



WESTERN AUSTRALIA.

ANNO DECIMO SEXTO

VICTORIÆ REGINÆ.

No. VII.

An Ordinance to repeal an Act, passed the 6th year of Her present Majesty, No. 1, entitled "An Act to regulate the slaughtering of Cattle and other Stock in Towns," and to enact other provisions in lieu thereof.

WHEREAS an Act of the Legislative Council of this colony Preamble.
was passed in the 6th year of the reign of Her present Majesty

Queen Victoria, No. 1, entitled "an Act to regulate the Slaughtering of Cattle and other stock in towns," and whereas it is expedient to repeal the said Act, and to enact other provisions in lieu thereof; Be it therefore enacted, by His Excellency the Governor of Western Australia and its Dependencies, by and with the advice and consent of the Legislative Council thereof, that the said Act shall from and after the 30th day of this present month of December, be repealed, except as to offences committed before or upon the said day, which shall be dealt with and punished as if this Ordinance had not been passed.

6th Vic., No. 1, repealed.

Person slaughtering for sale, barter, or exportation, without license, liable to a fine of £5.

II. AND be it enacted, that from and after the said 30th day of December, any person who shall slaughter or cause to be slaughtered within any Town or Townsite, except a Town or Townsite in which a Public Slaughter House may have been established, under the provisions of the Public Slaughter House Ordinance, 1852, any cattle or sheep for sale, barter or exportation, without having first obtained a License as is hereinafter mentioned, shall forfeit and pay any sum not exceeding Five Pounds for each and every head of such stock so slaughtered as aforesaid.

Application for license.

III. AND be it enacted, that any person who may be desirous of obtaining a License for a Slaughter House or place for slaughtering cattle or sheep as aforesaid, shall, before the Annual Licensing Meeting held in every year for the purpose of licensing Public Houses, deliver to the Clerk of the Magistrates of the district in which such house or place may be situated, a notice in writing of his intention to apply for such License, and that every such notice shall contain a full description of the premises proposed to be licensed.

Mode of issuing license.

IV. AND be it enacted, that every License to be granted under the provisions of this Ordinance, shall be signed by the majority of Justices present, who, if they be satisfied that the applicant is of good character, and that the situation of such house or place is not objectionable, shall issue to the person so applying, a license under their hands in the form in the annexed Schedule.

Special Licenses.

V. PROVIDED always and be it enacted, that if any person be desirous, after any such General Licening Meeting as aforesaid, of

obtaining a license under the provisions of this Ordinance, or of transferring his or her License, and shall give notice as aforesaid, of such his or her desire to the Clerk of the Magistrates of the district in which such License or transfer is desired to be obtained or made; such Clerk shall give notice thereof to the Justice aforesaid, who shall with all convenient dispatch hold a Special Sessions for the purpose of considering such application, and it shall be lawful for two Justices or the majority of, the Justices assembled at such Special Sessions to issue such License in manner and form as aforesaid, or to effect such Transfer as aforesaid.

VI. AND be it enacted, that all Licenses issued under this Ordinance, shall be in force until the Annual Licensing Meeting next ensuing the date of such License, and no longer. Duration of License.

VII. AND be it enacted, that for each and every such Licence so to be issued as aforesaid, the Clerk shall be entitled to charge and receive the following fees, that is to say,—For every original License, the sum of Two Shillings and Sixpence; for every transfer of a License, the sum of Two Shillings and Sixpence; and for every notice served on a district Magistrate for the purpose of assembling a Special Sessions, the sum of Two Shillings and Sixpence: such notices, however, not to exceed three in number, unless absolutely necessary. Clerk's fee.

VIII. AND be it enacted, that any person who shall sell or expose for sale or barter any meat, not being in a fit state for human food, shall forfeit and pay any sum not exceeding Ten Pounds. Penalty for selling unwholesome meat £10.

IX. AND be it enacted, that every keeper of a Licensod House or place for slaughtering as aforesaid, shall keep a book, in which he shall enter a particular account and description of all cattle slaughtered in such house or place, specifying the color, mark or marks, brand or brands, together with the particular position of such brand or brands, sex, and apparent age of such cattle respectively, and the time of slaughtering thereof: and if purchased, containing the name of the person from whom the same shall have been purchased, and shall transmit a report of all cattle slaughtered, with the particulars above stated, monthly, in writing, under the hand of such keeper of Keepers of licensed Slaughter house shall keep a book to enter a particular description of cattle slaughtered.

each such Slaughter House or place, to the Resident Magistrate of the district, and if any such keeper of such Slaughter House or place, shall neglect so to keep such book or record, or shall make a false entry therein, or shall fail or refuse to make such monthly report to the Resident Magistrate of the district, or to produce such book or record, when so required by any Justice of the Peace, or by any constable acting under the authority, in writing, of any Justice of the Peace, he shall for every such offence forfeit and pay a sum not exceeding Twenty Pounds.

Skins must be produced or satisfactorily accounted for, under penalty.

X. AND be it enacted, that it shall and may be lawful for any Justice of the Peace, or for any constable acting in that behalf under the written authority of any Justice, to demand the skins of any cattle whatsoever, that may have been slaughtered within one month previous to the date of such demand, or a full and satisfactory account to whom the skins have been sold, or in what manner they have been disposed of, and any person who, upon such demand, shall refuse or neglect to produce the skins of any cattle that have been slaughtered, or in case the same cannot be produced, to give a full and satisfactory account of how and in what manner the skins have been disposed of, shall, on the conviction of every such offence, forfeit and pay a sum not exceeding Ten Pounds.

Persons cutting out or defacing brands on Skins, fineable £20.

XI. AND be it enacted, that every person who shall cut out, or burn, or otherwise destroy or deface, any brand which shall have been upon any skin, or shall be in the possession of any skin from which the brand shall have been cut, or burnt, or otherwise destroyed, or defaced, without being able to give a satisfactory account thereof, shall, upon conviction of every such offence, forfeit and pay any sum not exceeding Twenty Pounds.

Tanners, &c, purchasing hides with brand destroyed fineable £20.

XII. AND be it enacted, that every tanner, or other person purchasing a raw hide or skin, from which any brand shall have been cut or burned out, or destroyed, or otherwise defaced, unless in the manner authorised by law or by a cancelling brand on all but the brand of the last proprietor, shall, upon conviction of every such offence, forfeit and pay any sum not exceeding Twenty Pounds.

XIII. AND be it enacted, that it shall and may be lawful, from

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and after the said first day of January next, for any Justice of the Peace, or for any constable acting in that behalf, under the authority in writing of any Justice, to enter at any time of the day or night, any house or place licensed as aforesaid, where there shall be good cause to suspect that stolen cattle have been slaughtered, and to make such search and inquiry therein as shall seem necessary for the discovery of the offence, and the offender.

Justice or constable may enter places licensed under this Act, to search.

XIV. AND be it enacted, that if there shall be any obstruction or hindrance given to any Justice of the Peace, or authorised constable, so as to prevent him or them from entering any premises licensed as aforesaid, for the purpose of examining any cattle or skins, the person or persons so offending, shall be deemed guilty of a misdemeanour, and shall be dealt with accordingly, as in the cases of misdemeanours at common law.

Persons obstructing search, guilty of misdemeanour.

XV. AND be it further enacted, that for preserving cleanliness in towns and the health of persons residing therein, it shall be lawful for any Justice of the Peace, and for any constable authorised and deputed by any writing under the hand of any Justice, from time to time, when and as often as he or either of them shall see occasion, to visit and inspect any licensed Slaughter House or place which may be situated within the reputed boundaries of any town, and to give such directions concerning the cleansing any such Slaughter House or place, both within and without, as to him shall seem needful; and the owner or occupier of any such Slaughter House, who shall obstruct or molest any Justice or constable in the inspection thereof, or who shall refuse or neglect to comply with such directions within a reasonable time, shall, upon the view of such Justice, or on conviction on the complaint of any such constable, forfeit and pay for every such offence, a sum not exceeding Five Pounds.

Slaughter Houses in towns may be inspected and ordered to be cleansed.

Penalty.

XVI. AND be it further enacted, that if any person or persons shall discharge any gun or pistol, or any kind of firearms, in any road, street, or market place, or in any town, for the purpose, or under the pretence of killing or maiming any cattle, every person so offending, shall upon conviction of every such offence, forfeit and pay a fine not exceeding Five Pounds.

No fire-arms to be discharged in any town for killing or maiming cattle.

XVII. AND be it enacted, that upon hearing of any information

Proof of License, &c. against any person for slaughtering any animal contrary to the provisions of this Ordinance, it shall be incumbent upon the person accused to lie on accused. to produce satisfactory proof to the sitting Justice, that he is duly licensed under this Ordinance.

Limitation of proceedings. XVIII. AND be it enacted, that all informations and proceedings in respect of offences against this Ordinance, shall be commenced within three calendar months after the offences thereby respectively charged shall have been committed, (except when otherwise herein before provided for), and shall be heard and determined, and the penalties and forfeitures in respect of the same enforced and appropriated according to the provisions of an Ordinance passed in the 14th year of the reign of Her present Majesty, No. 5, intituled "an Ordinance to facilitate the performance of the duties of Justices of the Peace out of Sessions within the Colony of Western Australia with respect to summary convictions and orders.

Proviso as to licenses issued under 6th Vic. No. 1, XIX. AND whereas it is possible that in remote districts of this colony, Licenses may be granted on the next General Annual Licensing Meeting under the provisions of the Ordinance passed in the 6th year of the reign of Her present Majesty, No. 1, hereby repealed, before information may have been received of the passing of this Ordinance; Be it therefore enacted, that in all such cases (if any) the Licenses so issued as last aforesaid, shall for every purpose be deemed and taken to have been issued under the provisions of this Ordinance, and shall confer the same rights and impose the same duties and liabilities in all respects, upon the person to whom the same may have been granted as if the same had in fact been issued in accordance with the provisions of this Ordinance.

Short Title. XX. AND be it enacted, that this Ordinance may be cited as the "Private Slaughter House Ordinance, 1852."

CHARLES FITZGERALD,
GOVERNOR AND COMMANDER-IN-CHIEF.

*Passed the Council, }
22nd Dec. 1852. }*

A. O'GRADY LEFROY,
Clerk of the Council.

1852.

16th Vict. No. 7.

SCHEDULE REFERRED TO.

FORM OF LICENSE TO KEEP A SLAUGHTER HOUSE.

At the General Annual Licensing Meeting, (or at a Special Licensing Session) of Her Majesty's Justices of the Peace for the Colony of Western Australia, holden in and for the district of _____ in the said Colony, on the _____, day of _____ in the year of our Lord 18 ..

We, being the majority of the said Justices assembled at the said meeting, (or sessions) do hereby authorise and empower _____ to keep a Slaughtering Place in (*describe the premises*) and this License shall continue in force until the General Annual Licensing Meeting next ensuing the date hereof, and no longer.

Given under our hands, the day and year above written.