

(No. 24.)



1861.

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T A S M A N I A.

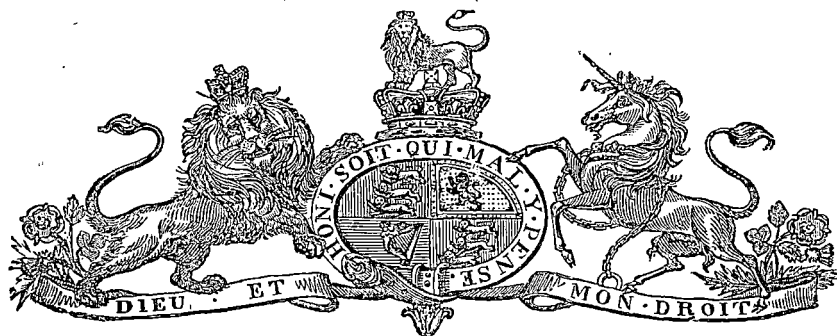
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R E P O R T

OF THE SELECT COMMITTEE TO WHICH WAS REFERRED  
THE CATTLE IMPORTATION BILL. [No. 6.]

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Brought up by Mr. Meredith, and ordered by the House to be printed,  
23 August, 1861.



*SELECT COMMITTEE appointed on the 21st August, 1861, to consider a Bill to regulate the Importation of diseased Cattle and Sheep. [No. 6.]*

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M E M B E R S.

MR. ATTORNEY-GENERAL.	MR. ALLISON.
MR. SHERWIN.	MR. KILBURN.
MR. DOWLING.	MR. MEREDITH.
MR. SHARLAND.	

DAYS OF MEETING.

No. 1.—22 August, 1861. *Present*—All the Members.  
 No. 2.—23 August, 1861. *Present*—Mr. Meredith, Mr. Allison, Mr. Sherwin, Mr. Sharland, Mr. Dowling, Mr. Kilburn.

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R E P O R T.

THE Select Committee appointed on the 21st August, 1861, to consider and report upon the "Bill to regulate the Importation of diseased Cattle and Sheep," have very fully discussed and deliberated upon the subject, which is one of vital importance to the interests of Tasmania.

Your Committee present the enclosed Bill, with certain Amendments which they suggest should be made in Clauses 2, 3, 4, 5, and 9, as the result of their deliberations; and they desire to accompany the Bill with the following Resolutions, which have been unanimously adopted by your Committee:—

1. That the Importation of Cattle from Victoria, with the exception of the Port of Port Albert, should at present be prohibited.
2. That Imported Cattle shall only be landed, after inspection by the authorised Officers, at stated places at the Ports of Hobart Town and Launceston, and that a proper Inspector should be appointed at each Port.
3. That all Cattle imported from Port Albert shall be immediately secured in the yards appropriated for the purpose by the Government Regulations, and that all Cattle entering the Slaughtering Yards shall not be removed therefrom alive.
4. That a Vessel which has carried Infected Cattle should be prohibited from conveying Cattle to this Colony for Three Months from the time of proof of its having brought infected Cattle, or until it shall have been fumigated to the satisfaction of the Government, under a penalty of Five hundred Pounds.
5. That the Executive Government should be requested to enforce measures for the prevention of the spread of disease should it already unfortunately have been introduced into Tasmania, and that a Bill having that object should be laid before Parliament.
6. That the Government, if they deem it necessary, should ask Parliament for powers which will give the Regulations of the Government authority beyond the Bye-laws of the Municipal Councils.
7. That there appears to be, at present, no necessity to interfere with the Importation of Sheep.

The above Resolutions, your Committee submit, would be such as should be adopted or embodied in the Regulations which will be drawn up, under Clause 1 of the proposed Bill, by the Executive Government, to whom the whole Colony will look for the prevention by every legal means of the spread of the fearful Cattle disease known as *Pleuro Pneumonia*.

JOHN MEREDITH, *Chairman*.

*Committee Room, 23rd August, 1861.*

*Draft.* (August, 1861)

T A S M A N I A.



1861.

No. 6.



A BILL to regulate the Importation of diseased  
Cattle and Sheep.

**W**HEREAS it is expedient to make provision against the Importation PREAMBLE.  
into this Colony of Cattle and Sheep having any infectious or con-  
tagious disease : Be it therefore enacted by His Excellency the Governor  
of *Tasmania*, by and with the advice and consent of the Legislative  
Council and House of Assembly, in Parliament assembled, as follows :—

**1** The Governor in Council, upon being satisfied that there exists Governor in  
Council may  
regulate the Im-  
portation of  
diseased Cattle  
and Sheep.  
amongst the Cattle or Sheep in any particular country or place any  
contagious or infectious disease, may from time to time, by Proclamation,  
prohibit the Importation and landing of Cattle or Sheep from such  
country or place, or may permit such Importation and landing to take  
place subject to such restrictions and regulations as he shall see fit ;  
and may from time to time vary or annul any such prohibition, restric-  
tion, or regulation : Provided, that all such restrictions and regulations  
shall be published in the *Gazette*.

**2** Every person who unships or lands, or is concerned in unshipping Penalty for un-  
shipping or  
landing prohibited  
Cattle or Sheep.  
or landing, or attempts to unship or land, any Cattle or Sheep,  
contrary to any such Proclamation, or to any such regulation or  
restriction as aforesaid, or who in any way violates any such restriction  
or regulation, shall for every such offence forfeit and pay a sum of not  
more than Fifty Pounds for every animal so unshipped or landed, or  
attempted to be unshipped or landed.

**3** All Cattle and Sheep imported or introduced into this Colony or Prohibited Cattle.

or Sheep landed to be forfeited.

removed from any yard or place in the Colony in which such Cattle or Sheep may, in accordance with any such restrictions or regulations, be secured, contrary to any such Proclamation, restriction, or regulation, shall be forfeited; and the same may be seized by any Officer of Customs or Inspector of Stock or by any Constable, not being of a lower rank than District Constable, who shall destroy the same unless the Governor in Council otherwise directs.

Diseased Cattle imported may be seized and destroyed.

**4** In case any Cattle or Sheep suffering from any infectious or contagious disease are imported or landed in this Colony, such Cattle or Sheep may be seized by any Inspector of Stock, or by any Constable not being of a lower rank than District Constable, although the Importation and landing of such Cattle or Sheep are not prohibited or restricted, and may be destroyed or otherwise dealt with as any Two Justices of the Peace may, by order in writing under their hands, direct.

Persons resisting, &c., any Inspector of Stock, &c., liable to penalty.

**5** Every person who resists, impedes, or obstructs any Inspector of Stock or Constable as aforesaid, in the performance of his duty under this Act, shall forfeit and pay a penalty of not more than Fifty Pounds.

Recovery of Penalties.

**6** All proceedings for the recovery of any penalty or forfeiture under this Act may be heard and determined before any Two or more Justices of the Peace, in the mode prescribed by *The Magistrates Summary Procedure Act*; and any person aggrieved by any summary conviction under this Act, may appeal therefrom in the manner directed by *The Appeals Regulation Act*.

19 Vict No. 8.  
Appeal.  
19 Vict. No. 10.

Protection of persons executing Act.

**7** No action shall lie against any person for any thing done in pursuance of this Act unless notice in writing of such action, and of the cause thereof, is given to the Defendant One Month at least before the commencement of the action, and such action is commenced within Three Months after the cause of action has accrued; and in any such action the Defendant may plead the general issue, and give this Act and the special matter in evidence.

Penalties appropriation.

**8** All penalties and forfeitures under this Act shall be paid into the Colonial Treasury and form part of the General Revenue.

Interpretation.  
"Cattle."

**9** In the construction of this Act, the word "Cattle" shall be deemed and taken to mean any Bull, Ox, Bullock, Steer, Cow, Heifer, or Calf; and the word "Sheep" shall be deemed and taken to mean any Ram, Wether, Ewe, or Lamb.

"Sheep."