No. 957.

An Act relating to the Erection of Abattoirs for the City and Suburbs of Adelaide, and for other purposes.

[Assented to, December 2nd, 1908.]

Be it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

PART I.

PRELIMINARY AND APPLICATION OF ACT.

1. This Act may be cited as "The Metropolitan Abattoirs Act, 1908."

2. This Act is divided into the following parts:
   - Part I.—Preliminary and Application of Act:
   - Part II.—The Metropolitan Abattoirs Board:
   - Part III.—Borrowing Powers:
   - Part IV.—Abattoirs:
   - Part V.—Markets for Stock:
   - Part VI.—Power to take Land, &c.:
   - Part VII.—Extension of the Metropolitan Abattoirs Area:
   - Part VIII.—Regulations:
   - Part IX.—Miscellaneous.
3. In this Act, and in proceedings and regulations thereunder, the terms in inverted commas shall have the meaning stated, except where some other meaning is clearly intended—

"Abattoirs" shall mean the abattoirs to be erected pursuant to this Act:

"Act" includes regulations:

"Board" means "The Metropolitan Abattoirs Board" created by this Act:

"Brand" means any trade mark or stamp, and includes any tag, stamp, or label bearing any brand, mark, or label:

"Carcass" includes the whole or any part of the flesh, wool, skin, hide, bones, hair, hoofs, and offal of any stock:

"Constituent Corporations and Councils" means and includes the Corporations of the Cities of Adelaide and Unley, the Corporations of the Towns of Hindmarsh, Kensington and Norwood, St. Peters, and Thebarton, and the District Councils of Burnside, Mitcham, Payneham, Prospect, Walkerville, and West Torrens, and such other Municipal Corporations and District Councils respectively as may hereafter by Proclamation be declared to be constituent Corporations and Councils:

"Council" or "District Council," and "District" shall have the respective meanings assigned to them by "The District Councils Act, 1887":

"Disease" means the following diseases:—Tuberculosis, pleuroneumonia, cancer, actinomycosis, anthrax, hydatids, worms of various sorts, and other inflammatory bacterial and parasitic diseases, and includes advanced pregnancy, recent parturition, and any such other defect or infirmity in the condition of stock or meat as in the opinion of any Inspector renders it unfit for human consumption, and also any other disease the Governor may by Proclamation declare to be a disease for the purposes of this Act:

"Diseased" means infected or affected with disease:

"Inspector" means an inspector appointed under this Act. The term includes the Chief Inspector:

"Meat" means the flesh of any slaughtered stock, whether such meat is intended to be consumed within the metropolitan abattoirs area or not, and whether the same is in its natural state, or has been subjected to any freezing, chilling, salting, or other preservative process:

"Metropolitan abattoirs area" means the area of jurisdiction of the Corporations of the Cities of Adelaide and Unley, and of the Corporations of the Towns of Hindmarsh, Kensington and Norwood, St. Peters, and Thebarton, and of the District Councils of Burnside, Payneham, Prospect, Walkerville, and
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and West Torrens, and so much of the area of jurisdiction of the District Council of Mitcham as is defined in the First Schedule hereto, and the areas of jurisdiction and of such other Municipal Corporations and District Councils, or such parts thereof respectively as may hereafter by Proclamation be declared to be within the metropolitan abattoirs area:

"Municipality and Corporation" shall have the respective meanings assigned to them by "The Municipal Corporations Act, 1890":

"Municipal or District Council" means the Council of a Municipality incorporated or continued under "The Municipal Corporations Act, 1890," or the Council of a District incorporated or continued under "The District Councils Act, 1887":

"Prescribed" means prescribed by this Act, or by any regulation thereunder:

"Proclamation" means a Proclamation by the Governor in the Government Gazette:

"Public notice" shall mean notice by advertisement in the Government Gazette, and in two daily newspapers circulating in the metropolitan abattoirs area:

"Small goods" means any article of food prepared either wholly or in part from small parts of meat:

"Stock" means cattle, including horses, sheep, swine, goats, and poultry of all kinds, and includes all other animals which the Governor may from time to time, by Proclamation, declare to be stock for the purposes of this Act:

"The Mayor" shall mean and include the Mayor of the Corporation of the City of Adelaide, and the person for the time being appointed to perform the duties of the Mayor by reason of his death, absence, or any lawful impediment:

"This Act" includes regulations made under this Act:

"Vehicles" include every description of cart, wagon, truck, barrow, carriage, or other conveyance.

4. (1) The Acts mentioned in the Second Schedule hereto are hereby repealed as regards their operation within the metropolitan abattoirs area to the extent mentioned in such Schedule only.

(2) Such repeal shall not affect any liability, forfeiture, or penalty incurred, any offence committed, or anything done or omitted to be done before the passing of this Act, nor any legal proceedings commenced or hereafter to be commenced with respect to such liability, forfeiture, penalty, offence, or thing.

5. Notwithstanding anything contained in the Ordinance No. 8 of 1847, or in the "Licensed Hawkers Act, 1863," "The Markets Clauses
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PART I.

Application of Act.

Clauses Act, 1870-71,” “The District Councils Act, 1887,” “The Municipal Corporations Act, 1890,” “The Health Act, 1898,” or any Act amending any of the said Acts, this Act shall be administered by the Board, and so far as the said Acts or any of them are inconsistent with this Act, the provisions of this Act shall prevail.

APPLICATION OF ACT.

6. (1) The provisions of this Act shall extend to and have full force and effect within the metropolitan abattoirs area.

(2) The Municipalities of the Cities of Adelaide and Unley and of the Towns of Hindmarsh, Kensington and Norwood, St. Peters and Thebarton, and the Districts of Burnside, Payneham, Prospect, Walkerville, and West Torrens, and so much of the District of Mitcham as is mentioned in section 3, and such other Municipalities and Districts, or such part thereof respectively as may be defined in any Proclamation under Part VII. of this Act, shall constitute the metropolitan abattoirs area.

Extension of area.

7. The limits of the metropolitan abattoirs area may be extended by Proclamation under Part VII. of this Act.

8. Nothing in this Act shall apply to bacon not derived from swine slaughtered in the metropolitan abattoirs area, but which is brought into the metropolitan abattoirs area from any place outside the same. In this section “bacon” means dried, smoked, or salted flesh of swine.

PART II.

THE METROPOLITAN ABATTOIRS BOARD.

9. There shall be a Board, to be called “The Metropolitan Abattoirs Board,” which shall be charged with the execution of this Act.

Chairman and constitution of Board.

10. (1) The Board shall consist of—

(a) The Mayor, who shall be ex officio Chairman, and

(b) Six representative members, who shall hold office for two years. None of such representative members need be a member of any of the constituent Corporations or Councils.

One of such representative members shall be appointed by—

1. The Council of the Corporation of the City of Adelaide:

2. The Council of the Corporation of the City of Unley:

3. The Councils of the Corporations of the Towns of Kensington and Norwood and St. Peters:

4. The Councils of the Corporations of the Towns of Hindmarsh and Thebarton, and the District Council of West Torrens:

5. The
v. The District Councils of Burnside and Mitcham:

vi. The District Councils of Prospect, Walkerville, and Payneham:

Provided that the Governor may, by Proclamation, at any time after twelve months from the passing of this Act, alter, increase, or diminish the number of representative members, and the representation of the constituent Corporations and Councils, and may rearrange the groups of constituent Corporations and Councils for the purpose of appointing representative members of the Board.

Such Board shall be a body corporate, and shall have perpetual succession and a common seal.

(2) The Board by its corporate name may purchase, take, receive, accept, hold, acquire, and possess lands, tenements, and hereditaments (in fee simple or for any term of years or otherwise) and goods and chattels, and may grant, sell, convey, transfer, demise, assign, or otherwise dispose of the same, and may arbitrate or sue, implead, and answer and be sued, impleaded, and answered in all Courts and before all Judges, Magistrates, and arbitrators whomsoever, in all actions, pleas, suits, disputes, causes, and matters whatsoever, and do and exercise all such further acts and powers as may be done and exercised by virtue of the incorporation, and as are by this Act authorised to be done and exercised.

(3) All Courts, Judges, and persons acting judicially shall take judicial notice of such seal when affixed to any instrument, and shall presume that the same was properly affixed thereto.

11. Each member of the Board shall be paid out of the funds of the Board by way of remuneration for his services the sum of One Pound for each meeting of the Board he attends: Provided that no member shall be paid by the Board more than Fifty-two Pounds in any one year.

12. The appointment of any member of a Municipal or District Council as a member of the Board shall not disqualify such member from continuing a member of such Council, anything to the contrary contained in any Act of Parliament notwithstanding.

13. The Town Clerk of the Corporation of the City of Adelaide, or the person for the time being appointed to perform his duties in consequence of his death, absence, or any lawful impediment, is hereby appointed the secretary and treasurer of the Board during the period of five years from the passing of this Act, and shall during that period be responsible to the Board for the general management of the abattoirs and markets: Provided that the Board may at any time remove such secretary and treasurer and any of his successors in office if in its opinion he becomes incapable or unfit to hold or continue in office, or if he is convicted of any offence punishable by imprisonment.

14. (1) Immediately
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14. (1) Immediately after the passing of this Act, and before the first day of March, one thousand nine hundred and nine, and again before the second day of March in every second year thereafter, the Councils of the Corporations of the Cities of Adelaide and Unley, and of such other Corporations and Districts as by Proclamation are entitled to separate representation on the Board, shall each appoint a person to be a member of the Board, and so often as the person so appointed shall from any cause whatsoever cease to be a member of the Board, the Council by whom he was appointed shall, within twenty-one days thereafter, appoint a person to fill the vacancy. Notice of every such appointment shall be forthwith given by the Town Clerk or District Clerk of the appointing Council to the Mayor, who shall, as soon as practicable, give notice of such appointment in the Government Gazette.

(2) If either of the said Councils shall neglect or refuse to make such appointment within the time aforesaid, the Mayor may appoint a person to be a member of the Board, and the person so appointed shall hold office in all respects as if he had been regularly appointed by the defaulting Council.

(3) Immediately after the passing of this Act, and before the first day of January, one thousand nine hundred and nine, and again before the second day of January in every second year thereafter, nominations of candidates willing to act as representatives on the Board of the respective groups of joint constituent Corporations and Councils named in section 10 (subsections iii., iv., v., and vi.), or in any Proclamation under that section, shall be made by such Corporations and Councils to the Mayor.

15. (1) The names of persons so nominated shall be forwarded to each Corporation and Council of the group concerned, who shall, before the first day of March following, each vote for a representative from persons so nominated, and advise the Mayor of their vote. If any one or more of the joint constituent Corporations or Councils shall neglect to nominate or join in nominating a candidate, or to vote or to advise the Mayor of their vote by the time aforesaid, such neglect shall not invalidate any election.

(2) In the month of March following every election, and as soon as practicable after each extraordinary election, the Mayor shall, by notice in the Government Gazette, declare from the votes before him the names of the persons elected, and such notice shall be conclusive evidence of such election.

(3) When the seat of any elective member has become vacant from any cause whatever other than by effluxion of time, such vacancy shall be filled up by an extraordinary election of a new member, to hold office only for the unexpired portion of the term of his predecessor. On the happening of the vacancy the Mayor shall notify the joint constituent Corporations and Councils concerned, and fix a date not less than three weeks thereafter for such Corporations and Councils to advise him of their votes. The mode of nomination and voting in the case of an extraordinary election shall be the same as nearly as circumstances will admit as in an ordinary election.

(4) In
(4) In the case of equality of votes among the joint constituent Corporations and Councils, the Mayor shall have a casting vote.

(5) If any of the said groups of joint constituent Corporations and Councils shall neglect or refuse to exercise the rights of nomination and election in manner and within the time hereinbefore provided, the Mayor may appoint a person to be a member of the Board to represent such group of joint Corporations and Councils in default, and the person so appointed shall hold office in all respects as if he had been regularly nominated and elected pursuant to the provisions hereinbefore contained.

(6) The seat of a representative member shall become vacant on—

(a) The death, lunacy, or insolvency of the member, or the execution by the member of a statutory deed of assignment for the benefit of his creditors, or compounding with his creditors for less than Twenty Shillings in the Pound, or the conviction of the member for an indictable offence:

(b) Resignation by notice in writing, posted or delivered to the Mayor:

(c) Absence of the member from three consecutive meetings of the Board without leave of the Board.

(7) Notice of every appointment made by the Mayor in pursuance of any of the provisions hereinbefore contained shall be given by him in the Government Gazette as soon as practicable.

16. The representative members shall hold office until notification of the appointment or election of their successors, and on the expiration of their terms of office shall be eligible for re-appointment or re-election.

17. A quorum shall consist of any four members. If the ex-officio chairman be not present within five minutes after the time for which any meeting shall have been convened, or if, having been present, he retires, the members present may, by the votes of the majority, elect any member present to be chairman for that meeting, or until the ex-officio chairman arrives, or during his absence, and such chairman, while so acting, shall have and exercise the powers of the ex-officio chairman. Every chairman shall have a deliberative vote, and also a casting vote.

18. (1) The Board shall meet for the dispatch of business in the council chamber, Town Hall, Adelaide, or elsewhere, at such times, not being less than once in every six weeks, as the Board shall from time to time determine. The chairman, in case of emergency, may call a meeting of the Board, and a special meeting shall be held at any time on requisition in writing signed by not less than three members of the Board delivered to the secretary.

(2) Three
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Notice of meetings to be given.

(2) Three days' notice of any ordinary meeting and previous notice of any special or emergency meeting, signed by the secretary, shall be sent to each member of the Board before the time appointed for such meeting; and such notice shall in all cases of special or emergency meetings state the time, place, and business of such meeting.

(3) The Board may, from time to time, appoint a committee or committees of its members, and may delegate to any such committee such of its powers and duties under this Act as it shall think fit.

19. No Act or proceeding of the Board shall be invalidated or illegal in consequence only of the number of the members of the Board not being complete at the time of such act or proceeding, and all acts or proceedings of the Board shall, notwithstanding the subsequent discovery of any defect in the appointment or election of any member thereof, or that any member was disqualified or disentitled to act, be as valid as if every such person had been duly appointed or elected and was qualified to be and to act and vote as a member of the Board, and as if the Board had been fully constituted.

20. The Board shall receive and recover all fees, dues, and charges, prescribed or otherwise, payable under this Act or under any regulations made in pursuance of the powers herein contained, and the receipt of the secretary or other person duly authorised by the Board in this behalf shall be a sufficient discharge for the same, and all penalties under this Act and the regulations shall, when recovered, be paid over to the Board.

21. The Board may appoint such superintendents, inspectors, and other officers and servants (not being members of the Board) as they shall deem necessary for enabling the Board to carry into execution the various powers and duties vested in or imposed on it by virtue of this Act, and all persons appointed by the Board shall hold their offices only during the pleasure of the Board.

22. The Board may pay to the secretary and treasurer (whether appointed by this Act or by the Board) and to every person appointed or employed by the Board such allowance, salary, wages, or professional fees as shall seem reasonable or proper, and may pay the premiums on the fidelity and workmen's compensation insurance policies of its officers and servants.

23. The Board may pay the travelling expenses of members of the Board or of its officers and servants when engaged on the special business of the Board.

24. The Board may remunerate any person giving information of the commission of any offence under this Act to the Board or any of its officers, and may agree with any informer to pay him not more than Twenty-five Pounds per centum of the fine recovered from any person convicted of an offence under this Act upon information given to the Board by such informer.

25. The
25. The Board may promote any Bill before Parliament which it may consider necessary or desirable for the benefit of the metropolitan abattoirs area, and may pay the costs and expenses incurred in doing either out of its revenue or borrowed money or both, and out of such revenue or borrowed money or both may reimburse any constituent Corporation or Council all moneys expended by such Corporation or Council incidental to the passing of such Bill and this Act and preliminary thereto.

26. Every deed, conveyance, agreement, or instrument which it may be necessary for the Board to execute or sign shall have the seal of the Board affixed thereto, and be signed by the chairman and countersigned by the secretary.

27. The Board shall keep a minute-book in which the proceedings of each meeting and the business performed thereat shall be entered, and the minutes of each meeting shall be signed by the chairman of that meeting, and be confirmed at the next subsequent meeting of the Board.

28. The custody of the books, journals, records, and all documents whatsoever belonging to the Board shall be in the secretary, who shall not permit any such books, journals, records, or documents to be removed from his office at the Town Hall, Adelaide, or other the office for the time being of the Board, without the express leave or order of the Board or of the chairman.

29. There shall be two auditors of the Board, to be from time to time appointed by the Board. Members of the Board and members of the Council of any Municipality or District within or partly within the Metropolitan Abattoirs Area shall not be eligible for appointment as auditors. Subject to section 21, an auditor shall hold office for one year, and may be reappointed, but shall not hold office for more than two consecutive years. The auditors shall be paid such remuneration as the Board may think fit.

30. The secretary and treasurer shall cause to be kept proper books of account for the purpose of entering all sums of money received and paid on behalf of the Board, which books shall at all times be open to the inspection of the chairman, any member of the Board, or the auditors, and in case of default being made as is mentioned in section 38, of any Mayor or chairman of any of the constituent Corporations or Councils, and any person appointed for that purpose in writing by any such Mayor or chairman.

31. The accounts of the Board shall be balanced annually, and drawn up in such form as to distinguish capital from income, with a statement of profit and loss for the year ending the thirtieth day of November in each year, and shall, within thirty days next after that day, be prepared by the secretary and delivered to the auditors for examination.

32. The
The auditors shall carefully examine such accounts and balance-sheet with the books, papers, and vouchers of the Board, and shall cause the same to be corrected or altered whenever found necessary; and, for the purpose of completing such audit, their duties shall continue until such accounts have been duly examined and audited by them, notwithstanding that their successors may have been appointed.

An account of all moneys received and expended by virtue of and for the purposes of this Act, signed by the chairman and secretary and certified by the auditors, specifying the total sum received from each source of income, and the total annual revenue and the total amounts disbursed under each head of expenditure, and the total annual outlay, made up to the thirtieth day of November in each year, shall, on or before the first day of March next ensuing, be laid before Parliament, if then in Session; otherwise, as soon thereafter as Parliament may be sitting. Such annual account shall, on or before the first day of March, also be printed and published for distribution, or advertised for public information, as the Board may direct.

PART III.
BORROWING POWERS.

Notwithstanding anything to the contrary contained in "The Municipal Corporations Act, 1890," "The District Councils Act, 1887," and in any other Act referring to the borrowing powers of Municipal Corporations and District Councils, in addition to and without limiting the powers hereby conferred, it shall be lawful for the Board to borrow, from time to time, and to take up at interest, upon the credit of the constituent Corporations and Councils, any sum or sums of money not exceeding in the whole the sum of One Hundred Thousand Pounds, for all or any of the purposes following, namely, the purchase of land and the erection of abattoirs and markets for stock, and all other works which the Board may consider necessary or advisable in connection therewith, including cool chambers and machinery and the construction of railway sidings.

All moneys so borrowed shall be raised by the sale of debentures, which shall be in the form or to the effect contained in the Third Schedule hereto. Every such debenture shall be for such period and amount, and issued at such time or times, and on such terms and conditions, and at such rate of interest, as the Board may from time to time determine; and coupons in the form in the said Third Schedule may be annexed to such debentures. The title to every such debenture and every such coupon (whether separated or not from the debenture to which it belongs) shall pass by delivery only without any assignment or indorsement.
36. A certificate under the hands of the chairman, one other member of the Board, and the secretary of the Board, indorsed on any debenture issued under the authority of this Act, and stating that the principal sum thereby secured is part of the amount which the Board, at the date of such certificate, may legally borrow, shall be conclusive evidence of the authority of the Board to borrow the money secured by and to issue such debenture.

37. The money secured by every debenture issued under the authority of this Act, and the interest payable thereon, shall be a charge on the respective general rates of the constituent Corporations and Councils declared, or to be hereafter declared, under the authority of "The Municipal Corporations Act, 1890," and "The District Councils Act, 1887," and on all or any other revenues received or to be received by such Corporations and Councils (other than revenues derived from special and separate rates), and on all the real and personal property of the Board. Each of the constituent Corporations and Councils, as well as the Board, shall be jointly and severally liable for the amount named in such debenture, and the interest payable thereon; and every debenture shall bind the constituent Corporations and Councils, and be as valid and effectual for all purposes as if the same had been executed by the respective constituent Corporations and Councils under the powers contained in "The Municipal Corporations Act, 1890," and "The District Councils Act, 1887."

38. If default be made by the Board in the payment of any debenture or coupon, the holder of such debenture or coupon shall have all the rights of a creditor of the constituent Corporations and Councils and the Board jointly and separately in respect of the money due upon such debenture or coupon, and may apply to the Supreme Court or a Judge thereof for the appointment of a receiver, who, when appointed, shall have the like power of collecting and obtaining payment of the respective general rates, and of all or any other revenues recoverable by such Corporations and Councils (except as is excepted in section 37) and by the Board (or by any one or more of such corporate bodies as shall be specified in the order appointing such receiver) as such corporate bodies respectively would have if such receiver had not been appointed.

39. If any of the constituent Corporations or Councils at any time pay or satisfy by any means any debenture or coupon, each of the other constituent Corporations and Councils shall forthwith on demand contribute their proper proportion of the amount so paid or satisfied and of all costs, charges, and expenses incurred by or occasioned to the Corporation or Council so paying or satisfying such debenture or coupon (the amount of such proportion to be determined in the same manner as any contribution towards deficiency is ascertained under section 43, but no certificate shall be necessary). In default of immediate payment on demand of such proportion as aforesaid, the same may be recovered by the Corporation or Council so paying or satisfying such debenture or coupon from
from the other constituent Corporations or Councils in default by action in any Court of competent jurisdiction.

The constituent Corporation or Council so paying or satisfying such debenture or coupon, and each of the constituent Corporations and Councils who shall have paid or satisfied its proportion of such debenture or coupon and costs as aforesaid, shall thereupon immediately become a creditor of the Board for the amount so paid or satisfied, and may recover such amount from the Board by action as aforesaid.

How revenue to be applied.

40. (1) All revenue derived by the Board from the abattoirs and markets for stock, and from other sources, shall, so far as practicable, be expended and disposed of by the Board yearly in each financial year as follows:—

(a) Firstly, in payment of actual expenses:

(b) Secondly, in payment of interest on borrowed moneys:

(c) Thirdly, in payment of any amounts the Board may consider necessary for upkeep, maintenance, and repairs of the abattoirs, markets, and other works under the control of the Board:

(d) Fourthly, in establishing a sinking fund which shall be sufficient to repay all moneys expended in plant and machinery within a period of not more than fifteen years, calculated from the last day of the respective financial years in which the respective expenditures take place, and to repay the whole of the borrowed moneys within a period of not more than thirty years of the respective dates of the respective borrowings:

(e) Fifthly, in dividing the balance of such revenue (which balance shall be considered profits and is hereafter, in this Act, if divided, called "divided profits") amongst the constituent Corporations and Councils in manner mentioned in sections 41 and 42: Provided that the Board may in any year carry one-third of such profits to a reserve fund. "Divided profits" shall be treated as mentioned hereafter.

(2) The Board may expend the reserve fund, or any part thereof, in any manner it may deem advisable, and may divide the same, as profits, as aforesaid.

(3) The Board shall, for the purposes of this section, determine what are "actual expenses," "upkeep," "maintenance," "repairs," "profits," "plant," and "machinery," and its determination shall be final and conclusive for all purposes.

(4) The Board may pay out of borrowed moneys the interest accruing thereon during all or any part of the period of three years from the passing of this Act: Provided that so much of such borrowed moneys as shall be so paid for interest or reimbursed to any
any constituent Corporation or Council under section 25 shall be restored out of revenue before any division is made pursuant to subsection (e) hereof.

41. (1) From the passing of this Act, and for six years thereafter, the liabilities of the Board shall be debited in the Board's books to each constituent Corporation and Council, in proportion to the total amount of the annual assessment for rating purposes of each constituent Corporation and Council at the time of the passing of this Act, and the liability of each constituent Corporation and Council shall be clearly shown in the Board's annual balance-sheets. All "divided profits" shall be treated on a similar basis, and shall be paid over to each constituent Corporation and Council at periods to be determined by the Board, such periods to be not less than once in every three years.

(2) In case a portion only of any Corporation or Council is included in the metropolitan abattoirs area, then for the purposes of this Act the assessment of such portion shall be deemed to be the assessment of such Corporation or Council.

42. At the expiry of the said six years, and at the end of every third year thereafter, the liabilities of the Board shall be debited as aforesaid, in proportion to the total amount of the annual assessment of each constituent Corporation and Council at such respective periods, and the liability of each constituent Corporation and Council shall be shown as aforesaid. All "divided profits" shall be treated on a similar basis, and shall be paid over to each constituent Corporation and Council at periods to be determined by the Board, such periods to be not less than once in every three years. The annual assessment and liability of every Municipal Corporation and District Council becoming a constituent Corporation or Council after the passing of this Act shall be ascertained as of the date such Municipal Corporation or District Council became a constituent Corporation or Council, and such assessment and liability shall continue in the case of a Municipal Corporation or District Council becoming a constituent Corporation or Council during the said period of six years until the expiry of that period, and in the case of a Corporation or Council becoming a constituent Corporation or Council after the expiry of that period until the next succeeding triennial period.

43. (1) Where the revenue of the Board in any one financial year is insufficient to meet the outgoings for that year, the constituent Corporations and Councils shall contribute the deficiency in proportion to the total amount of their annual assessment for the time being as appearing in the books of the Board, and a certificate under the hand of one of the auditors, setting forth the contribution of each constituent Corporation or Council, shall be final and conclusive for all purposes. A copy of such certificate, certified under the hand of the secretary of the Board to be a true copy, shall be posted
posted in a prepaid envelope addressed to each constituent Corporation and Council. The Board shall, for the purposes of this section, determine the amount of "the outgoings," which shall include, inter alia, all moneys expended and disposed of under section 40, (a), (b), (c), (d), and such determination shall be final and conclusive for all purposes.

(2) Such contributions may be recovered in the name of the Board in any Court of competent jurisdiction.

44. The Board may appoint agents to negotiate or contract for the sale of any debentures authorised by this Act, and may directly, or through such agents, sell or negotiate for the sale of any such debentures, and may allow such agents such commission as the Board thinks reasonable.

45. Notwithstanding any provisions of this Act or anything contained in any debenture, any debentures may be redeemed by the Board at their face value (or less), with any unpaid interest added, at the expiration of not less than five years from the date of the issue thereof, or at recurring periods of five years thereafter.

46. The debentures to be so redeemed shall be decided by lot, to be made in such manner as the Board shall determine, and public notice of their numbers and values and the place appointed for the payment thereof shall be forthwith given by the Board.

47. The debentures mentioned in such notice shall be redeemed on presentation at the Town Clerk’s office, Town Hall, Adelaide, or such other place in Adelaide as the Board may appoint, and from the day fixed by the notice, not being earlier than six months after the date of the giving of the said notice, the debentures therein mentioned shall cease to bear interest.

48. All debentures, when redeemed by the Board, shall be forthwith cancelled by the Board, and shall not be sold or re-issued.

49. The Board shall invest the sinking fund and the reserve fund, and any other moneys in its hands which the Board may deem it advisable or expedient to invest, in any Government securities of all or any one or more of the States of the Commonwealth, in the purchase of any debentures issued under the provisions of this Act, and upon fixed deposits in any incorporated bank in the State of South Australia, or in or upon any one or more of such investments. The interest arising from such investments shall respectively be credited to and form part of the respective funds so invested as aforesaid: Provided, however, that any debentures purchased by the Board shall be forthwith cancelled, and shall not be sold or re-issued.

50. The Board may pay any of its moneys into any bank in Adelaide and keep the same there on deposit as may be found convenient, and may, for the purpose of carrying out the provisions of this Act, obtain advances from any bank by overdrafts, either without
without security, or by pledge of its property, or on other security; but the total amount of such overdrafts shall not at any one time exceed Five Thousand Pounds. No funds shall be withdrawn from any bank except by cheque, signed by the chairman and one other member of the Board, and countersigned by the secretary.

PART IV.

ABATTOIRS.

51. (1) The Board is hereby authorised to erect and establish abattoirs on land to be acquired, and in connection therewith make, establish, and erect all such railway sidings, buildings, works, cool storage, plant and machinery, and all other erections, fixtures, fittings, and other works as the Board shall, for the time being, consider necessary, and from time to time alter, remove, and extend the same; and the Board may, if it think fit, purchase and remove the existing slaughterhouse and buildings connected therewith erected on the park lands within the City of Adelaide.

(2) The Board may let, upon lease or otherwise, any portion of its lands or buildings other than the abattoirs and the markets taken on lease, established, or erected by the Board under Part V. of this Act for a hide and skin market, at such rent, for such term, and upon such conditions as it shall think fit.

52. The Board shall not accept or purchase any land for the purpose of erecting abattoirs thereon until a site has been agreed upon by a majority of votes of representatives of the constituent Corporations and Councils present at a meeting called for that purpose by the Board.

No site shall be agreed upon which is less than three miles from the nearest boundary of the City of Adelaide.

Each constituent Corporation and Council shall be entitled to appoint one representative to attend such meeting (the members of the Board may act as representatives of their respective Councils, if so appointed, but not otherwise), and every constituent Corporation and Council having an annual assessment of over Fifty Thousand Pounds shall be entitled to appoint one additional representative for each One Hundred Thousand Pounds or portion thereof over the first Fifty Thousand Pounds of its annual assessment. The chairman of such meeting shall be elected by the representatives present thereat, and he shall have a deliberative as well as a casting vote, but each other representative present shall have one vote only. The Board shall give fourteen days' public notice of the time and place of such meeting.

53. Forthwith after the erection and completion of the abattoirs the Board shall give not less than thirty days' public notice that such abattoirs will be available for the slaughtering of stock on and after a date to be specified in such notice, and it shall be the duty of the Board to have such abattoirs then and thereafter available accordingly.

54. After
54. After the date specified in such notice, and while such abattoirs are available for slaughtering stock—

(1) No person shall, within the metropolitan abattoirs area, (a) slaughter or allow or cause to be slaughtered any stock for sale for human consumption, or dress or allow or cause to be dressed any carcass for sale, or sell or attempt to sell or expose for sale, or allow or cause to be sold or exposed for sale, any carcass or meat not slaughtered at such abattoirs, or, if slaughtered without the metropolitan abattoirs area, the carcass of which, together with the pleura and the peritoneum, lungs, heart, kidneys, tongue, and such other organs as are prescribed, attached in natural connection, and, in the case of cows, the udder also so attached, has not been first brought to the abattoirs or to some other premises established by the Board for that purpose within Hindmarsh, Gawler, Grey, or Young ward of the City of Adelaide, and inspected and branded by an inspector, as provided in section 70, or (b) slaughter at any slaughterhouse or abattoir exempted under section 55 or 80 any stock, except for export or for meat to be tinned or cured for export, or for curing as bacon and ham:

Penalty—First offence, Ten Pounds; second offence, Twenty-five Pounds; and for each succeeding offence Fifty Pounds.

(2) No person shall sell or attempt to sell, or expose for sale, or allow or cause to be sold or exposed for sale the flesh of any calf, less than twenty-one days old or of less weight than forty pounds; and in any prosecution under this subsection the onus of proving age shall be on the defendant:

Penalty—First offence, Ten Pounds; second offence, Twenty-five Pounds; and each succeeding offence, Fifty Pounds.

(3) Where, in contravention of the provisions of subsection (2) of this section, any person sells or attempts to sell, or exposes for sale, or allows or causes to be sold or exposed for sale the whole or any part of the carcass of any calf, such carcass or part shall be deemed to be a carcass or meat which is subject to the provisions of section 61 of this Act, and may be seized and dealt with, as provided in such section:

(4) No person shall be liable to any punishment for any offence against this section in respect of any meat or carcass, or part of a carcass, which he proves to the satisfaction of the Court was not sold or intended to be used for human consumption:

(5) Nothing in this Act shall protect any person who sells or attempts to sell or exposes for sale, or allows or causes to be sold or exposed for sale, for human consumption, any carcass or meat which has become unwholesome after the same has been branded, or any imported meat that is unwholesome:

(6) For
(6) For the purposes of this section such abattoirs shall be deemed to be available for slaughtering stock at all times except during such times as the Board shall by public notice declare such abattoirs to be closed to the slaughtering of stock:

(7) It shall not be an offence under this Act to slaughter poultry elsewhere than at the abattoirs, or to sell or expose or offer for sale within the metropolitan abattoirs area, any poultry so slaughtered.

55. On the day specified in any such notice given pursuant to section 53 hereof, all private abattoirs or slaughter-houses within the metropolitan abattoirs area shall be closed by the owner, occupier, or person having the control or management thereof, notwithstanding the fact that licences in respect thereof have been issued by any of the constituent Corporations or Councils or by any Board of Health. And after such day specified as aforesaid no constituent Corporation or Council shall, nor shall any Board of Health, save as is in this section provided, issue any licence or licences for the slaughtering of stock: Provided that this section shall not apply to any slaughter-house or abattoir used or intended to be used only for the purpose of slaughtering stock for export, or for meat to be tinned or canned for export, or for curing bacon and hams.

56. (1) Compensation shall be paid to the owners of all private abattoirs and slaughter-houses closed by the operation of the next preceding section, and which were in use as abattoirs or slaughter-houses at the time of the passing of this Act: Provided that no compensation shall be paid in respect of any abattoir or slaughter-house which is not suitable for use as such; and that in estimating the compensation to be paid in respect of any abattoir or slaughter-house a fair deduction shall be made on account of the value of the buildings and equipment thereof for any other purpose, and that nothing shall be allowed for goodwill or loss of business: And provided further that the aggregate of the amounts to be paid by way of compensation shall not exceed the sum of Seven Thousand Pounds.

(2) Any compensation to be paid in respect of any abattoir or slaughter-house shall be paid by the Board out of any of its moneys, including borrowed moneys.

(3) No claim for compensation shall be considered, nor shall any amount be paid in respect thereof, unless within twenty-one days after the publication in the Government Gazette of the notice given pursuant to section 53 hereof, the claimant delivers to the secretary of the Board a notice in writing, stating the amount and particulars of his claim and the premises in respect of which such claim is made.

(4) The
(4) The Governor shall, as soon as practicable after the publication of the notice given pursuant to section 53 hereof, appoint a valuer to determine all claims for compensation made in accordance with this section. The fees and expenses of such valuer shall be fixed by the Governor and paid by the Board.

(5) The valuer shall consider and inquire into all claims made as aforesaid, and shall as to each claim determine, by writing under his hand delivered to the Commissioner of Crown Lands, whether any and (if any) what amount is payable under subsection (1) of this section in respect thereof; and in making each determination the valuer shall have regard to the limit of Seven Thousand Pounds fixed by the said subsection (1).

(6) If any abattoir or slaughterhouse in respect of which the valuer determines that compensation is to be paid is let at the time of the determination, the valuer shall also determine, by writing under his hand delivered to the said Commissioner, what reduction ought to be made in the rent; and the rent accrued or to accrue for any period after the closing of the abattoir or slaughterhouse shall be reduced accordingly: Provided that if any reduction is made under this subsection in the rent of any premises, the lessee or his successor in title shall have the option of continuing the lease at the reduced rent or of cancelling the lease.

(7) Any determination by the valuer under subsection (5) or subsection (6) of this section shall be absolutely final and not subject to any appeal or to be questioned in any way whatever.

57. No person shall act or be permitted to act as slaughterman, or as attendant or assistant to any slaughterman, at the abattoirs, unless and until and so long as he is licensed by the Board. The licence shall be granted for a period of not more than one year, and the fee for a slaughterman’s licence shall not exceed Two Pounds Two Shillings, and for an attendant’s or assistant’s licence Ten Shillings; and no person under the age of seventeen years shall be licensed as a slaughterman’s attendant or assistant: Provided that the Board may employ slaughtermen, attendants, and assistants at the abattoirs without licensing them.

Penalty, Ten Pounds.

58. (1) Any licence issued under the last preceding section may be cancelled by the Board if the licensee shall omit forthwith to report to an inspector any case of disease which manifests itself in any stock slaughtered by such licensee, or for incapacity, misconduct, insobriety, or dirty habits.

(2) The secretary of the Board may at any time suspend the operation of the licence of any licensee alleged to be incapable, or guilty of misconduct, insobriety, or dirty habits, until the next meeting of the Board.

59. If any licensed slaughterman shall discover any disease in any stock slaughtered by him and shall fail forthwith to report the same
same to an inspector, he may be instantly dismissed by the secretary, and shall, in addition thereto, be liable to a penalty of Ten Pounds.

60. For the purpose of preventing the consumption of meat that is diseased—

(1) It shall not be lawful for any person to slaughter any stock at the abattoirs without the consent and except in the presence of an inspector:

(2) If the carcass of any stock slaughtered at the abattoirs is, after post-mortem examination, found to be diseased, notice thereof in writing shall be given to the owner, his servant, or agent, as soon as practicable; and if such owner, servant, or agent shall, within four hours from the receipt of such notice by writing under his hand given to the Chief Inspector or Superintendent of the abattoirs, dispute the fact that such carcass is diseased the Chief Inspector or Superintendent shall forthwith appoint an independent veterinary surgeon to inspect such carcass, whose decision, certified in writing, shall be final. If the decision of the veterinary surgeon is that the carcass is diseased, the fee payable to him for inspection shall be paid by such owner upon demand, and if not so paid shall be recoverable from him in any Court of competent jurisdiction; but if otherwise, then such fee shall be paid by the Board. Should no dispute arise within such four hours the carcass shall be disposed of pursuant to section 61. The provisions of this subsection shall apply to great cattle only:

(3) Forthwith, upon the slaughter of any stock at the abattoirs, the carcass shall be inspected by an inspector, and no meat shall be moved therefrom unless and until he declares it to be free from disease, or unless as hereinafter provided.

Penalty, Fifty Pounds for each offence.

61. Whenever, on the slaughter of any stock, it is found that such stock is diseased, it shall be the duty of an inspector, subject to subsection (2) of the next preceding section hereof, to forthwith cause the carcass, or such part thereof as such inspector may deem advisable, to be burnt or so dealt with that the same cannot be used for consumption by human beings or by carnivorous or omnivorous animals; and the Board shall make such allowance to the owner of such stock as it considers just in all cases where such carcass is treated by the Board as a by-product.

62. No person shall within the metropolitan abattoirs area—

(a) Keep or use any house or place, except as provided by section 55 hereof, for the purpose of slaughtering or killing any stock or for boiling down any part of the carcass of any stock for food for carnivorous or omnivorous animals; or

(b) Feed
(b) Feed any carnivorous or omnivorous animal with any part of the carcass of any stock which shall not have been slaughtered at the abattoirs, whether the same shall have been boiled down or not; or

(c) Sell or supply for food for carnivorous or omnivorous animals any part of the carcass of any stock not slaughtered at the abattoirs, whether boiled down or not:

Provided that this section shall not apply to stock killed at the Zoological Gardens for consumption by animals thereat.

63. The owner or person in charge of any stock which shall die within the metropolitan abattoirs area, or be killed at any place within such area other than at the abattoirs, shall, within twenty-four hours from the death or killing of such stock—

(a) Apply to an inspector for leave to bury the carcass of such stock, and if leave be granted bury the same as directed by and under the supervision of an inspector; or

(b) Convey the carcass of such stock to the abattoirs to be disposed of as an inspector shall direct:

Provided that this section shall not apply to poultry or to stock killed at the Zoological Gardens for consumption by animals thereat.

64. (1) The Board shall from time to time cause all carcasses (except carcasses of diseased stock) slaughtered at the abattoirs, and the part of any carcass removed therefrom, or from the other premises mentioned in section 54, to be branded as may appear expedient.

(2) Any person who shall sell or expose for sale a carcass or portion of a carcass which has not been branded as required by this Act, shall be liable to a penalty of Fifty Pounds.

65. Any person who, without being able to give a satisfactory account thereof, affixes or implants, or attempts to affix or implant, or causes or allows to be affixed or implanted any brand purporting to be a brand under this Act upon any carcass or meat, and any person who, without being able to give a satisfactory account thereof, removes or defaces or attempts to remove or deface, or causes or allows to be removed or defaced any brand placed on a carcass pursuant to this Act, shall be liable on conviction to a penalty not exceeding One Hundred Pounds, or to be imprisoned for any term not exceeding twelve months.

66. (1) Any officer of the Board, or any inspector, or any member of the police force, or any special constable or district constable may at any time enter into and upon any place, building, or premises in the metropolitan abattoirs area where any stock or carcass may be,
be, or be supposed to be, and any such officer, inspector, member, or constable may, for the purposes of identification, make such mark as he deems fit on any carcass or meat in respect of which he is of opinion that any provision of this Act is not being fully complied with.

(2) Any person who delays or obstructs any such officer, inspector, member, or constable in the exercise of any power conferred by this section, or who without the authority of an inspector removes or defaces any such mark, shall, for each such offence, be liable to a penalty of not more than Ten Pounds.

67. (1) Any officer of the Board, or any inspector, or member of the police force, or any special or district constable may seize any carcass that does not appear to him to have been branded, or any meat that does not appear to him to be derived from a carcass that has been branded, in case the carcass or the meat is either exposed for sale or in the possession of any person, apparently for the purpose of sale for human consumption, and such officer, inspector, member, or constable, if he shall think it desirable so to do, may remove any carcass or meat so seized.

(2) Any person claiming any carcass or meat so seized may, within forty-eight hours after such seizure, complain thereof to any Justice, and such complaint may be heard and determined before a Special Magistrate or any two Justices in Adelaide, who may either confirm or disallow such seizure, and may order the carcass or the meat seized to be destroyed, and may make such order as regards costs as he or they shall think just.

(3) The onus of proof that any carcass or meat seized was not intended for sale for human consumption, or that it had been branded or formed part of a carcass that had been branded in accordance with the provisions of this Act, shall be upon the complainant.

(4) In the event of no such complaint being made within forty-eight hours after such seizure, or of such seizure being confirmed, the carcass or the meat as to the seizure of which no complaint has been made, or the seizure of which has been confirmed, shall thereupon become the property of the Board: Provided that any carcass or any meat condemned by any inspector shall be disposed of as provided in section 61 hereof, or as the Secretary of the Board may direct.

(5) In the event of any person without the authority of the Board removing or taking away any carcass or meat so seized, such person, in addition to any other punishment to which he may be liable, shall be deemed and taken to be guilty of an offence against this Act.

(6) Any person who refuses to give information, or gives false information, in answer to any inquiry made in the course of his duty by any inspector or officer of the Board, member of the police force, or special or district constable shall be liable on conviction to a penalty of Five Pounds.

(7) It
PART IV.

Members of police force to report breaches of Act.

Penalty for refusing name and address.

Board may deliver or contract for the delivery of meat.

Blood, &c., to be rendered merchantable.

Meat slaughtered without the metropolitan abattoirs area to be inspected at abattoirs.

(7) It shall be the duty of every member of the police force and every special constable and every district constable who finds any person committing a breach of any of the provisions of this Act to demand from such person his name and place of abode, and to report the fact of such breach and the name and place of abode of such person as soon as may be to the secretary of the Board.

(8) Any person who refuses to state his name and place of abode or states a false name or place of abode, shall be liable on conviction to a penalty of Five Pounds.

68. The Board may deliver or contract for the delivery of meat slaughtered at the abattoirs, for such remuneration and upon such terms as it shall think fit.

69. The Board shall cause all by-products to be treated and rendered merchantable by means of desiccators, digesters, or such other means as the Board shall think fit.

70. It shall be the duty of the Board to cause all carcases slaughtered without the metropolitan abattoirs area, and brought to the abattoirs or other premises mentioned in section 54 for examination, to be examined by an inspector, upon payment of such reasonable fees as shall be from time to time fixed by the Board, and if upon such examination such carcases shall be found to be free from disease the inspector shall give a certificate in writing to that effect, and brand the same, but if found to be diseased the same shall be retained and disposed of in manner mentioned in section 61: Provided that no such examination shall be made, or certificate given, or brand implanted in respect of any such carcase unless there is attached thereto in natural connection when brought for examination the pleura and the peritoneum, lungs, heart, kidneys, tongue, and such other organs as are prescribed, and, in the case of cows, the udder also: Provided also that the carcases of stock (with the exception of calves) may be cut in halves.

PART V.

MARKETS FOR STOCK.

71. The Board is hereby authorised and empowered to erect and establish markets for the sale of stock on land to be acquired, together with all such railway sidings, buildings, pens, yards, races, plant, works, machinery, and appurtenances as the Board may consider necessary, and from time to time to alter, remove, and extend the same, and the Board may, if it think fit, lease the existing markets for stock, and the buildings and appurtenances connected therewith situated on North Terrace and on the park lands within the City of Adelaide, and may purchase and remove all or any part of such buildings and appurtenances.

72. Forthwith after leasing the existing markets and also after the erection of new markets for the sale of stock, the Board shall give
give public notice that such markets respectively will be available for the sale of stock on and after a day to be specified in such notice; and it shall be the duty of the Board to have such markets then and thereafter available accordingly, but the leased markets shall only remain markets for the sale of stock until such new markets are erected.

73. After the date specified in any notice given under the next preceding section, the control of the markets for stock by the Corporation of the City of Adelaide shall cease, and all Proclamations in the Government Gazette respecting the same shall be of no further force or virtue and the markets established, erected, or leased by the Board in pursuance of this Act shall be public markets for the sale of stock, and shall be under the control of the Board, and no other markets for the sale of stock shall be established, erected, or proclaimed within the metropolitan abattoirs area, any provision to the contrary in any Act of Parliament notwithstanding.

74. All by-laws and regulations affecting the said slaughter-house and the markets for stock, hitherto controlled by the Corporation of the City of Adelaide, and which are in force at the time of the passing of this Act, shall have full force and effect as regards such slaughter-house and markets, as well as the abattoirs and markets to be established by the Board under this Act, until by-laws and regulations are made under or in pursuance of this Act.

PART VI.

POWER TO TAKE LAND, ETC.

75. For the purposes of this Act the Board may compulsorily take land within the metropolitan abattoirs area (except park lands or public reserves and lands subject to the public right of way), and, with the consent of the Governor, land in any part in the State of South Australia.

76. Part XII. of “The Municipal Corporations Act, 1890,” shall, mutatis mutandis, apply in all cases where the Board requires land for works and undertakings as if the same were set out in this Act.

77. The Lands Clauses Consolidation Acts, except sections 110, 114, 115, 116, 117, and 118 of the Ordinance No. 6 of 1847, are incorporated with this Act, and shall take effect with regard to all works and undertakings which the Board is by any part of this Act authorised to construct, and the Board taking lands for such purposes shall be regarded as the promoters of an undertaking and this Act as the special Act within the meaning of such incorporated Acts: Provided that for the purposes of section 13 of Act No. 202 of 1881 there shall be deemed to be no such special Act.
PART VII.

EXTENSION OF THE METROPOLITAN ABATTOIRS AREA.

78. The Governor may, by Proclamation (subject to the proviso contained in section 10), upon a request in writing being made to him by any Municipal Corporation or District Council whose Municipality or District is contiguous to the metropolitan abattoirs area that it desires to become a constituent Corporation or Council, declare that such Corporation or Council, shall be a constituent Corporation or Council, and that the provisions of this Act shall, from a date to be mentioned in such Proclamation (such date being the commencement of a financial year) apply within the Municipality or District, or portion of the Municipality or District, to be also therein mentioned, of such Corporation or District Council. Such request shall define the Municipality or District or portion of the Municipality or District under the jurisdiction of such Municipal Corporation or District Council within which it is desired that the provisions of this Act shall apply, but no such request shall be made to the Governor until all terms and conditions are mutually agreed upon between the Board and the constituent Corporations and Councils for the time being affected by this Act, and the Municipal Corporation or District Council desiring to become a constituent Corporation or Council.

79. Such Proclamation shall define the Municipality or District or portion of the Municipality or District within which the provisions of this Act are to apply, and shall be published in the Government Gazette, and after the date therein fixed for the provisions of this Act to apply the Municipal Corporation or District Council named therein shall become a constituent Corporation or Council (as the case may be) and the Municipality or District or portion of the Municipality or District defined in such Proclamation shall form part of the metropolitan abattoirs area.

80. After the time fixed by Proclamation for this Act to apply to any Municipality or District or portion of any Municipality or District, all private abattoirs or slaughter-houses within the Municipality or District or portion of the Municipality or District defined in such Proclamation shall be closed by the owner, occupier, or person having the control or management thereof. And after such time as aforesaid no such Municipal Corporation or District Council shall, save as in this section provided, issue any licence or licences for the slaughtering of stock within such Municipality or District, or such portion thereof to which this Act shall be proclaimed to apply: Provided that this section shall not apply to any slaughter-house or abattoirs established, or to be established within the limits of its Municipality or District or such portion thereof as aforesaid, if such slaughter-house or abattoirs is or are used or intended to be used only for slaughtering stock for export, or for meat to be tinned or canned for export, or for curing bacon and hams.
PART VIII.
REGULATIONS.

81. The Board may from time to time make regulations for the purpose of carrying into effect all or any of the objects or purposes expressed or implied in this Act, or incidental thereto, or anywise in connection therewith; and without limitation of or derogation from the foregoing general power, the Board may also make regulations for all or any of the following purposes:—

(1) Prescribing the conditions on which stock may be received into or supplied or removed from the abattoirs:

(2) Prescribing the duties of inspectors, superintendents, clerks, mechanics, slaughtermen, and other officers and servants of the Board, and for regulating and enforcing the due performance of such duties:

(3) For licensing and registering persons engaged in tending and slaughtering stock, and in dressing carcasses at the abattoirs:

(4) Prescribing the time for slaughtering stock, for the feeding, watering, and tending, and the preventing of cruelty to and overcrowding of stock at the abattoirs, and for the milking of milk stock at the abattoirs:

(5) For examining stock and carcasses by inspectors and veterinary surgeons, and prescribing the mode of dealing with stock at the abattoirs when suspected of being affected with disease, and of dealing with carcasses and meat found to be so affected:

(6) Prescribing the mode of slaughtering animals and of flaying and dressing carcasses:

(7) For examining by inspectors the different parts of a carcass after slaughter at the abattoirs, and for preventing the parts of one carcass being mixed with those of another prior to examination:

(8) For examining by inspectors of carcasses slaughtered without the metropolitan abattoirs area, and for prescribing what organs must be attached to such carcasses of various animals, and how attached, and as regards the examining of carcasses elsewhere than at the abattoirs, prescribing the place at which and the days and times when such carcasses will be received for that purpose;

(9) For the branding or marking of carcasses and of any part thereof:

(10) Fixing the rates of slaughtering fees or of dues payable for the use of the abattoirs and of the markets, under Part V. of this Act, and of sustenance fees for stock:

(11) Fixing the fees for examining stock, for examining and branding of carcasses, and for giving certificates as to any
examination of stock or any carcass or meat made by or under the direction of an inspector:

(12) Prescribing the mode of removing condemned carcasses or meat, and of rendering the same unusable for human consumption, or for consumption by carnivorous or omnivorous animals, and of disposing of or destroying the same, and the fees payable in respect thereof:

(13) Prescribing the mode of removing, dealing with, and disposing of blood, offal, garbage, refuse matters, and manure from the abattoirs, and the disposal of hides, skins, hair, hoofs, and horns of stock slaughtered thereat:

(14) For securing the cleanliness and wholesomeness of carcasses or meat from the time of slaughtering the stock until the delivery of the same to the retail buyer:

(15) For securing the cleanliness and wholesomeness of casings used in the making up of small goods, and for preventing the admixture in small goods of substances deleterious to health:

(16) For maintaining the cleanliness of the abattoirs and of appliances used thereat, and the cleanliness of the clothing of persons engaged therein or slaughtering or dressing carcasses therein:

(17) For preventing persons affected with communicable disease being employed in the handling of carcasses or meat:

(18) For stopping temporarily the manufacture of and the sale of small goods in circumstances in which danger to the consumer is apprehended owing to uncleanliness, or to the presence of infection on, about, or near the premises where such manufacturing or sale is carried on:

(19) For maintaining the cleanliness of meat markets, meat stalls, butchers' shops, small goods manufacturing houses, or places used for selling, preserving, freezing, chilling, or storing meat, and premises appurtenant to any of such markets, stalls, shops, houses, places, and premises, and of appliances used thereat, and for the removing of blood, offal, garbage, refuse matters, and manure therefrom, and for maintaining the cleanliness of vehicles and receptacles used for conveyance of carcasses or meat:

(20) For prohibiting the carriage or delivery of meat in open vehicles:

(21) For regulating or prohibiting the hawking of meat in the metropolitan abattoirs area, or in any part thereof:

(22) For prohibiting the carriage of meat with other goods:

(23) For providing for the keeping of books recording the number of each kind of stock daily slaughtered and the brands and other particulars the Board may consider necessary:

(24) For
(24) For the general regulation and management of the abattoirs and markets for stock, for the cleansing, occupying, and using the same, or any parts thereof, for ordering and governing the persons appointed at such abattoirs and markets, and all other persons, coming and resorting thereto, the tolls, dues, and fees to be received thereat, the maintenance of good order therein, and all matters which concern or relate to such abattoirs and markets:

(25) For ordering and regulating the mode and conduct of proceedings at the meetings of the Board and its committees.

82. Any regulation may impose any penalty not exceeding Twenty Pounds for the breach or non-observance of the same or of any regulation, or in the case of a continuing breach, not exceeding Two Pounds for each day that the breach is continued.

83. All regulations made under this Act shall be subject to the approval of the Central Board of Health and the confirmation of the Governor, and when confirmed by the Governor shall be published in the Government Gazette, and shall thenceforth have the force and effect of law.

84. The Government Gazette containing any such regulations shall be conclusive evidence of the due making thereof.

85. (1) A person desiring to dispute the validity of a regulation may apply to the Supreme Court, upon affidavit, for a rule calling upon the Mayor to show cause why such regulation should not be quashed, either wholly or in part, for the illegality thereof.

(2) The said Court may make absolute or discharge the said rule, with or without costs.

(3) All regulations, unless and until so quashed, shall have the same effect as if enacted in this Act.

(4) No regulation shall be challenged or disputed in any other manner.

PART IX.
MISCELLANEOUS.

86. Every person commits an offence against this Act who directly or indirectly, by himself, his servant, or agent—

(1) Does anything declared by this Act to be unlawful:

(2) Fails to faithfully perform or observe any duty or obligation imposed by this Act:

(3) Prevents, obstructs, or hinders any employé, inspector, or other officer of the Board, or any member of the police force, or any special or district constable in the exercise of any power or function conferred by this Act.

87. (1) The
87. (1) The penalties referred to at the foot of any of the sections or subsections indicate that the contravention of the section or subsection, whether by act or omission, shall be an offence against this Act, punishable upon conviction by a penalty not exceeding the sum mentioned, and where there is no specified penalty for an offence against this Act, then, in case of such offence, the offender shall be liable, upon conviction, to a penalty of not exceeding Twenty-five Pounds.

(2) The minimum penalty for any offence against this Act shall be one-tenth of the maximum penalty for such offence, and in no case shall section 25 or 32 of "The Justices Procedure Amendment Act, 1883-4," apply or be brought into operation in any way in any proceedings under this Act or any regulation hereunder.

88. Whenever in any proceedings for a penalty in respect of any offence against this Act knowledge on the part of the defendant must be shown, such knowledge shall be presumed until the contrary is proved.

89. If default be made by any person in the payment of any fees, dues, tolls, or charges, the Board, or any person authorised by the Board, or the secretary, or any inspector in his own name, may, at any time after such default, recover the same by action in any Court of competent jurisdiction or by complaint before any Court of summary jurisdiction, or by distress upon any property at the abattoirs or the markets for stock respectively belonging to the defaulter in like manner as in the case of rent in arrear.

90. The abattoirs shall, subject to this Act, be under the provisions of "The Health Act, 1898."

91. All complaints and informations shall be heard and determined in a summary way before a Special Magistrate or any two or more Justices, and all penalties when recovered shall be paid over to the Board.

92. All complaints, informations, and legal proceedings may be preferred, prosecuted, or defended in the name of the Board, or of the secretary, or of any inspector employed by the Board.

93. All proceedings shall be instituted by the authority of the Board or the secretary. Every such authority may be either general or particular, and may be proved by the production of any writing purporting to be under the hand of the secretary.

94. It shall not be necessary in any legal proceedings to prove the existence or constitution of the Board or the appointment of the secretary, or of any inspector or officer of the Board, or any member of the police force, or any special or district constable, and a certificate under the hand of the secretary or the oath of any inspector.
spector or officer shall be sufficient evidence of the boundaries of
the metropolitan abattoirs area until the contrary be proved, and
any Proclamation or notice thereof in the Government Gazette shall,
unless shown to have been repealed, be conclusive evidence.

95. Copies of or extracts from any book sealed with the seal of
the Board and certified by the secretary to be true copies of or
extracts from such book, shall be received as sufficient evidence in
all Courts and before all Justices and tribunals of the contents of
such book, or of so much thereof as such extracts contain.

96. Any notice, summons, writ, or legal process whatsoever,
civil or criminal, may be served upon the Board, or upon any of the
constituent Corporations and Councils, by leaving the same at the
principal office of the Board, Corporation, or Council with some
officer or servant of the Board, Corporation, or Council.

97. (1) Every notice by this Act required to be given by or to
the Board shall be in writing, and signed by some duly authorised
person; and such notice shall be deemed to have been duly given if
left at the office or principal office of the Board, authority, or person
to whom the same is intended to be given, or the last known place
of abode in South Australia of such person, or if posted in a
prepaid registered letter, addressed to the Board, authority, or
person, at its or his office or principal office, or at the last known
place of abode in South Australia of such person.

(2) If such notice is so posted, it shall be deemed to have been
given at the last moment of the day on which the same ought to be
delivered at such office, or principal office, or such place of abode, in
the ordinary course of post.

98. Whenever it is necessary, on the hearing of any informa-
tion for any offence against the provisions of this Act, or against
any regulation hereunder, to prove service of any notice, an affidavit
of the service of such notice, sworn before a Commissioner for taking
affidavits in the Supreme Court, or a declaration of such service
made before a Justice of the Peace shall be sufficient proof of such
service.

99. Every order, summons, notice, or other such document
requiring to be authenticated by the Board, or by any of the con-
stituent Corporations and Councils, may, except when otherwise
provided, be sufficiently authenticated without the common seal of
the Board, Corporation, or Council if signed by a member of the
Board in the one case, or by two Councillors or the Town Clerk or
District Clerk in the other.

100. There shall be an appeal from any decision of any Special
Magistrate or Justices to the Local Court of Adelaide of Full
Jurisdiction.

101. Such
8° EDWARDI VII, No. 957.

The Metropolitan Abattoirs Act.—1908.

101. Such appeal shall be regulated by Ordinance No. 6 of 1850, and "The Justices Procedure Amendment Act, 1883-4," or any other Acts consolidating or amending the same.

102. Such Local Court may make any order as to costs as it shall think fit.

103. Such Local Court may state a special case for the opinion of the Supreme Court.

104. The Supreme Court shall deal with such special case according to the practice of the Supreme Court on special cases, and may make any order as to the costs of the proceedings in the Courts below.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

GEORGE R. LE HUNTE, Governor.
SCHEDULES.

THE FIRST SCHEDULE.
The whole of the area of jurisdiction of the District Council of Mitcham except the portion thereof lying to the south of a line drawn due east and west at a distance of five miles in a direct line due south of the General Post Office, Adelaide, the western end of such line being on the Southern Railway line, and from that point lying to the east of the said railway line to its most southerly point in the said area of jurisdiction, and thence lying to the east of a line drawn due south to the boundary of the said area of jurisdiction.

THE SECOND SCHEDULE.
ACTS REPEALED.

<table>
<thead>
<tr>
<th>Reference to Acts.</th>
<th>Title.</th>
<th>Extent of Repeal.</th>
</tr>
</thead>
<tbody>
<tr>
<td>No. 5 of 1840</td>
<td>An Act to regulate the Slaughtering and prevent the Stealing of Cattle</td>
<td>Sections 1, 2, 3, 4, 5, 6, 7, 8, 15, and 16 The whole</td>
</tr>
<tr>
<td>No. 2 of 1844</td>
<td>An Ordinance to authorise the levying of Fees on the Slaughtering of Cattle in South Australia</td>
<td>Sections 258 and 259 Sections 29 and 30</td>
</tr>
<tr>
<td>No. 419 of 1887</td>
<td>The District Councils Act, 1887</td>
<td>Sections 182 and 183, section 184 as regards the word &quot;slaughter-house&quot; only, and section 314 as regards all the words from and including &quot;For the regulation of slaughter-houses&quot; to and including &quot;therefore, or for slaughtering cattle&quot;</td>
</tr>
<tr>
<td>No. 863 of 1904</td>
<td>The District Councils Amendment Act, 1904</td>
<td>Subdivision XIII. of section 14, and section 15</td>
</tr>
<tr>
<td>No. 497 of 1890</td>
<td>The Municipal Corporations Act, 1890</td>
<td>Sections 95, 96, 97, 98, 99, 100, 101, 102, and 103</td>
</tr>
<tr>
<td>No. 833 of 1903</td>
<td>The Municipal Corporations Amendment Act, 1903</td>
<td></td>
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<tr>
<td>No. 711 of 1898</td>
<td>The Health Act, 1898</td>
<td></td>
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</tbody>
</table>

THE THIRD SCHEDULE.
FORM OF DEBENTURE.

"The Metropolitan Abattoirs Act, 1908."

The Metropolitan Abattoirs Board in consideration of the sum of pounds paid to the Board hereby binds itself to pay to the bearer for the time being of this debenture the sum of pounds, and to the bearer or bearers for the time being of the coupons annexed hereto interest upon the said sum at the rate of per centum per annum, such interest to be payable on the day of and the day of in every year, and the principal to be paid on the day of in the year or on such sooner day as shall be specified in notice given in pursuance of the above-mentioned Act for the redemption of this debenture.
The general rates of the constituent Corporations and Councils declared or hereafter to be declared under the authority of "The Municipal Corporations Act, 1890," and "The District Councils Act, 1887," and any other revenues received or to be received by such Corporations and Councils (except such as are exempted in clause 37 of "The Metropolitan Abattoirs Act, 1908,") and all the real and personal property of the Board, shall be a security to the bearer for the time being of this debenture until the said principal sum be satisfied, and to the bearer or bearers for the time being of the coupons annexed hereto until the interest upon the said principal as represented by such coupons by him or them held shall be satisfied.

This debenture is issued subject to the provisions of the last-mentioned Act, and in particular to the sections contained in Part III. of the Act.

Given under the seal of the Metropolitan Abattoirs Board this day of ________

The seal of the Metropolitan Abattoirs } Chairman.
Board was hereto fixed on the } (L.S.)
  date hereof in the presence of
    Secretory.

Countersigned

NOTE.—Interest and principal payable at the office of the Board in Adelaide, or at such bank or other place as may be appointed by notice to be given in The South Australian Government Gazette.

COUPON.

SOUTH AUSTRALIA.

Coupon for £ ________ the day of ________ for half-year's interest due on ________ day of ________ payable to bearer at ________.

  (Seal.)
Chairman.

Countersigned

Secretary.

Adelaide: By authority, C. E. Bristow, Government Printer, North Terrace.