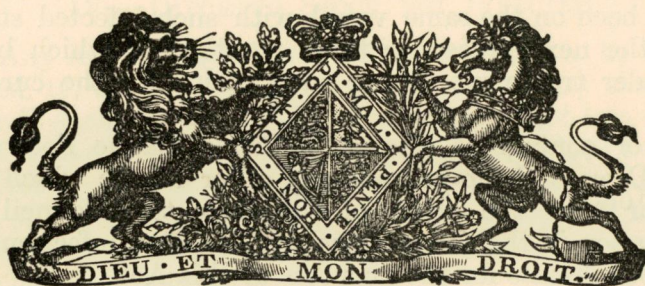


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber,
Sydney, 16th June, 1871. }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO TRICESIMO QUARTO

VICTORIÆ REGINÆ.

No.

An Act to prevent the introduction of Contagious or Infectious Diseases in Cattle and Sheep.

WHEREAS it is expedient to prevent the introduction into or Preamble. spreading within the Colony of all infectious or contagious diseases to which cattle or sheep are or may be subject and for that purpose to regulate and control the importation and introduction of all 5 cattle and sheep and to ensure their destruction in certain cases Be it enacted by the Queen's Most Excellent Majesty by and with the advice of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

10 1. The following terms and words in inverted commas shall for Interpretation clause. the purpose of this Act unless the context otherwise indicate bear the meaning set against them respectively—

“Attendants on stock”—Persons in charge or who may have been at any time during the next preceding three months in charge of imported stock

15 “Australian Colonies”—The Colonies of Queensland Victoria South Australia Western Australia Tasmania and New Zealand

“Cattle”—Bull cow ox steer heifer or calf

582—

“Destroy”—

Imported Stock.

- “ Destroy ”—To slaughter and consume by fire or bury at a depth of not less than four feet under ground or take to sea and sink
- 5 “ Disease ”—Any infectious or contagious disease in cattle or sheep
- “ Fittings ”—Stall fittings or premises for the keeping or confining of cattle or sheep
- “ Fodder ”—Hay straw litter grass green crop grain corn or anything commonly used for with or about cattle or sheep
- 10 “ Governor ”—The Governor with the advice of the Executive Council
- “ Imported stock ”—All Stock arriving by sea not the produce of the Australian Colonies
- 15 “ Infected stock ”—Stock suffering from or actually affected with disease—or which have been in direct or indirect contact or have been on the same vessel with such infected stock during the next preceding three months—or which have been under treatment during such period for the cure of disease.
- 20 “ Infectious or contagious diseases ”—Cattle Plague Foot and Mouth Disease Sheep-pox and any other disease which the Governor with the advice of the Executive Council by proclamation in the *Gazette* declares to be an infectious or contagious disease for the purposes of this Act
- 25 “ Inspector ”—Chief Inspector or any other Inspector of cattle or sheep or any person authorized by the Minister to act as such Inspector
- “ Master ”—The captain or master or other person in charge of any vessel
- 30 “ Minister ”—The Minister for the time being charged with the administration of this Act.
- “ Owner ”—Any owner or consignee whether joint or sole superintendent or person in possession or charge of stock or any agent of any such owner
- 35 “ Sheep ”—Ram ewe wether or lamb
- “ Stock ”—Cattle and sheep.

I.—QUARANTINE STATIONS.

2. The Governor may by proclamation in the *Gazette* set apart Quarantine stations. such ground as may be required for one or more quarantine stations
- 40 on which the necessary sheds and appurtenances may be erected for the purpose of this Act.

II.—INSPECTORS.

3. The Inspector when acting under the provisions of this Act together with all other persons acting in his assistance shall possess Inspectors to have in certain cases the same powers &c. as Customs and Health Officers. so
- 45 far as the same may be applicable all the powers rights privileges and indemnities possessed by Officers of Customs and Health Officers under any law for the time being in force.

4. In case the owner of imported stock shall fail to comply with or carry out any order or direction of the Inspector in execution of the If owner refuse to carry out orders Inspector to take action at his expense.
- 50 power conferred by this Act the Inspector shall take all necessary action at the expense of such owner and shall recover the same from such owner as hereinafter provided.

III.—DUTIES OF MASTER.

5. The master of any vessel on which there shall be or shall Master of ship with imported stock to make declaration.
- 55 have been during the voyage any imported stock shall immediately on his arrival at any port or place in the Colony make a declaration in the
- the

Imported Stock.

the form set forth in Schedule A hereto and shall deliver the same on demand to the Officer of Customs in charge of the said vessel And such officer shall as expeditiously as possible forward the same or in the event of refusal by the said master to sign any declaration notify the fact of such refusal to the nearest Inspector and shall cause the attendants of such imported stock and their effects to be detained on board until the arrival of the Inspector.

Schedule A.
Customs officer to forward same to nearest Inspector

and detain attendants &c.

6. No imported stock nor any fittings on board any vessel importing such stock nor the effects of any attendant shall be landed until the same shall have been examined by an Inspector and a permit granted by him for the landing thereof which the owner shall exhibit when required by any Inspector or member of the Police Force And no fodder put on board any vessel with or for the use of any imported stock shall on any account whatever be landed in the Colony.

No stock &c. to be landed without permit.

Landing of fodder prohibited.

IV.—IMPORTED STOCK NOT INFECTED.

7. Any imported stock not found on arrival to be infected shall be removed to the quarantine station where they shall remain in quarantine if such stock be cattle for a period of not less than fourteen days and if such stock be sheep for the period prescribed by the Diseases in Sheep Act of 1866 or any Act amending the same And if on the expiration of such periods respectively such stock shall be found to be clean the Inspector shall give to the owner thereof a certificate in the form of Schedule B hereto.

Imported stock not infected to be taken to quarantine.

Schedule B.

8. All fittings used for with or about such imported stock and all effects of the attendants of such stock shall previously to being landed be disinfected as the Inspector shall direct.

Fittings effects &c. to be disinfected.

V.—INFECTED STOCK.

9. If any imported stock on arrival or within a month thereafter be found on examination by the Inspector to be infected he shall immediately report the case to the Minister and if after careful investigation the Minister shall decide that such stock are infected the Inspector shall serve the owner of such stock with a notice in the form of Schedule C hereto (by causing the same to be delivered to him personally or left at his usual place of business or abode) to destroy the same together with all fodder fittings and effects infected or likely to be infected by such stock within forty-eight hours from the time of receipt of such notice and such stock fodder fittings and effects shall be destroyed accordingly.

Infected stock to be reported to Minister.

Notice to destroy to be served on owner. Schedule C.

10. Notwithstanding anything herein contained the Governor may by proclamation in the *Government Gazette* restrict or absolutely prohibit for any specified time the importation or introduction of any stock fodder or fittings from any other colony or country in which there is reason to believe any infectious or contagious disease in stock exists.

The importation of stock from other colonies or countries may be restricted or absolutely prohibited.

VI.—PENALTIES.

11. All imported stock fodder fittings or effects landed contrary to any of the provisions of this Act or of any proclamation or regulation made hereunder or taken or removed from any quarantine station or any stock wilfully allowed to stray therefrom or unlawfully outside such quarantine station or any stock fodder fittings or effects dealt with contrary to any of the provisions of this Act may be seized by any person whomsoever and handed over to an Inspector to be disposed of as the Minister may direct And all stock brought within the quarantine stations hereinbefore mentioned or straying within the same shall be taken and deemed to be stock duly placed in such quarantine in terms of

Stock &c. illegally landed or removed or taken from quarantine may be seized and disposed of as the Minister may direct.

Imported Stock.

of this Act and shall be subject to all the provisions affecting such stock And any stock with which any imported stock may be knowingly mixed or brought into contact by the owner of such first mentioned stock shall be held taken and deemed to be stock of the
5 class with which they are so mixed or brought in contact and shall be dealt with accordingly.

12. If any person land or unship or order or assist to be landed or unshipped any imported stock fodder fittings or effects contrary to the provisions of this Act or knowingly or wilfully receive purchase or
10 sell the same after they have been so landed or unshipped contrary to this Act or shall take or order or assist any stock fodder fittings or effects placed in quarantine as aforesaid to be taken out of such quarantine without an Inspector's certificate and sanction or if any person without such sanction shall take or order or assist any stock fodder
15 fittings or effects to be taken into or upon any quarantine or shall offend against or fail to comply with any of the provisions of this Act with respect to any imported stock fodder fittings or effects or shall aid or be concerned in landing the same in or out of quarantine contrary to this Act or shall knowingly and wilfully have in his possession any
20 imported stock fodder fittings or effects so taken or shall refuse to allow an Inspector to enter on any vessel or premises or hinder or impede or attempt to hinder or impede him in the execution of his duty or shall not when required give him full information with respect to any imported stock fodder fittings or effects or shall not when required
25 keep or remove or assist in keeping or removing the same then every such person shall in the discretion of the Bench be liable to imprisonment for any period not exceeding six months or to a fine not exceeding two hundred pounds.

Penalty for landing stock or property or taking them in or out of quarantine contrary to the Act.

VII.—REGULATIONS.

30 13. The Governor may make regulations for carrying out the provisions of this Act and all such regulations upon publication in the
35 *Gazette* shall have the full force of law and copies thereof shall be laid before Parliament within fourteen days after such publication and if Parliament be not in session then within fourteen days after the commencement of the next session.

Regulations may be made by the Governor in Council.

VIII.—EXPENSES.

40 14. From the funds standing in the books of the Treasury at the credit of the Cattle Disease Fund being moneys collected under the Cattle Disease Prevention Act of 1866 the Colonial Treasurer shall
45 under warrant of the Governor pay all moneys which may have become due or payable by Stockowners or others during the next preceding three months as compensation for any imported stock destroyed during that time on account of their being infected all salaries remunerations travelling expenses and other sums due and payable under this Act.

The balance at the credit of the Cattle Disease Prevention Fund Account to be used for the purposes of this Act.

IX.—LEGAL PROCEDURE.

45 15. All penalties incurred under this Act for any offences other than such as have hereinbefore been declared misdemeanors and all orders decisions costs losses and expenses made adjudged ordered or incurred hereunder with respect to which no special mode of recovery
50 or appropriation has been hereinbefore provided may be recovered at any time within twelve months after the making of such orders or after the liability or other obligation to pay money or to do or suffer any other act matter or thing first accrued in a summary way before any
two

Recovery of penalties expenses &c. incurred under this Act.

Imported Stock.

two Justices who shall hear and determine the matter whatever the sum involved in the decision may amount to and assess and tax the costs thereof and the expenses of the prosecutor in the case and of the witnesses therein And the penalty inflicted or order made by such
 5 Justices shall be levied by distress and sale of the offender or defendant's goods and chattels and in failure of distress shall be enforced in the manner provided by the Act eleven and twelve Victoria chapter forty-three and any Acts amending the same and all penalties after deduction of the expenses incurred in their recovery shall be paid
 10 by the Clerk of Petty Sessions one-half to the prosecutor or informer and the other to the Colonial Treasurer to be placed to the credit of the Cattle Disease Fund at the Treasury.

16. In all questions arising under this Act the certificate or notice of an Inspector shall in every case for the purposes of this Act
 15 be *primá facie* evidence of the truth of the matter contained in such certificate or notice. Inspector's certificate or notice to be *primá facie* evidence.

17. This Act shall commence and take effect on and from the first day of July one thousand eight hundred and seventy-one and may be cited for all purposes as "The Imported Stock Act of 1871." Commencement and title.

20

SCHEDULES.

SCHEDULE A.

IMPORTED STOCK ACT OF 1871.

Form of Declaration by Master of Vessel.

Section 5.

25	No. of Stock shipped.	Description.	Where from.	Deaths during voyage.	Cause of death.	Date of outbreak of Disease.	Last death.

I
 with regard to the Stock shipped on board the Vessel is true And I moreover
 30 solemnly declare that no Stock fodder fittings or effects are now infected [*or*] are likely to be infected [*or*] that the Stock fodder fittings and effects are likely to be infected.

Dated this day of 18 .

Signed

Master.

SCHEDULE B.

Imported Stock.

SCHEDULE B.

IMPORTED STOCK ACT OF 1871.

Import Certificate of Cleanness.

I the undersigned Inspector for do hereby certify that the Section 7.
 5 imported Stock of which is owner and which are more
 particularly specified in the Schedule below have remained in Quarantine for a period of
 more than and have been treated in accordance with the provisions and
 regulations of the abovenamed Act and that such Stock are clean and may be removed.

SCHEDULE ABOVE REFERRED TO.

10	No.	Description.	Brands or Marks.	Where from by what Ship and at what date.	Destination.

Signed

Inspector.

15

SCHEDULE C.

IMPORTED STOCK ACT OF 1871.

Notice to Destroy Infected Stock.

To 18 Section 9.
 20 The Minister having after careful investigation decided in terms of section ten
 of the abovenamed Act that of which you are
 owner and which are more particularly described in the Schedule below are infected
 I hereby give you notice to destroy such within forty-eight hours from the time
 of the receipt of this notice.

25

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Where from by what Ship and at what date.	Destination.

Signed

Inspector.

30

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 16th June, 1871. }*

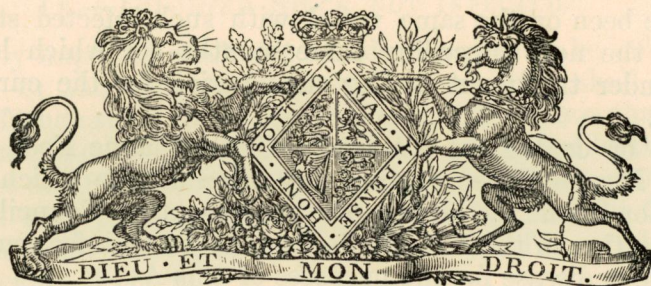
STEPHEN W. JONES,
Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 17th June, 1871. }*

Clerk of the Parliaments.

New South Wales.



ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

No. .

An Act to prevent the introduction of Contagious or Infectious Diseases in Cattle and Sheep.

WHEREAS it is expedient to prevent the introduction into or Preamble. spreading within the Colony of all infectious or contagious diseases to which cattle or sheep are or may be subject and for that purpose to regulate and control the importation and introduction of all **5** cattle and sheep and to ensure their destruction in certain cases Be it enacted by the Queen's Most Excellent Majesty by and with the advice of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

10 1. The following terms and words in inverted commas shall for Interpretation clause. the purpose of this Act unless the context otherwise indicate bear the meaning set against them respectively—

“Attendants on stock”—Persons in charge or who may have been at any time during the next preceding three months in charge of imported stock

15 “Australian Colonies”—The Colonies of Queensland Victoria South Australia Western Australia Tasmania and New Zealand

“Cattle”—Bull cow ox steer heifer or calf

582—

“Destroy”—

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Imported Stock.

- “ Destroy ”—To slaughter and consume by fire or bury at a depth of not less than four feet under ground or take to sea and sink
- 5 “ Disease ”—Any infectious or contagious disease in cattle or sheep
- “ Fittings ”—Stall fittings or premises for the keeping or confining of cattle or sheep
- “ Fodder ”—Hay straw litter grass green crop grain corn or anything commonly used for with or about cattle or sheep
- 10 “ Governor ”—The Governor with the advice of the Executive Council
- “ Imported stock ”—All Stock arriving by sea not the produce of the Australian Colonies
- 15 “ Infected stock ”—Stock suffering from or actually affected with disease—or which have been in direct or indirect contact or have been on the same vessel with such infected stock during the next preceding three months—or which have been under treatment during such period for the cure of disease.
- 20 “ Infectious or contagious diseases ”—Cattle Plague Foot and Mouth Disease Sheep-pox and any other disease which the Governor with the advice of the Executive Council by proclamation in the *Gazette* declares to be an infectious or contagious disease for the purposes of this Act
- 25 “ Inspector ”—Chief Inspector or any other Inspector of cattle or sheep or any person authorized by the Minister to act as such Inspector
- “ Master ”—The captain or master or other person in charge of any vessel
- 30 “ Minister ”—The Minister for the time being charged with the administration of this Act.
- “ Owner ”—Any owner or consignee whether joint or sole superintendent or person in possession or charge of stock or any agent of any such owner
- 35 “ Sheep ”—Ram ewe wether or lamb
- “ Stock ”—Cattle and sheep.

I.—QUARANTINE STATIONS.

2. The Governor may by proclamation in the *Gazette* set apart Quarantine stations. such ground as may be required for one or more quarantine stations
40 on which the necessary sheds and appurtenances may be erected for the purpose of this Act.

II.—INSPECTORS.

3. The Inspector and his assistants when acting under the provisions of this Act ~~together with all other persons acting in his~~ Inspectors to have in certain cases the same powers &c. as Customs and Health Officers.
45 ~~assistance~~ shall possess so far as the same may be applicable all the powers rights privileges and indemnities possessed by Officers of Customs and Health Officers under any law for the time being in force.

4. In case the owner of imported stock shall fail to comply with or carry out any order or direction of the Inspector in execution of the
50 power conferred by this Act the Inspector shall take all necessary action at his expense. If owner refuse to carry out orders Inspector to take action at his expense.
his costs from such owner and shall recover the same with his costs from such owner as hereinafter provided in a summary way before two Justices of the Peace.

III.—DUTIES OF MASTER.

- 55 5. The master of any vessel on which there shall be or shall have been during the voyage any imported stock shall immediately on his arrival at any port or place in the Colony make a declaration in
the Master of ship with imported stock to make declaration.

Imported Stock.

the form set forth in Schedule A hereto and shall deliver the same on demand to the Officer of Customs in charge of the said vessel And such officer shall as expeditiously as possible forward the same or in the event of refusal by the said master to sign any declaration notify the fact of such refusal to the nearest Inspector and shall cause the attendants of such imported stock and their effects to be detained on board until the arrival of the Inspector.

Schedule A.

Customs officer to forward same to nearest Inspector

and detain attendants &c.

6. No imported stock nor any fittings on board any vessel importing such stock nor the effects of any attendant shall be landed until the same shall have been examined by an Inspector and a permit granted by him for the landing thereof which the owner shall exhibit when required by any Inspector or member of the Police Force And no fodder put on board any vessel with or for the use of any imported stock shall on any account whatever be landed in the Colony.

No stock &c. to be landed without permit.

Landing of fodder prohibited.

15 IV.—IMPORTED STOCK NOT INFECTED.

7. Any imported stock not found on arrival to be infected shall be removed to the quarantine station where they shall remain in quarantine if such stock be cattle for a period of not less than fourteen days and if such stock be sheep for the period prescribed by the Diseases in Sheep Act of 1866 or any Act amending the same And if on the expiration of such periods respectively such stock shall be found to be clean the Inspector shall give to the owner thereof a certificate in the form of Schedule B hereto.

Imported stock infected to be taken to quarantine.

Schedule B.

Fittings effects &c. to be disinfected.

8. All fittings used for with or about such imported stock and all effects of the attendants of such stock shall previously to being landed be disinfected as the Inspector shall direct.

V.—INFECTED STOCK.

9. If any imported stock on arrival or within a month thereafter be found on examination by the Inspector to be infected he shall immediately report the case to the Minister and if after careful investigation the Minister shall decide that such stock are infected the Inspector shall serve the owner of such stock with a notice in the form of Schedule C hereto (by causing the same to be delivered to him personally or left at his usual place of business or abode) to destroy the same together with all fodder fittings and effects infected or likely to be infected by such stock within forty-eight hours from the time of receipt of such notice and such stock fodder fittings and effects shall be destroyed accordingly.

Infected stock to be reported to Minister.

Notice to destroy to be served on owner. Schedule C.

10. Notwithstanding anything herein contained the Governor may by proclamation in the *Government Gazette* restrict or absolutely prohibit for any specified time the importation or introduction of any stock fodder or fittings from any other colony or country in which there is reason to believe any infectious or contagious disease in stock exists.

The importation of stock from other colonies or countries may be restricted or absolutely prohibited.

VI.—PENALTIES.

11. All imported stock fodder fittings or effects landed contrary to any of the provisions of this Act or of any proclamation or regulation made hereunder or taken or removed from any quarantine station or any stock wilfully allowed to stray therefrom or unlawfully outside such quarantine station or any stock fodder fittings or effects dealt with contrary to any of the provisions of this Act may be seized by any person whomsoever and handed over to an Inspector to be disposed of as the Minister may direct And all stock brought within the quarantine stations hereinbefore mentioned or straying within the same shall be taken and deemed to be stock duly placed in such quarantine in terms of

Stock &c. illegally landed or removed or taken from quarantine may be seized and disposed of as the Minister may direct.

Imported Stock.

of this Act and shall be subject to all the provisions affecting such stock And any stock with which any imported stock may be knowingly mixed or brought into contact by the owner of such first mentioned stock shall be held taken and deemed to be stock of the class with which they are so mixed or brought in contact and shall be dealt with accordingly.

12. If any person land or unship or order or assist to be landed or unshipped any imported stock fodder fittings or effects contrary to the provisions of this Act or knowingly or wilfully receive purchase or sell the same after they have been so landed or unshipped contrary to this Act or shall take or order or assist any stock fodder fittings or effects placed in quarantine as aforesaid to be taken out of such quarantine without an Inspector's certificate and sanction or if any person without such sanction shall take or order or assist any stock fodder fittings or effects to be taken into or upon any quarantine or shall offend against or fail to comply with any of the provisions of this Act with respect to any imported stock fodder fittings or effects or shall aid or be concerned in landing the same in or out of quarantine contrary to this Act or shall knowingly and wilfully have in his possession any imported stock fodder fittings or effects so taken or shall refuse to allow an Inspector to enter on any vessel or premises or hinder or impede or attempt to hinder or impede him in the execution of his duty or shall not when required give him full information with respect to any imported stock fodder fittings or effects or shall not when required keep or remove or assist in keeping or removing the same then every such person shall ~~in the discretion of the Bench~~ be liable to imprisonment for any period not exceeding six months or to a fine not exceeding two hundred pounds and all such offences shall be heard and determined in a summary way before any two or more Justices in Petty Sessions.

Penalty for landing stock or property or taking them in or out of quarantine contrary to the Act.

30

VII.—REGULATIONS.

13. The Governor may make regulations for carrying out the provisions of this Act and all such regulations upon publication in the *Gazette* shall have the full force of law and copies thereof shall be laid before Parliament within fourteen days after such publication and if Parliament be not in session then within fourteen days after the commencement of the next session.

Regulations may be made by the Governor in Council.

VIII.—EXPENSES.

14. From the funds standing in the books of the Treasury at the credit of the Cattle Disease Fund being moneys collected under the Cattle Disease Prevention Act of 1866 the Colonial Treasurer shall under warrant of the Governor pay all moneys which may have become due or payable by Stockowners or others during the next preceding three months as compensation for any imported stock destroyed during that time on account of their being infected all salaries remunerations travelling expenses and other sums due and payable under this Act.

The balance at the credit of the Cattle Disease Prevention Fund Account to be used for the purposes of this Act.

IX.—~~LEGAL PROCEDURE~~ MISCELLANEOUS.

15. All penalties incurred under this Act for any offences other than such as have hereinbefore been declared misdemeanors and all orders decisions costs losses and expenses made adjudged ordered or incurred hereunder with respect to which no special mode of recovery or appropriation has been hereinbefore provided may be recovered at any time within twelve months after the making of such orders or after the liability or other obligation to pay money or to do or suffer any other act matter or thing first accrued in a summary way before any

Recovery of penalties expenses &c. incurred under this Act.

two

Imported Stock.

two Justices who shall hear and determine the matter whatever the sum involved in the decision may amount to and assess and tax the costs thereof and the expenses of the prosecutor in the case and of the witnesses therein And the penalty inflicted or order made by such
 5 Justices shall be levied by distress and sale of the offender or defendant's goods and chattels and in failure of distress shall be enforced in the manner provided by the Act eleven and twelve Victoria chapter forty three and any Acts amending the same and All penalties imposed under this Act after deduction of the expenses incurred in their recovery
 10 shall be paid by the Clerk of Petty Sessions one-half to the prosecutor or informer and the other to the Colonial Treasurer to be placed to the credit of the Cattle Disease Fund at the Treasury.

16. In all questions arising under this Act the certificate or notice of an Inspector shall in every case for the purposes of this Act
 15 be *prima facie* evidence of the truth of the matter contained in such certificate or notice.

17. This Act shall commence and take effect on and from the first day of July one thousand eight hundred and seventy-one and may be cited for all purposes as "The Imported Stock Act of 1871."

Application of penalties.

Inspector's certificate or notice to be *prima facie* evidence.

Commencement and title.

20

SCHEDULES.

SCHEDULE A.

IMPORTED STOCK ACT OF 1871.

Form of Declaration by Master of Vessel.

Section 5.

25	No. of Stock shipped.	Description.	Where from.	Deaths during voyage.	Cause of death.	Date of outbreak of Disease.	Last death.

30 I Master do hereby solemnly declare that the above statement with regard to the Stock shipped on board the Vessel is true And I moreover solemnly declare that no Stock fodder fittings or effects are now infected [*or*] are likely to be infected [*or*] that the Stock fodder fittings and effects are likely to be infected.

Dated this day of 18 .

Signed

Master.

SCHEDULE B.

Imported Stock.

SCHEDULE B.

IMPORTED STOCK ACT OF 1871.

Import Certificate of Cleanness.

I the undersigned Inspector for do hereby certify that the Section 7.
 5 imported Stock of which is owner and which are more
 particularly specified in the Schedule below have remained in Quarantine for a period of
 more than and have been treated in accordance with the provisions and
 regulations of the abovenamed Act and that such Stock are clean and may be removed.

SCHEDULE ABOVE REFERRED TO.

10	No.	Description.	Brands or Marks.	Where from by what Ship and at what date.	Destination.

Signed

Inspector.

15

SCHEDULE C.

IMPORTED STOCK ACT OF 1871.

Notice to Destroy Infected Stock.

To

18 .

Section 9.

20 The Minister having after careful investigation decided in terms of section ten of the abovenamed Act that of which you are
 owner and which are more particularly described in the Schedule below are infected
 I hereby give you notice to destroy such within forty-eight hours from the time
 of the receipt of this notice.

25

SCHEDULE ABOVE REFERRED TO.

	No.	Description.	Brands or Marks.	Where from by what Ship and at what date.	Destination.

Signed

Inspector.

30

New South Wales.



ANNO TRICESIMO QUINTO

VICTORIÆ REGINÆ.

No. VI.

An Act to prevent the introduction of Contagious or Infectious Diseases in Cattle and Sheep. [Assented to, 22nd June, 1871.]

WHEREAS it is expedient to prevent the introduction into or Preamble. spreading within the Colony of all infectious or contagious diseases to which cattle or sheep are or may be subject and for that purpose to regulate and control the importation and introduction of all cattle and sheep and to ensure their destruction in certain cases Be it enacted by the Queen's Most Excellent Majesty by and with the advice of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows :—

1. The following terms and words in inverted commas shall for Interpretation clause. the purpose of this Act unless the context otherwise indicate bear the meaning set against them respectively—

“ Attendants on stock ”—Persons in charge or who may have been at any time during the next preceding three months in charge of imported stock

“ Australian Colonies ”—The Colonies of Queensland Victoria South Australia Western Australia Tasmania and New Zealand

“ Cattle ”—Bull cow ox steer heifer or calf

“ Destroy ”—

Imported Stock.

- “ Destroy ”—To slaughter and consume by fire or bury at a depth of not less than four feet under ground or take to sea and sink
- “ Disease ”—Any infectious or contagious disease in cattle or sheep
- “ Fittings ”—Stall fittings or premises for the keeping or confining of cattle or sheep
- “ Fodder ”—Hay straw litter grass green crop grain corn or anything commonly used for with or about cattle or sheep
- “ Governor ”—The Governor with the advice of the Executive Council
- “ Imported stock ”—All Stock arriving by sea not the produce of the Australian Colonies
- “ Infected stock ”—Stock suffering from or actually affected with disease—or which have been in direct or indirect contact or have been on the same vessel with such infected stock during the next preceding three months—or which have been under treatment during such period for the cure of disease.
- “ Infectious or contagious diseases ”—Cattle Plague Foot and Mouth Disease Sheep-pox and any other disease which the Governor with the advice of the Executive Council by proclamation in the *Gazette* declares to be an infectious or contagious disease for the purposes of this Act
- “ Inspector ”—Chief Inspector or any other Inspector of cattle or sheep or any person authorized by the Minister to act as such Inspector
- “ Master ”—The captain or master or other person in charge of any vessel
- “ Minister ”—The Minister for the time being charged with the administration of this Act.
- “ Owner ”—Any owner or consignee whether joint or sole superintendent or person in possession or charge of stock or any agent of any such owner
- “ Sheep ”—Ram ewe wether or lamb
- “ Stock ”—Cattle and sheep.

I.—QUARANTINE STATIONS.

Quarantine stations.

2. The Governor may by proclamation in the *Gazette* set apart such ground as may be required for one or more quarantine stations on which the necessary sheds and appurtenances may be erected for the purpose of this Act.

II.—INSPECTORS.

Inspectors to have in certain cases the same powers &c. as Customs and Health Officers.

3. The Inspector and his assistants when acting under the provisions of this Act shall possess so far as the same may be applicable all the powers rights privileges and indemnities possessed by Officers of Customs and Health Officers under any law for the time being in force.

If owner refuse to carry out orders Inspector to take action at his expense.

4. In case the owner of imported stock shall fail to comply with or carry out any order or direction of the Inspector in execution of the power conferred by this Act the Inspector shall take all necessary action at the expense of such owner and shall recover the same with his costs from such owner in a summary way before two Justices of the Peace.

III.—DUTIES OF MASTER.

Master of ship with imported stock to make declaration.

5. The master of any vessel on which there shall be or shall have been during the voyage any imported stock shall immediately on his arrival at any port or place in the Colony make a declaration in the

Imported Stock.

the form set forth in Schedule A hereto and shall deliver the same on demand to the Officer of Customs in charge of the said vessel And such officer shall as expeditiously as possible forward the same or in the event of refusal by the said master to sign any declaration notify the fact of such refusal to the nearest Inspector and shall cause the attendants of such imported stock and their effects to be detained on board until the arrival of the Inspector.

6. No imported stock nor any fittings on board any vessel importing such stock nor the effects of any attendant shall be landed until the same shall have been examined by an Inspector and a permit granted by him for the landing thereof which the owner shall exhibit when required by any Inspector or member of the Police Force And no fodder put on board any vessel with or for the use of any imported stock shall on any account whatever be landed in the Colony.

IV.—IMPORTED STOCK NOT INFECTED.

7. Any imported stock not found on arrival to be infected shall be removed to the quarantine station where they shall remain in quarantine if such stock be cattle for a period of not less than fourteen days and if such stock be sheep for the period prescribed by the Diseases in Sheep Act of 1866 or any Act amending the same And if on the expiration of such periods respectively such stock shall be found to be clean the Inspector shall give to the owner thereof a certificate in the form of Schedule B hereto.

8. All fittings used for with or about such imported stock and all effects of the attendants of such stock shall previously to being landed be disinfected as the Inspector shall direct.

V.—INFECTED STOCK.

9. If any imported stock on arrival or within a month thereafter be found on examination by the Inspector to be infected he shall immediately report the case to the Minister and if after careful investigation the Minister shall decide that such stock are infected the Inspector shall serve the owner of such stock with a notice in the form of Schedule C hereto (by causing the same to be delivered to him personally or left at his usual place of business or abode) to destroy the same together with all fodder fittings and effects infected or likely to be infected by such stock within forty-eight hours from the time of receipt of such notice and such stock fodder fittings and effects shall be destroyed accordingly.

10. Notwithstanding anything herein contained the Governor may by proclamation in the *Government Gazette* restrict or absolutely prohibit for any specified time the importation or introduction of any stock fodder or fittings from any other colony or country in which there is reason to believe any infectious or contagious disease in stock exists.

VI.—PENALTIES.

11. All imported stock fodder fittings or effects landed contrary to any of the provisions of this Act or of any proclamation or regulation made hereunder or taken or removed from any quarantine station or any stock wilfully allowed to stray therefrom or unlawfully outside such quarantine station or any stock fodder fittings or effects dealt with contrary to any of the provisions of this Act may be seized by any person whomsoever and handed over to an Inspector to be disposed of as the Minister may direct And all stock brought within the quarantine stations hereinbefore mentioned or straying within the same shall be taken and deemed to be stock duly placed in such quarantine in terms of

Imported Stock.

of this Act and shall be subject to all the provisions affecting such stock And any stock with which any imported stock may be knowingly mixed or brought into contact by the owner of such first mentioned stock shall be held taken and deemed to be stock of the class with which they are so mixed or brought in contact and shall be dealt with accordingly.

Penalty for landing stock or property or taking them in or out of quarantine contrary to the Act.

12. If any person land or unship or order or assist to be landed or unshipped any imported stock fodder fittings or effects contrary to the provisions of this Act or knowingly or wilfully receive purchase or sell the same after they have been so landed or unshipped contrary to this Act or shall take or order or assist any stock fodder fittings or effects placed in quarantine as aforesaid to be taken out of such quarantine without an Inspector's certificate and sanction or if any person without such sanction shall take or order or assist any stock fodder fittings or effects to be taken into or upon any quarantine or shall offend against or fail to comply with any of the provisions of this Act with respect to any imported stock fodder fittings or effects or shall aid or be concerned in landing the same in or out of quarantine contrary to this Act or shall knowingly and wilfully have in his possession any imported stock fodder fittings or effects so taken or shall refuse to allow an Inspector to enter on any vessel or premises or hinder or impede or attempt to hinder or impede him in the execution of his duty or shall not when required give him full information with respect to any imported stock fodder fittings or effects or shall not when required keep or remove or assist in keeping or removing the same then every such person shall be liable to imprisonment for any period not exceeding six months or to a fine not exceeding two hundred pounds and all such offences shall be heard and determined in a summary way before any two or more Justices in Petty Sessions.

VII.—REGULATIONS.

Regulations may be made by the Governor in Council.

13. The Governor may make regulations for carrying out the provisions of this Act and all such regulations upon publication in the *Gazette* shall have the full force of law and copies thereof shall be laid before Parliament within fourteen days after such publication and if Parliament be not in session then within fourteen days after the commencement of the next session.

VIII.—EXPENSES.

The balance at the credit of the Cattle Disease Prevention Fund Account to be used for the purposes of this Act.

14. From the funds standing in the books of the Treasury at the credit of the Cattle Disease Fund being moneys collected under the Cattle Disease Prevention Act of 1866 the Colonial Treasurer shall under warrant of the Governor pay all moneys which may have become due or payable by Stockowners or others during the next preceding three months as compensation for any imported stock destroyed during that time on account of their being infected all salaries remunerations travelling expenses and other sums due and payable under this Act.

IX.—MISCELLANEOUS.

Application of penalties.

15. All penalties imposed under this Act after deduction of the expenses incurred in their recovery shall be paid by the Clerk of Petty Sessions one-half to the prosecutor or informer and the other to the Colonial Treasurer to be placed to the credit of the Cattle Disease Fund at the Treasury.

Imported Stock.

SCHEDULE B.

IMPORTED STOCK ACT OF 1871.

Import Certificate of Cleanness.

Section 7.

I the undersigned Inspector for _____ do hereby certify that the imported Stock of which _____ is owner and which are more particularly specified in the Schedule below have remained in Quarantine for a period of more than _____ and have been treated in accordance with the provisions and regulations of the abovenamed Act and that such Stock are clean and may be removed.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Where from by what Ship and at what date.	Destination.

Signed _____

Inspector.

SCHEDULE C

IMPORTED STOCK ACT OF 1871.

Notice to Destroy Infected Stock.

18 .

Section 9.

To

The Minister having after careful investigation decided in terms of section ten of the abovenamed Act that _____ of which you are owner and which are more particularly described in the Schedule below are infected I hereby give you notice to destroy such _____ within forty-eight hours from the time of the receipt of this notice.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Where from by what Ship and at what date.	Destination.

Signed _____

Inspector.