

No. XIII.

SCAB IN SHEEP ACT
CONTINUATION AND
AMENDMENT.

An Act to continue for a limited period and to amend the Scab in Sheep Act of 1863. [27th December, 1865.]

Preamble.

WHEREAS the Scab in Sheep Act of 1863 will expire on the thirty-first December in the year of our Lord one thousand eight hundred and sixty-five and whereas it is expedient that the said Act should be amended and continued for a limited time Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Repeal of the 27th
section of the
27 Vict. No. 6.
Crossing-places to
be proclaimed.

1. That the twenty-seventh section of the said Act shall be and the same is hereby repealed.

2. The Governor with the advice of the Executive Council shall from time to time by proclamation in the *Government Gazette* appoint certain places on the boundary line of this and the adjoining Colonies to be places at which sheep coming from such Colonies may cross into this Colony Provided however that upon application by the owner of any sheep who may desire to introduce such sheep into this Colony any two Directors of the district into which it is desired that such sheep should cross may by writing under their hand authorize such sheep to cross at any particular place to be specified in such writing and such sheep may cross accordingly at such place.

Penalty for intro-
ducing sheep con-
trary to the Act.

3. Every person introducing any sheep into this Colony from any of the adjoining Colonies shall obtain from the Inspector a certificate as hereinafter provided and shall cause except in cases where the Directors shall give an authority as provided in the last section such sheep to cross over the boundary line at one of the proclaimed crossing-places and not elsewhere and any person introducing or attempting to introduce any sheep contrary to the provisions of this section shall upon conviction thereof in a summary way before two Justices of the Peace be liable to three months' imprisonment or forfeit and pay any sum not exceeding two hundred pounds and if there be *prima facie* evidence that they are introduced sheep under this Act they shall be held to be so unless the owner thereof proves that they have not been introduced as contemplated under the third section of this Act Provided always that on any such proceeding before the Justices it shall be assumed that no such certificate exists unless the contrary be shewn Provided also that all sheep introduced into this Colony contrary to the provisions hereof shall be forfeited and shall be disposed of as the Minister charged with the execution of this Act shall direct and such sheep shall be seized and detained by the Inspector until he receive the direction of such Minister with regard to the disposal of such sheep.

Inspectors to
examine and certify.

4. Every person introducing or intending to introduce any sheep into this Colony from any of the adjoining Colonies shall produce to the Inspector of this Colony a certificate by the Inspector of such adjoining Colony to the effect that such sheep are not suffering from or infected with scab and have not within the previous six months so suffered or been infected or formed part of any flock containing any sheep so infected and have not within such period been

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been in contact with or on the same ground as sheep so infected and have not within such period been dressed or dipped with medicaments used to cure such disease and upon the production of such certificate the Inspector shall proceed to examine and to obtain all the requisite information concerning such sheep and shall thereupon determine whether such sheep are or are not infected and if satisfied that they are not infected shall grant a certificate to that effect authorizing them to cross such boundary line.

5. In addition to the brand T to be attached to travelling sheep as provided in the twenty-fourth section of the recited Act all sheep which shall have crossed over the boundary line into this Colony from any adjoining Colony shall be legibly branded as follows—all such sheep crossing the boundary line of Victoria with the letter V—all those crossing the boundary line of Queensland with the letter Q—and all those crossing the boundary line of South Australia with the letter A—such brands to be three inches in length and to be continued for six months after the last time they crossed such boundary line as aforesaid and any owner neglecting to brand and keep branded sheep as herein provided shall forfeit and pay any sum not exceeding one shilling for each sheep to be recovered in a summary way before any two Justices.

Sheep crossing over to be branded.

6. It shall not be lawful to introduce into this Colony from any adjoining Colony any skin fleece horns hoofs or any other portion of the carcass of sheep infected with scab and any skin fleece horns hoofs or portion of sheep shall be held to be infected if brought from any district in which scab is known to exist and any person introducing or attempting or aiding to introduce or being concerned in introducing any skins fleeces horns hoofs or other portions of the carcass of sheep so infected contrary to the provisions of this section shall forfeit and pay any sum not exceeding one hundred pounds to be recovered in a summary way before any two Justices and all skins fleeces horns hoofs or other portions of sheep so introduced may be seized wherever they may be found by any Inspector and shall be forfeited and disposed of as the Minister charged with the execution of this Act shall direct.

Penalty for introducing into the Colony infected skins &c.

7. Any Sheep Director adjudged to be the owner of or to have in his charge infected sheep shall thereupon cease to hold office as such Director and shall be disqualified for being elected a Director for one year thereafter.

Sheep Director to cease to hold office if adjudged to be owner of infected sheep.

8. The Scab in Sheep Act of 1863 as the same is amended by this Act shall be and continue in force until the thirty-first of December one thousand eight hundred and sixty-six and until the end of the then next Session of Parliament.

Scab in Sheep Act re-enacted.

9. In every case of a summary conviction under this Act or the said recited Act where the sum which shall be imposed as a penalty by the Justices shall not be paid either immediately after the conviction or within such period as the Justices shall at the time of the conviction appoint such Justices may commit the offender to prison for any term not exceeding two months with or without hard labor where the amount of the penalty shall not exceed twenty pounds and for any term not exceeding four months where the amount of the penalty shall not exceed fifty pounds and for any term not exceeding six months in any other case the imprisonment to be determinable in each of the cases upon payment of the amount.

Penalties to be enforced by imprisonment.

10. This Act may be amended or repealed by any Act to be passed in this Session of Parliament.

Act may be amended or repealed.