

No. XVII.

An Act to provide for the establishment of
Public Abattoirs in the City of Melbourne
and for preventing certain nuisances therein.
[19th September, 1850.]

MELBOURNE
ABATTOIRS.

WHEREAS the slaughtering of live stock on the premises of Preamble.
butchers and others within the City of Melbourne has become a
nuisance to the health and comfort of the inhabitants and it is expedient
to remedy the same Be it therefore enacted by His Excellency the Governor
of New South Wales with the advice and consent of the Legislative
Council thereof That it shall be lawful for the Council of the City of
Melbourne to erect and establish one or more Public Abattoirs within the
said City and that from and after the completion of any such Abattoir

Council of City of
Melbourne may
establish one or more
Public Abattoirs
within the said City.

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(ten days' notice of which to be given by advertisement under the hand of the Town Clerk of the said City in one or more of the newspapers published within the said City) it shall not be lawful for any person whomsoever to slaughter or cause to be slaughtered any neat cattle or any sheep lamb pig or goat within the said City of Melbourne except at the Public Abattoirs so erected and established as aforesaid anything contained in a certain Act of the said Governor and Council 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*" or any other Act to the contrary notwithstanding and any person who shall so offend shall forfeit and pay on conviction for every such offence any sum not exceeding five pounds.

5 William IV. No. 1.

Penalty for slaughtering except at Public Abattoirs.

Council may defray expense of erecting Abattoirs out of the Town Fund.

And may make by-laws for regulating the same and may fix rates of fees.

Penalty on persons keeping swine or goats.

Penalty on butchers &c. keeping or exposing for sale unwholesome meat.

Butchers &c. having their premises in a filthy state may be compelled to purify the same under a penalty.

2. And be it enacted That it shall be lawful for the Council of the said City to defray any expense which may be incurred in the erection of the said Abattoirs and appurtenances and in the management and maintenance of the same out of the "Town Fund" of the said City.

3. And be it enacted That it shall be lawful for the Council of the said City and they are hereby empowered from time to time to make alter or amend by by-law such regulations as to them shall seem meet for regulating the said Abattoirs in respect to cleanliness and otherwise and for the good government of all parties using the same and to fix by by-law from time to time the rates of slaughtering fees or dues to be paid for the use of such Abattoirs and appurtenances by parties slaughtering or causing to be slaughtered live stock therein.

4. And be it enacted That it shall not be lawful for any person or persons to breed or keep any kind of living swine or any goat in such portion or portions of the said City as may from time to time be fixed by any by-law to be for that purpose passed by the Council 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 five pounds.

5. And be it enacted That it shall not be lawful for any butcher or dealer in meat or other person to keep offer or expose for sale in his or her shop stall or premises as and for human food any unsound or unwholesome meat unfit for such purpose within the City and every person who shall so offend shall forfeit and pay on conviction for every such offence any sum not exceeding ten pounds.

6. And be it enacted That if upon the certificate of any one or more Medical Practitioners duly qualified under the Acts of Council made and passed or to be made and passed in that behalf and 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 any place used for carrying on the business of a soap boiler tallow melter candle maker starch manufacturer blood boiler bone boiler tripe boiler boiler of refuse or tainted animal matter tanner currier or fellmonger or gas manufacturer or the premises occupied with the same or appurtenant thereto is in such a filthy state or unwholesome condition that the health of any person is likely to be endangered thereby or that the white-washing cleansing or purifying of any such place premises or appurtenances would tend to prevent or check infectious contagious or epidemic diseases the said two Justices shall give or cause to be given notice in writing to the owner or occupier or owners or occupiers of such place or premises to white-wash cleanse or purify the same as the case may require and such notice may be served by leaving a copy thereof with any person found on the premises or by affixing a copy thereof on a conspicuous part of the place or premises directed to be white-washed cleansed or purified as aforesaid and if the person or persons to whom such notice is given fail to comply therewith within such time as may be specified in the said

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said notice he she or they shall be liable to a penalty not exceeding ten pounds for every day which he she or they continue to make default.

7. And be it enacted That whenever it shall be made to appear on oath to the satisfaction of the Mayor or any other Justice of the Peace for the said City that there is reasonable ground for believing that any such shop building stall or place or the premises occupied with the same or appurtenant thereto as is hereinbefore mentioned is in a filthy or unwholesome condition it shall be lawful for such Mayor or Justice to grant a warrant under his hand authorizing any Inspector of Slaughter-houses or any City Inspector or Inspector of Police with such assistance as may be necessary and accompanied by such Medical Practitioner or Practitioners as aforesaid to enter in the day time into such shop building stall or place with the appurtenances as aforesaid and view the same and the state and condition thereof.

8. And be it enacted That if any person shall assault or resist any Inspector of Slaughter-houses or any City Inspector or Inspectors of Police or his or their assistants in the execution of his or their duty under this Act or shall aid or incite any person so to assault or resist every such offender being convicted thereof before two Justices of the Peace shall for every such offence forfeit and pay any sum not exceeding five pounds.

9. And be it enacted That all fees and dues accruing under this Act or under any by-law made in pursuance thereof shall be paid to the Treasurer of the said City of Melbourne to be by him carried to the credit of the "Town Fund" for the local improvement and public uses of the said City Provided always that the rates for slaughtering fees and dues to be fixed and taken for the use of such Abattoirs and appurtenances by parties slaughtering or causing to be slaughtered live stock therein shall not exceed the sums respectively mentioned in the Schedule hereunto annexed.

10. And be it enacted That all fees dues fines penalties and forfeitures imposed by this Act or by any by-law made in pursuance thereof shall be recoverable in a summary way by information or complaint of any Inspector of Slaughter-houses or of any City Inspector duly appointed by the Council of the said City to prosecute parties who may be guilty of offences against the provisions of this Act and who shall in all cases be a competent witness before any Justice of the Peace of the said City and every fine penalty or forfeiture when so recovered shall be paid one moiety to Her Majesty Her Heirs and Successors for the public uses of the said Colony and in support of the Government thereof and shall be applied in such manner as may be from time to time directed by any Acts of the Governor and Legislative Council and the other moiety to the Treasurer of the said City of Melbourne to be by him carried to the credit of the Town Fund for the local improvement and public uses of the same Provided always that it shall be lawful for the Governor of the said Colony for the time being to pardon any offender and to remit the whole or any part of any such fine penalty or forfeiture as the justice of each particular case may seem to require.

SCHEDULE TO WHICH SUCH ACT RELATES.

						s.	d.
For every ox cow bull heifer steer or calf	...	...	...	...	...	2	0
For every sheep or lamb or goat	...	...	...	...	...	0	6
For every head of swine	...	...	...	...	...	1	0