



ANNO VICESIMO QUARTO ET VICESIMO QUINTO

# VICTORIÆ REGINÆ.

A.D. 1861.

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## No. 12.

*An Act to enable the Governor to prevent the importation of Cattle into South Australia, under certain circumstances, and for other purposes.*

[Assented to, 29th November, 1861.]

**W**HEREAS certain fatal and contagious diseases sometimes Preamble. prevail amongst cattle, and it is desirable to prevent the spread of such diseases amongst the cattle in the Province of South Australia, and for that purpose to prevent the importation of cattle into the said Province from any place where any such contagious or fatal diseases prevail, and to make the provisions hereinafter contained—Be it therefore Enacted, by the Governor-in-Chief of the Province of South Australia, with the advice and consent of the Legislative Council and House of Assembly of the said Province, in this present Parliament assembled, as follows:

1. It shall be lawful for the Governor from time to time, and at any time hereafter, with the advice and consent of the Executive Council, by Proclamation in the *South Australian Government Gazette*, to prohibit the introduction or importation of any cattle, or any particular description of cattle into the said Province from such places, and during such time, as shall be set forth in any such Proclamation, and to alter or revoke any such Proclamation; and if, during the time when any such Proclamation shall be in force, any person shall import or introduce into the said Province any cattle, or shall cause, suffer, or permit any such cattle to be landed in the said Province, or driven over the boundary of any other Colony or Province into the said Province, in opposition to the terms of any Governor, by Proclamation, may prohibit the importation of cattle.

any such Proclamation, such person shall be liable to a fine not exceeding Five Hundred Pounds, and also to be imprisoned, with or without hard labor, for any period not exceeding six calendar months, and such cattle shall be forfeited to Her Majesty.

Diseased cattle may be destroyed.

2. Any cattle infected with any contagious disease may, during the period when any such Proclamation shall be in force, be shot or otherwise destroyed by any Constable, Crown Lands Ranger, or other person duly authorized by the Commissioner of Crown Lands.

Persons offending may be apprehended by any person.

3. Any person offending against the provisions of this Act, or of any Proclamation issued in pursuance of this Act, may be apprehended by any person, and taken before the nearest Justice of the Peace for the said Province.

Summary procedure.

4. All proceedings under this Act may be taken in a summary way before any two or more of Her Majesty's Justices of the Peace for the said Province.

Interpretation.

5. The word "Cattle" shall extend to and include horses, horned cattle, and sheep of whatever age or sex.

Indemnity clause.

6. And whereas the Commissioner of Crown Lands did, on the twenty-first day of September, one thousand eight hundred and sixty-one, give instructions that no cattle should be allowed to enter the said Province, from the Colonies of New South Wales and Victoria, or either of them; and that, if any cattle had entered the said Province as aforesaid, on or since the said twentieth day of September, they should be driven out of the said Province; and that, if the said cattle could not be driven out as aforesaid, then that any of the said cattle that might be found to be affected with the disease known as pleuro-pneumonia might be shot, or otherwise destroyed: Be it further enacted, that the said Commissioner of Crown Lands, all Officers of Police, Crown Lands Rangers, and other persons who may have been aiding the said Officers of Police and Crown Lands Rangers, shall not be liable to, and are hereby indemnified and protected against any action, claim, or damages, to which he, they, or any of them, might otherwise have been liable by reason of giving or carrying into effect the said instructions, or any of them, or by reason of any act *boná fide* done under color of such instructions.

In the name and on behalf of the Queen I hereby assent to this Act.

RICHARD GRAVES MACDONNELL,

Governor.

Government House, Adelaide,  
29th November, 1861.