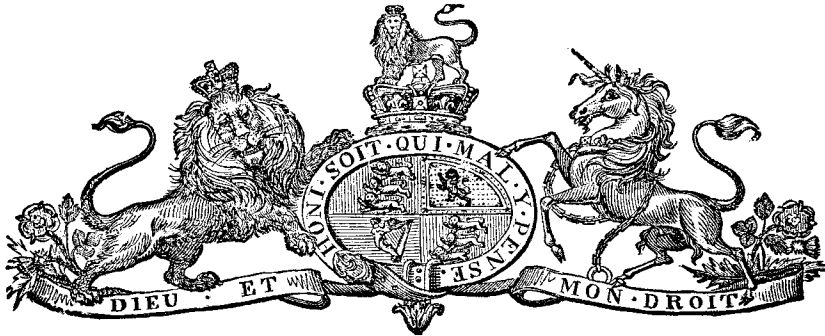


T A S M A N I A.



1857-8.

ANNO VICESIMO-PRIMO

VICTORIÆ REGINÆ,

No. 51.

Act. by H.C. No. 24

AN ACT to regulate the Slaughtering of Animals, and Sale of Meat, in the City of *Hobart Town* and the Vicinity thereof. [25 February, 1858.]

WHEREAS Buildings with appurtenances have been erected on certain Land in the vicinity of the City of *Hobart Town* for the purposes of a public Slaughter-house for the said City, and it is expedient to vest the said Land and Buildings with the appurtenances in the Corporation of the City of *Hobart Town*, and to amend the Laws regulating the Slaughtering and Sale of Sheep and Cattle in the City of *Hobart Town* and the vicinity thereof: 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.

10 Geo. 4, No. 4.
7 Vict. No. 15.

1 The provisions of this Act shall extend and apply to the City of *Hobart Town*, and to the area around the City within the distance of One Mile from any part of the boundary of the City: Provided, that any portion of such area which may hereafter be comprised within a Rural Municipality shall be exempted from the operation of this Act.

Limits within which Act to apply.

2 Where any act, matter, or thing is prohibited by this Act, the causing such act, matter, or thing to be done or committed shall be deemed to be equally prohibited, and shall be punishable accordingly.

Act to apply to the causing prohibited matters.

Interpretation.

3 In the construction and for the purposes of this Act, and of all proceedings under this Act, the following words shall have the meanings hereunder assigned to them, unless there is something in the context of the Act repugnant to such construction :—

“ Animal ” shall mean and include any bull, bullock, cow, steer, heifer, calf, ram, ewe, wedder, lamb, boar, sow, or barrow pig :

“ Carcass ” shall extend to and include a part of the carcass of any animal :

“ Limits of this Act ” shall mean and include the City of *Hobart Town* and the area within the distance of One Mile from any part of the boundary of the City.

Vests certain Land in Corporation of *Hobart Town*.

4 The Land described in the Schedule, with the Buildings and appurtenances erected thereon and belonging thereto, is hereby vested in the Corporation of the City of *Hobart Town* for the purposes of this Act, and shall be deemed to be part of the City.

Buildings on Land may be completed and fitted up.

5 It shall be lawful for the Municipal Council to complete and fit up the said Buildings and appurtenances in such manner and with such materials as it thinks necessary for rendering the same suitable and commodious for the purposes of a public Slaughter-house for the City, and to defray the expenses thereby incurred out of the Municipal Fund.

Buildings on Land may be appointed the public Slaughter-house.

6 It shall be lawful for the Municipal Council by Notice in writing under the hand of the Mayor, published in the *Gazette*, and in One or more newspapers published in *Hobart Town*, to declare and appoint that the said Buildings and appurtenances shall, on and after a day to be named in such Notice, be the public Slaughter-house for the City of *Hobart Town*.

Power to enlarge Buildings, &c.

7 The Municipal Council is hereby empowered from time to time to enlarge the said Buildings and appurtenances, and to erect such additional Buildings, and provide such other accommodation on the said Land for the purposes of such public Slaughter-house, as the said Council thinks necessary.

Municipal Council to appoint Officers to manage Slaughter-house.

8 The Municipal Council is hereby empowered from time to time to nominate and appoint, during pleasure, an Inspector of Stock, and all proper and suitable officers and persons who may be required to conduct, manage, and supervise such public Slaughter-house, who shall severally receive such salaries or wages as the Municipal Council from time to time directs.

Tools, &c., provided under this Act vested in Corporation.

9 All tools and implements, books, stationery, office furniture, matters and things whatsoever purchased or acquired, or used by the Corporation under and for the purposes of this Act, shall be the property of the Corporation.

Penalty for slaughtering for sale, or selling meat without a Licence.

10 Every person who slaughters for sale any animal, or sells the carcass of any animal, without having obtained a Butcher's Licence, in manner hereinafter directed, shall forfeit a penalty not exceeding Fifty Pounds.

Licences to be granted by Mayor. Duration thereof.

11 Every such Butcher's Licence shall be granted by the Mayor under his hand, and may be in the form contained in the Schedule ; and shall, without reference to the time when the same is granted, be in force until the 1st day of *January* next ensuing the granting thereof and no

longer; and the Mayor is hereby authorised to charge and receive Fee for same. for every such Licence such sum not exceeding Five Pounds as for the time being is in that behalf fixed by the Municipal Council.

12 Every Licence to slaughter, or to sell Meat, by Law granted and in force when the whole of this Act takes effect, shall be deemed to be a Licence granted under this Act, and shall continue in full force and effect until the 1st day of *January* then next following. Continues existing Licences.

13 If any person slaughters any animal excepting in the public Slaughter-house for the City, such person shall, for every animal so slaughtered, forfeit a penalty not exceeding Twenty Pounds. Penalty for slaughtering elsewhere than at public Slaughter-house.

14 If any person brings for sale, or sells or offers or exposes for sale, within the limits of this Act, the unsalted carcass of any animal, except Pigs, which has not been slaughtered in such public Slaughter-house as aforesaid, he shall forfeit a penalty not exceeding Fifty Pounds: Provided, that nothing in this Section shall extend to the landing of the carcasses of animals from vessels arriving in the Port of *Hobart Town*. Penalty for selling meat not slaughtered in the public Slaughter-house.

15 If any person slaughters any animal for sale without giving sufficient notice of his intention so to do to the Inspector of Stock to enable such Inspector to inspect such animal, and affording opportunity and permission to such Inspector to inspect such animal before the same is slaughtered, or refuses or neglects to state to such Inspector, upon being by him requested so to do, the name and residence, as well of the owner of any such animal as of the person from whom he received the same, he shall forfeit a penalty not exceeding Twenty Pounds. Animals not to be slaughtered for sale without notice to Inspector. Name of owner, &c. of animals to be stated on demand.

16 If any person ships on board of any vessel in the Port of *Hobart Town* any animal without giving sufficient notice of his intention so to do to the Inspector of Stock to enable such Inspector to inspect such animal, and affording opportunity and permission to such Inspector to inspect such animal before the embarkation thereof, or refuses or neglects to state to such Inspector, upon being by him requested so to do, the name and residence, as well of the owner of any such animal as of the person from whom he received the same, he shall forfeit a penalty not exceeding Fifty Pounds. Animals not to be exported without notice to Inspector. Name of owner, &c. of animals to be stated on demand.

17 Every person who, in pursuance of this Act, or of any Bye-law made thereunder, gives any notice to the Inspector of Stock for the purpose of enabling such Inspector to inspect any animal, shall yard such animal in a yard of the public Slaughter-house, so as to enable such Inspector properly and effectually to inspect the same; and it shall be lawful for such Inspector upon his inspecting any animal to brand or otherwise mark such animal so as to enable him to recognise the same; and if any person does not so yard any animal so as to enable the Inspector of Stock properly and effectually to inspect the same, or obstructs or refuses to permit the branding or otherwise marking any such animal by such Inspector, he shall forfeit a penalty not exceeding Twenty Pounds. Animals to be yarded to enable Inspector to inspect. Inspector may brand animals on inspection.

18 The Municipal Council is hereby empowered from time to time to fix the rates or sums to be paid for the slaughtering of animals at such public Slaughter-house,—the fees to be payable on the inspection of animals by the Inspector of Stock in pursuance of any notice given under the authority of this Act, or of any Bye-law made thereunder,—and the persons by whom, and mode in which, and time when such rates, sums, and fees shall be paid. Municipal Council to fix fees for slaughtering and inspecting animals.

Penalty for not duly paying such fees.

19 If any person does not duly pay any such rates, sums, or fees as last aforesaid, he shall, over and above the amount of such rates, sums, or fees not so paid, forfeit a penalty not exceeding Five Pounds.

Penalty for selling imported carcasses as human food.

20 If any person sells, or offers or exposes for sale, as the food of man, any animal's carcass landed from any vessel arriving in the Port of *Hobart Town*, between the Thirty-first day of *August* and the Thirtieth day of *April*, he shall forfeit a penalty not exceeding Fifty Pounds: Provided, that nothing contained in this Section shall extend to prevent the landing or sale of salted or cured meat.

Penalty for selling unwholesome meat as human food.

21 If any person sells, or offers or exposes for sale, as the food of man, the carcass of any sickly or diseased animal, or any putrid or unwholesome meat whatsoever, he shall, for every such offence, forfeit a penalty not exceeding Fifty Pounds.

Unwholesome meat exposed for sale as human food may be seized and destroyed.

22 It shall be lawful for the Mayor or any Alderman, or for the City Inspector, Officer of Health, or Inspector of Stock, or for any Justice of the Peace, or the Superintendent or any Sub-Inspector of Police, either alone or attended by any Constable or other person, to enter into any house, shop, or other place where the carcass of any sickly or diseased animal, or any putrid or unwholesome meat, is offered or exposed for sale as the food of man, and to seize, take away, and destroy such carcass or meat; and if any person resists or obstructs any such person in entering into any such house, shop, or other place as aforesaid, or in seizing, taking away, or destroying any such carcass or meat, he shall forfeit a penalty not exceeding Twenty Pounds.

Penalty for allowing offal, &c. to remain on premises or public places.

23 If any person holding a Butcher's Licence under this Act puts, places, or throws, or wrongfully permits or suffers to remain, any skin, offal, horn, or blood, or other part whatsoever of any animal in or on any public street or place, or in or on his premises, or any other place whatsoever where the same occasions or is likely to occasion public annoyance, he shall forfeit a penalty not exceeding Twenty Pounds.

Inspector may seize and destroy animals or carcasses unfit for human food.

24 If upon the inspection of any animal, or of the carcass of any animal, by the Inspector of Stock, the same appears to such Inspector to be unfit for the food of man, it shall be lawful for such Inspector to seize, take away, and destroy such animal or carcass; and if any person resists or obstructs such Inspector in seizing, taking away, or destroying any such animal, or any such carcass of any animal, he shall forfeit and pay a penalty not exceeding Twenty Pounds: Provided, that if the owner of any such animal or of any such carcass of any animal, or any person on behalf of such owner, objects to such animal or carcass so being seized and destroyed, the Inspector of Stock shall forthwith convey the same before some Alderman or Justice of the Peace; and if such Alderman or Justice determines that such animal or carcass is unfit for the food of man, it shall be lawful for such Alderman or Justice to order the same to be immediately destroyed or otherwise disposed of by the Inspector of Stock, in such a way as to prevent the same being exposed for sale or used for the food of man: Provided also, that it shall in any case be lawful for the Inspector of Stock to permit the tallow or fat to be separated from any such carcass under his own immediate inspection, and subject to such restrictions as are for that purpose prescribed by the Municipal Council.

Proceedings in case owner objects to seizure.

Inspector may seize animals

25 If the Inspector of Stock has reasonable cause of suspicion that any animal he is inspecting has been stolen, it shall be lawful for such

Inspector to seize and detain such animal ; and he is hereby directed forthwith to report any such seizure, and the grounds thereof, to the Mayor or some Justice of the Peace residing in the City, who shall thereupon make such order in the matter as the justice of the case may require.

suspected to be stolen.

26 It shall be lawful for the Mayor or any Alderman, or for the City Inspector, or the Inspector of Stock, or for any Justice of the Peace, or the Superintendent or any Sub-Inspector of Police, either alone or attended by any Constable or other person, to enter and search the house or premises of any person holding a Butcher's Licence under this Act, at any hour by day or by night ; and if any person refuses to admit or wilfully delays admitting the Mayor or any such Alderman, City Inspector, Inspector of Stock, Justice of the Peace, Superintendent or Sub-Inspector of Police, or other Constable or person as aforesaid, he shall forfeit a penalty not exceeding Twenty-five Pounds.

Power to enter premises of persons licensed under this Act.

27 It shall be lawful for the Municipal Council to keep and maintain an establishment or place at the public Slaughter-house for the boiling down of carcasses, which establishment or place shall be under the control and management of the Municipal Council ; and carcasses may be boiled down at such establishment or place under such regulations as the Municipal Council from time to time appoints.

Municipal Council may keep a boiling down establishment at the public Slaughter-house.

28 Excepting as aforesaid, if any person keeps or maintains any establishment or place for the purpose of boiling down animals, or in which animals are boiled down, within the limits of this Act, he shall forfeit a penalty not exceeding Twenty Pounds for every day the same is so kept or maintained as aforesaid ; and if any person boils down, or does any act towards the boiling down of, the carcass of any animal within the limits of this Act, excepting in such establishment or place as may be maintained by the Municipal Council as aforesaid, he shall, for every such offence, forfeit a penalty not exceeding Fifty Pounds.

Penalty for keeping a boiling-down establishment elsewhere than at public Slaughter-house.

29 It shall be lawful for the Municipal Council from time to time to make, publish, alter, modify, amend, or repeal such Bye-laws as to the said Council seems meet—

Bye-laws.

For the proper ordering, conduct, management, and cleansing of such public Slaughter-house, and of the shops and premises of persons holding Butcher's Licences under this Act :

For better preventing the sale of unwholesome meat as the food of man, and for regulating the conditions upon which meat unfit for the food of man may be sold for other purposes than for the food of man :

For regulating the time, place, and manner of landing live animals from vessels arriving in the Port of *Hobart Town* :

For regulating the time, place, and manner in which the carcasses of animals may be landed from vessels arriving at the Port of *Hobart Town*, and the disposal of such carcasses :

For regulating the time, place, and manner of shipping animals on board of vessels departing from the Port of *Hobart Town* :

For fixing the hours when, and streets or other public places within the limits of this Act where, and other restrictions under which, animals imported into this Colony, or brought within the limits of this Act, may be driven :

For fixing the places within the limits of this Act where, and the restrictions under which, animals may be sold by public auction :

And for any of the purposes of this Act which the Municipal Council may think it expedient to carry out or effectuate by Bye-laws :

And it shall be lawful for the Municipal Council to appoint by such Bye-laws such penalties, not exceeding in any case the sum of Twenty Pounds, as the said Council deems necessary for enforcing such Bye-laws.

Bye-law regulat-
ing the driving of
animals not to
apply to tame
cows, &c.

30 The provisions of any Bye-law made under this Act regulating the driving of animals within the limits of this Act shall not apply or extend to working bullocks in yoke, or tame milch cows being driven to or from pasture.

Act not to affect
persons slaughter-
ing pigs for their
own use, or any
case where
humanity demands
the death of any
animal.

31 Nothing in this Act contained shall extend to or affect any person who slaughters any pig for the consumption of his family, servants, or workmen, or shall extend to or affect any person in respect of any animal slaughtered in any case where humanity enjoins its immediate death : Provided that in every such case as last aforesaid the person slaughtering such animal shall, as soon as possible afterwards, give notice thereof to the Inspector of Stock, and shall, if required so to do, produce the ears and entire skin of such animal to such Inspector.

Meat to be deemed
to be sold for
human food unless
otherwise marked.

32 All meat sold or offered or exposed for sale shall be deemed to be sold or offered or exposed for sale as the food of man unless the same is marked or otherwise sold or offered or exposed for sale, in conformity with the Bye-law in force for the time being regulating the conditions upon which meat unfit for the food of man may be sold for other purposes than for the food of man.

Protection of
persons executing
Act.

33 If any action is brought against any person for anything done in pursuance of this Act, such person may plead the general issue, and give this Act and the special matter in evidence ; and if the Plaintiff is non-suited or discontinues the action, or a verdict passes for the Defendant, or judgment is had for the Defendant upon demurrer or otherwise, the Defendant shall be entitled to treble costs.

Proceedings for
penalties.

34 All offences against this Act, or any Bye-law made thereunder, shall be heard and determined, and all penalties be recovered, in a summary way, by and before the Mayor, or any Justice or Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*.

19 Vict. No. 8.

Appropriation.
21 Vict. No. 13.

35 All penalties imposed by this Act shall be appropriated in the manner provided by *The Municipal Police Act* in respect of penalties for offences committed within the City ; and all other moneys payable by virtue of this Act shall be paid to the Treasurer of the Corporation, and shall form part of the Municipal Fund.

Commencement
of Act.

36 So much of this Act as relates to the vesting of the said Land, Buildings, and appurtenances in the Corporation of the City of *Hobart Town*, the completing and fitting up of the said Buildings and appurtenances, and the declaring and appointing such Buildings and appurtenances to be the public Slaughter-house for the City of *Hobart Town*, shall commence and take effect on the passing of this Act ; and the Residue of this Act shall commence and take effect on the day named in the Notice declaring and appointing such Buildings and appurtenances to be such public Slaughter-house ; on and after which day

Repeal of existing
Laws.

the Acts of Council of the 10th *George* the 4th, No. 4, and the 7th *Victoria*, No. 15, so far as the same affect or relate to the limits of this Act, and also so much of the Act of the Parliament of *Tasmania* of the 21st *Victoria*, No. 22, as relates to Butchers, shall be repealed, excepting as to all offences committed and things done before that day, which shall be dealt with as if this Act had not been passed.

37 In referring to this Act it shall be sufficient to use the expression *Short Title.*
The Hobart Town Slaughter Act.

SCHEDULE.

LAND vested in the Corporation of the City of Hobart Town for the Purposes of this Act.

A Piece of Land containing 3A. 1R. 0P.

Bounded on the north west by 3 chains 77 links north-easterly along the Royal Engineer's Yard commencing at the south angle thereof on the north-east boundary of a grant to Charity Eliza Mackay Collins, on the south west by 95 links north-westerly also along that yard, again on the north west by 3 chains 20 links north-easterly along Crown Land known as the Queen's Park, on the north east by a straight south-easterly line of 5 chains 12 links also along that land and along the River Derwent to the north-eastern extremity of a jetty, on the north-eastern side by the terminus of that jetty forming a line of 25 links extending south-easterly also along the River Derwent, on the south-eastern side by 92 links south-westerly also along that river, on the south east by 7 chains 5 links south-westerly also along that river, again on the south west by 2 chains 44 links north-westerly also along that river to an allotment purchased from the Crown by Joseph Hone, Alexander M'Naughtan, and Askin Morrison, again on the north west by 90 links north-easterly along that allotment, again on the south west by 2 chains north-westerly also along that allotment to the east angle of the aforesaid grant to Charity Eliza Mackay Collins, and thence again on the south west by 16½ links north-westerly along that grant to the point of commencement. Reserving for the use of the Public a roadway 17 feet in width within and along the whole of the outer boundary of the land above described, except that portion of the said boundary which lies to the north east of the Royal Engineer's Yard, along which portion the width of roadway hereby reserved shall be 33 feet.

FORM of Butcher's Licence.

BUTCHER'S LICENCE.

WHEREAS under *The Hobart Town Slaughter Act* *A.B.* of _____ has applied to me *O.H.G.*, Mayor of the City of *Hobart Town*, for a Licence to slaughter Animals for Sale, and also to sell Meat, within the limits of the said Act: And whereas I have received the Fee payable in respect of such Licence: I, the said Mayor, do therefore hereby grant to the said *A.B.* license to slaughter Animals for Sale, and also to sell Meat within the limits aforesaid, pursuant to the said Act.

Dated this _____ day of _____ 1858.

O.H.G.

Mayor of the City of *Hobart Town*.

