

V.E.
Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 4138

DATED 22nd Oct. 98

[Despatch Abstract.]

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

$\frac{0}{18}$ 2,000 -30-3-98.

Revenue (1898) Department.

CURRENT No. 1238.

of at once
16/11
22/10/98

From

14

The Govt of India,
Rev. & Agric. Dept.

Order

Entl Min No 4138 of 22nd Oct. 198.

No. $\frac{2112}{111-24}$

Forwarded to the

Board of Revenue for
information in

Continuation of G.O. 3389
of 17-8-98, 3419 of 30-8-98 and 3469
of 25-8-98. *Hand Draft*

Notes called for in
order
for signature

Dated 14th Oct.

Received 22nd

Registered 22nd

Enclosures 5

Spare copies

SUBJECT.

With reference
to B.P. 6119 of 14-X-98

The Bd is requested to be good enough
to expedite the submission
of the final draft of
the rule for this Pres.

11/11
22/10/98

to Mr J. B. R. Sett.

with papers in original
to be returned with reply.

Forwarding for the infor-
mation of Madras Govt a copy
of the Draft Rules framed by
the Govt of Bengal & Burma
to provide for the regulation
of the importation of opium
by sea into the Ports of Cal-
cutta & Rangoon & requesting
that copies of the Draft Rules
which the Govt of Madras propose
to issue may be furnished to the
Dept. in a separate letter.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

DRAFT RULES.

In exercise of the powers conferred by section 4 of the Live-stock Importation Act, 1893, the Lieutenant-Governor is pleased to make the following rules for the Port of Calcutta.

PRELIMINARY.

1. In these rules—

(1) "appurtenances" means fodder, dung, stable-litter, clothing, harness and fittings appertaining to live-stock or which have been in contract with live-stock, and

(2) "proscribed," when used in relation to live-stock or appurtenances, means live-stock or appurtenances the bringing of which into British India without written permission is prohibited by any Notification published by the Governor-General in Council under the Live-stock Importation Act.

2. The Local Government may appoint suitable persons, who shall be duly qualified veterinary practitioners, to be Inspectors of Live-stock for the Port of Calcutta for the purpose of the said Act and these rules.

3. The Local Government may set apart a suitable place to be a quarantine station and disinfection depôt for imported live-stock.

PROCEDURE PRIOR TO ARRIVAL IN PORT.

4. When any vessel on board of which there are any live-stock or appurtenances is about to arrive in the port of Calcutta from any foreign port, the owners or agents of such vessel shall, not less than four clear days before the vessel is expected to arrive at Saugor, give notice in writing to the Collector of Customs.

5. (1) Such notice shall set forth full particulars of such live-stock and appurtenances so far as they are known to the owners or agents; and if such live-stock or appurtenances are proscribed, this fact shall be distinctly stated in the notice.

(2) If at the time of giving the notice the ship's manifest is in possession of the owners or agents, an extract of so much of the manifest as relates to such live-stock and appurtenances shall accompany the notice.

6. On receipt of the notice, the Collector of Customs shall forthwith transmit the same to an Inspector of Live-stock.

7. If the live-stock, or appurtenances are proscribed, the Inspector shall, and in any other case he may, issue an order in writing to the owners or agents of the vessel directing that they shall cause the vessel on arrival to be detained at Garden Reach.

PROCEDURE WHEN IMPORTATION IS PERMITTED.

8. If any Inspector of Live-stock grants Removal to quarantine written permission, under station. any Notification under the Act, for the importation of any of the live-stock or appurtenances, he may cause the same to be taken to the quarantine station:

Provided that, before bringing the live-stock into the quarantine station as, provided in this rule, the Inspector may, if he thinks fit, cause the vessel to be detained at Garden Reach for a period not exceeding seven days, and may cause the animals to be dressed and treated on board. The period during which the live-stock are so treated on board shall be deemed to be a part of the term of one month referred to in Rule 9.

PROCEDURE IN THE QUARANTINE STATION.

9. (1) All live-stock brought into the quarantine station under Rule 8 shall be detained for a period of one month (which may be extended as provided in Rule 10), and shall be subject to such treatment and such measures of disinfection, including dipping, as described below, as the Inspector may prescribe.

(2) As soon as possible after first landing, and thereafter at intervals of not more than 7 days, and not less than four times in all, each animal shall be dipped in a cemented or masonry tank, filled with water, containing a 5 per cent. solution of salt, and having a film of crude cotton seed oil, one inch in thickness, floating on the surface. Each animal shall be immersed in the tank for at least three minutes on each occasion, and special care shall be taken that the mane, tail, and ears of the animal are well soaked in the dressing.

10. (1) At the expiry of the period of detention prescribed by Rule 9, the Inspector, if he is satisfied that the live-stock, or any of them, are free from infectious or contagious disorders, shall give to the owner a written certificate stating that the animal or animals regarding which he is so satisfied have been detained and treated as prescribed by these rules, and are free from infectious or contagious disorders, and the owner shall thereupon be at liberty to deal with them as he thinks fit.

(2) If the Inspector is not so satisfied, he may either cause the animal or animals which he is not satisfied are free from infectious or contagious disorders, to be forthwith destroyed, or may detain them under treatment in the quarantine station for a further period, at the end of which they shall again be subject to the provisions of clause (1) of this rule, or may give to the owner a written authority empowering him to reship and export the animals within a stated period direct from the quarantine station; and in the event of his failing to do so within the period allowed in the written authority, the Inspector may cause the animals to be forthwith destroyed.

(3) No compensation shall be payable to the owner of any animal destroyed under clause (2) of this Rule.

11. When any appurtenances have been brought into the quarantine station under Rule 8, the Inspector shall subject them to such examination and to such measures of disinfection as he may think fit; and he may at any time, if he is satisfied that they are free from infection, give to the owner a certificate to that effect, and permit them to be removed from the quarantine station; or if he is not so satisfied, may cause them to be destroyed.

12. All live-stock and appurtenances brought into the quarantine station under Rule 8, shall be detained there at the sole risk of the owner thereof, but shall be under the exclusive control of the Inspector.

POWERS IN RESPECT OF IMPORTED LIVE-STOCK REMOVED TO PRIVATE PREMISES.

13. Any Inspector of Live-stock, or any Inspector and Veterinary practitioner under the Glanders and Farcy Act duly authorised by the Local Government in this behalf, (or if the Inspector and veterinary practitioner are not the same person, then the two acting jointly) may at any time within 28 days from the date on which any live-stock have been landed, examine such live-stock, and if the live-stock or any of them are found to be suffering from any infectious or contagious disorder, or to be likely to be the vehicle of such disorder may, by written order addressed to the person in possession of them, require him to remove to the quarantine station all or any of such live-stock, and any other live-stock that have been exposed to infection by proximity to them, or to adopt such measures of disinfection as may appear proper.

14. Every officer referred to in Rule 13 shall have power to enter at any time any stable that is licensed under any Act, or under any rules or bye-laws in force under any Act, or any livery stable, or any stable or place where horses are kept or are ordinarily kept for sale or preparatory to sale or for hire or for veterinary treatment, and to enter and search any field, building or other place where he has reason to believe that any live-stock which have been imported contrary to law, or which are suffering from any infectious or contagious disorder, are to be found.

Supplemental Provisions.

15. If any live-stock, or appurtenances be landed, or be removed from the quarantine station, otherwise than in accordance with these Rules, or be not removed to the quarantine station as required by an order under Rule 13 within six hours from the receipt of the order, any Magistrate of the first class having jurisdiction in the place where the live-stock or appurtenances may be, shall have power to order their immediate destruction without compensation.

16. When any live-stock have been destroyed or brought into the quarantine station under these Rules, any Inspector of Live-stock may by written order direct the destruction or disinfection within 48 hours of receipt of the order, of the stable

fittings, clothing (whether of the live-stock or of their attendants), and other appurtenances that may have been in contact with such live-stock.

17. If any person to whom a written order is directed under these Rules fails to comply with it within the period specified therein, or if no such period is specified in the order, then within a reasonable period, any Inspector of Live-stock may cause the order to be carried into effect.

18. Any orders or notices under these Rules may be delivered at the last known residence or place of business of the person to whom they are directed or on board the vessel on which he has entered the port, as the case may be, or may be sent by registered letter to that address.

19. Any person or firm who removes or orders or assists the removal of any live-stock or appurtenances from the quarantine station without due permission,

or refuses to allow any officer duly empowered by these rules to enter on any vessel or premises, or impedes or attempts to impede any such officer in the execution of his duties,

or does not when required give any such officer full and true information with respect to any live-stock or appurtenances for the purposes of his duties under these Rules,

or disobeys any order issued under these Rules, or commits a breach of any of these Rules, shall be punishable with fine which may extend to Rs. 1,000.

20. An appeal from every order passed by any officer under these rules shall lie to the Local Government, whose orders shall be final. But the fact that an appeal has been or is about to be preferred from an order shall not relieve any person from the responsibility of obedience to it pending the decision of the appeal.

21. When any offence specified or referred to in Rule 19 is committed on board a vessel, the master of the vessel and the person who is in charge of the live-stock on behalf of the owner or shipper, shall both be punishable under that rule, unless they or he prove that they or he took all reasonable precautions in their or his power to prevent the commission of the offence.

22. The Magistrate may award such portion as he may think fit of any fine imposed under these Rules to any person through whose information or assistance the offence has been discovered or proved.

DRAFT RULES UNDER SECTION 4 OF THE LIVE-STOCK IMPORTATION ACT, 1898.

THE following draft notification, which it is proposed to issue under the provisions of section 4 of the Live-stock Importation Act, 1898, is published for general information. The draft will be taken into consideration on the 17th September 1898. Any objections or suggestions should be forwarded to the undersigned before that date.

By order,

RANGOON:
The 31st August 1898.

C. G. BAYNE,
Revenue Secy. to the Government of Burma.

Revenue Department Notification No. , dated the 1898.

IN exercise of the power conferred by section 4 of the Live-stock Importation Act, VII of 1898, the Lieutenant-Governor makes the following rules:—

DRAFT RULES.

THE Local Government may appoint an Inspector of live stock, who shall be a duly qualified veterinary practitioner for the port of Rangoon.

2. The Inspector of live-stock may—

(a) enter on board any vessel within the limits of the port of Rangoon if he believes or suspects that such vessel contains or has conveyed to such port horses, fodder, dung, stable-litter, clothing, harness, or fittings appertaining to horses;

(b) medically examine such horses and things, and the places where they are or have been kept;

(c) require and enforce the production of any books, papers, and documents which he thinks necessary for the purpose of enquiring into the health or medical condition of any horses that are or have been on board such vessel;

(d) call before him any persons on board such vessel and for such purposes question any such persons and require true answers to any questions which he thinks fit to ask; and

(e) require any persons so questioned to make and subscribe a declaration of the truth of the statements made to him.

3. The Customs Collector of Rangoon shall, immediately on receipt of a manifest under section 55 of the Sea Customs Act, 1878, forward a copy of such portions of it as relate to horses to the Inspector of live-stock.

4. If the Customs Collector of any port or the Inspector of live-stock suspects that any horses, fodder, dung, stable-litter, clothing, harness or fittings appertaining to horses on board any vessel, in such port, may be within the prohibitions and restrictions against the importations of horses imposed by the Notification No. , dated made by the Governor-General in Council under sub-section (1) of section 3 of the Live-stock Importation Act, 1898, such Customs Collector or Inspector of live-stock—

(1) shall, by written order directed to the agents or master of such vessel or to both, prohibit the landing of any horses, fodder, dung, stable-litter, clothing, harness, or fittings appertaining to horses from such vessel; and

(2) may require the agents or master of the vessel containing the same or both such agents or master to make and furnish him within 24 hours with a declaration in writing containing all particulars necessary to ascertain whether such horses, fodder, dung, stable-litter, clothing, harness, or fittings come within the prohibitions and restrictions of such notification.

5. If the agents or master refuses or fails to make a declaration to the satisfaction of the officers considering the same it may be presumed that such horses or cargo come within the prohibitions imposed by Rule 1 of the said notification.

6. (1) If an order under clause (1) of Rule 4 has been issued in the port of Rangoon without previous inspection of the horses, the Inspector shall inspect them within 24 hours of the order.

(2) If the Inspector of live-stock ascertains that any horse, fodder, dung, stable-litter, clothing, harness or fittings appertaining to horses on board such vessel is affected or liable to be affected with any infectious or contagious disorder, he shall deliver a certificate to that effect to the agents or master of such vessel or to both and no horses, fodder, dung, stable-litter, clothing, harness or fittings shall thereafter be landed from such vessel without the permission in writing of the Inspector of live-stock.

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7. If the Customs Collector and the Inspector of live-stock in Rangoon, or the Customs Collector of any other port, are or is satisfied that such horses, fodder, dung, stable-litter, clothing, harness or fittings do not come within such prohibitions and restrictions, the Customs Collector or Inspector of live-stock shall withdraw the prohibition against the landing of such horses, fodder, dung, stable-litter, clothing harness or fittings by an endorsement on the said order of prohibition.

8. If it is considered that such horses, fodder, dung, stable-litter, clothing, harness or fittings are within any of the prohibitions or restrictions under the said notification or if a certificate has been issued in respect of any horses under Rule 6 the following procedure shall be adopted, namely:—

- (1) if such horses and cargo are at any port other than the port of Rangoon, a short report of the facts and of the opinion of the Customs Collector shall be forwarded by telegraph to the Local Government, and the landing and disembarkation of such horses shall not be permitted pending the orders of the Local Government;
- (2) if such horses and cargo are at the port of Rangoon, the Inspector of live-stock—
 - (a) shall if any such horse is suffering from glanders, farcy or anthrax direct the immediate destruction of such horse in the manner hereinafter provided and of the dung, stable-litter, clothing and harness appertaining to such horse, and shall refuse to permit the landing of any other horses, fodder, dung, stable litter, clothing harness or fittings appertaining to horses from such vessel, and shall forthwith report the facts of the case to the Local Government;
 - (b) may in other cases deliver to the agents or master a permission in writing to land all or any horses on condition that such horses shall be forthwith removed to a place of quarantine and shall undergo such process of disinfection and detention as he may think necessary under the rules or in the case of any horse not actually diseased on condition that such horse shall undergo such process of disinfection and shall be kept at a specified place and be produced for inspection when required and be otherwise kept in such manner as he may direct; or
 - (c) may refuse to permit any such horses, fodder, dung, stable-litter, clothing, harness and fittings to be landed and shall in that case forthwith send a report to the Local Government stating his reasons for so acting.

9. If any horse or thing on board any vessel is, in the opinion of the Local Government, within the restrictions and prohibitions imposed by the said notification or is likely to be affected with any contagious disease, the Local Government shall, in the cases specified in clause (1) of Rule 8, and may in other cases direct that the agents or master of the vessel containing such horses, fodder, dung, stable-litter, clothing, harness and fittings shall be required to remove all or any horses, fodder, dung, stable-litter, clothing, harness and fittings appertaining to horses on board such vessel from the harbour or to destroy them in the manner provided by Rule 11 within 48 hours from the receipt of the order and may direct that failing compliance with such order the said horses fodder, dung, stable-litter, clothing, harness, or fittings be destroyed under the orders or supervision of the Inspector of live-stock in Rangoon or of the Customs Collector of any other port in the manner provided by rule or may give such other directions in respect of the same as may seem fit.

10. The Inspector of live-stock or any Inspector and veterinary practitioner under the Glanders and Farcy Act—

- (a) may, at any time within 28 days from the date on which any horses have been landed from any vessel, examine such horses;
- (b) may, by an order in writing addressed to the person in possession of any such horses found to be suffering from any infectious or contagious disease, or to be likely to be the vehicle of such disease, require him to remove to a place of quarantine all or any of such horses or to adopt such measures of disinfection as may appear proper:
Provided that any such horse which is suffering from anthrax, glanders or farcy shall be forthwith destroyed;
- (c) may, at any time, enter any stable licensed under any Act, rules or byelaws, or any livery-stable or place where horses are kept or are ordinarily kept for sale or preparatory to sale or for hire or for veterinary treatment.
- (d) may enter or search any field or building or place in which he has reason to believe that any horses such as are referred to in clause (a) or (b) of this rule are to be found.

11. When any horse has been destroyed under these rules, the skin shall be thoroughly slashed and the body buried at a depth of at least 6 feet in the place set aside for the burial of such animals.

12. The Inspector of live-stock shall, in the case of any horse which has been destroyed under these rules, and may, with such modifications as he may think fit in the case of any horse permitted to land under Rule 8 or removed to quarantine under these rules, issue a notice in writing to the agents or master of the vessel or to the person in charge of such horses or of the house or place where such horses have been requiring such persons to have such vessel, house or place and the things which have been therein disinfected, within 48 hours from the receipt of such order, after the following manner, namely,—

- (a) All the woodwork with which such horse has been in contact shall have the outer surface removed by planing, and the shavings removed by this process shall be burned. After the removal of the outer surface of the woodwork the posts, mangers, and flooring shall be well washed with boiling water and afterwards either lime-washed or washed with a solution of carbolic acid and water.
 - (b) All hay and straw and ordure in the stall occupied by such horse shall be burned.
 - (c) When such horse has been fed from a bucket, such bucket shall be thoroughly cleaned and afterwards immersed in boiling water for at least 15 minutes. When wooden cases are used for this purpose they shall be broken up and burned. The brushes, curry-combs, and cloths used for the purpose of grooming such animal shall be burned, and the harness used by the diseased horse shall also be destroyed.
 - (d) No horse shall be permitted to occupy the stall for at least 14 days after the process of disinfection has been completed.
 - (e) When the flooring of a stable occupied by such horse consists of clay, the clay shall be removed to the depth of 3 inches and fresh clay substituted. Before replacing the clay the floor shall be sprinkled with carbolic acid solution.
 - (f) The clothing of the attendants on such horse shall be destroyed or disinfected in such manner as the Inspector of live-stock may direct.
13. Animals shall be disinfected when so required under these rules by washing them with a solution of carbolic acid (one in forty of water).
14. (1) Specific areas may from time to time be allotted by the Local Government as places of quarantine.
There shall be separate attendants for the horses in such areas and such attendants shall not without the permission of the Inspector of live-stock attend on any animal outside such area.
No persons except such attendants and the Inspector of live-stock or a veterinary practitioner under the Glanders and Farcy Act shall be allowed to enter any place of quarantine without the permission of such Inspector or practitioner.
(2) No animals shall be allowed to enter or come near a place of quarantine or to leave the same without the order in writing of the Inspector of live-stock.
(3) Such places and the horses therein shall be constantly disinfected in such manner as the Inspector of live-stock may direct.
- (4) The periods of detention in quarantine shall be—
- | | | |
|---|-----|-----------|
| in cases of tick-pest | ... | 3 months. |
| in cases of scabies or mange | ... | 3 weeks. |
| of any other infectious or contagious disease | ... | |

15. Any Magistrate may order the destruction without compensation of any animal which—

- (a) has been landed in contravention of a prohibition under Rule 4, 7, 8, or 9; or
 - (b) has not been removed to quarantine as required by an order under Rule 7, 9, or 11; or
 - (c) has been removed from quarantine without due permission:
Provided that no order under this rule shall be passed when more than 28 days have elapsed since the landing under clause (a) or the disobedience under clause (b) or the unauthorized removal under clause (c).
16. Any person who—
- (a) lands or unships or orders or permits or assists or permits to be landed or unshipped any horse in contravention of a prohibition under Rule 4 or in contravention of the provisions of Rule 6 or 8; or
 - (b) removes or orders or assists in the removal of any live-stock from quarantine without due permission; or
 - (c) refuses to allow an Inspector of live-stock to enter on any vessel or premises; or
 - (d) impedes or attempts to impede such Inspector in the exercise of his duties; or

(4)

(e) does not when required give him true and full information on any point on which he is authorized to require information under these rules; or

(f) disobeys any order or direction given under these rules or commits a breach of any of these rules,

shall be liable for such act and for each such animal in respect of which the act is committed to a penalty not exceeding Rs. 1,000 or double the value of the animal, and if any such act is committed in contravention of a written order addressed to the person who contravenes it he shall be further liable to imprisonment of either description for a period not exceeding one month and on a subsequent conviction within 12 months for any period not exceeding three months.

17. (1) If any person to whom a written order is directed under these rules fail to comply with it within a reasonable period to be specified in the order, the Inspector may cause the order to be carried into effect, and any cost incurred in so doing shall be recoverable from the person to whom the order was addressed.

(2) The cost of the maintenance of any horse in quarantine shall be assessed by the Inspector and shall be recoverable as a fine from the owner or importer of such horse.

G. B. C. P. O.—No. 4236, B. S., 1-9-98—30.

DRAFT NOTIFICATION.

In exercise of the powers conferred by Notification No. , dated the , issued by the Governor-General in Council under sub-section (1) of section 3 of the Live-stock Importation Act, 1898, and published at page of Part I of the *Gazette of India* of the 1898, the Lieutenant-Governor is pleased to empower the Inspectors of Live-stock appointed by the rules made by him under section 4 of the said Act to grant written permissions and certificates under the said notification.

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W. S.—Reg. No. 381G—1—15 8-98.

Encl.

REVENUE DEPARTMENT.

AGRICULTURE—No. 2779.

CALCUTTA, THE 18TH AUGUST 1898.

FROM M. FINUCANE, Esq., C.S.I.,

Secretary to the Government of Bengal,

TO THE SECRETARY TO THE GOVERNMENT OF INDIA,
REVENUE AND AGRICULTURAL DEPARTMENT.

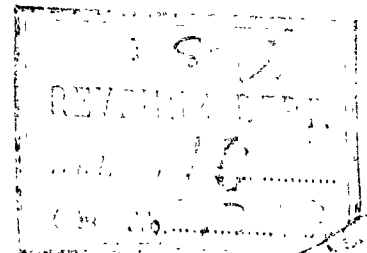
SIR,

I AM directed to acknowledge receipt of your letter No. 1529-111-2, dated 18th July, and that from Mr. Maconochie's No. 1564-111-3, dated 21st July 1898, and subsequent telegrams, inviting attention to the Bill to make better provision for the regulation of the importation of live-stock, and requesting that the draft rules which were proposed to be framed by the Local Government under section 4 might be submitted for information before publication, together with an expression of the opinion of the Lieutenant-Governor on the draft notification under section 3 (1) which it was proposed to issue by the Government of India. It was requested that the rules might be held in readiness to be put in force as soon as the Bill was passed, and that opinion on the draft notification might be furnished within a fortnight. The Bill has since become law, but a copy of it, as finally passed, has not as yet been received.

2. In reply, I am to say that the Lieutenant-Governor regrets that in a technical and novel matter of this kind, it has been found impossible to carry out the wishes of the Government of India within the time specified. It was absolutely essential to obtain the opinion of experts on the different points raised; and while not delaying further the submission of the draft rules that have been framed, His Honour is conscious that they are susceptible of improvement had more time for their consideration been available.

3. As already advised in my telegram of yesterday's date, the Lieutenant-Governor was at first disposed to accept as sufficient the notification drafted by the Government of India; but on the receipt of further expert opinion, and on consideration of the experience of the pest acquired in Australia, he is constrained to think that the best course would be to entirely prohibit importation from Queensland, which for present purposes may be taken as the infected area. Such action has already been taken by the Australian colonies among themselves, as described in pages 18-20 of the Agricultural Ledger, 1897, on Bovine Tick Fever, and it is probable that from the point of view of the shippers absolute prohibition to import would be a lesser hardship than to submit to the harassment and expense which would result from the conditions which expert opinion advises as necessary to be imposed if importation is to continue. I am to add that should total prohibition be decided upon, transhipment in Australia of animals from the infected area would probably be effectually prevented by the prohibitions of the different colonies against one another, but it would be desirable that the point should also be guarded against in the notification.

4. The Lieutenant-Governor is also of opinion that kine, sheep and dogs should be added to the notification. Though not perhaps to a considerable extent, yet it is understood that these animals are imported, and dogs are frequently brought on ships that carry horses. It is evident from the Agricultural Ledger already quoted that these animals can carry infection with them, and any notification which omitted them would to that extent be defective. The cases provided for may be few, but this would not appear sufficient reason for disregarding them.



(2)

5. I am to submit herewith a set of draft rules which have been prepared under the provisions of section 4, in the event of importation from infected areas being permitted subject to regulations. Briefly, the rules provide for the appointment of an Inspector of Live-stock; notice to be given to him of the approach of vessels bearing animals from infected or other areas; the power to detain them at Garden Reach, where a quarantine station would be established; and the right to order the detention of animals at such station for a period of one month or more, during which time they would be subjected to dipping in a disinfecting mixture. Provision is also made in certain contingencies for the destruction or reshipment of live-stock, while fodder, clothing, harness and fittings can also be detained, and disinfected or destroyed. Animals can also be examined and quarantined within 28 days after landing, and search may be made for their detection.

6. The expenditure involved in carrying out the suggested arrangements will be considerable. An area of some 6 acres would be required for the quarantine station, and the erection of dipping tanks and sheds with cement flooring and proper fittings, would be costly. As a rough approximation the preliminary expenses might, Veterinary Captain Raymond thinks, amount to Rs. 35,000 or Rs. 40,000; but the figures have not been worked out with accuracy. If importation is to be permitted, some form of quarantine and disinfection appears essential. The almost microscopic nature of the tick in some stages of its development, renders an ordinary ocular examination of the suspected animal practically useless, even were a lengthy and thorough examination possible in the case of a restive horse recently landed, and the limit of quarantine to one month would seem impossible of further reduction with safety. The Lieutenant-Governor is aware that this amount, together with the current cost of upkeep, if levied from the shippers, as it should be, would be prohibitive; but he is advised that the provisions of the draft Bill do not allow of imposition of the costs of the quarantine station and of the keep of animals in it on the parties interested in the import trade, and it is understood that the expenditure will be borne by the Government of India.

7. It is proposed, if the present scheme be approved, that Veterinary Lieutenant Martin of the Remount Depot at Garden Reach, should be in charge of the quarantine station, with a Farrier-Sergeant to reside on the premises in immediate and daily attendance; it is recommended that each of these officers should receive an allowance of Rs. 100 a month. To provide for the absence of Lieutenant Martin, and as a subsidiary arrangement, Veterinary Captain Raymond might also for the present be empowered under the Act, but his provincial duties are already more than he can perform, and the whole arrangement could only be provisional should operations develop to the extent of requiring a whole-time officer of superior standing.

I have the honour to be,

SIR,

Your most obedient servant,

M. FINUCANE,

Secretary to the Govt. of Bengal.

1898.

File No. III of
1898.

Serial No. 17.

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE AND AGRICULTURE.

CIVIL VETERINARY ADMINISTRATION.

To

THE SECRETARY TO THE GOVERNMENT OF BENGAL,
REVENUE DEPARTMENT.

No. 1890-111-17.

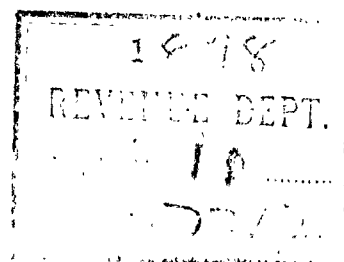
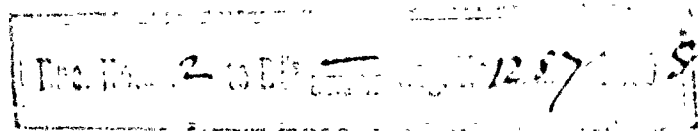
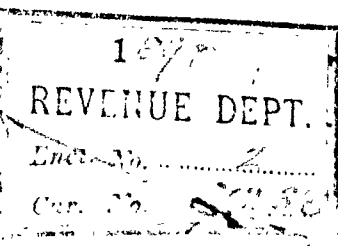
Dated Simla, the 3rd September 1898.

SUBJECT.

Importation of live-stock from affected tracts in Queensland.

W. S.—Reg. No. 2872C—147—18-8-98

G. C. Press, Simla,— No. 629 R. & A.D.—3-9-98.—302.



FROM

T. W. HOLDERNESS, ESQ., C.S.I.,
Secretary to the Government of India,

TO

THE SECRETARY TO THE GOVERNMENT OF BENGAL,
REVENUE DEPARTMENT.

*Dept. of Rev. & Agri.
Civil Veterinary Administration.*

Simla, the 3rd September 1898.

SIR,

I am directed to acknowledge the receipt of Mr. Finucane's letter No. 2779 of the 18th August communicating the views of the Government of Bengal on the action to be taken under the Live-Stock Importation Act, No. IX of 1898.

2. The Government of India have given full consideration to the recommendation of His Honour the Lieutenant-Governor that importation from Queensland should be entirely prohibited, but they regret that they are unable to adopt the proposal. The Governor-General in Council has reason to believe that such a measure would certainly not commend itself to Her Majesty's Secretary of State for India who has received urgent representations on the subject of the Act and the impediments it is likely to place in the way of trade with the Australian Colonies, nor do the Government of India think that the proposed prohibition is either necessary or expedient in the existing circumstances of the case.

3. With regard to the draft rules forwarded with your letter, I am to say that it would be well to publish them for opinion as has been done by the Government of India in the case of the notification which they propose to issue under section 3, sub-section (1) of the Act. The rules cannot be brought into operation until such a notification is issued by the Governor-General in Council. The Government of India will be glad to hear how the rules are received by firms engaged in the trade of importing horses from Australia, and what alterations (if any) are found to be expedient on a consideration of the views of the trade.

4. With reference to the proposals for the establishment of a quarantine station at Garden Reach, I am to say that the estimate of preliminary expenses framed by Veterinary-Captain Raymond would seem to be out of all proportion to the requirements of the case. A very elaborate inspection should not, it is thought, be necessary to show whether ticks are present or not in consignments of horses from Queensland, and with regard to disinfection some inexpensive

and simple arrangement would seem to be feasible. Large and expensive dipping tanks are adapted to cases where very large numbers of animals are to be treated. The average annual imports of live-stock from Queensland for 1894-95, 1895-96, and eight months of 1897 amounted to 291 head only, and expenditure on the scale proposed by Veterinary-Captain Raymond seems unnecessary for the purpose of dealing with such small consignments. Instead of permanent and expensive stabling, I am to suggest that thatched sheds such as are erected for the accommodation of newly landed horses in Bombay and Calcutta would meet all requirements. As regards disinfection, the Government of India are advised that it would be sufficient in cases where ticks are discovered, if the horses were walked off the ship between barriers, and driven through a dip of castor oil floated on water, straight to the sheds. Arrangements on these lines could, it is thought be made at a comparatively small cost. I am therefore to request that Veterinary-Captain Raymond may be directed to revise his proposals so as to bring the expenditure in these directions within reasonable limits.

5. With reference to the allowances proposed in paragraph 7 of your letter and the question whether the charges on account of working the Act should be borne by Imperial or Provincial Revenues, I am to say that orders will issue in due course. I am to add that the Government of India are of opinion that there is nothing in the Act that would exempt owners of horses from the liability to pay the charges of keep during detention in the quarantine station. The point will be further considered, but in the meanwhile I am to suggest that the words "and expense" might be inserted in Rule 12 in the published draft of the rules.

I have the honour to be,

SIR,

Your most obedient Servant,

T. W. HOLDERNESS,

Secretary to the Government of India.

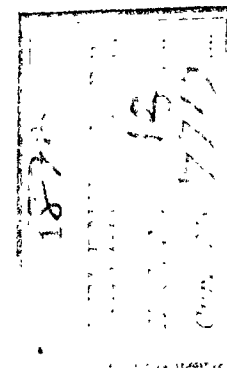
Letter from the Secretary to the Government of India, Department of Revenue and Agriculture, To the Secretary to the Government of Bengal, Revenue Department, No.2025/111-22 dated 27th September 1898.

In continuation of my letter No.1890/111-17 dated the 3rd instant, I am directed to say that a further examination of the draft rules framed by the Government of Bengal to provide for the regulation of the importation of live-stock by sea into the Port of Calcutta, has suggested the criticisms embodied in the enclosed Memorandum which is forwarded for the consideration of His Honour the Lieutenant Governor.

2. With reference to paragraph 5 of my letter quoted above, as to the liability of owners of horses to pay the expenses of keep during detention in the quarantine station the Government of India are of opinion that the costs of detention cannot be legally imposed by a rule framed under Section 4 of the Act, IX of 1898. They are advised, however, that the power conferred by Section 3(1) of the Act is sufficiently wide to justify a condition being laid down in the proposed orders that the charges connected with the detention of live-stock under the rules shall be borne by the owners or agents. This provision was advisedly drawn in wide terms and the expression "regulate" as well as the words "restrict or prohibit" were used in order to impose any conditions on importation that might be thought proper. It is considered therefore that if the orders which it is proposed to issue under Section 3(1) of the Act were amplified so as to declare all detention under the rules made under Section 4 to be at the expense of the importers, the addition to rule 12 of the draft of the rules under the latter Section proposed by the Government of Bengal would be perfectly admissible.

3. The addition of the following words

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REVENUE DEPT.



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of the draft of the proposed orders published for criticism with the Government of India Notification No. 1797/111-15 dated the 25th August 1898 will accordingly be made:-

"And all detentions of live-stock enforced under the said rules shall be at the expense of the persons to whom permission in respect of such importation has been granted".

4. The rules under Section 4 might then provide that, if the charges so imposed are not met, the live-stock may be sold to defray such charges.

5. I am also to forward for the information of His Honour the Lieutenant Governor, a copy of draft rules which have just been received from the Government of Burma

Memorandum.

Rules 4 to 7. It appears clear from rule 7, that the notice of arrival of live-stock from any foreign port, required to be furnished under rules 4 & 5, is applicable to "imported live-stock" generally; but in case it may be considered sufficient to require the notice only in the case of "proscribed" animals, attention is here drawn to this point. These rules (4 to 7) however seem to be of questionable validity under Section 4 of the Act, IX of 1898, as that Section gives no power to regulate importation, but only detention, inspection, ~~but only detention~~, etc., after importation. They may however be allowed to stand as dealing with matters ancillary to detention, etc., which it is desirable to regulate for the purpose of making detention, etc., effective. It is also observed, with reference to the latter portion of rule 7, that provision has not been made in the rules in the case of a ship having live-stock, which is not proscribed, on board, after her arrival at Garden Reach.

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Rule 8. The words "of the" in the fourth line of this rule might be omitted, and the word "proscribed" substituted.

Rule 10(3). In view of the provisions of Section 5 of the Act, this rule may appear to be superfluous; but is otherwise not open to objection.

Rule 11. No provision, equivalent to rule 10(3), has been made in the case of "appurtenances".

Rules 13 & 14. These rules, had they been confined to "proscribed" live-stock, would have been covered by clause 3 of the draft of the proposed orders published with Government of India Notification No. 1797/111-15 dated the 25th August last. But as they are not so confined, it is necessary that the word "and" be substituted for "or" in the antipenultimate line of rule 14, in order to make the rule lawful under Section 4 of the Act, which in terms gives power to make rules for "imported live-stock" generally and not merely for such as has been "proscribed". Perhaps a better amendment would be to let the word "or" stand and insert after it the words "any imported live-stock".

Rules 15 & 16. These rules may, in accordance with the decision come to on rules 13 & 14, be confined to "proscribed" live-stock or be left general, as may be considered essential. It may also be pointed out that the words "fittings, clothing (whether of the live-stock or of their attendants) and other appurtenances", referred to in the latter portion of rule 16 are all covered by the word "appurtenances" which is defined in rule 1.

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Letter from the Secretary to the Government of India, Department of Revenue and Agriculture, To the Revenue Secretary to the Government of Burma, No.2083/111-2, dated 6th October 1898.

With reference to Mr. Bayne's letter No.2/IV-17 dated the 1st September 1898, I am directed to say that an examination of the draft rules framed by the Government of Burma to provide for the regulation of the importation of live-stock by sea into the Port of Rangoon has suggested the following observations which are communicated for the information and consideration of His Honour the Lieutenant Governor.

2. It is observed that the rules have been drafted so as to apply in the case of horses only. As however Government is concerned with the possible introduction of cattle disease into the country, it is necessary that the rules should be made applicable to all imported live-stock covered by the draft orders published in the Government of India Notification No.1797/111-15 dated the 25th August 1898.

Rule 9. It is understood that this rule will have the effect of requiring a cargo of live-stock, coming within the restrictions contained in the Notification of the 25th August last, which is brought to any port in Burma other than Rangoon, to be sent on to the latter port, where alone a quarantine station will be provided.

Rule 10(c) seems to be of questionable validity as it stands. It should be limited to stables etc. "where such horses" (cf clause (a) of the rule) "are kept" etc., as Section 4 of ~~the~~ Act IX of 1898 requires that any rule made under it can only be held to apply to "imported live-stock".

Rule 12. The planing of the woodwork of stables occupied

by

by infected live-stock, required by clause (a), seems impracticable and it might be considered whether it would not be more feasible if the whole of the inside of the stables were thoroughly white-washed with freshly made wash in which crude carbolic acid had been mixed. So also in the case of the flooring of such stables made of concrete, brick, clay or other such material, if a thin layer of straw or grass were strewn on it and set on fire, the flooring would be rendered thoroughly safe and the necessity of the provision contained in clause (e) obviated.

Rule 14. The period of quarantine, 3 months, for tick-pest appears excessive and it is considered that one month at most will be quite sufficient. In the case of Glanders the Government of India are advised that a definite opinion can be arrived at by the aid of mallein in a week's time.

Rule 16. The last clause of this rule, prescribing a further punishment of imprisonment in certain cases, appears to be ultra vires, as sub-section (2) of Section 4 of the Act only authorises a Local Government to direct that a breach of a rule shall be punishable with fine up to a limit of Rs 1,000/-, or imprisonment in default under the ordinary law as to fines.

Rule 17(2). The legality of this rule, in regard to the recovery of the costs of keep of any horse in quarantine "as a fine" from the owner or importer of such horse, appears to be doubtful. Ordinarily a substantive provision in the Act would be inserted if the procedure as to recovery by way of fine were contemplated. It is considered that the difficulty may be overcome by adding the following words at the end of this rule:- "recoverable in the manner provided by Section 193 of the Sea Customs Act, 1878 (VIII of 1878)".

True copy.

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— *W. Macdonald*
Deptt. of Revenue & Agriculture

W. Macdonald
Under-Secretary.

No. 2142
111-24.

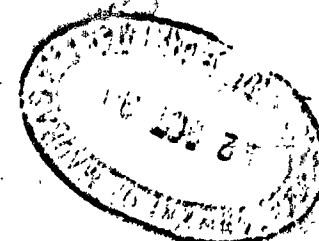
FROM

E. MACONOCHIE, ESQ., I.C.S.,

Under-Secretary to the Government of India,

TO

The Secretary to the Government of
Madras.



Simla, the 17th October 1898.

Department of Revenue
and Agriculture.
(C. V. A.) SIR,

With reference to the correspondence ending
with my Endorsement No. ~~1845-46~~
~~111-15~~ dated the 29th August last,
I am directed to forward for the information of the Govern-
ment of Madras, a copy of the Draft Rules framed by the
Governments of Bengal and Burma to provide for the regulation
of the importation of live-stock by sea into the Ports of
Calcutta and Rangoon, together with a copy of the corres-
pondence* that has passed between the Government of India

*From the Government of Bengal
No 2779 dated the 18th August 1898.
To do
Nos 1890/11-17 and 2025/111-22 dated
the 3rd and 27th September 1898.
To the Government of Burma, No 2083/111-23
dated the 6th October 1898.

and those Governments
on the subject, and to
request that copies of
the Draft Rules, which

the Government of Madras propose to issue under Section
4 of the Live-Stock Importation Act, IX of 1898, may be
furnished to this Department, on a very early date, as
until the rules are approved by the Secretary of State
for India, it will be impossible to give effect to the pro-
visions of the Live-Stock Importation Act.

I have the honour to be,

Sir,

Your most obedient servant.

E. Macdonald
Under-Secretary.

REVENUE DEPT.