



1855-6.

No. 29.

An Act for the further amendment of "An Act to prevent the extension of the Scab in Sheep, and to make provision for the destruction of Sheep infected with that disorder."

[Assented to, June 19, 1856.]

WHEREAS by an Act, passed in the sixteenth year of the reign of Her Majesty, intituled "An Act to prevent the extension of the Scab in Sheep in South Australia, and to make provision for the destruction of Sheep infected with that disorder," it was Enacted, that it should be lawful for the Inspector, after the first day of March, one thousand eight hundred and fifty-four, to enter upon any land and to seize and cause to be destroyed sheep found there infected with the disease called the scab, and the said time has been subsequently enlarged, upon certain conditions, to the first day of March, one thousand eight hundred and fifty-six: And whereas it is expedient to confer upon the Inspector, by the said Act authorized to be appointed, a discretionary power to enlarge the time for the destruction of any sheep infected with the scab, upon the terms hereinafter mentioned—Be it therefore Enacted, by the Governor-in-Chief of South Australia, with the advice and consent of the Legislative Council thereof, as follows:

Preamble.

16th Vict.
21st of 1852
S.F.

1. So much of the said Act as authorizes the Inspector to enter upon any land, and to seize and destroy sheep infected with the disease called the scab found therein, shall be, and the same is, hereby repealed.

Repeal of clause authorizing destruction.

2. From and after the first day of July next, every person who shall be possessed of any sheep infected with the said disease shall be liable to pay the sum of Five Shillings, as a penalty, in respect of every sheep so infected.

Penalty in case of scabby sheep.

Inspectors, in their discretion, may grant further time for cleansing infected sheep.

Proviso.

Flock containing infected sheep may be seized, if removed for sale or slaughter.

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 Suppose they are not removed in time the danger of infection is as great.

Owner of sheep may give notice for destruction of sheep.

Bond.

Bond how enforced.

3. It shall be lawful for any Inspector, appointed under authority of the said Act, instead of proceeding to recover the said penalty in respect of any sheep infected with the said disease, to receive from the owner of such sheep a sum of Sixpence for every sheep so infected, and thereupon to give such owner a licence to keep the said sheep, for the purpose of cleansing the same, for such period, not exceeding six months, as such Inspector may deem sufficient for such purpose: Provided that every such licence shall be void, and of none effect, if, during the continuance thereof, the person to whom the same is granted shall not take measures for the effectual cleansing of the sheep mentioned therein, to the satisfaction of the Inspector granting the same, or of any Inspector appointed as aforesaid, and inspecting the said sheep after the issue of such licence: And provided also that it shall be lawful for any Inspector to renew such licence for a period of three months, from time to time, upon payment of the sum of One Shilling for every sheep so infected for the first renewal; of One Shilling and Sixpence for the second renewal; and of an additional Sixpence beyond such sum of One Shilling and Sixpence for every additional renewal.

4. It shall be lawful for any Inspector, appointed as aforesaid, to seize and destroy the whole, or such part as he may deem expedient, of any flock or number of sheep amongst which some are infected with the said disease and which shall have been removed from the place or places whereon such flock or number of sheep may have been originally depastured unless such removal shall have been authorized by certificate under the hand of an Inspector.

5. It shall be lawful for any three or more owners of sheep who may occupy runs within ten miles of any run upon which sheep infected with the said disease called scab may be depastured, by notice, in writing, to require any Inspector of Scab to destroy any such sheep, notwithstanding a licence may have been granted in respect of such sheep, as herein authorized; and any such Inspector, upon receiving such notice, and also a bond, with three sufficient sureties to the satisfaction of such Inspector, duly signed and sealed by such three persons, in the form of the Schedule to this Act annexed, and, upon being satisfied that such sheep are so infected with the said disease, shall forthwith seize and destroy the same.

6. The Chief Inspector for the time being, upon being thereto requested by any person, being the owner of any sheep so destroyed as last aforesaid, shall put such bond in suit, in the name of the Inspector to whom such bond was given, although such person shall no longer be Inspector, or shall be dead, in the nearest Local Court of Full Jurisdiction, which Court is hereby authorized to hear and determine the matter thereof; and shall be entitled to recover under the same, the full value (not exceeding the sum of Seven Shillings and Sixpence per head) of all sheep so destroyed, together with cost of suit, and shall pay over all moneys received under and by virtue of such bond to the owner of the sheep so destroyed, and no release or discharge by the Inspector to whom the same bond shall have been given shall be pleaded

pleaded in bar to any such suit, nor shall any defence be available thereto, excepting proof of payment of the value of such sheep to the owner thereof.

7. The provisions of the Act No. 17 of 1853 shall apply to the penalty hereby imposed. ^{17 of 1853.}

8. In any proceedings under this Act, or the said Act, proof that any sheep in a flock is infected with the said disease called the scab, shall be sufficient evidence that all the sheep in such flock are so infected. ^{Flock held to be diseased, if diseased sheep found therein.}

SCHEDULE REFERRED TO.

Know all men, by these presents, that we, A. B., of C. D., of
 and E. F., of are jointly and severally held, and firmly bound to G. H., of
 Inspector of Scab, in the penal sum of £ (double the esti-
 mated value of the sheep at seven shillings and sixpence per head), for which sum, to be
 well and truly paid to him, we do hereby bind ourselves, our heirs, executors and
 administrators, and our and their goods and chattels.

Sealed with our seals. Dated this day of 18 .

Whereas we the above bounden having given notice in writing to Inspector
 of Scab to destroy certain sheep, infected with the disease called the scab, now depas-
 tured at Now the condition of the said bond is such, that if we the said
 or one of us, our or one of our executors, administrators, or assigns
 do and shall pay to the owner of the said sheep the full value thereof, or of such
 thereof as may have been destroyed according to the aforesaid notice, not exceeding
 seven shillings and sixpence per head for each of such sheep, then the above written
 obligation to be null and void, otherwise to remain in full force and virtue.