? I sent, this morning, to the Audit Office, to inquire; and I find that no further claim has been received</p> <p>7. The claims you have just spoken of are of some considerable standing are they not? Yes, claim of Cropper and Cooper is of considerable standing</p> <p>8. It has been disputed I believe, & referred to Crown Law Officers for their opinion? Yes, and on their opinion an authority was given for the payment of the amount</p> <p>9. You are not aware of any fresh claims coming in at all? No</p> <p>10. Can you tell the Committee what is about the aggregate amount of the Inspectors' salaries? About £1,400 a year. The amount to be paid in the present year will be about £1,000</p> <p>11. As you will receive in April next the assessment, under this Act, for the year 1856, which will about balance the accounts, would there be any objection on the part of Government to advance sums that may be required up to that time? The present arrangement is a very unsatisfactory one. As the appropriations for this year, for the general service of the Government, considerably exceed the income likely to be received from the present sources of Revenue, the advance of so large a sum as £16,000 under the provisions of this Act, is attended with serious inconvenience; and, as the next year's assessment will not do more than replace the sums advanced in the present year, I do not see how any further payments can be made by the Government, unless increased funds are provided</p>		057

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	58/03584	1858 10 02	Hon CS	Tarong, Burnett District James King	1858 09 23	<p>At top: "James King"</p> <p>Letter re appointment of persons competent to fill office of Inspector of Scab in Sheep, at ports of Brisbane, Maryborough & Rockhampton in the Northern Districts. Informed appointments will soon be made, may I recall to your memory at present time, the fact of my having been favourably recommended to your notice, in a memorial signed by a number of Resident Magistrates (squatters & others) who desired my appointment, in consequence of my having stayed the ravages of Scab on a former occasion owing to my previous experience in this disease, as well as that of Catarrh. Mr Buckley one of our Members, I believe communicated with you last week on this subject [see letter at p 073]</p> <p>It having been since mentioned to me it would be proper for me to make a personal application to yourself requesting the appointment. Inform you that I should esteem it an especial favour if I could be nominated to receive the appointment for Port of Rockhampton as I consider that will be the most dangerous port in these Districts, owing to vast importation of sheep, which will probably take place to supply the wants of the Gold diggers, at the risk of the breeding stocks of squatters in the neighbourhood. Begging to submit these remarks to your kind consideration</p> <p>&</p> <p>Note in margin – To be put with others – M14439</p>	A2.41	058 – 059
	58/03259	1858 09 06	Hon CS	227 George Street, Sydney Arthur Hodgson	1858 09 06	<p>At top: "Arthur Hodgson M P"</p> <p>Memorial from Inhabitants Wide Bay & Burnett Districts praying <u>appointment of Mr James King as an Inspector of Scab</u></p> <p>The "Scab in Sheep prevention Bill" having now passed through both Houses of Parliament I do myself the honour to bring under your notice the enclosed application from numerous stockholders in the Districts of Wide Bay & Burnett praying that you will be pleased to appoint James King as an Inspector of Scab under the above Act, to be stationed at Maryborough, nearest sea port to the above Districts. I also enclose a numerously signed certificate as to Mr James King's competency, to which I am anxious to add my humble testimony. I also enclose a letter to myself on the subject from Mr O'Grady Haly a large stockholder in the Burnett District</p> <p>&</p> <p>Note in margin – M14439</p>	A2.41	060
	58/03259		Hon CS		1858 06 10	<p>At top: "58/3259"</p> <p>We the undersigned Stockholders in Districts of Wide Bay & Burnett, beg to address ourselves to you on a subject which we consider of vital importance to well being & safety of these districts viz appointment of a competent person as Inspector of Sheep for the purpose of detecting existence of catarrh or scab, to which such stock is at all times so liable, the ravages of which contagious diseases are so ruinous & incalculable if not promptly checked on their first appearance – which appointment we submit has become the more necessary from continuous importations of sheep from foreign countries, & constant travelling of stock into & through these important pastoral districts. We therefore deem it our duty to ourselves & for the general well fare of these districts & adjacent country, to address you on this subject & to pray you will give the matter your earliest & favourable consideration, & cause that a competent person be appointed as Inspector of Scab & Catarrh for Districts of Wide Bay and Burnett, with the least possible delay</p>		061 – 062

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						<p>Signatories George Clapperton – Tarong; Alexander R Lawson JP – Boondooma; A Galbraith JP – Burrandowan; H C Gregory JP – Palm Tree Creek; Fraser & Warnod – Albert River; J Leith Hay JP – Rannes; G J Gray – Rannes; W O’Grady Haly JP – Taabinga; C R Haly JP – Taabinga; Thomas Kingsford – Boomienn?; Thomas L Murray Prior JP – Hawkwood; G J Thompson - Dawson River</p> <p>At top: “58/3259” Having been applied to by James King of Burnett District, to express our opinion as to his general fitness & capability to fulfil duty of Inspector of Scab and Catarrh for Burnett Wide Bay Districts – we hereby certify that from his general reputation amongst ourselves, as to his knowledge of these diseases; & our own particular experience of his former services in staying ravages of scab in this District, that we consider he is peculiarly well-qualified for this office – which we deem it right to mention, ought to be filled up, at an early period for benefit & security of proprietors of Stations in this District</p> <p>Signatories C R Haly – Taabinga, Burnett; W O’G Haly JP - Taabinga, Burnett; Bryce T Barker JP – Nanango, Burnett; Robert L Barker – Nanango, Burnett; George Clapperton – Tarong, Burnett; Alexander R Lawson JP – Boondooma; A Galbraith JP – Burrandowan; H C Gregory JP, Palm Tree Creek; Fraser & Warnod - Albert River, J Leith Hay JP – Rannes; G J Gray – Rannes; Thomas Kingsford – Boomienn?; Thomas L Murray Prior JP – Hawkwood; G J Thompson – Dawson River</p>		063 – 064
			Arthur Hodgson M P Sydney	Taabinga, Burnett District W O’Grady Haly	1858 06 10	<p>At top: “58/3259” I see by Sydney Morning Herald of May 27th that you have introduced a bill on Scab & Catarrh, which I consider a very requisite one; not having seen the bill, I cannot say how it is intended to be carried out, but suppose that Inspectors will be appointed to each district, to inspect all travelling sheep, as well as others, that may be suspected of being infected, with either of the diseases mentioned</p> <p>It will be most necessary, before giving appointment to Inspector, to ascertain that person appointed is competent to detect either of the diseases, in its first stages, or the object of the Bill will be overthrown For this District, I most strongly recommend the appointment of James King, late of Burrandowan, who has been practically employed amongst sheep, both in Tasmania and this Colony, for upwards of 20 years; That Mr King is a thorough judge of both diseases I can vouch for, from my own experience, he having decided upon Mr Borthwick’s sheep being infected with Catarrh & was instrumental to their being boiled down, on the Station; some years ago Mr King also was first to detect existence of scab in our rams, in the earliest stage in 1854</p> <p>I will feel much obliged by your using your influence to get James King appointment of Inspector of Scab & Catarrh for the Burnett District I enclose accompanying Memorial to Colonial Secretary; also testimonials as to Mr King’s competency for appointment; both would have been more numerous signed, had there have been time to have sent them round the District; you can use them as you may deem necessary</p>		065 – 066

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						[Cover sheet]		067
	58/03576	1858 10 02	Hon CS	Government Resident's Office, Brisbane J C Wickham Government Resident	1858 09 20	At top: "The Government Resident at Moreton Bay" Forwarding letter from George Appel, applying to be reappointed Inspector at this Port, under the new Scab in Sheep Act [No 58/343] 2. I am not aware of any objection to Mr Appel's filling the office which he held under the late Act, recommend his application to favourable consideration & Notes in margin - With others – M14439	A2.41	068 – 069
	58/03576		His Excellency the Governor General Sir William Denison K C B, Sydney	South Brisbane George Appel	1858 09 14	Having already held the appointment of Scab Inspector at this port, & seeing that the new Scab in Sheep Bill has been passed, I would most respectfully solicit your Excellency to confer upon me the re-appointment to the said Inspectorship As inspection of imported sheep at landing port is the most direct means whereby dire disease may be prevented I believe that appointment of the Inspectors at the different ports, will be one of the first measures the passing of said Act will occasion, I take this liberty & hope that Your Excellency will receive this application favourably & kindly grant the same [Cover] To His Excellency / Sir William Denison K C B / Governor General / Sydney		070 071
	no number				1858 10 08	<u>Applications for appointments as Sheep Scab Inspectors</u> 58/370 – Dr Gunn <u>Deniliquin, 22nd January 1858</u> Whether his services as Sheep Scab Inspector will be required L & P Works – 28 January B C 58/3158 – Alexander McLeay <u>Maneroo, 27 August 1858</u> For appointment under Scab Act – submitted – 30 August 58 58/3259 – Arthur Hodgson M P [see p 060] <u>6th September 1858</u> Petition from Inhabitants Wide Bay & Burnett Districts praying appointment of Mr King as Scab Inspector – submitted – 6 th Sept 58 58/3576 – Government Resident [see p 068] <u>Brisbane – 20 September 1858</u> Forwarding Mr George Appel's application to be reappointed under new Scab Act – submitted – 2 nd Oct 58 58/3584 – James King [see p 058] <u>Burnett District – 23 September 1858</u> For appointment of Scab Inspector, Rockhampton – submitted 2 nd Oct 58 58/3123 – W Clements <u>Sydney, 27 August 1858</u> For appointment of Scab Inspector under new Act – submitted – 27 Aug 58	A2.41	072

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						At end: 8 Oct 58		
	no number		Hon CS	Drayton Henry Buckley	1858 09 13	[Letter] <i>[see p 058 for Mr King's letter]</i> Now that Scab Act has become law drawing attention to necessity for appointing Scab Inspectors in all Northern Seaports – believe one was appointed at Brisbane some time ago but Maryboro & Rockhampton will both require to be supplied to prevent introduction of scab coastwise into these Districts. It is of highest importance that all appointments made should be filled by thoroughly competent judges of the disease & in order that either Maryboro or Rockhampton may be placed in safe hands, I have great satisfaction in naming James King whose practical knowledge of this cutaneous affection is of the highest order, has the wish of all the squatters in those Districts that such an appointment should be made & that Mr King be the recipient P S Mr King would prefer Rockhampton – “H B” & Note in margin - With others	A2.41	073
	no number		Colonial Secretary's Office, Sydney	HY PARKER WATSON W E Plunkett	185- 1858 10 08	[PRINTED FORM LETTER] At top: “Wide Bay, Deniliquin, Brisbane, Sydney” <u>SCAB ACT</u> HIS EXCELLENCY the GOVERNOR GENERAL with the advice of the Executive Council has been pleased to appoint <i>[blank]</i> to be Inspector for the purpose of examining Sheep, and assisting generally in carrying the provisions of the Scab in Sheep Act, 19 Vict., No 27, into effect, in the <i>[blank]</i> [Note] I find the Act for preventing Scab in Sheep, was reported upon by the Law Officers 13 th ult, & transmitted to the Private Secretary Government House	A2.41	074 075
				Executive Council Office, Sydney A Orpen Moriarty Clerk of the Council No 58/754	1858 12 10	At top: “M14506 – 14 th December 1858” M358 – 19 January 1858 Proceedings of Executive Council on 29 th November 1858 with respect to engagement of Steamer “Corio” & the report of Captain Loring R N upon the Coast and Harbours to northward of Keppel Bay – <u>Minute No 58/47 – confirmed 7th December 1858</u> Referring to previous Proceedings His Excellency the Governor General lays before Council a letter from Government Resident of Port Curtis reporting~ that he had engaged, & placed at the disposal of Captain Loring R N of Her Majesty's Ship “Iris” and~ Screw Steamer “Corio”~ with a view to an examination of Coasts & Harbours to the Northward of Keppel Bay <i>[~ indicates words obscured by folded edge]</i> His Excellency at the same time lays before Council a letter from Captain Loring R N detailing results of his inspection of the Fitzroy River & Keppel Bay, & of adjoining Coasts up to Broad Sound 2. Council have perused with much interest the clear & satisfactory statement afforded by Captain Loring's letter & its enclosure of results of his Survey of this portion of the coast, & they advise that thanks of Government be conveyed to him for his valuable report & suggestions 3. Council further advise necessary authority be given for payment of the expense incurred in engagement <i>[faint note in body of letter: viz 45 per day for 7 or 8]</i> of “Corio” as mentioned in Captain O'Connell's letter	A2.41	076 – 079

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						Also at top: STAMP: SURVEYOR GENERAL'S OFFICE – No 969 – 20 January 1859 – NEW SOUTH WALES & Notes in margins [p 076] The Surveyor General has seen this [? very faint] Approved		
				"W D"	1858 12 11			
				"C C"	1858 12 13~			
					1858 12 24			
				"C C"?	1859 01 17	Capt Loring, Government Resident The communications have been made to Capt Loring & to Capt O'Connell These Papers may perhaps be sent for the information of the Secretary for Lands & Public Works in order that Capt Loring's statement may be recorded in the Survey Department? [p 077]		
				"W E"	1859 01 17	Under Secretary for Lands etc – blank cover		
				"M F"	1859 01 18~	Noted		
				"L P W"	1859 01 19~	Surveyor General – blank cover – noted		
				Surveyor General's Office	1859 01 19	Noted		
				"G B"	1859 02 05	Perused, noted & returned		
				"M F"		No 59/7 - F133~		
					1859 02 15	Returned to Principal Under Secretary – blank cover		
					1859 02 16~	Noted		
					1859 02 17	Returned Colonial Secretary's Office "Put by" [p 079]		
				"C C"	1859 08 11	Notes re above		
					1859 08 13	A copy of the report enclosed in 58/4679 may be sent to Capt O'Connell for his information Government Resident		
	58/04679	1858 11 27	His Ex Sir William Denison, Governor General, New South Wales	"Iris" in Sydney William Loring Captain in command of the Australian Station	1858 11 26	At top: "Capt Loring" Enclosing for your information a few remarks relative to navigation of the Coast in the neighbourhood of Port Curtis up to Broad Sound Would recommend that, in the event of there being a prospect of the Trade materially extending to the Northward, steps should be taken to prosecute a careful marine survey of such parts as are likely to become of importance Fitzroy River is a very valuable high road to interior of a productive country P S I enclose a sketch of the Bank on which the Barque "Timandra" was wrecked, & which is the principal danger in approaching Keppel Bay anchorage – "W L" & Notes at top & in margin This is a clear & satisfactory statement of the result of Capt Loring's survey of the Coast. I think it would be desirable that it should be formally acknowledged by the Government that is by the Governor in Council Executive Council 58/726 – 27 Nov 1858		080 – 081
				"W D"	1858 11 26	Governor General and Executive Council – blank cover – noted M 14506		
				"C C"	1858 11 27~			
	58/04679			William Loring, Captain R N	[no date]	[Statement] The Eastern Coast of Australia from Port Stephens Northward to Halifax Bay has not been regularly surveyed; the charts supplied by the Admiralty		082 – 088

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						<p>are compilations from the works of Flinders, King and others. Certainly there are Rocks and danger which are not marked down There is no doubt but that the "Cornubia Rock" exists E N E of Sandy Cape, but its exact distance off shore has not been as yet determined – and the Steamer "Corio" has marked a Rock about 5 miles to the northward of Pier Head, Thirsty Sound.</p> <p>Keppel Bay is a <u>safe</u> anchorage, the holding ground being very good, but it is exposed to the northward & tides are strong, rendering it inconvenient for boating or transhipment of cargo</p> <p>A small station might be formed on "Sea View Point", Curtis Island – but the insular position & the difficulty of procuring a supply of good fresh water would interfere with its becoming of much importance – and for purposes of commerce, the Channel of the Fitzroy River or Port Curtis would be preferable – ships of considerable tonnage may proceed up the Fitzroy River for several miles, a 10 foot draught can navigate as far as Rockhampton, about 35 miles, and I am informed that water carriage by Barges is practicable for 35 miles further</p> <p>As the objectionable "transhipment of Cargo" must exist in either case, it is doubtful whether ships will anchor in the mouth of the Fitzroy, or whether they will prefer the harbour of Port Curtis; in this latter case, the cargo can be brought down the River direct in vessels of about 7 or 8 foot draught, passing through the channel which separates Curtis Island from the Main, & which is very available as the Flood Tides meet at the Bridge about half way between Keppel Bay & Gladstone.</p> <p>The navigation of the Coast to northward of Keppel Bay & to Broad Sound is quite practicable, though requiring care. Anchorage may be obtained the whole way along the Coast, but there is not much good shelter</p> <p>"Port Bowen" is the first & indeed the only place that can be called a Harbour, but the Bar, on which is 15 feet at low water, is exposed to the fetch of the Easterly sea, & fresh water is difficult to be obtained</p> <p>But the circumstances which most interfere with its chances of importance are that adjacent country is poor & that communication with the interior is not convenient</p> <p>Strong Tide Passage, and Thirsty Sound are both available for coasters, & will be made use of in entering Shoal Water Bay & Broad Sound, but the country in their immediate neighbourhood is not rich. West Bight, in Shoalwater Bay would only afford immediate shelter for small vessels.</p> <p>Broad Sound & the adjacent country is the most promising - & Upper Head & the River Styx is the most practical anchorage</p> <p>That under the 4th Flat Island is probably safe, but the communication with the shore is not good</p> <p>At Upper Head the Anchorage is very similar to that of Keppel Bay, the Tides are stronger & the rise & fall is very great, & boating & transhipment of cargo would be inconvenient</p> <p>But there is deep water at the entrance of the Styx inlet, & no doubt smooth water anchorage may be secured at a short distance up, though the Mangrove swamps would render a landing difficult</p> <p>The view from the top of "Flinders Hill" is very extensive & the country appears well covered with grass; & fresh water, though none was found close at hand, must be procurable, as there were many natives in the neighbourhood</p>		

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						<p>An attentive perusal of the first part of the second volume of "Flinders Voyage" will instruct in almost all that can be learned in a cursory view of the Coast. That most excellent Seaman & accurate writer has described the apparent qualities of the country & its seaboard so that little can be added to his descriptions except by a minute & lengthened examination In a nautical point of view the nature of the Coast is such that, when a rich Gold Field is discovered, or when advance of squatters ensures a sufficiently valuable export, there will be little hindrance to the shipment of cargo</p> <p>But there is no Sydney Harbour, there is no Harbour of such pre-eminent advantage as to entice ships to it for other purposes than the prosecution of a lucrative Trade</p> <p>[Sketch Map] Features marked: KEPPEL BAY, soundings, anchorages, Buoy, Wreck "<i>Timandra</i>", Sea Hill, Cape Keppel, Curtis Island, Hummocky Island, Ship rocks, Capricorn Cape~ Scale?: 1-8</p>		089
	58/04677	1858 11 27	Hon CS	H M S " <i>Iris</i> ", Keppel Bay M C O'Connell Government Resident	1858 11 09	<p>At top: "Executive Council 58/734 – 29 November 1858"</p> <p>In reference to you communication of 21st ult [No 58/9] & in compliance with instructions therein contained, I have engaged & placed at the disposal of Capt Loring C B commanding this ship, the Screw Steamer "<i>Corio</i>" & that he has proceeded in her today to examine those Ports to the northward of this Anchorage which His Ex the Governor General had requested him to give his report upon</p> <p>2. There have accompanied Captain Loring the Commissioner of Crown Lands for Leichhardt District Mr Wiseman, & Mr William Archer of Gracemere, both possessing local knowledge of surrounding country, also Mr Wood of the Survey Department & Mr Arguimban Master of H M S "<i>Iris</i>" with two boats & their crews from the vessel</p> <p>3. Mr Wiseman has sent horses forward by land as well for himself as for Mr Wood in order that by returning in this way some additional knowledge of the intermediate country as yet unoccupied may likewise be acquired</p> <p>4. There is some chance however of this portion of the plan failing from the land party not being able to communicate their position to the steamer, for they are numerically weak & may be disturbed by blacks</p> <p>5. I was on this account anxious [p 094] a party of Native Police should have accompanied Mr Wiseman's two orderlies, & wrote the letter of which I enclose a copy to Mr Murray to request his aid, but I have not received an answer, & I understand from Mr Archer who had seen Mr Murray, that my influence is not sufficient to secure his cooperation</p> <p>6. I have engaged the "<i>Corio</i>" at £45 per diem not including provisions for cabin passengers, the lowest rate for which any steamer could be procured here, & I anticipate she may be employed altogether for some seven or eight days</p> <p>7. I myself came down by the "<i>Corio</i>" last evening & remain on board the "<i>Iris</i>" today & tomorrow at the kind invitation of Capt Loring to prepare my correspondence & in order to communicate with Captain Norman of H M C S ship "<i>Victoria</i>" previous to his departure for Sydney & Melbourne &</p> <p>Notes in margin</p>	A2.41	090–091, 094

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	58/04677		Lieut Murray Commanding Detachment Native Police, Rockhampton	"C C" "W D" Rockhampton M C O'Connell, Government Resident	1858 11 27 1858 11 29 1858 11 06	Governor General and Executive Council – blank cover - noted M14506 "Copy" As Captain Loring of H M S "Iris" is about to examine Broad Sound & Shoalwater Bay at the instance of the Government of New South Wales & Mr Wiseman & Mr Wood of the Surveyor General's Department, accompany the expedition with a view of returning overland, I am induced to apply to you to learn whether you can lend assistance to the objects the Government have in contemplation, by sending a party of Native Police from hence on Monday morning to accompany the men sent with Mr Wiseman's horses, & aid them in establishing communication with the steamer by signal or otherwise when arrived in Broad Sound I do not apprehend that the time required both for going & returning will exceed seven or eight days		092 – 093 [p 094 out of order]
						CONTINUED ON A2.41 [PART]		

NOTES

~ Have used this symbol throughout when I have "assumed" details which have not been provided – e.g. "Hon CS" has been omitted on document
See also "Dates"

CS REF NUMBERS

For SORTING purposes, I have entered CS Reference Numbers to five places 00001 - 10000

For FINDING purposes I have inserted 0s in the Contents where CS ref Numbers have been cited

DATES

Format used throughout is YEAR MONTH DAY – one space between

~ Used to indicate dates which are incomplete on document, usually in Notes e.g. 31 Mar - assumption made as to year

PAGE NUMBERS

For SORTING purposes I have entered all page numbers to 3 places

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