

No. XVI.

An Act for the prevention and cure of Diseases DISEASES IN SHEEP.
in Sheep. [6th December, 1866.]

BE it 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 :—

PRELIMINARY.

1. From and after the commencement of this Act the unrepealed sections of the Act twenty-seventh Victoria number six and the Act twenty-ninth Victoria number thirteen shall be and the same are hereby repealed, but all acts matters and things done commenced or purporting to be done in pursuance of any provision contained in the said repealed Acts shall except in so far as the same shall be inconsistent with the provisions hereof, be as valid and effectual as if this Act had not been passed. Repeal of unrepealed part of 27 Vict. No. 6 and the whole of 29 Vict. No. 13.

2. The following terms in inverted commas shall for the purposes of this Act unless the context otherwise indicate bear the meanings set against them respectively— Definition of terms.

“District”—Any Sheep District proclaimed under this Act

“Director”—Any Sheep Director during his term of office duly elected by the owners or appointed by the Minister—and any person hereby authorized to act as a Director by virtue of his office

“Chief Inspector”—The Chief Inspector of Sheep already appointed or that may under this Act be appointed

“Inspector”—The Chief Inspector or any Inspector of Sheep hereby authorized to act as Inspector

“Sheep”—Any ram ewe wether or lamb or any carcass skin wool horn hoof or other portion of a sheep

“Flock”—Any number of sheep in one lot or in the charge of one person

“Run”—Any station farm yard road premises or other place where sheep are kept depastured travelled or dressed

“Owner”—Any owner whether jointly or in severalty—superintendent or person in possession or charge of any sheep

“Proprietor”—Any proprietor lessee licensee occupant overseer superintendent or person in possession or charge of any land

“Brand”—A firebrand on the nose or face in letters or figures not less than one inch in length or a brand made with pitch tar or paint in letters or figures not less than three inches in length on the ribs back shoulder or rump of any sheep

“Disease”—The disease known as the Scab in Sheep

“Infected sheep”—Any sheep suffering from or affected with scab—or any sheep which have formed part of a flock containing any sheep so suffering from or affected with scab—or any sheep which have been in direct or indirect contact with or have been on or carried over the same ground or have been kept in the same yard as such infected sheep

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sheep within the next preceding six months or which have been dressed or dipped within the same period with medicaments commonly used for the cure of scab and all infected sheep within any of such definitions until declared clean

“Clean sheep”—sheep which have never been infected or sheep which have been infected and for which their owner has received from an Inspector a clean certificate in the form of the Schedule hereto marked A

“Infected run”—Any run on which any infected sheep have been within the next preceding six months and such run until declared clean by the certificate of an Inspector

“Travelling sheep”—Any sheep whilst being driven or carried by land or water or which have within one month next preceding been so driven or carried along or over any place whatsoever other than the run on which they are ordinarily depastured

“Introduced sheep”—Any sheep introduced into this Colony from any adjoining Colony in any other way than by sea and for six months after they are so introduced

“Imported sheep”—Any sheep brought into any town port or place in the Colony by any sea-going or coasting vessel or by any lighter or boat from such vessel and all such sheep for six months after they are so imported

“Coast District sheep”—Any sheep for the period during which they shall be kept or depastured in the Coast Scab District and for six months after their removal inland therefrom

“Road”—Any proclaimed road or any road or way dedicated to the public or which has been ordinarily used for three years at least by the public

“Dressing”—Any dipping dressing spotting rubbing or applying of a medicament used as a cure for scab

“Destroy”—To entirely consume by fire or to bury at a depth of not less than three feet under ground or having previously consumed by fire the wool and skin to boil down the remainder of the carcass

“Justice”—Any Justice of the Peace

“Petty Sessions”—Any Court of Petty Sessions

“Minister”—The Minister charged with the administration of this Act

“Governor”—The Governor with the advice of the Executive Council

“This Act”—In addition to the enactments herein contained any regulations or proclamations made hereunder

“Market value of sheep”—Their value calculated as upon a sale with delivery on the run where such sheep shall be when ordered to be destroyed.

SHEEP DISTRICTS.

Proclamation of districts.

3. The Colony shall be divided into conveniently sized Sheep Districts to be defined by proclamation by the Governor from time to time.

ELECTION

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ELECTION AND GENERAL POWERS AND DUTIES OF DIRECTORS.

4. In each District there shall be elected annually in manner Number of Directors. hereinafter directed five Directors who shall be the Board of Directors of such District and remain in office until the next annual election of Directors. Provided that in case a lesser number than five Directors shall be elected or if no election shall have taken place or if such election shall be in any respect invalid it shall be lawful for the Minister to appoint any person or persons as the case may require nominated by the Chief Inspector to be a Director or Directors and all such persons shall on the publication of such appointment in the *Gazette* be and be deemed to be Directors as fully to all intents and purposes as if duly elected hereunder.

5. Any person shall be competent to vote at elections of Qualifications of electors and candidates. Directors and to be elected to the office of Director who is at the time of such election a *bonâ fide* owner of more than five hundred sheep or who is the superintendent of a *bonâ fide* owner of more than eight thousand sheep kept or depastured within the District for which such election of Directors is held and shall have been duly authorized by such owner to act in his absence as his deputy at such elections.

6. No owner or superintendent of infected sheep shall be com- Disqualifications of electors and Directors. petent to vote at any election of Directors or to be elected a Director or having been so elected to hold office. And no owner and his superintendent shall in any case hold office as Directors at the same Board.

7. At some convenient place and upon some day in the month Mode and place of election. of February to be fixed by the Minister of which due notice shall be given by publication in the *Gazette* any five or more *bonâ fide* owners and superintendents duly qualified as aforesaid shall meet and having chosen from among their number then present a Chairman to conduct the business of the meeting and to act as Returning Officer shall give in to the Returning Officer before four o'clock on the afternoon of the day of election their voting-papers each containing the names of five persons qualified as aforesaid after which time no voting-paper shall be received by such Returning Officer. And the Returning Officer shall thereupon ascertain the five persons who have received the greatest number of votes and shall at some hour not later than six o'clock on the same day unless any objections to the qualification of any elector or candidate shall have been taken declare such persons to be duly elected. Provided that in case of an equality of votes given for any two or more persons the Returning Officer may give a casting vote. Provided further that all such voting-papers shall lie open for the inspection of the electors for one hour during which time all objections as aforesaid shall be lodged. And all such objections made to any voting-paper and all questions as to the qualifications of candidates and electors and all other matters necessary to be decided before the declaration of the result of the election shall be decided by the Returning Officer and such decision shall be final and conclusive.

8. Any vacancy in the Board of Directors shall be filled up by Vacancies in the Board of Directors. election at a special meeting to be convened by the Minister in like manner as hereinbefore provided with respect to annual elections. And in the event of any vacancy not being filled up at such meeting it shall be lawful for the Minister to appoint some person nominated by the Chief Inspector to fill such vacancy. But no vacancy shall affect the powers and proceedings of the Board provided that there is a quorum as hereinafter prescribed and the Director or Directors so elected or appointed shall hold office for such period only as the person or persons in whose absence default or stead he or they shall have been elected or appointed would have been otherwise entitled.

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Chief Inspector to be
a Director *ex officio*.

9. The Chief Inspector shall by virtue of his office be a Director in and for each district proclaimed under this Act as fully to all intents and purposes as if duly elected thereunder.

Two Directors to
form a quorum and
Directors to elect a
Chairman.

10. At any meeting two Directors shall form a quorum And at the first meeting after their election the Directors shall elect some one of themselves as Chairman of the Board who shall continue in office until the expiration of his term of office as Director and in the event of no such Chairman being elected or of such Chairman's absence from any such meeting the Directors then present shall choose one of themselves as Acting Chairman And all questions and other matters brought before any such meeting shall be determined by a majority of votes And in case of an equality of votes when more than two Directors are present but not otherwise such Chairman or Acting Chairman shall have a casting vote.

Mode of calling and
recording meetings.

11. All meetings of Directors shall be called by a Director or the Chief Inspector by notice in writing either left at the residence of each Director or transmitted to him by registered letter And every such meeting shall be held at or near the place where the circumstances which shall have occasioned it took place and may be adjourned from time to time as the Directors shall deem necessary And a record of the proceedings at every such meeting shall be made in a book to be kept for that purpose to be called the Directors' Minute Book And the minutes of all such proceedings shall be signed by the Chairman or Acting Chairman and shall be conclusive evidence that such proceedings were duly held and taken under the provisions of this Act.

Mode of appointment
of Inspectors.

12. A Quorum of Directors present at a meeting to be specially called for that purpose shall nominate some fit person as District Inspector for the approval of the Governor but the Governor may decline to confirm such appointment either on account of the unfitness of the person nominated or because an Inspector may not in the opinion of the Minister be required for the District in question And whenever the Minister may consider that the services of one Inspector are sufficient for two or more Districts the Directors in such Districts shall meet together in some place to be appointed by the Minister and nominate an Inspector for such Districts.

Directors to be
Inspectors *ex officio*.

13. Every Director shall be *ex officio* an Inspector of Sheep but without remuneration other than that directed in certain cases under Schedule B hereto.

Times fixed for
meetings of
Directors.

14. In every District where disease exists the Directors shall meet at least once in every month to receive and consider the Inspector's report on the state of the District And when a District is free from disease the Directors thereof shall meet at least once a year.

Director receiving
information of the
outbreak of disease
to visit the locality.

15. On receiving information of the outbreak or suspected outbreak of disease in any part of a District the nearest Director shall visit the locality in question and in the absence of an official Inspector shall himself act and take all necessary steps in the capacity of Inspector under penalty in case of failure or neglect of removal from the Board by the Minister.

Directors to be
allowed travelling
expenses.

16. Every Director acting as such or in the capacity of Inspector as hereinbefore mentioned shall be allowed travelling expenses according to the scale fixed by the Schedule hereto marked B.

When Directors are
not to act.

17. No Director shall act as a Director or Inspector in any matter or thing in which he is personally interested and no Director shall act as a Director in any case where he has personally taken action as an Inspector or joined with an Inspector in directing the destruction of infected sheep under penalty of removal from the Board.

APPOINTMENT

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APPOINTMENT AND GENERAL POWERS OF INSPECTORS.

18. The Chief Inspector shall be appointed by the Governor and shall exercise the powers and duties of his office throughout the Colony and subject to the Minister shall have the control and supervision of the Inspectors. Appointment of Chief Inspector.

19. It shall be lawful for the Governor to appoint as Inspectors competent persons to be nominated by the Directors and approved by the Governor and for the Directors or Chief Inspector to suspend and for the Minister to dismiss or remove any Inspector. Appointment of Inspectors.

20. Every Inspector is hereby empowered to enter at any time upon any run in order to inspect any sheep—to take possession of any sheep in respect of which their owner is committing any breach of this Act and detain such sheep until the requirements of the said Act shall have been complied with or until such sheep shall be released by order of the Directors on appeal as hereinafter provided—to carry out at the expense of the owner of any sheep when necessary any of the provisions of this Act with which such owner may fail to comply and to exercise and perform the several powers and duties herein authorized and directed. And any person refusing to allow an Inspector to enter upon any run in the execution of his duty or hindering or impeding or attempting to hinder or impede him therein or refusing or delaying when requested to point out to an Inspector any sheep or to disclose whence any sheep have been taken or refusing to produce to the Inspector when required the Flock or Sheep Book or to wash or otherwise disinfect any premises yard vehicle or article found or used with or about any infected sheep to the satisfaction of the Inspector or to drive sheep in his charge to any place when required by an Inspector or to assist an Inspector in the examination thereof shall for every such offence incur a penalty not exceeding one hundred pounds. Power of entry &c. to Inspector.

21. Every Inspector when acting under the provisions of this Act relating to introduced or imported sheep or prosecuting for a breach of any of the provisions of this Act in respect of any such sheep together with all other persons acting in his assistance shall possess so far as the same may be applicable to the case all the powers rights privileges and indemnities possessed by Officers of Customs or other persons duly authorized in that behalf when engaged in searching for or seizing or prosecuting for any offence in respect of any uncustomed or prohibited goods. And any person by force or violence resisting or impeding an Inspector or his assistants in the execution of his duty with respect to such sheep shall on conviction be liable at the discretion of the Court to the infliction of a penalty not less than ten pounds and not exceeding two hundred pounds or to imprisonment for any term not exceeding three months. Penalty on obstructing Inspector.

22. In any case except in that of imported sheep where the fact of the infection of any sheep as declared by any Inspector's notice shall be disputed by the owner of such sheep such Inspector may kill one sheep in each flock which he may consider infected and shall take possession of the skin or any portion thereof and having marked and caused the owner to mark the portion thus taken he shall pack up the same securely in the presence of the owner sealing the package with his own and the owner's seal, and such package shall be produced and opened before any Court or Board of Directors as the case may be whenever the fact of any such infection may be in issue. And any person preventing or impeding or attempting to prevent or impede an Inspector in carrying out the several provisions of this section shall be liable to a penalty not exceeding fifty pounds. Inspectors in certain cases to have the same powers as Officers of Customs.

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Inspectors may place
detained sheep on
nearest available
Crown Lands.

23. The Directors shall and they are hereby empowered at any Inspector's request from time to time to sanction the occupation of some land being the property of the Crown and whether the same is then occupied under lease or not as a run where such Inspector may detain any sheep under the provisions of this Act and where such sheep may be kept and depastured while so detained with the greatest safety And the owner of such sheep shall repay and make good to the lessee (if any) of the run on which they are so kept and depastured every loss damage or expense he may thereby sustain to be assessed by the Directors upon application to them by such lessee And any lessee refusing to permit such sheep to be so kept or depastured or preventing or attempting to prevent them from being so kept or depastured shall for every such offence incur a penalty not exceeding one hundred pounds.

Inspectors may
employ assistants.

24. An Inspector may, whenever necessary, employ any person or persons to assist him in carrying out the provisions of this Act and the owner through whose neglect omission or other default or by reason of the infection or removal of or other dealing with whose sheep the expense of such employment shall have been incurred shall repay the same to the Inspector on demand.

No Inspector to be
an owner of or
dealer in sheep.

25. No Inspector other than a Director acting as such under section thirteen shall be either directly or indirectly an owner of or dealer in sheep or shall act as the agent of an owner of or dealer in sheep, and no Inspector shall receive any payment or consideration for the depasturing of any sheep, or the performance of any act matter or thing directed or authorized by this Act, under a penalty not exceeding twenty pounds, Provided always that nothing in this section contained shall prevent any Inspector from demanding and receiving any fees and charges so authorized.

CATARRHED SHEEP.

Inspectors em-
powered to enforce
Catarrh Act 17 Vict.
No. 27.

26. Inspectors shall possess and exercise all the powers rights and duties conferred upon owners and constables by the Act seventeen Victoria number twenty-seven for the purpose of preventing the spread of influenza or catarrh in sheep and of prosecuting or enforcing any penalty or forfeiture incurred thereunder and shall when acting in that behalf in addition to such powers rights and duties possess and exercise all the powers authorities rights immunities and duties conferred by this Act which may be applicable to the provisions of the first-mentioned Act.

INFECTED SHEEP.

1.—*Owners' duties.*

Duties of owner of
infected sheep.

27. Every owner of infected sheep whether such sheep shall have been declared infected by an Inspector or not is hereby required and directed to execute and perform the several acts matters and things herein particularly enumerated under penalty of a fine not exceeding twenty pounds for each and every day that he shall neglect or omit to do the same after the day upon which the obligation in each case first attached to him—

(a.) To write out date sign affix on some conspicuous place and maintain till his Run on which such infected sheep are kept or depastured be declared clean a notice in distinct legible characters not less than one inch in length at each point of entrance of any road intersecting such run and at each point where any road commences to form

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form the boundary line of such run and also at all other points directed by the Inspector stating that disease had broken out thereon.

- (b.) To insert a similar notice in the nearest local newspaper for three successive weeks.
- (c.) To send a written notice in the form of the Schedule hereto marked C to the nearest Inspector that his sheep are or are supposed to be infected containing a correct account of their number description brands or marks and the places where such sheep are then running.
- (d.) To send a similar notice to the nearest resident Director.
- (e.) The like to the proprietors of adjoining runs.
- (f.) To cause his infected sheep to be carefully shepherded by day and securely yarded at night and in no case by an aboriginal till they are destroyed or declared clean.
- (g.) To brand all his infected sheep above the age of one month with the initials of his name or with his known station brand and also in either case with the letter S three inches in length such letters or brand being branded with paint of a red colour and when more flocks than one on the same run are infected to use a distinguishing brand or mark for each flock.

28. The obligation imposed upon an owner of infected or suspected sheep by the next preceding section to do each and every act matter and thing therein enumerated and his liability in default thereof shall commence and continue to attach to such owner upon the expiration of twenty-four hours from the time when the fact of such infection or suspected infection as the case may be shall have come to his knowledge And in the absence of direct or other satisfactory evidence to fix such owner with such knowledge proof that any sheep belonging to such owner have been infected for more than one calendar month shall in all cases be conclusive evidence that the fact of such infection had come to such owner's knowledge.

When obligation attaches.

2.—*Quarantine.*

29. The Inspector on being satisfied that any run or part of a run is infected shall define the boundaries of the same and place it in quarantine by giving written notice to the owner thereof in the form of the Schedule hereto marked D and also by posting placards and by the insertion of a notice in the nearest local paper And such quarantine shall extend for one mile at least in every direction beyond the boundaries of such infected run or part of a run and shall continue and be in force until such run or part of a run shall have been released therefrom in manner hereinafter mentioned And all sheep within the said defined boundaries shall also be included and kept in such quarantine until released in like manner.

a Inspector to define quarantine boundaries.

30. Such quarantine shall be binding on all persons whomsoever And if any person shall remove or cause to be removed or assist or be in any way concerned in removing any sheep beyond such quarantine or if any person shall take or assist or be in any way concerned in taking any other sheep within such quarantine except as hereinafter provided he shall for every such offence incur a penalty not exceeding one hundred pounds or be liable at the discretion of the Court to imprisonment for any term not exceeding six months And it shall be lawful for any person whomsoever to destroy all sheep taken in or out of such Quarantine contrary to the provisions of this Act.

Penalty for violation of quarantine.

31. Notwithstanding anything to the contrary hereinbefore contained every Inspector with the sanction of the Directors may remove all infected sheep back for any distance not less than two miles from

Inspector may move infected sheep back from roads.

from

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Inspector may extend quarantine for sake of feed or water.

Inspector may bring other infected sheep into quarantine.

Mode of releasing from quarantine.

from any road on or near which they are kept or depastured or to any other ground belonging to or occupied under lease by their owner where they can be kept with greater safety to other sheep than on the ground where they are so kept or depastured And such Inspector with the like sanction may also where necessary in order to obtain sufficient feed or water for any sheep placed in quarantine extend the boundaries thereof and may also with the like sanction and with the permission of the proprietor of the run placed in quarantine bring other infected sheep within such quarantine boundaries.

32. All runs and sheep placed in quarantine under the provisions of this Act may be released therefrom on the certificate of an Inspector that such runs and sheep are clean and the proprietors or owners thereof may apply for such release to the Directors in the form of the Schedule hereto marked E Provided that notwithstanding anything hereinbefore contained any run or part of a run may be released from quarantine upon the sheep running thereon being declared clean.

3.—*Destruction of sheep infected with scab.*

Diseased sheep and infected sheep in certain cases to be destroyed.

Notice to destroy.

Mode of service of notice to destroy infected sheep.

33. On notice being given by an owner as hereinbefore directed or on reasonable ground of suspicion that any sheep are infected the nearest Director and nearest Inspector shall immediately examine such sheep and if they decide that such sheep or any of them are suffering from or actually affected with scab or that they have within the next preceding three months so suffered or been affected or have at any time during that period formed part of a flock wholly or in part so affected such Director and Inspector shall make a memorandum of the market value of such sheep and shall serve the owner thereof with a written notice in the form of the Schedule hereto marked F to destroy such sheep And unless an appeal shall be made by their owner as hereinafter provided against such notice such sheep shall be destroyed by him within the period therein stated to be computed according to the scale in the Schedule hereto marked G And every owner failing to comply with any of the requirements of this section shall incur a penalty not exceeding one hundred pounds.

34. Any such notice to destroy infected sheep shall be held to be duly served upon an owner by being delivered to him personally or left at the head station of the run on which such sheep (not being travelling sheep) shall have been examined as aforesaid And when the sheep so required to be destroyed are travelling sheep such notice shall be held to be duly served on their owner on being delivered to the person in charge of such sheep And in the event of such owner appealing to the Directors against such notice as hereinbefore provided the giving of a decision by such Directors confirmatory of such notice shall be deemed equivalent to the service thereof upon the owner so appealing.

Owner may appeal against destruction.

35. Such owner may if he shall feel aggrieved by such notice to destroy appeal therefrom to the Board of Directors for the District in the form of the Schedule hereto marked S and thereupon the Directors shall make such order in the matter as to them shall seem proper And if the said Director and Inspector shall not have received such notice of appeal within the time in that behalf hereinafter provided such sheep shall be forthwith destroyed by the Inspector at such owner's expense.

Application for compensation for sheep destroyed.

36. In the event of any sheep being destroyed by an owner under the aforesaid notice to destroy such owner may at any time within two months thereafter lodge with some one of the Directors for the District an application for compensation for the loss he may have sustained by their destruction.

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37. If after due inquiry by examination of the Director and Inspector issuing the notice to destroy and of such other witnesses as the Directors may call such Directors shall be satisfied that the required notices have been given with respect to such sheep and that such sheep were infected and have been destroyed in compliance with the provisions of this Act they shall fix and determine the market value of such sheep supposing they had not been infected when destroyed and upon so doing such Directors shall sign and deliver to the owner thereof a certificate in the form of the Schedule hereto marked H awarding a sum of money equal to two-thirds of such value as aforesaid as compensation for the destruction of such sheep. Provided that where any of such sheep shall have been boiled down the value of the net proceeds thereof shall also be inquired into by such Directors at the hearing of any such application and fixed and determined by them and two-thirds of such proceeds shall be deducted from the amount awarded as aforesaid and the amount remaining after such deduction shall be the amount of compensation to be paid.

Mode of investigating and dealing with application and of payment of compensation.

38. Upon the presentation or transmission to the Colonial Treasurer of such certificate of award of compensation and the approval thereof by the Minister the Colonial Treasurer shall pay the amount therein awarded to the owner or his order from the moneys standing to the credit of the "Sheep Account" hereinafter described.

Colonial Treasurer to pay owner amount of compensation.

4.—Dressing infected sheep.

39. Whenever sheep shall have been declared infected by an Inspector but no notice for their destruction shall have been served on their owner as hereinbefore provided such owner shall dress such sheep at such times and with such medicaments as the Chief Inspector may direct and upon such owner's default the Inspector shall dress such sheep at such owner's expense. And any owner failing to comply with any of the requirements of this section shall incur a penalty not exceeding one hundred pounds. Provided that no sheep shall be dressed without having been examined by an Inspector under a penalty not exceeding fifty pounds.

Infected sheep not destroyed to be dressed.

Sheep not to be dressed without examination by Inspector.

TRAVELLING SHEEP.

40. Any owner intending to travel sheep from any district in which infection exists or has existed within a period of twelve months previously or from a district adjoining any district in which infection exists or has existed within a like period or from any district adjoining any Colony which may be notified in the *Gazette* from time to time by the Minister as a Colony in which infection exists shall before doing so apply for and obtain a certificate from an Inspector in the form of Schedule I hereto which such owner shall produce when required to any owner proprietor or Inspector and any owner intending to travel sheep from any other district shall give the Inspector notice of such intention stating the date of departure route and destination of such sheep. And every owner failing to comply with any of the requirements of this section shall incur a penalty not exceeding fifty pounds.

Travelling sheep starting from infected or suspected district to be certified to be clean.

Owner intending to travel sheep from any other district to give the Inspector notice.

41. Any owner intending to drive any sheep on, or across, any run where sheep are kept or depastured or along any road which may intersect or form the boundary line of any such run shall give the proprietor thereof not less than twelve hours' notice of his intention by leaving the same at such proprietor's house or homestead or at the head station on such run under a penalty not exceeding twenty pounds provided that no such notice shall be required in any part of the Coast Scab District.

Owner driving sheep to give notice to proprietors of sheep runs.

Exception.

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Travelling sheep to be branded.

Exceptions.

Proprietor may detain and examine travelling sheep and their owner to give Inspector notice of detention.

Proprietor detaining sheep to guard against the spread of infection.

Proprietor detaining sheep without cause to pay loss and expense.

42. Every owner of travelling sheep which are not legibly branded with the letter T in addition to such owner's known or station brand shall for every such sheep so unbranded incur a penalty not exceeding sixpence and not less than one penny. Provided that it shall not be necessary to brand with such letter any clean sheep intended to be driven from any one run to any other run not more than forty miles distant belonging to the same owner or clean sheep which may have strayed on to a neighbouring run or clean sheep intended to be driven to pound.

43. Any proprietor may detain and examine travelling sheep approaching or being upon any part of his run upon reasonable suspicion of their being infected and upon his giving the owner of such sheep a written notice to that effect he may detain them until such owner shall call in the nearest Inspector to examine such sheep and determine whether or not they are infected. And if such owner shall prevent them from being detained or examined as aforesaid or impede or hinder such proprietor in detaining or examining them or shall not within twenty-four hours after their detention give the nearest Inspector written notice thereof by delivering the same to him personally or at his residence such owner shall for every such offence incur a penalty not exceeding one hundred pounds.

44. Any proprietor so detaining any travelling sheep shall until the arrival of the Inspector either keep such sheep on his own run or make such arrangements as shall prevent the further spread of the infection under a penalty not exceeding one hundred pounds. And if such sheep shall be declared infected all necessary expenses incurred by such proprietor in the detention and keep of such sheep shall be paid to him by their owner. Provided however that if the sheep so detained shall be found on examination not to be infected and that such proprietor detaining them had no reasonable grounds for suspecting them to be infected he shall pay to the owner of such sheep the loss and expense occasioned by such detention.

INTRODUCED SHEEP.

Sheep to cross Border at appointed crossing-places.

Owner introducing sheep to produce certificate from Inspector for adjoining Colony and obtain Certificate from Inspector in this.

45. No sheep shall be introduced from an adjacent Colony at any crossing-place other than those appointed from time to time by proclamation in the *Gazette* or specially sanctioned by the Directors of the district into which such sheep would pass on first crossing the Border. And any sheep introduced contrary to the provisions of this section shall be seized and disposed of as the Minister shall direct.

46. No sheep intended to be introduced into this Colony shall be examined by an Inspector or brought across the boundary from any adjoining Colony until their owner shall first produce a certificate from the Inspector of that portion of such Colony contiguous to the crossing-place by which such sheep are to be so introduced stating that such sheep are not infected and when the said first-mentioned Inspector has obtained the said certificate and all other necessary information he shall examine such sheep and shall determine whether or not they are infected and upon being satisfied that they are not infected he shall deliver to their owner a certificate in the form of the Schedule hereto marked J. And any sheep introduced in violation of the provisions of this section shall be seized and detained by any Inspector and disposed of as the Minister may direct. And any owner toll-keeper ferryman boatman or other person introducing or attempting to introduce or aiding or being concerned in the introduction of any sheep contrary to the requirements of this section shall on conviction of every such

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such offence be liable at the discretion of the Court either to imprisonment for any term not exceeding one month or to a penalty not exceeding two hundred pounds.

47. All sheep intended to be introduced shall before crossing the Border in addition to their owner's brand be legibly branded as follows—before passing the boundary line of Victoria with the letter V—before passing the boundary line of South Australia with the letter A—and before passing the boundary line of Queensland with the letter Q—and such sheep shall continue to be so branded for a period of six months after they shall have passed any such boundary. And any owner failing to comply with any of the requirements of this section shall incur a penalty not exceeding one hundred pounds and a further penalty of ten pounds for every day that he shall neglect or delay to brand such sheep after notice from an Inspector.

Introduced sheep to be branded.

48. Before any sheep shall be allowed to be introduced as aforesaid their owner shall obtain from the Inspector a permit in the form of the Schedule hereto marked K to travel such sheep to their destination by the nearest usual and practicable road and such sheep shall not during a period of six months after such introduction be removed from the place of destination specified in such permit except by the issue of a fresh permit. And every owner shall incur a penalty of twenty pounds for every day that he shall travel such sheep or allow them to be travelled without such permit and also a penalty not exceeding one hundred pounds for every deviation they shall make from the route laid down in any such permit.

The owner of introduced sheep to obtain a permit to travel.

49. The Governor may by proclamation suspend the provisions of any one or more of the four next preceding sections for any period not exceeding six months in respect to sheep introduced or proposed to be introduced from any Colony in which disease is not known to exist and may for a like period and in like manner absolutely prohibit the introduction of sheep from any of the adjoining Colonies.

The Governor may suspend sections 45 46 47 and 48 and may prohibit introduction of sheep.

50. No owner shall obtain any compensation for introduced sheep destroyed under this Act which may be declared infected within six months of their introduction unless such owner can prove upon appeal to the Directors to their satisfaction that such sheep became infected after being introduced.

No compensation for sheep destroyed within six months of introduction.

51. Notwithstanding the production of a certificate from the proper officer in a neighbouring Colony to the effect that any sheep proposed to be introduced into this Colony are clean it shall be competent for the Inspector in this Colony provided there are any circumstances which may cause him to suspect that the said sheep are infected to refuse to admit such sheep until they shall have remained for a period of not less than three months at some place within such neighbouring Colony to be indicated by such Inspector distant not more than ten miles from the crossing-place by which they are intended to be introduced and shall have undergone a course of three dressings to be prescribed by the Chief Inspector and such sheep shall then be introduced if after the expiration of such period they shall be found upon examination by the Inspector to be clean.

Apparently clean sheep may be introduced on certain conditions.

IMPORTED SHEEP.

52. The Governor may set apart a piece of ground near each of the seaports of Sydney Newcastle Eden and Grafton and at such other seaports as may from time to time be required as a quarantine ground to which all imported sheep (not being sheep brought coastwise for slaughter) which have been examined by an Inspector and not found to be infected shall be taken and where they shall be kept till they are dressed and certified to be clean as hereinafter provided and may also set

The Governor to set apart quarantine grounds.

Diseases in Sheep.

set apart at each such seaport a piece of ground as a quarantine ground for the reception and dressing of such imported sheep found to be infected.

The necessary yards
&c. to be erected.

53. All necessary yards sheds and apparatus for dipping such imported sheep may be erected on the quarantine grounds so set apart And all quarantine grounds shall together with all erections fixtures and appurtenances whatsoever be under the charge of the Inspectors of or nearest to the respective seaports at which they are situated whose duty it shall be to see that the necessary sustenance is provided for such sheep and that the dressings hereinafter described are properly applied And the owner of such sheep shall pay to such Inspector the charges fixed by Schedule hereto marked L.

Notice to be given of
the importation of
sheep.

54. Notice of the arrival of any such imported sheep shall be given by their owner to the Inspector nearest to the port of arrival and such sheep shall be examined before being landed and if found infected they shall be forthwith removed to the quarantine ground set apart for infected sheep where they shall be dressed with such medicaments and at such times as the Chief Inspector shall direct and shall remain until they are thoroughly cleansed and until a period of not less than six months shall have elapsed from the date of their last dressing And any such imported sheep not found to be infected shall be removed to the quarantine ground set apart for that class of sheep where they shall remain for a period of not less than two months and on being conveyed to such ground they shall be dressed three times at intervals of ten days between each dressing with the medicaments and in the manner directed by the Chief Inspector And if on the expiration of the said period such sheep shall be found clean the Inspector shall give to their owner a certificate of cleanness and permit for removal in the form of the Schedule hereto marked M And any owner of sheep or master of a vessel failing to comply with or aiding or being concerned in the breach of any of the requirements of this section shall for every such offence incur a penalty not exceeding one hundred pounds.

Imported sheep
found to be infected
to be quarantined for
six months and
dressed.

Imported sheep not
infected to be
quarantined for
two months and
be dressed.

Sheep for slaughter
brought coastwise
may be removed on
permit without
dressing.

55. A notice similar to that directed in the next preceding section shall be given by the owner of imported sheep brought coastwise from any one port within the Colony to any other and such sheep may be landed at but not removed from the port of arrival previous to inspection and if intended for slaughter at such port and are found on examination not to be infected the Inspector shall grant the owner of such sheep a permit to that effect in the form of the Schedule hereto marked N Provided however that any sheep brought coastwise which may be intended to be removed inland more than five miles from the quarantine ground of the port set apart for sheep not found infected shall be subject to all the provisions affecting imported sheep as set forth in the next preceding section And any person failing to comply with or aiding or concerned in the breach of any of the provisions of this section shall incur a penalty not exceeding one hundred pounds.

Exceptions.

Sheep for transship-
ment to other
Colonies may be
landed without
dressing.

56. Notwithstanding anything in this Act contained any sheep arriving at any port in this Colony for transshipment may be landed and kept for any period not exceeding twenty days at such port and may be shipped therefrom without being subject to the requirements as to dressing hereinbefore provided with respect to imported sheep Provided upon inquiry and examination by an Inspector they shall not be found to be infected or suspected of being infected.

COAST DISTRICT SHEEP.

Coast Scab District
to be proclaimed.

57. The Governor may by proclamation in the *Gazette* define a district to be known as the "Coast Scab District" and may alter the same from time to time.

Diseases in Sheep.

58. Every owner intending to remove any sheep inland from the Coast Scab District shall give the nearest Inspector three clear days' notice of such intention. And before removing such sheep such owner shall dress them in the same manner as is hereinbefore provided with respect to imported sheep and shall obtain such Inspector's certificate and sanction for their removal in the form of the Schedule hereto marked O. And any person failing to comply with or aiding or concerned in the breach of any of the provisions of this section shall incur a penalty not exceeding one hundred pounds. Coast district sheep to be treated as imported previous to removal inland. Provided that Exception. sheep which have been treated as imported sheep if removed inland within twenty-eight days after the date of their clean certificate shall not be subject to the provisions of this section.

PENALTIES.

59. Any person wilfully communicating or attempting to communicate or aiding or being concerned in communicating any infectious disease to or among any sheep shall be guilty of a misdemeanor and shall on conviction thereof be liable at the discretion of the Court to imprisonment for any term not exceeding seven years with or without hard labor. Penalty for wilfully communicating disease.

60. Any owner or proprietor may seize and destroy any infected sheep (provided they do not exceed two hundred in number) found straying off their own run without a shepherd or other person in charge of such sheep and the owner of such sheep shall if such straying shall have arisen from his culpable negligence incur a penalty not exceeding one hundred pounds. Straggling infected sheep may be destroyed. Provided that such owner or proprietor seizing such sheep shall within twenty-four hours after such seizure give notice thereof in writing to the nearest Inspector under a penalty not exceeding ten pounds. Seizure to be notified to Inspector.

61. Every owner whose sheep (being infected sheep) shall come in contact or mix with any other sheep or be put into the yard or driven on to the run occupied by such other sheep whereby their owner shall incur any loss damage or expense shall make good and defray to such last-mentioned owner such loss damage or expense to be fixed and determined on application as hereinafter provided by the Directors of the District. Liability of owner whose infected sheep mix with other sheep.

62. If any person shall cast any infected sheep into any stream or water or if the owner of any such sheep shall leave the same undestroyed for twenty-four hours on any road or within half a mile thereof he shall incur a penalty not exceeding one hundred pounds. Penalty for leaving infected carcasses in water or on or near roads.

63. Every person who has in his possession for the purpose of sale or who shall slaughter or cause to be slaughtered for sale or expose in any public shop stall market or other place any infected sheep knowing the same to be infected shall for every such offence incur a penalty not exceeding twenty pounds. And upon any conviction under this section the Court shall order and direct such infected sheep to be seized and destroyed. Penalty for slaughtering or selling infected sheep.

64. No wool skins or other portion of a sheep shall be introduced or imported into this Colony otherwise than by sea from any other Colony which the Governor may by proclamation declare to be infected. And all wool skins or other portions of a sheep introduced contrary to the provisions of this section may be seized and destroyed or otherwise disposed of as the Minister shall direct. And any carrier or other person conveying or being in charge of such wool skins or other portions of any sheep as aforesaid shall incur a penalty not exceeding twenty pounds. Penalty for introducing infected wool or skins.

Diseases in Sheep.

Penalty for removing infected wool or skins not securely packed.

Inspector may detain and examine suspected wool &c.

Penalty for allowing infected sheep to travel.

Penalty for abandoning sheep.

Proviso.

Penalty for leaving carcasses of travelling sheep undestroyed.

Penalty for taking wool or skins inland.

Distinctive letters or colors not to be used in station brands.

Penalty for making false report or forging.

Sheep above six months to be branded and brands registered with Inspector.

65. Every owner intending to pack or remove any wool skins or other portion of any infected sheep shall give the nearest Inspector three clear days' notice of such intention. And if such owner shall fail to give such notice or shall remove or carry away otherwise than in bags or bales securely packed and branded "Infected" in letters not less than three inches in length any such wool skin or other portion of such sheep (not liable under this Act to be destroyed) he shall incur a penalty not exceeding one hundred pounds. And any Inspector having just cause for suspecting that any such wool skin or other portion of such sheep has been removed or is intended to be removed or is being exposed contrary to the provisions of this section may detain and examine and may also enter upon any premises and search for and examine any wool skin or other portion so suspected of belonging to infected sheep.

66. Any owner who knowingly permits or connives at the travelling of any infected sheep (except with the sanction of the Directors and Inspector as hereinbefore provided) shall be guilty of a misdemeanor and be liable at the discretion of the Court to be imprisoned for any term not exceeding two years. And such infected sheep wherever found shall be destroyed at the owner's expense without compensation.

67. Any owner wilfully leaving or abandoning any sheep on any run without the consent of the proprietor of such run shall incur a penalty not exceeding one pound for every sheep so left or abandoned and such sheep may be destroyed without compensation to the owner thereof. Provided that any sheep left or abandoned on any road intersecting or forming the boundary line of any run shall be deemed and taken to be left and abandoned on such run.

68. The owner of the carcasses of any travelling sheep left for more than twenty-four hours undestroyed on or within a mile of any road shall incur a penalty not exceeding one pound for every such carcass so left undestroyed.

69. No owner or other person shall convey inland without the sanction of the Chief Inspector any wool skin or other portion of any sheep from any seaport in the Colony or from any place in the Coast Scab District under a penalty not exceeding five pounds.

70. No owner or other person shall brand any sheep with any of the letters S T V A or Q or with paint or other ingredient of a red color unless to denote that such sheep are respectively infected sheep travelling sheep or introduced sheep as hereinbefore provided under a penalty not exceeding ten pounds.

71. Every Inspector or other person who shall make any return or report required or authorized by this Act or shall sign any false certificate respecting any sheep knowing such return report or certificate respectively to be false or shall forge or alter or utter or put off any return report notice certificate permit brand or mark knowing the same to be forged or altered shall be guilty of a misdemeanor and shall at the discretion of the Court be liable to imprisonment for any term not exceeding three years.

72. All sheep above the age of six months depastured in any district shall be branded and kept legibly branded in a conspicuous way by the owner thereof and every such brand shall be the station brand of such owner and shall be registered by him in the Register Book of the Inspector of such District. And if the station brands of any two such owners within the same district shall be identical the Inspector may require one of such owners to alter his brand. And every such owner who shall fail to comply with any of the requirements of this section shall incur a penalty not exceeding fifty pounds.

Diseases in Sheep.

73. Every duly authorized Inspector of Slaughter-houses shall give to the nearest Inspector immediate notice of the fact of any infected sheep having been slaughtered or brought for slaughter and shall give every information and assistance in tracing and detecting disease and shall also in each case make a written memorandum of the symptoms of such infection under a penalty not exceeding twenty pounds.

Inspectors of Slaughter-houses to report disease.

74. Every sheep-salesman dealer in sheep or butcher and every owner not liable to contribute as hereinafter provided who shall keep or depasture sheep shall on or before the first day of January in each year register his run or premises in the register book of the Inspector of the District under a penalty not exceeding ten pounds.

Salesmen butchers and others to register their runs and premises.

75. Every owner who shall put sheep on a run on which sheep shall not have been depastured within the next preceding six months with the intention of keeping such sheep thereon for any period over two months shall within ten days of the arrival of such sheep on such run give the Inspector of the District notice of such arrival under a penalty not exceeding ten pounds. Provided that when any owner has registered his run as required by the next preceding section such notice may be dispensed with.

Owner putting sheep on a run for the first time to give notice to Inspector.

76. Any person who shall pull down deface or otherwise destroy any notice or placard required by this Act to be posted shall for every such offence incur a penalty not exceeding twenty pounds. And any person who shall act in violation of any of the provisions of this Act to which offence a penalty is not herein expressly attached shall for every such offence incur a penalty not exceeding ten pounds.

Penalty for destroying notices and general penalty for offences unprovided for.

REGULATIONS.

77. The Governor may from time to time make alter or repeal any regulations not being inconsistent with the provisions of this Act for carrying out the same in respect of any of the following matters or things namely:—

Regulations may be made.

- The place of meeting and mode of voting of owners
- The powers and duties of Directors and of Inspectors
- The placing of land and sheep in quarantine and releasing the same therefrom
- The destruction of infected straw and fodder
- The detaining and keeping travelling sheep supposed to be infected and while being dressed or cleansed and their destruction where necessary
- The keeping dressing and cleansing of imported sheep
- The keeping and depasturing within the Coast District of sheep brought to market for sale
- All other matters of detail necessary for carrying this Act into effect—

And all such regulations shall on being published in the *Gazette* have the full force of law and copies thereof shall be laid before Parliament forthwith if then sitting and if not then within one month after the commencement of the then next Session.

Regulations published and laid before Parliament.

Diseases in Sheep.

CONTRIBUTIONS AND EXPENSES.

Contribution to be levied to meet the expenses on owners of more than 500 sheep.

78. In order to provide a fund for carrying into effect the provisions of this Act and to defray the expenses connected therewith an annual contribution at the rate of one pound for every one thousand sheep or portion of a thousand sheep belonging to any owner shall be levied from such owner and paid by him on or before the thirty-first day of May in every year to the Colonial Treasurer or to such other person as may be authorized on his behalf. Provided that no contribution shall be payable by any owner whose sheep do not exceed five hundred. And the Colonial Treasurer shall carry such contributions over to the Consolidated Revenue Fund to the credit of a special account (to be called the "Sheep Account") and an account of all moneys paid out of such fund under the provisions of this Act shall be kept in the books of the Treasury. And such contribution shall be an annual preferential charge on all sheep into the possession of whomsoever they may pass. Provided however that any such rate of contribution may be reduced or wholly remitted by the Governor should he deem it expedient to declare the same by proclamation.

Proviso.

Owners to make annual returns and declarations to nearest Clerk of Petty Sessions.

79. Every owner of sheep liable to contribute as aforesaid shall on or before the first day of January in each year deliver personally, or transmit by registered letter to the Clerk of Petty Sessions nearest to the Run on which such Sheep then are, (whether they be travelling sheep or sheep kept or depastured on such owner's run) a return of such sheep accompanied by a declaration made before a Justice in the form of the Schedule hereto marked P. And any owner failing to make such return shall incur a penalty not exceeding twenty pounds and a further penalty of a like amount for every continued failure or neglect after notice by the Inspector.

On failure of return by owner Inspector to make estimated return.

80. If on or after the first day of May in any year no return or an insufficient return shall have been made by any owner in respect of any sheep as aforesaid the Inspector of the District in which such sheep are then kept or depastured shall furnish such Clerk of Petty Sessions with an estimated return of the number of sheep belonging to such owner within such district or of the number of sheep by which such insufficient return is deficient as the case may be. And every such estimated return shall unless such owner shall have appealed therefrom as hereinafter provided be dealt with in all respects and shall be as binding upon such owner as if the same had been duly made by him.

Clerk of Petty Sessions to calculate contributions and make general returns to Treasury.

81. Every Clerk of Petty Sessions upon the receipt of such returns shall calculate the amount of contribution due by such owners and shall in the case of returns duly made by the owners on or before the first day of March in each year and in the case of all other returns immediately on the receipt thereof transmit to the Colonial Treasurer to the Auditor General and to the Chief Inspector of Sheep a general return in the form of the Schedule hereto marked Q, of all the owners making such returns as aforesaid, and of the amounts which they have respectively to contribute. And such contributions as specified in such general returns shall be due and payable by the owners at the Treasury except in so far as the same may be affected by any decision on appeal.

Clerk of Petty Sessions to give owners notice of contributions.

82. The Clerk of Petty Sessions shall in the case of returns duly made by the owners not later than the thirty-first day of March in each year and in the case of all other returns immediately on their being made to him give the several owners mentioned in such returns to him notice in the form of the Schedule hereto marked R by registered letter of the amounts of their respective contributions and of the time and place of payment of such contributions.

Diseases in Sheep.

83. Any owner considering himself aggrieved by the amount of the contribution, or Inspector's estimated return, so notified to him may appeal therefrom to the Directors of his District on giving intimation in writing to that effect to the said Clerk of Petty Sessions and to the Inspector of such District, at any time within ten days of the date of the receipt of such notice of contribution. Owner may appeal against such notice.

84. If no notice of appeal shall have been given within the time so specified as aforesaid or if such appeal shall have been decided against the appellant or if from any cause whatever the owner liable to a contribution shall not on or before the thirtieth day of June pay the same to the Colonial Treasurer or other person authorized in that behalf as aforesaid—the Colonial Treasurer shall issue a warrant to the Clerk of Petty Sessions nearest to the residence of such owner directing him and his assistants to levy the amount of such contribution due from such owner together with an additional sum equal to one-fifth thereof as penalty by distress and sale of such a number of any sheep belonging to such owner or of the goods and chattels of such owner as shall be sufficient to pay such contribution and penalty and the costs of such warrant levy and sale. And such Clerk of Petty Sessions and his assistants are hereby empowered to enforce such warrant by distress and sale if necessary in like manner so far as possible as warrants of distress issued by Justices upon an order for the payment of money are by law enforced. Mode of recovery of contribution.

85. From the funds standing at the credit of the Sheep Account hereinbefore described the Colonial Treasurer shall under warrant of the Governor pay all compensation moneys salaries remunerations travelling expenses and other sums authorized by this Act. Treasurer shall pay moneys authorized by this Act.

APPEALS AND APPLICATIONS.

86. Any owner feeling himself aggrieved by any notice or decision or refusal to issue any certificate or permit by an Inspector or by a Director and Inspector may appeal therefrom in the form of the Schedule hereto marked S to the Directors of the District in which the circumstances out of which such appeal may arise shall have taken place. And in the case of an appeal against the destruction of infected sheep such appellant shall give notice of such appeal to the Inspector and Director named therein and shall lodge such appeal with one of the Board of Directors of such District within ninety-six hours after the time of the service upon such appellant of the notice to destroy such sheep. And in the case of an appeal against any other notice decision or refusal of an Inspector the appellant shall give notice of such appeal to such Inspector and shall lodge the same with one of the said Board within three days after the time when such notice has been served on him or such decision or refusal has been notified to him. Owners may appeal to Directors on giving notice within certain time.

87. Any owner making any application for compensation for the destruction of infected sheep or any other application authorized under this Act shall make and lodge the same with the Directors of his District in the form of the Schedule hereto marked T and shall give the Inspector of such District concurrent notice thereof. Applications to Directors.

88. Every Board of Directors may receive hear and determine any appeal or application under this Act and issue summonses directing any Inspector witness or other person to attend the hearing of such appeal and application and receive and examine evidence upon oath. And on any such appeal or application being lodged with a Director as hereinbefore provided against the destruction of infected sheep such Director shall appoint some day not earlier than the third nor any Power to Directors to receive and deal with appeals and applications. Time and notice of hearing appeals or applications.

Diseases in Sheep.

later than the fifth after the lodging of such appeal—and in the case of any other appeal or application some day not earlier than seven nor later than fourteen after the lodging of such appeal or application—and some convenient hour and place for the hearing thereof of which day hour and place he shall give due written notice to the appellant or applicant and to the other Directors of the District and also to the Inspector and to any witness whose evidence may be required at the hearing by causing the same to be delivered to them personally or left at their respective places of abode.

Mode of hearing appeals and applications and forms of decisions.

89. Such Directors shall hear and determine any such appeal or application as nearly as may be in the manner and form in which appeals are by law conducted at Quarter Sessions and shall assess and tax the costs thereof and the expenses of the witnesses attending the same as well as the travelling expenses of the Directors and Inspectors attending the hearing of such appeals and applications according to the rate in the Schedule hereto marked B and may inflict any penalty not exceeding twenty pounds for the non-attendance of any witnesses so summoned as aforesaid and shall cause a competent record to be taken of the whole proceedings in the Directors' Minute Book And such decisions on appeals and applications brought before them shall be in the form of either of the Schedules hereto marked U or V respectively.

Directors to visit the localities in hearing appeals and applications.

90. In hearing an appeal or application relating to the infection or cleanness of any run or sheep the Directors shall visit and examine such run or sheep and may then and there take evidence and such appeal or application shall be heard and determined as near as may be to the place where such run or sheep are situated.

LEGAL PROCEDURE.

Mode of recovering penalties and expenses.

91. All penalties incurred under this Act for any offences other than such as have hereinbefore been declared misdemeanors and all awards 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 awards or after the liability or other obligation to pay money or do any other act matter or thing first accrued in a summary way before any two Justices on information by any owner proprietor Director or Inspector And such penalties after deduction of the expenses incurred in their recovery shall be paid by the Clerk of Petty Sessions one half to the informer or prosecutor and the remaining half to the Colonial Treasurer to be placed to the credit of the Sheep Account hereinbefore described.

Half penalty to informer and half to Sheep Account.

Brands to be *prima facie* evidence.

92. In and for the purposes of any prosecution under this Act any station brand on a sheep shall be *prima facie* evidence of the ownership of such sheep and any such brand taken in conjunction with the form colour or other character thereof shall be *prima facie* evidence that the sheep bearing such brand is of the description hereinbefore required to be denoted by such brand.

Prima facie evidence as to infected introduced or imported sheep to be conclusive unless disproved.

93. In all questions as to whether or not any sheep are infected introduced imported or coast district sheep *prima facie* evidence adduced by an Inspector to shew that such sheep belong to one or other of such classes shall in each case be conclusive unless the owner thereof shall satisfactorily prove the contrary And the certificate or notice of an Inspector shall in every case for the purposes of this Act be *prima facie* evidence of the truth of the matter contained in such certificate or notice.

Diseases in Sheep.

94. No proceeding under this Act taken before any Justices shall be quashed for want of form and no conviction decision or order on appeal or application made under the provisions of this Act shall be removed by writ of *certiorari* or otherwise into the Supreme Court. Convictions not to be removed by writ of *certiorari*.

95. If it shall be uncertain who is the owner of any sheep in respect of which any proceedings for the recovery of a penalty shall have been taken or commenced the Justices before whom any such proceedings have been so taken or commenced may make an adjudication against the owner of such sheep by their description merely and may order that such penalty and the costs attending the recovery thereof shall be levied by seizure and sale by auction of such sheep or of so many of such sheep as may be necessary to satisfy the same. Provided that no such sale shall take place of any sheep which are required to be destroyed under the provisions of this Act. Where the ownership is uncertain levy may be made on the sheep for the penalty.

96. Whenever by any of the provisions of this Act any summons notice or intimation in writing has been directed to be given by an Inspector or Director to an owner or proprietor or by an owner or proprietor to an Inspector or Director or both and the mode of giving the same shall not have been in each case specifically declared such summons notice or intimation shall be held and taken to have been duly given and served in each case respectively on proof of its having been personally delivered to the person or persons to whom it is addressed or of its having been left at his or their usual place of abode or in cases of notices or intimations by or at the instance of an owner or proprietor of its having been sent through the post by registered letter so addressed. Service of summons or notice.

97. This Act shall commence and take effect on and from the first day of January one thousand eight hundred and sixty-seven and may be cited for all purposes as the "Diseases in Sheep Act of 1866." Commencement and short Title of Act.

Diseases in Sheep.

SCHEDULES.

SCHEDULE A.

DISEASES IN SHEEP ACT OF 1866.

Clean Certificate.

186 .

I the undersigned Inspector for having this day carefully examined sheep more particularly described in the Schedule below (of which is the owner) and having made due inquiry concerning them do hereby certify that such sheep are not infected with scab.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Name and address of owner and of person in charge.	Where sheep are or are kept and depastured when examined.

Inspector of Sheep.

SCHEDULE B.

DISEASES IN SHEEP ACT OF 1866.

Scale of Expenses to Directors Inspectors and others in cases of Appeals and Applications and Travelling Charges to be allowed Directors when employed as Inspectors.

£ s. d.

To Directors while employed as such or as Inspectors professional men merchants superintendents of stations Inspectors attending to give necessary evidence in any information appeal or application per diem not exceeding...	...	1	1	0
To tradesmen mechanics laborers per diem not exceeding	...	0	10	6
To any Director or witness being more than five miles from the place where required to attend beyond that distance the actual coach fare both ways or where there is no public conveyance (one way only) per mile	...	0	1	0
To persons serving notices by a Director of the hearing of an appeal or application (one way only) per mile	...	0	0	6

SCHEDULE C.

DISEASES IN SHEEP ACT OF 1866.

Notice of Infection.

186 .

To Inspector of Sheep (or Director) (or Adjoining Owner).

Take notice that symptoms of scab have shewn themselves among the sheep mentioned in the Schedule below.

Owner.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Name and address of owner and of person in charge.	Name of Run and portion of Run where sheep are kept.

Owner.

SCHEDULE D.

Diseases in Sheep.

SCHEDULE D.

DISEASES IN SHEEP ACT OF 1866.

Notice of Quarantine.

_____ 186 .

I _____ Inspector under the above-named Act having found
 that that portion of the _____ run (of which _____ is the proprietor) in the
 Sheep District of _____ situated _____ has become infected with scab
 do hereby place the same in quarantine and define the boundaries of such quarantine as
 follows namely _____
 And further I hereby place the sheep (which are more particularly described in the Schedule
 below) now _____ within such quarantine boundaries also in quarantine
 and such run and sheep shall so remain in quarantine until released by the Directors.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Name and address of owner and of person in charge.	Name of Run and portion of Run where sheep are kept.

Inspector.

SCHEDULE E.

DISEASES IN SHEEP ACT OF 1866.

Application to Directors for Release from Quarantine.

I the undersigned proprietor of the run of _____ (and owner of the sheep)
 described in the Schedule to a Notice of Quarantine issued by [here state the name of
 the Inspector issuing the notice and the date and other particulars contained therein]
 having obtained from [here state the Inspector's name] a Clean Certificate for the sheep now
 kept and depastured on such run do hereby apply to the Board of Directors of the District
 of _____ to release the said run [and sheep] from quarantine.

Signed _____

Owner.

SCHEDULE F.

DISEASES IN SHEEP ACT OF 1866.

Notice to destroy Infected Sheep.

_____ 186 .

To _____ We _____ Director and _____ Inspector of Sheep having this
 day in terms of section _____ of the above-named Act examined and found
 sheep of which you are the owner and which are more particularly described in the Schedule
 below to be infected with scab do hereby give you notice to destroy such sheep within
 _____ days from this date.

Director.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Name and address of owner and person in charge and of shepherd.	Where sheep are or are kept and depastured.

Director.

Inspector.

SCHEDULE G.

Diseases in Sheep.

SCHEDULE G.

DISEASES IN SHEEP ACT OF 1866.

Time to be allowed for Destruction of Sheep decided by Section 33 to be destroyed.

In a lot not exceeding 100	3 days.
„ exceeding 100 and not exceeding 500.....	4 „
„ „ 500 „ 1,000.....	7 „
„ „ 1,000 „ 5,000.....	14 „
„ „ 5,000 „ 10,000.....	21 „
„ „ 10,000 „ 20,000.....	28 „

SCHEDULE H.

DISEASES IN SHEEP ACT OF 1866.

Directors' Certificate and Order for Payment of Compensation for Infected Sheep destroyed.

WHEREAS it has this day been proved to us the undersigned Directors for the Sheep District of _____ on investigation of an application by _____ bearing date the _____ day of _____ that _____ sheep of which the said _____ was the owner were infected with scab and were on the _____ day of _____ duly destroyed and that the several requirements of the above-named Act had been fully complied with by the said _____ with respect to such sheep Therefore we the said Directors having heard the evidence of the Director and Inspector ordering the destruction of such sheep and of all other material witnesses do hereby in pursuance of the provisions of the said Act fix and determine three-fourths of the market value of such sheep at the time of their destruction (supposing them to have been clean) at _____ per sheep and the amount of compensation to be paid for such sheep at the sum of _____ (but deducting therefrom the sum of _____ being three-fourths of the net proceeds which we find on inquiry was realized by the said _____ from _____ of such sheep boiled down by him and leaving the sum of _____ as the actual amount which he is entitled to receive from the Colonial Treasurer as compensation for such sheep.)

} Directors.

Dated at _____ this _____ day of _____ 186 .

SCHEDULE I.

DISEASES IN SHEEP ACT OF 1866.

Certificate and Permit to travel.

_____ 186 .

I the undersigned Inspector having examined the sheep mentioned in the Schedule below hereby certify that they are free from scab and that such sheep are permitted to travel to their destination by the route specified in such Schedule.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Name and address of owner and of person in charge.	From what District and Run.	Route permitted to travel.	Destination.

Inspector of Sheep.

SCHEDULE J.

Diseases in Sheep.

SCHEDULE J.

DISEASES IN SHEEP ACT OF 1866.

Clean Certificate for Introduced Sheep.

Crossing-place

186 .

I the undersigned Inspector for
 a certificate granted by
 in the Colony of that
 Colony and more particularly described in the Schedule below are not infected and having
 obtained all other necessary information respecting them do hereby certify after having
 carefully examined such sheep that they are not infected and that they are permitted to be
 introduced at this Crossing-place.

having received from

Inspector for

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Name and address of owner and of person in charge.	From what Colony District or Run.	Route and Destination.

Inspector.

SCHEDULE K.

DISEASES IN SHEEP ACT OF 1866.

Permit for Introduced Sheep to travel.

186 .

A Clean Certificate having in pursuance of the provisions of the above-named
 Act been granted on the to for the sheep mentioned
 in the Schedule below of which he is the owner and which are intended to be introduced
 into this Colony at the Crossing-place at this is to certify that such sheep are
 hereby permitted to travel to their destination by the route specified in the said Schedule.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Name and address of owner and of person in charge.	From what Colony District and Run.	Route permitted to travel.	Destination.

Inspector.

SCHEDULE L.

Diseases in Sheep.

SCHEDULE L.

DISEASES IN SHEEP ACT OF 1866.

Scale of charges to be paid for Sustenance and Dressing of Imported Sheep whilst in Quarantine.

	£	s.	d.
Keep and sustenance for every day or part of a day whilst in quarantine	0	1	0
Dipping three times in tobacco and sulphur—the following rates viz. :—			
For the first or only sheep	0	10	0
For more than one and not exceeding five—per sheep	0	5	0
For more than five and not exceeding ten—per sheep	0	3	0
And for every additional sheep above ten.....	0	2	6

SCHEDULE M.

DISEASES IN SHEEP ACT OF 1866.

Clean Certificate for Imported Sheep.

186 .

I the undersigned Inspector for the imported sheep of which do hereby certify that is the owner and which are more particularly specified in the Schedule below have remained in quarantine for a period of more than two months and have been duly dressed in accordance with the provisions of the above-named Act and that such sheep are clean and may be removed.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Where from by what Ship and at what Date.	Name and address of owner and of person in charge.	Route and Destination.

Inspector.

SCHEDULE N.

DISEASES IN SHEEP ACT OF 1866.

Permit for the Removal of Sheep imported for Slaughter.

Port of _____ 186 .

I the undersigned Inspector for sheep per _____ from _____ branded _____ having examined _____ of which is the owner hereby certify that such sheep are not infected and they are hereby permitted to be removed for slaughter to any distance not exceeding five miles from this port.

Inspector.

SCHEDULE O.

Diseases in Sheep.

SCHEDULE O.

DISEASES IN SHEEP ACT OF 1866.

Certificate for Coast District Sheep.

186 .

I the undersigned Inspector for hereby certify
 that sheep more particularly described in the Schedule below belonging to
 which it is his intention to remove inland beyond the Coast
 Scab Line have been duly in pursuance of the provisions of the
 above-named Act and are not infected and the said is hereby
 authorized to remove such sheep accordingly.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or Marks.	Name and address of owner and of person in charge.	Where kept or depastured.	Route and Destination.

Inspector.

SCHEDULE P.

DISEASES IN SHEEP ACT OF 1866.

Return of Number of Sheep by Owners to Clerk of Petty Sessions.

RETURN of all sheep now kept and depastured by in the Sheep District
 of and Colony of New South Wales made this day of
 18 to the Clerk of Petty Sessions at

Name of Run.	Name and address of owner and of superintendent or person in charge.	Description of Sheep.	Number of each description.	Brands or Marks.	Remarks.

I do solemnly declare that the several matters and things contained
 in the above return are true to the best of my knowledge and belief.

Declared before me at
 this day of

186 . }
 J. P.

Owner (or Superintendent).

SCHEDULE Q.

Diseases in Sheep.

SCHEDULE Q.

DISEASES IN SHEEP ACT OF 1866.

General Return of Sheep.

YEARLY RETURN to the Colonial Treasurer Sydney by the Clerk of Petty Sessions at
of the Contributions at the rate of £ per thousand payable
by the several owners of sheep in his district made in pursuance of the provisions of
the above-named Act.

Stations or Runs.	Names of Owners.	Names of Superintendents.	Number of sheep and lambs.	Amount of Assessment.	Date of payment at Treasury.
TOTALS.....					

Dated at

186 .

Clerk of Petty Sessions.

SCHEDULE R.

DISEASES IN SHEEP ACT OF 1866.

Notice of Contribution payable by Owners.

To

186 .

The contribution at the rate £ per thousand with which you as owner of the sheep and lambs specified in the Schedule below are assessed under the above-named Act for the year 186 amounts to the sum of as shewn by the said Schedule and you are hereby required to pay that amount to on or before the thirty-first day of May next.

If you consider yourself as having any just cause for appealing against the said contribution you will please to observe that a written notice of such appeal must be lodged with me within ten days of the date of the service of this notice in the manner directed by the eighty-third section of the said Act in that behalf.

Clerk of Petty Sessions.

STATEMENT OF CONTRIBUTION REFERRED TO ABOVE.

Name of Station or Run.	Name and address of owner and of person in charge.	No. of sheep and lambs.	Rate £ 1,000.	Amount of contribution payable by owner.
TOTAL NUMBER OF SHEEP AND AMOUNT OF CONTRIBUTION £				

To

Clerk of Petty Sessions.

SCHEDULE S.

Diseases in Sheep.

SCHEDULE S.

DISEASES IN SHEEP ACT OF 1866.

Appeal.

To the Board of Directors for the District of

I the undersigned [*William Robert Smith*] of [*the Run of Twelve-mile Creek*] in the Sheep District of [*Murrumbidgee*] feeling myself aggrieved by [*here state the cause of complaint particularly*] do hereby appeal against _____ on the ground that _____ and I request that an early day may be appointed by your Board for the hearing of this appeal.

[*WILLIAM R. SMITH*]

Owner.

Dated at [*Twelve-mile Creek*] this }
[*4th*] day of [*July*] 1866. }

SCHEDULE T.

DISEASES IN SHEEP ACT OF 1866.

Application.

To the Board of Directors for the District of

I the undersigned [*William Robert Smith*] of [*the Run of Twelve-mile Creek*] in the Sheep District of [*Murrumbidgee*] having in terms of [*a notice bearing date the twenty-first day of May last 1866 given by Robert James Anderson Sheep Director and Arthur Thomas Jones Sheep Inspector both for the said district destroyed a flock of twelve hundred weaners (of which I was the owner) then running at the Old Yard Sheep Station on my said run and branded WS on the rump which were infected with scab and having duly complied with all the requirements of the above-named Act with respect to such sheep*] do hereby apply to your Board to [*fix and determine the amount of compensation to which I am entitled for such sheep*] [*or if the application is not for compensation state the matter particularly*] and to request that you will fix an early day for the hearing of this application.

[*W. R. SMITH*]

Owner.

Dated at [*Twelve-mile Creek*] this }
[*30th*] day of [*July*] 1866. }

SCHEDULE U.

DISEASES IN SHEEP ACT OF 1866.

Dismissal of Appeal or Application.

WE the undersigned being a quorum of the Directors for the Sheep District of _____ of having this day heard an appeal [*or application*] lodged by _____ [*here state the matter of such appeal or application*] and having heard and considered the evidence adduced to support the same do hereby dismiss such appeal [*or application*] and adjudge the said _____ to pay the following costs and expenses namely :—

} Sheep Directors.

Given under our hands at }
this day of 1866. }

SCHEDULE V.

DISEASES IN SHEEP ACT OF 1866.

Sustainment of Appeal or Application.

WE the undersigned being a quorum of the Directors for the Sheep District of _____ of having this day heard an appeal [*or application*] lodged by _____ [*here state the matter of such appeal or application*] and having heard and considered the evidence adduced to support the same do hereby adjudge the same to be sustained and do accordingly order [*here state the order*].

} Sheep Directors.

Given under our hands at }
this day of 1866. }