**GAME BILL 1974**

**Legislative Council, 9 June 1874, pages 406-8**

Second reading.

**The COMMISSIONER OF CROWN LANDS (Hon. W. Everard),** in moving the second reading of this Bill, believed that all hon. members were familiar with the measure—(Hear, hear)—and that all were agreed upon the necessity of some legislation to prevent the destruction of birds and animals, which had been carried almost to the extent of extermination in the suburban districts. It would be seen that the Bill was limited in its operation to counties and hundreds, so that one objection that might have pertained to it had it referred to the out-districts of the colony did not apply. He would simply state further that last session he said the measure would be introduced in another place with a clause providing for a gun licence; but it had been considered better to introduce the Bill in the Council, and the intention was to add the gun licence clause in another place, (Hear, hear.)

The Hon. W. PARKIN would like to know what had been the cost of preparing the Bill. It bore the name of a legal gentleman, but no sum was set down to explain what he was paid for the work. It was necessary to watch the expenditure in this direction, otherwise great waste might ensue. He supported the principles of the Bill, and hoped it would have a better fate than its predecessors. (Hear, hear.)

The Hon. J. FISHER supported the second reading with pleasure. Any hon, member who had gone into the suburbs upon public holidays must have been pained to see the wanton destruction of birds which went on. On such occasions there was the greatest danger in travelling in the neighborhood of Adelaide through the number of small boys who were using firearms. As he drove along last Easter Monday it was painful to hear the rattling of shot at every turn of the road, and it was still more painful to see the long strings of larks and other useful birds the boys were carrying. He was glad a gun licence was to be introduced in another place, as it would be useful to prevent the wanton destruction of birds that now took place. By initiating the Bill in the Council and arranging for the money clause to be added in the other House the Commissioner of Crown Lands had done something towards settling the difficulty of want of work the members had complained against. If a similar course were pursued with other Bills the Council need never be without a fair share of work. (Hear, hear)

The Hon. P. SANTO supported the second reading, although he could not see that the initiation of the Bill there suggested a remedy for the want of work against which the Council had complained. He thought that the introduction of the gun licence clause in another place was objectionable. (Sir H. Ayers—“ hear, hear.”) He should have been pleased had the Government determined to introduce a separate Bill in the other branch of the Legislature providing for a gun licence, as he thought the present measure might be lost in the attempt to add the proposed clause to it. He believed it would be better to have two Bills, for by mixing up the two subjects in one measure they might neither get the desired protection for game nor the gun licence. (Hear, hear).

Sir H. AYERS shared the feeling of the previous speaker. The title of the Bill would certainly not cover the introduction of the proposed clause, and under the first clause of the Constitution objection was sure to be taken elsewhere to the course it was intended to carry out. The Commissioner of Crown Lands said that a clause should be added to the Bill in another place imposing a tax for guns. But the first clause of the Constitution Act provided “that all Bills for appropriating any part of the revenue of the said province, or for imposing, altering, or repealing any rate, tax, duty, or impost shall originate in the House of Assembly.” If there was any force in that language when a clause appointing a gun tax had been added to the measure, it would be a Bill to impose a tax, and should be initiated in the other House. They had already considered a Bill of this character four times, and passed it through all its stages, to no purpose; and he felt it was little use to go through the labour again with even less prospect than ever of the measure becoming law.

The Hon. J. CROZIER said there were many birds protected by the Bill which were a great nuisance; the waterhen, for instance, which in certain parts of the Murray was as bad as locusts. It would be much better to name the birds which were preserved rather than those which might be killed. They should be very careful in passing a measure of this sort. There was a great deal of truth in the saying that without law there would be no sin, and if they made an unnecessary law they were making sin. The question of a gun licence also needed to be very carefully considered, as there were many persons, such as constables and military officers, who would have to be exempted. He felt, however, the necessity of doing something to deal with the numbers of boys who went about with guns, not only endangering themselves, but also other persons.

The Hon. T. HOGARTH said last week a ga­dener represented to him that he lost all his crop of young cabbage plants through the hares. There ought to be some exception in the case of such persons. (Mr. Fisher—“ There is.”)

The COMMISSIONER of CROWN LANDS (Hon. W. Everard) said it was generally admitted that some protection was required in the neighbourhood of the centres of population. They also knew there were a large number of birds which were not only not injurious, but were positively beneficial to the farmers, and it was a great pity that such should be exterminated. Besides that, it was necessary something should be done to protect the public from the danger they were subjected to through the wanton use of guns. On not only Sundays and holidays, but every month for two or three nights nearest the full moon there were gangs of boys destroying either birds or opossums, and keeping up a constant fusillade. With regard to the gun licence, he believed he could state that an opinion had been given that the clause in reference to that could be introduced in another place; but if it should be found that could not be done without risking the Bill altogether, he would suggest that a separate Bill be introduced. (Hear, hear.) Mr. Hogarth would see that the objection he raised was provided against. The reason it was proposed to protect all birds except those named was that there were many very useful birds, the names of which were not properly known, and it was therefore easier to name the birds which might be destroyed.

The motion was carried, and the House went into Committee.