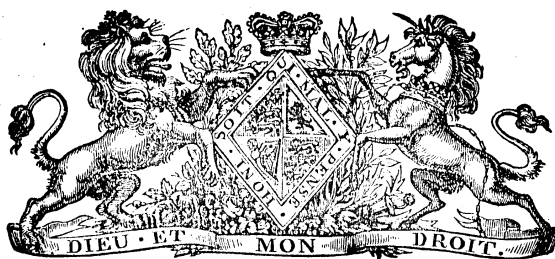


# NEW SOUTH WALES.



ANNO DECIMO QUINTO

## VICTORIÆ REGINÆ.

*By His Excellency SIR CHARLES AUGUSTUS FITZ ROY, Knight Companion of the Royal Hanoverian Guelphic Order, Governor-General of all Her Majesty's Australian Possessions, and Captain-General and Governor-in-Chief of the Territory of New South Wales and its Dependencies, and Vice-Admiral of the same, with the advice and consent of the Legislative Council.*

### No. XIII.

An Act to amend the Laws for the Slaughtering of Cattle, and to secure the immediate destruction of animals dying of disease. [Assented to, 22nd December, 1851.]

**W**HEREAS it is expedient to amend the laws for the Slaughtering of Cattle, and to make the provisions hereinafter contained: Preamble.  
Be it therefore enacted by His Excellency the Governor of New South Wales, with the advice and consent of the Legislative Council thereof, That if any animal shall die of any disease in any Slaughter House, in the City of Sydney, or in any yard or premises connected with any such Slaughter House, and the owner or occupier of such Slaughter House shall not cause such animal to be immediately removed therefrom to some convenient place, not less than one mile from the boundary of the said City, and to be then without delay destroyed by fire, he shall for every such offence forfeit and pay any sum not exceeding fifty pounds, nor less than ten pounds, to be sued for and recovered as hereinafter mentioned: Provided always, that if on the hearing of any information under this section such owner or occupier shall prove to the satisfaction of the Justices hearing the same that he has taken due and ordinary precaution to prevent the commission of any such offence, such information shall be thereupon dismissed. Cattle dying in Slaughter House, &c., of any disease to be immediately removed and destroyed, under a penalty.

II. And be it enacted, That if any animal shall die of any disease in any part of the City of Sydney, not being a Slaughter House, nor any yard or premises connected with a Slaughter House, and the owner of such animal or the occupier of the place where such animal shall have died, shall not immediately cause such animal to be removed and destroyed in the same manner as is hereinbefore provided with respect to animals dying at Slaughter Houses in the City of Sydney, every such owner or occupier shall be liable to a fine of not less than ten pounds, nor exceeding fifty pounds, to be sued for and recovered as hereinafter mentioned: Proviso exempting owners or occupiers in certain cases.  
Cattle dying of disease in any part of the City of Sydney, to be immediately removed and destroyed, under a penalty.

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occupier shall forfeit and pay for every such offence, any sum not exceeding Ten pounds nor less than Two pounds, to be sued for and recovered as hereinafter mentioned.

Cattle dying of disease in any part of the Counties of Cumberland or Camden to be immediately destroyed, under a penalty.

III. And be it enacted, That if any animal shall die of any disease in any part of the Counties of Cumberland or Camden, within half a mile of any public road or of any dwelling house, and the owner of such animal or the occupier of the place where such animal shall have died, shall not immediately cause such animal to be destroyed as aforesaid, on the spot where it shall have died, if a quarter of a mile from any dwelling-house, or if such spot shall not be a quarter of a mile from any dwelling, then if such owner or occupier shall not immediately cause such animal to be removed to some place not less than a quarter of a mile from any dwelling-house, and there destroyed as aforesaid, every such owner or occupier shall, for every such offence, forfeit and pay any sum not exceeding Ten pounds, nor less than Two pounds, to be sued for and recovered as hereinafter mentioned.

Proviso exempting owners or occupiers in certain cases.

IV. Provided always and be it enacted, That if upon the hearing of any information under the two last preceding sections, such owner or occupier shall prove to the satisfaction of the Justices hearing the same, that he has not been guilty of undue negligence such information shall be thereupon dismissed.

Persons taking any diseased cattle into any Slaughter House guilty of a misdemeanor.

V. And be it enacted, That if any person shall knowingly take or assist in taking into any Slaughter House, in any part of the Colony, used for the slaughter of animals intended for human food, any animal or part of an animal which has died of any disease, he shall be deemed guilty of a misdemeanor, and shall on conviction thereof be imprisoned for any period not exceeding two years, with or without hard labor.

Penalty on persons slaughtering any diseased cattle.

VI. And be it enacted, That if the owner or occupier of any Slaughter House in any part of the Colony, used for the slaughter of animals intended for human food, shall knowingly cause or permit, or suffer any animal infected with any disease affecting the melt or spleen to be slaughtered in any such Slaughter House, or if after the slaughter of any animal in any such Slaughter House the melt or spleen of such animal shall be found to be diseased, and such owner or occupier as aforesaid shall not immediately thereupon cause the entire carcass to be removed and destroyed, as in the case of animals dying of disease, such owner or occupier shall for every such offence, forfeit and pay any sum not exceeding fifty pounds nor less than ten pounds, to be sued for and recovered as hereinafter mentioned: Provided always, that if upon the hearing of any information under this section, such owner or occupier shall prove to the satisfaction of such Justices, that he has taken ordinary precaution to prevent the commission of any such offence such information shall be thereupon dismissed.

Proviso as to owners or occupiers.

Penalty on persons selling diseased meat.

VII. And be it enacted, That if any person shall knowingly sell or expose for sale, any animal or portion of any animal which has died of any disease, or any animal, or part of any animal, the melt or spleen of which shall have been diseased, he shall be deemed guilty of a misdemeanor, and shall on conviction thereof be imprisoned for any period not exceeding two years, with or without hard labor.

Penalty for blowing meat.

VIII. And be it enacted, That if any person shall designedly blow with his breath into or upon any meat intended for sale, or shall eject any suet, liquid matter, or other substance, from his mouth thereon, he shall for every such offence forfeit and pay a penalty of not exceeding twenty pounds, nor less than two pounds, to be sued for and recovered as hereinafter mentioned.

Justice may issue warrant authorising Inspector of Nuisances, &c., to enter shops, &c., in which calves, sheep, &c., are suspected to be slaughtered.

IX. And be it enacted, That if at any time it shall be made to appear on oath to the satisfaction of any Justice of the Peace that there is reasonable ground to suspect and believe that any sheep, calves, pigs, or other animals are slaughtered in any shop, building, stall, or place, in violation of the provisions of any law in force relating to Slaughter

Houses

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Houses or the slaughtering of cattle, it shall be lawful for such Justice to grant a warrant under his hand authorising any Inspector of Nuisances, or any Inspector of Police, or any Constable, with their assistants, at any hour, to enter into any such shop, building, stall, or place, for the purpose of ascertaining whether any violation of the law has been committed therein.

X. And be it enacted, That it shall be lawful for any Inspector of Nuisances, Inspector or Sergeant of Police, to enter upon any premises or place within the said City, at any hour, with assistants, where any animal has died of disease, and to require the owner or occupier of such premises or place immediately to remove such animal one mile beyond the limits of the said City, to be destroyed then and there by fire, in default of which it shall be lawful for any one or more of such officers to cause such animal to be removed for such purpose at the cost of the owner or occupier of such premises or place, such costs to be recovered in like manner as penalties are recoverable under this Act.

Inspectors of Nuisances, &c., may enter any premises whereon a diseased animal has died.

XI. And be it enacted, That if any animal shall die upon any road or public place in the Colony, other than in the City of Sydney, and the owner of such animal or the person in charge of such animal at the time, shall not immediately cause such animal to be destroyed by fire upon the spot, he shall forfeit and pay for every such offence, any sum not exceeding Ten pounds, to be sued for and recovered as hereinafter mentioned.

Animals dying on any Public Road, &c., to be immediately destroyed under a penalty.

XII. And be it enacted, That if any animal shall die in any public street or place within the City of Sydney, and the owner or any person having charge of such animal cannot, at the time, be found or ascertained it shall be immediately removed by any Inspector of Nuisances, Chief or other Constable, and destroyed in manner aforesaid at the public cost.

Animals dying in the streets of Sydney to be removed, &c., by Inspector of Nuisances, &c., if owner cannot be found.

XIII. And be it enacted, That in case of the neglect or refusal of any person whose duty it shall be under this Act to destroy any animal to perform such duty by destroying any animal, it shall and may be lawful for any Inspector of Nuisances, Chief, or other Constable, to cause such animal to be destroyed at the cost of the person so neglecting or refusing, such costs to be recovered in like manner as penalties are recoverable under this Act; and for the purpose of so destroying such animal, such Inspector, Chief, or other Constable, may lawfully enter upon any lands whatsoever.

As to persons neglecting or refusing to destroy animals.

XIV. And be it enacted, That all penalties imposed under this Act, may be sued for and recovered in a summary way before any two Justices of the Peace by any one who will sue for the same.

Recovery of penalties.

XV. And be it enacted, That in cases of summary conviction under this Act, the informer shall be deemed and taken to be a competent witness.

Informer a competent witness.

XVI. And be it enacted, That the word "animal" shall for the purposes of this Act, be held to include horses, cattle, sheep, pigs, calves, and lambs; and the words "die of any disease" shall be held to apply to all cases of death other than deaths caused by killing or slaughtering.

Construction of terms.

XVII. And be it enacted, That all penalties imposed by this Act, shall be paid one moiety to Her Majesty, Her Heirs, and Successors, for the Public uses of the said Colony and in support of the Government thereof, and shall be applied in such manner as may be from time to time directed by any Act of the said Governor and Legislative Council; and the other moiety to the informer or party suing for the same.

Appropriation of penalties.

XVIII. And be it enacted, That in the event of any penalty imposed under this Act, not being paid or satisfied according to law, the person adjudged to pay the same shall be imprisoned for any period not exceeding twelve calendar months.

When penalties not paid.

XIX. And whereas it has been found inconvenient, and is considered unnecessary, to require cattle slaughtered at places or establishments for the extraction of tallow from the carcasses of such cattle, or for the salting of beef for exportation, to be regularly inspected by the Inspectors

Proprietors, &c., of cattle boiling or salting establishments exempted from giving notice to Inspectors of Slaughter Houses.

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tors of Slaughter Houses: Be it therefore enacted, That after the passing of this Act it shall not be necessary for the proprietors or managers of establishments for the extraction of tallow from the carcasses of cattle, or for salting beef for exportation, and licensed as Slaughter Houses, to give notice to any Inspector of Slaughter Houses, of the cattle intended to be slaughtered by them, nor shall any such Inspector be required to examine any such cattle, or to take or make entries of the descriptions or other particulars now by law required to be taken and entered by him upon making such examinations.

Proviso as to recognizance with sureties.

XX. Provided always, and be it enacted, That after the passing of this Act, no license shall be granted, or being granted shall be operative, for or in respect of any house or premises used as an establishment for the extraction of tallow from the carcasses of cattle, or for the salting of beef for exportation, as aforesaid, unless the proprietor thereof shall have entered into a recognizance to Her Majesty, with two sufficient sureties, himself in two hundred pounds, and the sureties in one hundred pounds each, in the form and with the conditions in the Schedule hereto annexed.

*Passed the Legislative Council this twentieth day of December, one thousand eight hundred and fifty-one.*

CHARLES NICHOLSON,  
SPEAKER.

WM. MACPIERSON,

CLERK OF THE COUNCIL.

*In the name and on the behalf of Her Majesty, I assent to this Act,*

CH<sup>s</sup>. A. FITZ ROY,

GOVERNOR-GENERAL.

*Govt. House, Sydney, 22nd December, 1851.*

#### SCHEDULE.

New South Wales, )

To wit. )

Be it remembered, that on the \_\_\_\_\_ day of \_\_\_\_\_, one thousand eight hundred and \_\_\_\_\_, A. B. of \_\_\_\_\_, C. D. of \_\_\_\_\_, and E. F. of \_\_\_\_\_, came personally before us G. H. and J. K., Esquires, two of Her Majesty's Justices of the Peace, acting in and for the District of \_\_\_\_\_ in the said Colony, and acknowledged themselves to owe to our Sovereign Lady the Queen, to wit, the said A. B. the sum of two hundred pounds, the said C. D. the sum of one hundred pounds, and the said E. F. the sum of one hundred pounds, of lawful money of Great Britain, to be respectively levied upon their several goods and chattels, lands and tenements, to the use of Our said Lady the Queen, Her Heirs and Successors, in case default shall be made in the performance of any of the conditions hereunder written.

The conditions of this recognizance are such, that whereas the said A. B. is to be licensed to Slaughter Cattle on his premises, situate at \_\_\_\_\_, and the said A. B. intends to employ his said premises as a place or establishment for the extraction of tallow from the carcasses of cattle or for salting beef for exportation (as the case may be), if the said A. B. shall keep a book, in which he shall enter a particular and faithful account and description of all cattle slaughtered on the said premises, specifying the colours, marks, brands, sex, and apparent age of such cattle, and the time of slaughter, and the names of the persons by whom such cattle were delivered at the said premises, and of the persons on whose account the said cattle were received, and of the persons to whom or for whose use the tallow extracted from the same, or the beef salted, has been delivered; and shall permit such book, and all cattle intended to be slaughtered, to be inspected by any person who may require to see the same: and shall transmit once in each fortnight to the Bench of Justices at \_\_\_\_\_ a report of all cattle slaughtered, together with the particulars above mentioned, in writing under his hand, or in his absence under the hand of the manager of the said establishment. Then this recognizance to be void, otherwise to remain in full force.

Taken and acknowledged the day and year above written, before us,

G. H. (L. S.)  
J. K. (L. S.)