**GAME ACT AMENDMENT BILL (a) 1886**

**Legislative Council, 1 July 1886, pages 303-6 and 354-5**

Second reading.

**The ATTORNEY-GENERAL (Hon. J. W. Downer),** in moving the second reading of this Bill, said that hon. members would remember that a small Game Act was passed in 1874, and that an amending Act was passed in 1885. Subsequent experience had shown that some further small amendments were needed, and therefore it was thought advisable to introduce a consolidating measure. The old Act applied only to the land within the limits of counties, but this Bill applied to all islands as well, and it was perfectly clear that this should be so. The alterations of the close season from the previous law were as follows:— Swans and geese were to be protected from June 1 to December 14; turkeys, curlews, and plovers from August 1 to December 14; ducks of all descriptions from August 1 to December 14 ; and there were other provisions for special game. This was a subject he did not profess to have any knowledge of, but there were certain hon. members who were interested in the preservation of game in South Australia, and they had made special enquires in the matter. These gentlemen were Mr. J. L. Stirling, Dr. Stirling:, Messrs. Johnson and Rounsevell, and they were assured that the dates mentioned in the Bill would better meet the object of preserving the game than the old dates. The only other point was that an unnecessary schedule, No. 3, had been dispensed with. So far as the general policy of the Bill was concerned there was no necessity to discuss that, because he had heard of no expediency existing to make any alteration in that respect necessary.

Dr. E. C. STIRLING agreed that the Bill did not require very much comment. The suggested alterations had not altogether emanated from him, as he had in common with others interested in the subject addressed circulars to those who, from a knowledge of natural history and from their sporting proclivities, were supposed to have special knowledge, and the Bill was the outcome of this action. He had sent circulars to all parts of the colony, but with so large an area it was obviously impossible to frame laws precisely applicable to every district. He thought, however, that in the alterations suggested there had been practical unanimity amongst those communicated with. The close season as now proposed would, he thought, afford better protection to the birds included ; and although the Bill was not the most important they had to consider, yet he thought hon. members generally would condemn the extinction of many of the fine birds that existed in this country. Already there was a decrease in Cape Barren geese, bronzewing pigeons, quail, native pheasants, and other beautiful birds, and it would be a pity if something were not done to arrest this destruction. Whilst we took pains to introduce various animals not indigenous to the country—some of which were not at all advantageous—we ought to direct our attention to protecting our native game. It was on this ground that those who were interested in natural history had gone to the trouble they had in making enquiries so as to get at the real facts, and to incorporate the effects in this measure. He would like to point out to the Commissioner of Crown Lands that by an ill-advised *Gazette* notice, published some years ago, certain of the duck tribe were excluded from the operation of the Game Act. The reason was that the birds in question were not supposed to breed here. As a matter of fact, however, all members of the duck tribe were in the habit of congregating together, and the fact that some were excluded from protection gave a license to persons on the pretense of shooting at them of also destroying those which were protected, and the close season was practically inoperative. Therefore, he trusted that the Commi3sioner would guard against similar effects in future notices. The Commissioner ought to have power to include or exclude such birds as might be deemed useful or harmful, and he thought very great care would have to be exercised in using that power. The reason for including islands in the scope of the Bill was that Cape Barren geese bred on the small islands in the gulfs, and, as Mr. Rounsevell knew, it was sometimes the practice for persons to visit these islands during the close season and do some damage amongst the game. (Mr.

RounseveIl—“ Hear, hear. Destroy them.”) The Bill would stop this. There was no doubt that clause 12 was a very proper one, because nothing should be placed in the way of the aborigines getting their food, but he did not think it was intended to give the aborigines unlimited freedom to destroy the birds for the sake of their feathers. He did know of instances in which the birds were caught, plucked, and turned out again alive. Large numbers of birds were destroyed by the aborigines during the close season, and he hoped the Commissioner would try to stop this in future.

Mr. JOHNSON concurred with Dr. Stirling in saying that although this was not one of the most important Bills, still it was of some consequence, because it was a very proper thing to preserve to the best of their ability all the useful and innocent native birds and animals in the country. For his own part he would be inclined to go further than the Bill, and say that they should protect other birds and animals which were not mentioned in the Bill. It was only a few days ago that he read in one of the newspapers that the kangaroo was being fast killed off. The skin being remarkably tough was of considerable commercial value, it was used as an imitation of crocodile skin, and in bookbinding, and the paragraph he referred to went on to say that the skins were worth from 16s. to 80s. per dozen. If that was the case he was not sure that they were not making a mistake in not including kangaroos and wallabies in the list of protected animals. Inasmuch, however, as they destroyed a large amount of feed in the pastoral districts, perhaps it would be unwise to prevent the stockowners from destroying them. He thought the Bill was as perfect as it could be made with the knowledge they had at their disposal, and he certainly agreed with the new arrangements with regard to the close season because the birds and animals would have a better chance of breeding than they had had under the old Act. He was only too glad to give his support to the clause which provided that the possession of one of those villainous swivel-guns should be an offence against the law. In Victoria he had seen great heaps of birds lying rotten near the lakes, as there were too many to be taken away. He had known one shot from a swivel-gun kill as many as 100 brace, and then there was a large number that escaped wounded, and anything to stop that sort of thing was highly desirable. Clause 3, which brought the islands within the operation of the Bill, was also a very good one, because it would give the Cape Barren geese a fair chance of breeding. Then on the islands in the gulf was found a very useful and very harmless animal, namely, the fur seal; also, Phoca Australis, or common hairy seal. The skins therefore were of considerable commercial value, and large numbers of the animals congregated on the islands, notably The Brothers. It had been the practice of so-called sportsmen to go to the islands and destroy seals by the thousand, and he thought these animals ought to be included in the list of special game. That would give them protection from September to March, and he would suggest that £5 per head should be placed upon them. (Mr. Rounsevell—“ Hear, hear.’') Of course there was always a difficulty about a Bill of this kind in making it perfect, because they might protect a bird that was injurious. He noticed by the second schedule that native companions were to be excluded from the operation of the law. Now, he would point out that very few of these birds were to be found except in the south-east and on the Murray Flats, and that the amount of harm they did was very small indeed. Sometimes they might stray on to the wheatfields, but their number was so small that he thought they ought to be protected. Whilst we had spent £90,000 last year to destroy rabbits, no protection was afforded to eagles, which lived upon rabbits, though they might occasionally carry off a lamb. (Hear, hear.) So the same might be said of hawks, which were sworn enemies of sparrows, though they now and then might steal a chicken. He would do what he could in committee to amend the Bill on these points. (Hear, hear.)

Mr. ROUNSEVELL agreed with the last speaker. There was one clause to which the Attorney-General had not directed special attention, and that was the 14th, about the swivel gun. It might be thought a little too strong by those who did not know how destructive were the effects of the gun. The use of the swivel-gun was illegal, but that had not been found to be enough, and therefore its possession was now prohibited. He thought the Bill would commend itself to all interested in the native birds and animals of the colony.

Mr. LANDSEER would thank the Government for the promptitude with which the Bill had been brought in after its necessity had been pointed out. He could endorse the remarks of Mr Johnson, and would support any amendments he might suggest in the direction he had indicated. (Hear, hear)

The ATTORNEY-GENERAL) Hon. J.W. Downer agreed with Mr Johnson in his remarks about seals but he thought all seals should be included otherwise there might be a tendency on the part of some people to drive a coach and four through the Act. As to the swivel gun under the previous Act its use was prohibited, but experience had shown that the very existence of the gun was objectionable. (Laughter). At any rate the use of the gun was difficult to proof, and therefore its possession would now be made an offence. (Hear, hear)

Te Bill was then read a second time.