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**THE WRITING IN THIS VOLUME
IS TOO CLOSELY BOUND
INTO THE VOLUME TO
REPRODUCE IN ENTIRETY**

Sections with their marginal notes.

Remarks.

Section 19.

Instalment may be paid off on lump sum at any time.

This Section enables the owner of a farm fenced under Section 5 to pay off his indebtedness to the Government at any time.

Section 20.

Notice to be served on persons liable to make repayment.

Section 21.

Power to fence public roads.

Section 20 of the Transvaal law.

Sections 22, 23, 24, & 25.
Offences.

Section 21 of Transvaal law.

Sd/- R.M. Combe.

Crown Advocate.

25-10-07.

C. O.
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Recd
3 OCT 08

REPORT OF A SPECIAL COMMITTEE OF THE
LEGISLATIVE COUNCIL OF BRITISH EAST AFRICA TO
CONSIDER THE BILL TO MAKE FURTHER PROVISION FOR
PREVENTING THE SPREAD OF DISEASES
AMONG ANIMALS.

----- On On -----

After a careful consideration of the Bill we are of opinion that it requires radical alteration.

As at present drawn up it enacts that the Government may fence any infected or suspected area and that the cost of such fencing shall be a first charge on the farm.

There is a strong feeling that this will bear hardly on settlers in a new country, often men who have spent all or most of their capital, and who if their cattle have died from disease will hardly be in a position to incur fresh expense.

We have, therefore, come to the conclusion that the fencing should be voluntary; that if a farmer wishes to fence his land and has not the means he should be able to borrow the necessary sum from the Government; and that, if he is not willing to borrow on these terms, the Government should bear the first cost of fencing of infected or suspected areas.

We have amended the Bill accordingly on the following general principles:-

- (1) Any settler may ask the Government for a loan to fence his farm. If he can give good and sufficient security the money will be advanced, and the amount recovered by instalments so as to cover the principal

and

(2)

and interest at the rate of three per cent. annum.

(2) When a farm is declared to be infected or suspected if the owner is not prepared to fence his land, nor to ask the Government for a loan therefor, the Government will at once proceed to erect the fence for the safety of stock in the country generally. No charge will be made to the owner for two years. At the end of this period he will be given the option of buying the fence, in which case he will pay by instalments as in (1). If he is not willing to buy he may pay a yearly rent in the form of interest on the capital cost plus sufficient to cover depreciation. We believe a five per cent rate would be sufficient for this purpose.

If the owner agrees to neither of these alternatives, the Government will be at liberty to remove the fence when the disease conditions admit of it. It is believed that the last alternative will very rarely be necessary.

It is proposed to give power to the Commissioner of Lands to carry out the provisions of the Ordinance; but it will be necessary for him to consult the Land Board in all the more important operations.

Some difficulty has been experienced in apportioning the liability of neighbours in dividing fence. When a farm is fenced, and a common fence comes into use between two properties it is but just that each person using the fence should pay towards its cost and maintenance; and to be consistent we have provided that an advance may be given by the Government to any person who becomes liable for the use of a common fence, and is unable at once to meet his liability.

We wish to make it clear that although provisions

(5)

provisions of the Bill as now amended require that the Government should spend money for fencing, most of the money will be recovered with interest, and the small irrecoverable amount will be more than repaid in checking the spread of cattle disease.

Sd/- J. MONTGOMERY.