

No. XLII.

SYDNEY SLAUGHTER-
HOUSES.

An Act to amend the Law relating to the licensing of Slaughter-houses within the City and Suburbs of Sydney and for the prevention of other nuisances within the same. [12th October, 1849.]

Preamble.

5 Wm. IV. No. 1.

Licenses not to be granted for slaughter-houses within the limits of the City or within two miles therefrom.

6 Vic. No. 3.

But existing licenses may be renewed.

Live swine not to be kept within the City of Sydney under a penalty.

Sheep calves and swine to be killed only in licensed slaughter-houses under a penalty.

WHEREAS by an Act of the Governor and Legislative Council of New South Wales passed in the fifth year of the reign of His late Majesty King William the Fourth intituled "*An Act for regulating the slaughtering of Cattle*" certain provisions were made for the licensing of slaughter-houses and places for slaughtering cattle and in pursuance thereof divers licenses have been granted for such purposes for various places in the City of Sydney And whereas such slaughter-houses and places for slaughtering cattle have become nuisances to the health and comfort of the inhabitants of the said City and it is intended that the same shall hereafter be removed And whereas it is expedient that in the meantime no new slaughter-house should be licensed within the said City or within the distance therefrom hereinafter mentioned Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That from and after the passing of this Act no house or premises not already licensed within the limits of the said City as described and set forth in the Schedule A annexed to a certain other Act of the said Governor and Council passed in the sixth year of the reign of Her present Majesty Queen Victoria intituled "*An Act to declare the Town of Sydney to be a City and to incorporate the Inhabitants thereof*" or within the distance of two miles from the said limits shall be licensed as a slaughter-house or place for slaughtering cattle anything in the said first recited Act to the contrary in anywise notwithstanding Provided always that nothing herein contained shall be construed to prevent the renewal of any license now in force within the limits of the said City or within the distance of two miles therefrom until further provision shall be made in that behalf or to apply to any house or premises now used for slaughtering cattle sheep calves or pigs for the purpose of converting the carcasses thereof into preserved meats provided that no house or premises shall be newly established for such purpose after the passing of this Act within two miles of the said limits.

2. And be it enacted That from and after the first day of January next it shall not be lawful for any person whomsoever to breed feed have or keep any kind of living swine in any place within the aforesaid limits of the said City and any person who shall so offend shall forfeit and pay on conviction for every such offence any sum not exceeding ten pounds Provided always that nothing herein contained shall apply to any swine landed from any vessel for the purpose only of being driven through the said City.

3. And be it enacted That from and after the first day of January next it shall not be lawful for any person to slaughter or cause to be slaughtered any sheep calves or pigs in any house or place within the limits of the said City other than in such slaughter-houses or places for slaughtering as are now licensed and shall continue to be licensed under the provisions of the said first recited Act and every person who shall so offend shall forfeit and pay on conviction for every such offence any sum not exceeding ten pounds.

Sydney Slaughter-houses.

4. And be it enacted That no cattle intended for sale slaughter or shipment shall be driven within the said limits of the said City or through or along any public street or place within the same (excepting between the hours of twelve at night and six in the morning) and any person who shall drive any cattle as aforesaid at any other hour shall on conviction for every such offence forfeit and pay any sum not exceeding twenty pounds.

Cattle not to be driven in or through the City except at certain hours under a penalty.

5. And be it enacted That it shall be lawful for any peace officer to detain any cattle driven within the limits of the said City in contravention of the provisions of this Act and to impound the same in the nearest public pound and also to seize and detain the driver of any such cattle and convey him before a Justice of the Peace to be dealt with according to law.

Cattle driven contrary to this Act may be impounded and driver taken before a Justice of the Peace.

6. And be it enacted That the business of a blood boiler bone boiler fellmonger slaughterer of horses or boiler or steamer of animals or parts of animals for extracting the tallow or fat therefrom shall not be carried on in any building or place within the said limits of the said City after the passing of this Act and whosoever offends against this enactment shall be liable to forfeit and pay on conviction for every such offence before any two or more Justices of the Peace in a summary way any sum not exceeding fifty pounds and a further penalty of forty shillings for each day during which the offence is continued.

What businesses prohibited after the passing of this Act.

Penalty for offending.

7. And be it enacted That the business of a soap boiler tallow melter tripe boiler tanner or currier shall not be newly established or carried on in any building or place within the said limits of the said City after the passing of this Act and that from and after the first day of January in the year of our Lord one thousand eight hundred and sixty the business of a soap boiler tallow melter tripe boiler tanner or currier which has been already established shall not be continued or carried on in any building or place within the said limits of the said City and whosoever offends against this enactment shall be liable to forfeit and pay on conviction for every such offence before any two or more Justices of the Peace in a summary way any sum not exceeding fifty pounds and a further penalty of forty shillings for each day during which the offence is continued.

What businesses not to be newly established and what business already established shall cease on the 1st January 1860.

Penalty for offending.

8. And be it enacted That if upon the certificate of any two legally qualified medical practitioners verified on oath it shall appear to any two Justices of the Peace that any shop building stall or place kept or used for the sale of butchers' meat or as a slaughter-house or any place used for carrying on the business of a soap boiler tallow melter or tripe boiler or any place used for carrying on the business of a tanner or currier or the premises occupied with the same or appurtenant thereto within the said limits of the City of Sydney is in such a filthy or unwholesome condition that the health of any person is likely to be affected or endangered thereby or that the whitewashing cleansing or purifying of any such place premises or appurtenances would tend to prevent or check infectious or contagious disease the said two Justices shall give notice in writing to the owner or occupier of such place or premises to whitewash cleanse or purify the same as the case may require and if the person to whom notice is so given fail to comply therewith within such time as shall be specified in the said notice he shall be liable to a penalty not exceeding ten pounds for every day during which he continues to make default and every such notice may be served by affixing a copy thereof on a conspicuous part of the house place or premises directed to be whitewashed cleansed or purified as aforesaid.

Justices may give notice to cleanse buildings used in certain businesses.

Penalty for non-compliance.

9. And be it enacted That the said Justices may if they shall think fit cause such slaughter-houses and other places premises or appurtenances as aforesaid or any part thereof to be whitewashed cleansed

Or Justices may cause such buildings to be cleansed at expense of owner or occupier.

Customs.

cleansed or purified and the expense incurred by them in so doing shall be repaid by the owner or occupier thereof and in default of repayment shall be recoverable in the summary manner hereinafter provided for the recovery of penalties incurred under this Act.

Powers to Inspector
of Nuisances &c.

10. And be it enacted That the Inspector of Nuisances for the said City or any Inspector of the Police Force of the said City may and they are hereby respectively empowered at all reasonable times with or without assistants to enter into and inspect any shop building stall or place kept or used for the sale of butchers' meat or as a slaughter-house and to examine any animal carcass meat or flesh which may be therein and in case any animal carcass meat or flesh appear to him to be intended for the food of mankind and to be unfit for such food the same may be seized and if it appear to a Justice of the Peace upon the evidence of a competent person that any such animal carcass meat or flesh is unfit for the food of mankind he shall order the same to be destroyed or to be so disposed of as to prevent its being exposed for sale or used for such food and the person to whom such animal carcass meat or flesh belongs or in whose custody the same is found shall be liable to a penalty not exceeding ten pounds for every animal or carcass piece of meat or flesh so found.

Slaughter-houses to
be cleansed within
one hour after
animals slaughtered
therein.

11. And be it enacted That every slaughter-house within the limits of the said City shall be thoroughly washed and cleansed within one hour after any animal or animals shall be slaughtered therein and that the blood offal and filth of all such animals as may be slaughtered in any slaughter-house or the premises or appurtenances thereunto belonging shall be removed once at least in every twenty-four hours and any owner or occupier of any slaughter-house who shall neglect to comply with this enactment shall forfeit and pay on conviction for every such offence before any two or more Justices of the Peace in a summary way any sum not exceeding ten pounds.

Act not to affect
present law as to
nuisances.

12. And be it declared and enacted That nothing in this Act shall be construed to render lawful any act matter or thing whatsoever which but for this Act would be deemed to be a nuisance nor to exempt any person from any action liability prosecution or punishment to which such person would have been otherwise subject in respect thereof.

How offenders are to
be proceeded against.

13. And be it enacted That all offences committed against the provisions of this Act shall be prosecuted and all fines and penalties shall be imposed levied awarded and appropriated in the same manner and form as is directed in and by the said first recited Act.