**BRANDS BILL1878**

**House of Assembly, 30 July 1878, page 525**

Second reading

**The COMMISSIONER of CROWN LANDS (Hon. T. Playford)** said there was no necessity that he should say much in moving the second reading of this Bill, as the subject had been pretty fully debated during the session. The Bill had been brought in in accordance with a resolution arrived at last Wednesday, when it had been decided that the present Act should be repealed and a new Bill brought in with certain provisions contained therein as described in the draft report of the Select Committee that sat upon the Brands Bill of Mr. West-Erskine. All he proposed doing was to show in what the Bill differed from the Act which was now on the Statute-book. The Act was adhered to as regarded its divisions. It was divided now into different parts, and provided enactments relating to the brands of horses, sheep, and cattle in separate divisions, with penalties, and now the penalties were treated sf in one place. Another position was now given for distinctive brands. It had been pointed out that the flank not being used for the original brand that position might be made available as well as the neck and cheek. The number of great cattle was changed to twenty and of sheep to 200, and the distance that might be travelled before the waybill was necessary was increased from five to forty miles. The Bill provided also for the of the Chief Inspector as an Inspector so that now, in addition to one letter and two figure brands, a person could obtain a single character as a brand: but it must be a single one and no combination. The brands of sheep had been altered so as to allow persons to register tattoo brands, which was the recommendation of the Chairman’s draft report, and also the report carried by the majority of the Select Committee. In the case of two brands being in one position, the last must be placed below the former one. Provision was made for allowing a drover to transfer a flock or herd to another person, as might be required if he were taken ill. Owing to opposition the provision that the presence of a registered brand should be *prima facie* evidence that the owner of the brand in whose possession the animal was the owner had nut been inserted.

Mr. WHITE called attention to the state of the House.

The bells were rung, and, a quorum not being mode up, the House at twenty-nine minutes past 6 adjourned till next day at 2 o’clock.

BRANDS BILL, No. 2.1878

House of Assembly,

**The COMMISSIONER of CROWN LANDS (Hon. T. Playford)** moved that the Brands Bill No. 2 (No. 50) be now read a second time. He had to make it a notice of motion inconsequence of the House having been counted out just as he was concluding his remarks on the second reading of the Bill on Thursday last. The only point he had then left untouched was the power taken under the Bill for the Treasurer to remit the necessary money to those who had paid under the provisions of the present Act. Under the present Act all persons who had taken a registered brand had paid for the same ; under the new Bill the owner of 100 head of cattle or 1,000 head of sheep only paid 5s., and those who possessed a greater number of stock paid 10s. So that in any case one-half of the amount paid would have to be remitted, and in some cases more than one-half. It was necessary to put this power into the Bill, because the Auditor-General would not allow the money to be remitted unless there was a special Act of Parliament. He thought that the Bill might be looked upon as a fair compromise between the course advocated by those who wanted no Bill, that suggested by those who wanted something similar to the Bill of the hon. member for Encounter Bay, and that supported by fair compromise, but that it embodied au me worst principles of the present Act. The most obnoxious part of it was, in his opinion, the waybill, which would cause a great deal of annoyance to drovers of cattle, There must be two witnesses to the signature of the waybill, and the drover must not only give notice to a squatter at the moment of entering the run of the latter, but must also give notice at the time of his departure. The squatter might thus detain a drover for days and even weeks. As the latter had not only to give a description of each brand, but also a description of the earmarks, the squatter could compel the drover to catch every sheep in the mob and show the earmark.

Mr. STOKES would point out that no squatter would be likely to take any such action as that suggested by the hon. member, or to unnecessarily delay a drover, because as a rule squatters were only too glad to get large mobs of stock off their rans as quickly as possible.

Mr. MAGARET thought that there was a great source of danger in the use of character brands. Letters and figures were simple, but characters were dangerous and could be easily altered. Therefore he thought that they broke into a valuable element of the old Act. The points in respect to the waybill and the lessening of the fees were proper concessions to the popular opinion . So far as these went he would support the Bill, but in Committee he would challenge the proposition to allow the registering of character brands.

The motion was carried, and the Bill was read a second time.