



ANNO VICESIMO SEXTO ET VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

A.D. 1863.

No. 8.

An Act to amend the Scab Act 1859, and for other purposes.

[Assented to, 12th November, 1863.]

WHEREAS it is desirable to prevent the introduction from other Colonies of sheep infected with scab, and to afford increased facilities for the recovery of penalties or other sums of money imposed or made payable under the Scab Act, 1859—Be it therefore Enacted by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows :

Preamble.

1. If any person shall drive, or cause to be driven, any sheep across the boundary line of the said Province from either of the Colonies of New South Wales or Victoria, without a permit, in writing, signed by an Inspector of Sheep for the said Province such person shall be liable to a penalty not exceeding Two Hundred Pounds, and not less than Fifty Pounds, and, in default of payment, to be imprisoned, with or without hard labor, for any period not exceeding six calendar months; and any lessee of any run, or any owner of sheep, or any overseer of a run if the person driving sheep fail on demand to produce his permit, is authorized and empowered to seize and detain such sheep, until such Inspector shall have examined them; and, in the event of such sheep, or any of them, being declared by the Inspector to be infected with scab, the said Inspector may cause the same to be forthwith destroyed.

Sheep not to be introduced from New South Wales or Victoria without a permit.

2. No

Scab Act.—1863.

Restriction on the
issue of permits.

2. No Inspector shall grant any permit unless it shall be proved to his satisfaction that the sheep in respect of which such permit is granted are free from scab, and have been so, without dressing or dipping, for six calendar months then next preceding, and have not, within six calendar months, crossed or been depastured on any lands where scabby sheep have travelled or been depastured within three calendar months of their so crossing.

Persons driving stock
across runs to give
notice, and travel not
less than five miles a
day.

3. Any person who may be desirous of crossing any run, or leased Crown Lands, or any Crown Lands within any Hundred, with any flock of sheep or drove of cattle shall, before entering upon any such run, leased lands, or Crown Lands, give to the owner, or occupier, or overseer of such run or leased lands, and as to Crown Lands within Hundreds, then to the nearest Police Constable or Crown Lands Ranger, not less than twenty-four hours' nor more than seven days' notice in writing of his intention so to cross, and shall in such notice specify the place from which such sheep or cattle started and their destination and the number and description of the cattle or sheep contained in such drove or flock, and the points and dates at which such person proposes to enter and leave such run or leased lands, or other Crown Lands, and the person so entering shall drive or conduct such flock or drove in the direct course of their destination as specified in such notice a distance of not less than five statute miles on each day whilst crossing such run or leased lands or other Crown Lands; and any person offending against or violating the provisions of this clause without reasonable excuse, shall be liable to a penalty of not less than Two Pounds nor more than One Hundred Pounds, and in default of payment of any such penalty to be imprisoned with or without hard labor for any period not exceeding six calendar months.

No. 419 d/87,
S. 260.
584 d'93,
S. 38
See No 442 d/
1888, see 20

Penalties may be
recovered in a
summary manner.

4. Every proceeding for the recovery of any penalty, sum of money, and other sums by this or the said Act imposed or made payable, may be had before any two or more Justices of the Peace for the said Province, in a summary way, by or in the name of the Inspector, or any other person.

Act to be construed
with No. 19 of 1859.

5. This Act and the Scab Act 1859, shall be construed as one Act.

Short title.

6. This Act may be cited as the "Scab Act, 1863."

In the name and on behalf of the Queen I hereby assent to
this Act.

D. DALY, Governor.