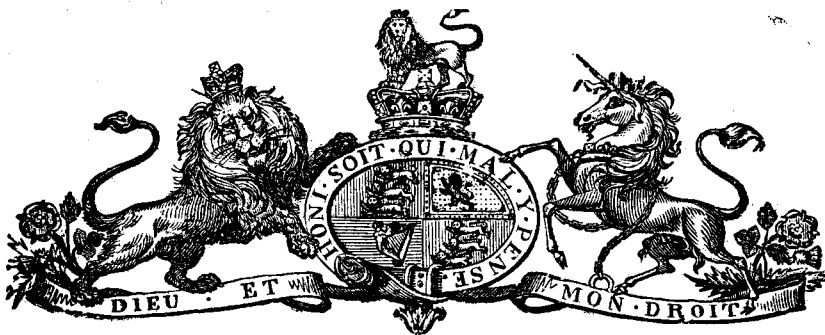


# T A S M A N I A.



1861.

ANNO VICESIMO-QUINTO

## VICTORIÆ REGINÆ,

No. 4.

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### AN ACT to prevent the Introduction into *Tasmania* of infectious or contagious Diseases amongst Cattle. [30 November, 1861.]

**W**HEREAS it is expedient to make provision against the Introduction into this Colony of infectious or contagious diseases amongst Cattle : Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

PREAMBLE.

**1** The Governor in Council, upon being satisfied that there exists amongst the Cattle in any particular country or place any contagious or infectious disease, may from time to time, by Proclamation, prohibit the Importation and landing of Cattle from such country or place, or adjoining country or place, or may permit such Importation and landing to take place at *Hobart Town, Launceston, and Port Arthur*, and not elsewhere, subject to such restrictions and regulations as he shall see fit ; and may from time to time vary or annul any such prohibition, restriction, or regulation : Provided, that all such restrictions and regulations shall be published in the *Gazette*.

Governor in Council may regulate the Importation of diseased Cattle.

**2** Every person who unships or lands, or is concerned in unshipping or landing, or attempts to unship or land, any Cattle, contrary to any such Proclamation, or to any such regulation or restriction as

Penalty for unshipping or landing prohibited Cattle.

aforesaid, or who in any way violates any such restriction or regulation, shall for every such offence forfeit and pay a sum of not less than Fifty Pounds nor more than Five hundred Pounds.

Prohibited Cattle landed to be forfeited.

**3** All Cattle imported or introduced into this Colony contrary to such Proclamation, restriction, or regulation as aforesaid, and all Cattle removed contrary to any such restriction or regulation from any yard or place in the Colony in which such Cattle may, in accordance with any such restrictions or regulations, be secured, shall be forfeited; and the same may be seized by any Justice of the Peace, Officer of Customs, or Inspector of Stock, or by any Constable not being of a lower rank than District Constable, who shall destroy the same, unless the Governor in Council otherwise directs.

No Cattle to be removed from Slaughter-house alive.

**4** If during such time as Cattle are allowed to be imported at *Hobart Town*, *Launceston*, or *Port Arthur*, and not elsewhere, any Cattle, whether imported into or bred in this Colony, are once taken into any Slaughtering house or yards attached thereto, and into which house or yards any imported Cattle are or may be admitted, the Cattle so taken into such house or yards shall not be removed therefrom alive; and every person removing or releasing any Cattle from any such house or yard contrary to the provisions of this Section, shall forfeit and pay a penalty not exceeding Fifty Pounds for every head of Cattle so removed.

Persons resisting, &c., any Inspector of Stock, &c., liable to penalty.

**5** Every person who resists, impedes, or obstructs any Inspector of Stock or Constable as aforesaid, in the performance of his duty under this Act, shall forfeit and pay a penalty of not more than Fifty Pounds.

Recovery of Penalties.

**6** All proceedings for the recovery of any penalty or forfeiture under this Act may be heard and determined before any Two or more Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*; and any person aggrieved by any summary conviction under this Act, may appeal therefrom in the manner directed by *The Appeals Regulation Act*.

19 Vict. No. 8.

Appeal.

19 Vict. No. 10.

Protection of persons executing Act.

**7** No action shall lie against any person for any thing done in pursuance of this Act unless notice in writing of such action, and of the cause thereof, is given to the Defendant One Month at least before the commencement of the action, and such action is commenced within Three Months after the cause of action has accrued; and in any such action the Defendant may plead the general issue, and give this Act and the special matter in evidence.

Penalties appropriation.

**8** All penalties and forfeitures under this Act shall be paid into the Colonial Treasury and form part of the General Revenue.

Bye-laws inconsistent herewith to have no effect.

**9** No Bye-law made, or to be made, by the Municipal Council of the City of *Hobart Town* or Town of *Launceston*, in so far as the same is inconsistent with the provisions of this Act, or any regulations made in pursuance of the provisions thereof, shall have any force or effect whatsoever.

Interpretation. "Cattle."

**10** In the construction of this Act, the word "Cattle" shall be deemed and taken to mean any Bull, Ox, Bullock, Steer, Cow, Heifer, or Calf.

**11** It shall be lawful for the Governor in Council to appoint, from time to time, such Officers and Servants as may be necessary to carry out the provisions of this Act, and to pay such salaries to such Officers and Servants as the Governor in Council may think fit, and also to defray all such expenses as may be necessarily incurred in carrying into effect the provisions of this Act. Salaries to Officers.

**12** This Act shall take effect and be deemed to have been in force from and after the Twenty-second day of *August*, 1861, except as to Section 4, which shall take effect from and after the passing hereof. Time of Act taking effect.

