The document is an Act of the Parliament of South Australia, known as the Public Health Act, passed on December 18, 1873. It is titled 'No. 22. An Act to make provision for the Preservation and Improvement of the Public Health.' The Act outlines provisions for the preservation and improvement of public health, including definitions for terms such as 'Chief Secretary,' 'Province,' 'town,' 'person,' and 'owner.' It also specifies the date of operation as January 1, 1874.
entitled to receive, whether on his own account or as the agent of or trustee for any other person, the rent of the land, building, or other premises in connexion with which the word is used, or who would be entitled to receive the same if the lands or premises were let at a rent:

The word "land" shall mean and include messuages, buildings, lands, and hereditaments of every tenure, also rivers, streams, wells, and waters of every description, also easements of every description held and enjoyed with such land:

The word "drain" shall mean and include any drain of and used for the drainage of one building only or premises within the same curtilage, and made merely for the purpose of communicating therefrom with a cesspool or other like receptacle for drainage, or with a sewer into which the drainage of two or more buildings or premises occupied by different persons is conveyed:

The word "sewer" shall mean and include sewers and drains of every description, except drains to which the word drain interpreted as aforesaid applies:

The words "abattoir" and "slaughtering-house" shall mean and include the buildings and places commonly called abattoirs and slaughter-houses, and also knackers' yards, and any building or place habitually used for slaughtering therein cattle, horses, or animals of any description:

The word "cesspool" shall mean and include any watertight receptacle for night soil below or above the ground.

3. This Act, or any sections thereof, shall apply to every town; and shall also apply to such places as the Governor shall, in pursuance of the provisions hereinafter contained, direct that this Act, or such sections thereof, shall apply.

4. The Governor shall appoint any number of persons, not more than seven nor fewer than four, to be a Board for superintending the execution of this Act. Such Board shall be called the Central Board of Health; and shall have all the powers vested in, and discharge all the duties imposed upon, such Board by this Act. The chairman of the Central Board, who shall be called the President of the Central Board of Health, together with any other three members thereof, shall be a quorum, and may exercise all or any of those powers, and discharge all or any of those duties. At all meetings of the Central Board the chairman shall have a deliberative vote, and if, upon any division taking place, the votes shall be equal in number, the chairman shall, upon every such occasion, have and shall give a casting vote. During any vacancy (whether of the office of chairman or not) in the Central Board, the continuing members, not being fewer than four, may act as if no vacancy had occurred; and if the vacancy shall happen to be in the office of chairman, may select one of themselves to be their chairman, and
the member so selected shall hold office only until the Governor shall have appointed another chairman of such Board. Such selected chairman shall, during his tenure of office, possess all the powers vested in, and discharge all the duties imposed upon, the permanent chairman of such Board by this Act.

5. The Governor shall appoint one of the members of the Central Board to be the chairman thereof. Every such chairman shall be remunerated by a fixed salary. Every other member of the Central Board shall be paid for each attendance at its meetings a fee of not exceeding One Guinea.

6. The Governor may appoint a secretary, inspectors, and such other officers of the Central Board as he may deem necessary for the purposes of this Act.

7. The said Board shall, subject to the approval of the Governor, from time to time make such rules, orders, and regulations as it may deem proper, or he shall direct, for the execution of its powers and the discharge of its duties, and for carrying out the provisions of this Act in every particular: Provided that none of such rules, orders, and regulations shall be contrary to any law. They shall be published in the Government Gazette, and from the date of such publication shall have the force of law.

8. Every document whatever, purporting to be issued or written by or under the direction of the said Board, and purporting to be signed by the secretary of the Board, shall be received in all courts and, without further proof, shall be deemed to have been duly issued or written by or under the direction of the said Board unless the contrary is shown.

9. All expenses incurred by the Central Board of Health, with the authority of the Chief Secretary, and all the salaries of its officers shall be defrayed out of the moneys that may from time to time be appropriated by Parliament for the purposes of this Act.

10. The Council of each town shall be and is hereby constituted the Local Board of Health for that town.

11. From and after the coming into operation of this Act, the one hundred and fifty-first section of "The Municipal Corporations Act, 1861," shall be read as if the words "and of 'The Public Health Act'" had been added thereto immediately after the last word thereof.

12. Notwithstanding the provisions contained in the one hundred and sixty-fourth section of "The Municipal Corporations Act, 1861," the Council of each town, without the consent of the ratepayers, and in addition to the rates which it is by that section authorized to declare, may declare and cause to be collected such other rate as may
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may be deemed by it proper (not exceeding One Shilling in the Pound in any one year) for effectually carrying out the purposes and provisions of this Act.

13. From and after the coming into operation of this Act the one hundred and seventy-sixth section of "The Municipal Corporations Act, 1861," shall be read as if the words "and of such further expenses as shall be properly incurred in carrying into effect the provisions of 'The Public Health Act'" had been added thereto immediately after the last word thereof.

14. The Governor may from time to time define by specific boundaries any place not being a town to which it shall be deemed expedient that this Act, or any sections thereof, shall apply; and may direct that this Act, or such sections thereof, as the case may be, shall apply thereto; and every such direction shall be published in the Government Gazette, and this Act or such sections thereof, as the case may be, shall apply to such place from the date of such publication: Provided that each such place shall be conterminous with or comprehended within some district established under the "District Councils Act, 1858," or any Act amending the same.

15. The Central Board of Health may, in writing, on proper representation being made and verified by any of their officers, direct any owner or occupier of any premises not included in any district where a Local Board of Health has been appointed, to do any act, matter, or thing for the removal, abatement, or prevention of any nuisance, or for any of the other purposes of this Act, within a time specified therein: And if such owner or occupier shall neglect to obey the said order he shall be summoned to appear before any two Justices of the Peace, and be liable to a penalty as provided in section 54 of this Act.

16. The Governor, whenever he directs that this Act, or any sections thereof, shall apply to any such place as in the preceding section is mentioned, shall appoint any number of persons not more than five nor fewer than three to be a Local Board of Health for such place, and shall appoint one of such persons to be the chairman thereof. The persons so appointed shall thereupon become the Local Board of Health for that place, and shall have all the powers vested in, and shall discharge all the duties imposed upon, such Board by this Act, or by such sections thereof as the Governor shall have directed to apply to that place. The chairman, together with any other two members of such Board, shall be a quorum, and may exercise all or any of those powers and discharge all or any of those duties. At all meetings of each Local Board of Health the chairman thereof shall have a deliberative vote, and if, upon any division taking place, the votes upon each side shall be equal in number, the chairman shall upon every such occasion have, and shall give, a casting vote. During any vacancy (whether of the office of chairman or not) in any such Local Board, the continuing members, not being
being fewer than three, may act as if no vacancy had occurred, and (if the vacancy shall happen to be in the office of chairman) may elect one of themselves to be their chairman, and the member so elected shall hold office only until the Governor shall have appointed another chairman of such board. During his tenure of office such elected chairman shall possess all the powers vested in, and discharge all the duties imposed upon, the permanent chairman of such Board by this Act.

17. Before the month of May in the year one thousand eight hundred and seventy-four, and before that month in every succeeding year, the Local Board of Health of every place other than a town shall estimate and ascertain as nearly as may be the amount of the sums of money which it shall find necessary for the purposes of this Act for the twelve months next following the thirty-first day of May in each year, and the chairman of each such Board shall certify such estimate under his hand, and shall, before the first day of May in the year one thousand eight hundred and seventy-four and before the first day of May in every succeeding year, transmit a copy thereof to the clerk of the Council of the district in which such place is situate. The Council of such district shall add the amount of such estimate to the amount of the rate which it shall next make, and the aggregate amount shall be and be deemed to be a rate duly made by such Council under the "District Councils Act, 1858;" and such Council shall, and it is hereby empowered and required to, collect and levy the same accordingly. Before the end of the month of September in each year the Council of such district shall pay to such Local Board of Health the sum of money mentioned in such estimate: Provided always, that whenever, after such an estimate has been made, circumstances happen in any place other than a town which, in the judgment of the Local Board of Health thereof, render it proper for the purposes of this Act to expend during such year moneys in excess of the amount of such annual estimate, it shall be lawful for the Treasurer of the Province for the time being, with the approbation of the Governor, to advance the amount of such excess to such Local Board upon the request thereof, and the amount so advanced shall be included by such Local Board in the next estimate made by it, and shall, when received by such Local Board, be repaid to the Treasurer of the Province for the time being.

18. Whenever any District Council having received from the Chairman of a Local Board of Health a copy of the estimate for that year, has not before the thirtieth day of September in such year levied and collected the amount specified therein, the Central Board of Health may pass a resolution to the effect that the Central Board will levy and collect that amount, and shall cause a copy thereof, addressed to the clerk of such District Council, to be delivered to him, or left at the office thereof. If Local Board does not duly levy and collect, Central Board may resolve to do it.

19. On the expiration of seven days after the time at which the last-mentioned copy has been so delivered or left, all the powers and
and authorities enabling such District Council to levy and collect the amount of such estimate shall absolutely cease and determine, so far as regards the levying and collection thereof, unless, and until the Central Board shall have rescinded such resolution, and until such resolution has been rescinded the Central Board may, and it is hereby empowered to, levy and collect such amount, and to make a rate for that purpose, and to do all other acts necessary and proper for enabling the Central Board to make, levy, and collect such rate.

20. Every person having in his custody, power, or control, the assessment book in force in such district for the then current year, shall, on production to him of a written order, signed by the chairman of the Central Board, for them to produce to the person named in such order in that behalf, such assessment book, and permit him to take extracts therefrom, or a copy thereof, and shall be liable to a penalty not exceeding the sum of Ten Pounds for every day during which he shall refuse, omit, or neglect to produce such assessment book to the person named in such order.

21. The Central Board may thereafter make, on the rateable property included in such assessment, a rate sufficient to produce the amount of such estimate and all the costs of making, collecting, and levying such rate, and shall publish in the Government Gazette a notice that such rate has been made.

22. On and after the expiration of fourteen days from the publication of such notice, the Central Board may levy and collect such rate, which may be recovered, by and in the name of the Central Board of Health, primarily from the person appearing in the assessment book as the occupier of any rateable property, or the owner of any unoccupied rateable property; or the rate may be recovered at any time after a demand from any person in possession of the property at the time when the rate is demanded; and if at any time the property is vacant, or there be no sufficient distress, the owner shall be liable, and any person in the actual receipt of the rents or profits of any rateable property, shall, whether acting as agent for some other person or otherwise, be considered and liable as owner.

23. The Central Board may nominate and appoint persons to levy and collect such rate, and shall possess and enjoy all the powers for the recovery thereof which are conferred on such District Council by the "District Councils Act, 1858," and by any Act amending the same.

24. So soon as such rate has been levied and collected, the Central Board shall pay to the Local Board of Health, which is entitled thereto, the amount of the said estimate.

25. The powers and remedies hereinbefore conferred on the
Central Board, to make, levy, collect, and recover such rate, shall be in addition to all other powers and remedies which the Central Board, or any Local Board of Health, may have for enforcing payment of the amount estimated to be required by any such Local Board under section 17 of this Act.

26. Each Local Board of Health shall from time to time appoint such officers and servants as may be necessary for the due carrying out by it of the provisions of this Act, and shall make such rules specifying the duties of the officers and servants so appointed and employed as it may deem necessary; and may remove such officers or servants as and whenever such Board may see fit; and each Local Board of Health shall direct to be paid to its officers and servants such wages, salaries, or allowances as it may deem reasonable, and may pay the same and all other expenses incurred by it in the due execution of this Act, out of the moneys which such Local Board shall receive for the purposes of this Act.

27. Each Local Board of Health shall, whenever the Central Board of Health requires it so to do, appoint, subject to the approval of the Central Board, a fit and proper person being a legally qualified medical practitioner, or a properly qualified analytical chemist, to be called the "Officer of Health," who shall be removable by such Local Board, with the permission of the Central Board, and shall perform such duties and in such manner as the Central Board may from time to time by written instructions issued by it direct; and the Local Board of every town and other place shall direct such remuneration as it may see fit to be paid to such health officer out of such moneys, and in the same manner as herein is directed in reference to other officers or servants thereof.

28. No member, officer, or servant of the Central or of any Local Board shall be concerned or interested directly or indirectly in any bargain or contract entered into by such Central or Local Board respectively; and if any such member, officer, or servant is so concerned or interested, or under color of his office or employment exacts, takes, or accepts, any fee or reward whatsoever other than his proper salary, wages, remuneration, and allowances, he shall be incapable of afterwards holding or continuing in any office or employment under this Act, and shall for each such offence incur a penalty not exceeding Fifty Pounds.

29. Each Local Board of Health shall from time to time make such rules, orders, and regulations in writing for efficiently carrying out this Act as it may deem fit, provided that such rules, orders and regulations are not repugnant to any law in force in the Province, and such regulations may be confirmed and published in manner hereinafter mentioned: Provided also that such regulations may be made to apply to and to have operation in the whole or any part of the town or other place in which such Local Board has jurisdiction, and that such orders may be addressed to one or more of the owners or occupiers within the jurisdiction of the Local Board which made the same.

30. Each
30. Each Local Board, by the regulations so to be made, may impose such penalties, not exceeding Ten Pounds, as it thinks fit, for every breach of any such regulations; but every such regulation shall be framed so as to allow the Justices before whom any penalty imposed thereby is sought to be recovered, to order the whole or part only (not being less than Five Shillings), of such penalty to be paid.

31. No regulation made by a Local Board under the authority of this Act shall be of any force until it has been confirmed by the Central Board, which is hereby empowered to allow or disallow the same, as it thinks fit; and no such regulation shall be confirmed unless notice of the intention to apply for a confirmation of the same shall have been given, as in the next following section is provided, by the Local Board in the town or other place for which such regulation has been made.

32. For one month at least previous to any such application for confirmation of any regulation, a copy of the proposed regulation shall be kept at the office of the Local Board, and all persons may at reasonable times inspect such copy without fee; and the Local Board shall furnish every person who applies for the same with a copy thereof, or of any part thereof, on payment of sixpence for every one hundred words so to be copied; and a notice of the intention of the Local Board to apply for the confirmation thereof shall, during such month, be given at least once in each week in some newspaper circulating in such town or other place. Every regulation, when confirmed, shall, before coming into operation, be published in the Government Gazette, and from the date of such publication shall have the force of law.

33. The production of a document purporting to be a copy of any rule, regulation, order, authority, consent, or notice, and purporting to be authenticated by the seal of any Local Board which is a corporate body, or by the signature of the chairman of any other Local Board, shall, unless the contrary is shown, be evidence of the existence and of the due making or giving of such rule, regulation, order, authority, consent, or notice, as the case may be.

34. If any person shall deem himself aggrieved by any regulation of any Local Board of Health, such person may address a memorial thereon to the Central Board, stating the grounds of his complaint and the manner in which he may be prejudiced by such regulation; and the said Central Board may (notwithstanding any previous confirmation or allowance thereof), reverse and rescind, or vary, such regulation, as to it shall seem fit.

35. Whenever any Act now or hereafter to be in force relating to any town or other place, and this Act contain provisions for effecting the same or a similar object, but in different modes, the Local Board of Health of such town or other place may proceed under such first-mentioned Act, or under this Act.

36. The
36. The Central Board of Health may, in writing, direct any Local Board of Health to do any act which such Central Board may deem necessary or proper for carrying out effectually the purposes of this Act, and which such Local Board may lawfully do; and in every such written direction shall be specified a time within which such act shall be done. If such act is not done within such specified time the Central Board may obtain, by an *ex parte* application made to any Judge of the Supreme Court of the Province, a summons, calling upon the chairman of such Local Board to state why such act has not been done, and to show cause why such Local Board should not be ordered to do it forthwith, or as soon as it conveniently can; and upon such chairman appearing or omitting to appear in obedience to such summons, the Judge who granted such summons (or, in his absence from Court, any other of the said Judges) may, upon the application of the Central Board, make such order, both as to costs and otherwise, as shall seem to him just and proper to carry out in the most efficient manner the provisions of this Act.

If any act directed in such order to be done by the Local Board named therein be not done within the time specified in that behalf in such order, the Central Board may pass a resolution to the effect that the Central Board will do such act, and shall cause a copy thereof, addressed to the chairman of such Local Board, to be delivered to him, or left at the office thereof.

37. On the expiration of seven days after the time at which the last-mentioned copy has been so delivered or left, all the powers and authorities enabling such Local Board to do the act specified in that resolution shall, so far as regards the doing of that act, absolutely cease and determine, unless and until the Central Board shall rescind the resolution, and until it has been rescinded the Central Board may and it is hereby empowered to do such act, at the expense in all things of the defaulting Local Board; and for the purpose of enabling it to do that act, the Central Board shall, until such act has been done, or such resolution has been rescinded, but no longer, possess and enjoy all the powers and authorities which the Local Board possessed and enjoyed on that behalf at the time of the receipt of such copy.

38. The powers and authorities conferred by the next preceding section on the Central Board, shall be in addition to all other powers and authorities and remedies which it or any person may possess or be entitled to for enforcing the doing of such act.

39. It shall be lawful for the said Judges, or any two of them, to make any such general rules and orders for the effectual execution of section 36 of this Act, and of the intention and object thereof as to them shall seem expedient.

All such rules shall forthwith after the making thereof be published in the Government Gazette, and shall be binding and in force from the date of such publication.

40. Every
40. Every Local Board shall make a report to the Central Board, during the months of January and July in every year, and at such other times, and in such form as the Central Board shall direct, in regard to the health, cleanliness, and general sanitary state of the town or other place for which such Local Board is established; and such report shall contain a statement of all works executed, and proceedings taken by such Local Board during the period to which such report relates.

41. Upon the appearance of any epidemic, endemic, or contagious disease, or any indications thereof, or of any peculiar circumstances or occurrences involving or affecting, or likely to involve or affect the sanitary condition of any town or other place, the Local Board thereof shall immediately report the same to the Central Board; and such report shall be accompanied by such remarks, evidence, or information, as such Local Board may possess or can acquire in regard to the disease, locality, or other facts that may have come to its knowledge, and may tend or appear to tend towards the better or more full comprehension of the disease, indications, occurrences, or circumstances so reported, and of the nature and cause thereof.

42. Upon the receipt of any such last-mentioned report from any Local Board, the Central Board of Health shall forthwith consider it, and shall then transmit the same to the Chief Secretary, accompanied by such information, remarks, and suggestions as such Central Board deems fit or desirable under the circumstances to make:

The Central Board shall make reports upon and transmit information respecting the public health to the Chief Secretary, in such form and at such times as the Chief Secretary shall direct.

43. The Governor may make Orders in Council, directing that the provisions hereinafter contained for the prevention and mitigation of epidemic, endemic, and contagious diseases be put in force in the Province, or in such parts thereof, or in such towns and other places therein, as in such orders respectively may be expressed:

The Governor may make such Orders, as may seem to be necessary for the purpose of prohibiting or regulating the introduction into the Province from any country or Colony, or part of a country or Colony (in which respectively any disease in sheep, cattle, horses, swine, or other animals of the same or any other kind or kinds whatsoever is known to exist), of all sheep, cattle, horses, swine, or other animals of the same or any other kind or kinds whatsoever, or of meat, skins, hides, horns, hoofs, or other parts of any animals, or of hay, straw, fodder, clothes, or other articles likely to propagate amongst men or animals any infectious or contagious disease whatsoever:
The Governor may also make such Orders, as may seem to be necessary for the purpose of prohibiting or regulating the mode and time of the removal to or from such parts or places within the Province as may be designated in any such order, of all sheep, cattle, horses, swine, or other animals of the same or any other kind or kinds whatsoever, or of meat, skins, hides, horns, hoofs, or other parts of any animals, or of hay, straw, fodder, clothes, or other articles likely to propagate amongst men or animals any infectious or contagious disease whatsoever:

All Orders for any of the purposes hereinbefore in this section mentioned shall have the like force and effect as if the same had been inserted in this Act; and every person offending against any order made under the authority of this section shall for each and every offence forfeit and pay a penalty not exceeding Fifty Pounds, or such smaller sum as the Governor may in any case by such Order direct.

44. After the issuing of any such Order as is in the first part of the last section mentioned, and whilst the same shall continue in force, the Central Board of Health may issue such regulations as it shall think fit to mitigate as far as possible the effect, and to prevent and check the spread of, such epidemic, endemic, or contagious diseases.

The said Board may, by such regulations, provide for the effectual cleansing of streets and public ways and places by those entrusted by law with the care and management thereof, or by the owners of houses and tenements adjoining thereto; for the cleansing, purifying, ventilating, and disinfecting of houses, dwellings, churches, schools, places of assembly or entertainment, and all other buildings by the owners or persons having the care and ordering thereof; for diminishing, lessening, and regulating the number of the inmates and occupants of lodging-houses or other public buildings; for causing public and private privies, waterclosets, and earthclosets to be established and properly constructed and maintained in any town or other place, and in any house, or other building; for the removal of nuisances; for the speedy interment of the dead; and generally for preventing the spread, and mitigating the effect of such epidemic, endemic, or contagious diseases in such manner as to it may seem expedient. The said Board may, by such regulations, authorize, require, and direct any Local Board of Health or officers specially appointed for that purpose to superintend and see to the execution of any such regulations, and to provide for the dispensing of medicines, and for affording to persons afflicted by or threatened with such epidemic, endemic, or contagious diseases such medical aid as may be required, and to do and provide all such acts, matters, and things
things as may be necessary for executing or superintending and aiding in the execution of such regulations; and such regulations shall extend to all parts, towns, or places included in any Order to be issued by the Governor as aforesaid, unless such regulations shall be expressly confined to some of such parts, towns, or places, and shall continue in force until such Order be rescinded in the parts, towns, or places to which such regulations shall extend.

45. If any candle-house, melting-house, melting-place, or soap-house, or any fellmongery, slaughter-house, or any building or place for boiling meat, offal, or blood, or for boiling, burning, or crushing bones, or any manufactory, building, or place used for any trade, business, process, or manufacture whatsoever causing effluvia, whether established before or after the application of this Act to the town or other place in which the same is situated, be at any time thereafter certified to the Central Board of Health, or any Local Board of Health by any medical officer, or any two legally qualified medical practitioners, or by any six householders, or by a qualified analytical chemist appointed by the Central Board, to be a nuisance, or offensive to the inhabitants of the neighborhood, or others living adjacent thereto, or so near as to be affected by the influence thereof, or injurious to their health, the Central Board of Health, or the Local Board of Health, shall cause to be summoned before any two Justices the person by or in whose behalf the work so complained of is carried on:

Those Justices shall inquire into such complaint, and if it shall appear to them that the trade or business carried on by the person complained against is a nuisance or causes any effluvia or fumes offensive to the inhabitants of the neighborhood, or others living adjacent thereto, or so near as to be affected by the influence thereof, or injurious to their health, and that such person has not used the best practicable means for abating such nuisance or counteracting or destroying such effluvia or fumes, the person so offending (being the owner of the premises, or being a foreman or other person employed by such owner) may be convicted by the Justices of such offence, and shall, upon a summary conviction for such offence, forfeit and pay a sum of not more than Five Pounds, nor less than Forty Shillings, and upon a second conviction for such offence, the sum of Ten Pounds, and for each subsequent conviction, a sum double the amount of the penalty imposed for the last preceding conviction; but the highest amount of such penalty shall not in any case exceed the sum of Two Hundred Pounds: Provided always, that the Justices may suspend their final determination in any such case upon condition that the person so complained against shall undertake to adopt within a reasonable time, to be fixed by such Justices, such means as
as the said Justices shall judge to be practicable, and shall order to be carried into effect for abating such nuisance or mitigating or preventing the offensive or injurious effects of such effluvia or fumes:

Every distillery, manufactory, brewery, slaughter-house, and every establishment for the boiling, preserving, or preparing of any animal matter, shall be provided with a cesspool or reservoir for the receipt and deposit of the refuse of such works so far as the same is offensive or dangerous to the health of persons living in the vicinity; and such cesspool or reservoir shall be periodically emptied of its contents and kept continuously in an inoffensive and cleanly a condition as possible, and shall be kept covered if the Local Board of the town or other place in which it is situate shall so direct, and it shall not be lawful to empty or suffer to flow into any surface drain or running fresh water stream the contents of such cesspools or reservoirs aforesaid; and the owner or occupier of every such distillery, manufactory, brewery, slaughter-house, or establishment aforesaid may be compelled, by order in writing of such Local Board, to use the best practicable means for rendering such refuse inoffensive or innnoxious before the same is discharged.

46. Upon the certificate of the officer of health, or of any two legally qualified medical practitioners, to any Local Board of Health that any house or part thereof, or any outbuilding connected or used therewith, and situate in the town or other place in which such Board acts, is in such a filthy or unwholesome condition that the health of any person is affected or endangered thereby, or that the whitewashing, cleansing, or purifying of any house, outbuildings, or part thereof would tend to prevent or check the spread of infectious or contagious disease, such Local Board shall give notice in writing to the owner of such house, outbuilding, or part thereof, to whitewash, cleanse, or purify the same, as the case may require. If the person to whom notice is so given fails to comply therewith within such time as shall be specified in the said notice, the Local Board may cause proceedings to be instituted against such person for an offence against this Act, and may cause such house, outbuilding, or part thereof, to be whitewashed, cleansed, or purified; and the expenses incurred by such Local Board in so doing, shall be repaid by the owner, and recovered as hereinafter mentioned.

47. The Local Boards of Health, within their respective jurisdictions, shall cause all sewers and drains to be kept so as not to be a nuisance or injurious to health, and to be properly cleared, cleansed, and emptied; and for the purpose of clearing, cleansing, and emptying the same, may construct and erect such works as may be necessary, and may cause all or any of such sewers to communicate with and be emptied into such places, the same not being a fresh water running stream, as they may deem fit or necessary; and no person shall, without the consent of the Local Board, cause any private drain or sewer to be emptied or flow into any public drain or sewer under the
the control of such Local Board, nor do any act, matter, or thing which shall, in the opinion of such Local Board, tend to the injury or stoppage of any such drain or sewer.

48. The contents of any watercloset, earthclosel, privy, or cesspool shall not, nor shall any part thereof, be permitted to overflow, or leak, or soak therefrom: And every cesspool that is not watertight shall be deemed to be a nuisance, and injurious to health.

Each Local Board shall provide that all drains whatsoever, and the waterclosets, earthclosel, privies, cesspools, and ashpits within its jurisdiction shall be constructed and kept in such a manner that the same shall not, nor shall the contents thereof, be a nuisance, or injurious to health, and that there shall be no overflow, leakage, or soakage therefrom; and may, upon the written application of any person showing that any such drain, watercloset, earthclosel, privy, cesspool, aspit, or other matter is, or that the contents thereof are, a nuisance or injurious to health, or on the report of the inspector or other officer of the Local Board, that such drain, watercloset, earthclosel, privy, cesspool, aspit, or other matter is not constructed or kept, or that the contents thereof are not kept according to this Act or any regulation or Order made in that behalf, and after twenty-four hours' notice in writing, or in case of emergency without any notice, to the occupier of the premises of which complaint shall be made by themselves, or by an officer or servant of such Board, make entry upon and examine such premises, and cause the ground to be opened, or do any other necessary act to examine any drain, watercloset, earthclosel, privy, cesspool, aspit, or other place, and the contents thereof:

If such drain, watercloset, earthclosel, privy, cesspool, aspit, or other place shall be found to be in proper order and condition, the Local Board shall cause the ground to be closed, and any damage done to be made good as far as can be at the expense of such Local Board; but if any drain, cesspool, watercloset, earthclosel, privy, aspit, or other place shall be found to be in bad condition, or require alterations or amendment, the ground shall be closed up and notice in writing given by such Local Board to the owner requiring him to make such alteration or amendment within a time to be named in such notice; and if such owner shall fail to comply with such notice, it shall be competent for the Local Board either to cause such alteration or amendment to be executed at the expense of the owner of such premises, or to cause proceedings to be instituted against such owner, for an offence against this Act.

49. No person shall suffer any waste or stagnant water to remain in any cellar or premises in or about his dwelling-house for twenty-four hours after a written order to remove the same has been served upon
upon him by the Local Board of Health of the town or other place which such house is situate, or its officer:

Each Bocal Board of Health shall cause to be drained, cleansed, covered, or filled up all ponds, pools, open ditches, sewers, drains, and places used for the collection of any drainage, filth, water, matter, or thing of an offensive nature, or likely to be prejudicial to health, and situate within its jurisdiction, by making and serving an order in writing upon the person using the same or permitting the same to be used for any such purpose, or upon the overseer, or owner, of any premises whereon the same are so used, requiring him, within a time to be specified in such order, to drain, cleanse, cover, or fill up any such pond, pool, ditch, sewer, drain, or place, or to construct a proper sewer or drain for the discharge thereof, as the case may require.

If the person to whom any such order as is in this section mentioned is lawfully given fails to comply therewith, the Local Board by which such order was given, may cause proceedings to be instituted against such person for an offence against this Act, and may execute the works mentioned or referred to therein at the expense of the person to whom such order was given.

50. All houses hereafter to be erected or rebuilt within the jurisdiction of a Local Board of health, shall have such covered drains leading to such sewer or other places having such a fall and constructed of such materials as such Local Board shall by written notice direct; and such Local Board may, in the case of there not being any sufficient drain from any house or other buildings within its jurisdiction (whether erected at any time before or after the coming into operation of this Act), cause notice in writing to be given to the owner to construct a drain of such nature and description as such Local Board shall think necessary and shall insert in such notice; and if such drain at the expiration of the time to be named in such notice for the completion thereof shall not have been constructed, the Local Board may cause proceedings to be instituted against such owner for an offence against this Act and may cause such drain to be constructed at the expense of such owner.

51. All houses shall have attached to them such waterclosets, earthclosets, or privies, with proper doors, coverings, drains, and cesspools, and so constructed as shall be, in the opinion of the Local Board of Health within the jurisdiction whereof such houses are situate, sufficient for such houses respectively:

If at any time it shall be made to appear to any Local Board of Health that any house or building within its jurisdiction, whether built at any time before or after the coming into operation of this Act, has not a sufficient watercloset, earthcloset, or privy, with proper doors, coverings, drains, cesspools, and the owner, on notice in writing to that effect from such
Local Board, shall not erect such sufficient watercloset, earthcloset, or privy, with proper doors, coverings, drains, and cesspools within the time to be named in such notice, such Local Board may cause proceedings to be instituted against such owner for an offence against this Act, and may cause a privy, or watercloset, or earthcloset, with proper doors, coverings, drains, and cesspools to be erected at the expense of such owner or occupier.

52. Each Local Board of Health may provide and maintain in proper and convenient situations, and in proper repair and condition waterclosets, earthclosets, privies, urinals, and other similar conveniences for public accommodation, and defray the necessary expenses out of the moneys received by such Board for the purposes of this Act.

53. If it shall appear to any Local Board of Health that any house or building within its jurisdiction is used or intended to be used as a school, or a factory, in which persons above twenty in number are, or are intended to be gathered or employed at one time, such Local Board shall, by notice in writing to the owner of such house or building, require him, within a time to be specified in such notice, to construct a sufficient number of waterclosets, earthclosets, or privies for the use of such persons, and (if they are of different sexes) separate waterclosets, earthclosets, or privies for the use of each sex; and if the owner shall neglect to erect such waterclosets, or earthclosets, or privies within the time mentioned in such notice, such Local Board may cause proceedings to be instituted against such owner for an offence against this Act, and may cause a sufficient number of waterclosets, or earthclosets, or privies to be constructed at the expense of the owner of such house or premises.

54. Upon the certificate of the officer of health of any Local Board of Health, or of any two legally qualified medical practitioners, that any house or building or any part thereof is so overcrowded as to be dangerous or prejudicial to the health of the inmates or inhabitants, or persons employed therein, the Local Board of Health, within the jurisdiction of which such house or building is situate shall cause complaint to be made before any Justice, who may summon before any two Justices any person permitting or having power to prevent such overcrowding; and the Justices shall thereupon make such order as they may think fit to abate such overcrowding; and the person permitting such overcrowding shall forfeit a sum not exceeding Five Pounds nor less than Twenty Shillings.

55. If upon the written certificate of the officer of health of any Local Board of Health, or of any one or more duly qualified medical practitioners, verified on oath, it shall appear to any such Local Board or to any two Justices that any abattoir or slaughter-house, or any shop, building, stall, or place kept or used for the sale of butchers' meat, fish, or poultry, or any place used for carrying on the business of a soap boiler, tallow melter, candle maker, starch manufacturer, meat
meat boiler, meat preserver, blood boiler, bone boiler, bone crusher, tripe boiler, boiler of refuse or animal matter, tanner, currier, or fellmonger, or gas manufacturer, or the premises occupied with the same or appurtenant thereto, situate within the jurisdiction of such Board, is or are in such a filthy state or unwholesome condition that the health of any person is, or is likely to be, endangered thereby, or that the whitewashing, cleansing, ventilating, or purifying of any such place, premises, or appurtenances would tend to prevent or check the spread of infectious, contagious, or epidemic diseases, or to abate any nuisance arising from any such place or premises, such Local Board or Justices shall give or cause to be given notice in writing to the owner of such place or premises to whitewash, cleanse, ventilate, or purify the same as the case may require, within a time specified. The said notice may be served by leaving a copy thereof with any person found on the premises, or by affixing a copy thereof on a conspicuous part of the place or premises directed to be whitewashed, cleansed, ventilated, or purified as aforesaid; and if the person on whom such notice is served fails to comply therewith within such time as may be specified in the said notice, he shall be liable to a penalty not exceeding Five Pounds for every day in which he continues to make default.

56. The Local Board of every town or other place shall take care that all private passages, yards, ways, and other premises are kept in such a state in respect of cleanliness as not to be a nuisance or injurious to health; and if at any time it shall appear to any such Local Board that any accumulation of manure, dung, soil, filth, blood, offal, coal-ashes, or other offensive or noxious matter ought to be removed from any butchers' shambles, abattoir, slaughter-house, yard, house, out-building, lane, alley, private passage, way, or other place within its jurisdiction, such Board shall make an order in writing, directing the owner of the premises whereon it is, to remove the same within a time to be named in such order, and shall cause the same to be served on such owner personally, or in manner in the next preceding section mentioned.

57. The Local Board of every town or other place shall make and enforce orders, directing that all abattoirs, slaughter-houses, and other premises used for the purpose of slaughtering any cattle, sheep, or other animal, and all stables, cowyards, cattle sheds, and pigsties within their jurisdiction, shall be paved or flagged with brick, stone, hardwood, or such other material as it may approve, and shall have such drains and receptacles for offal, dung, or other filth or refuse, as the Local Board may by order in writing direct:

If it shall appear to any Local Board that any such abattoir or slaughter-house or other premises in the said town or other place, used for the purpose of slaughtering, or as a stable, cowyard, cattle shed, or pigsty as aforesaid, within its jurisdiction, is not properly paved or flagged, or has not
proper drains or receptacles as aforesaid, such Local Board may by a written notice direct the occupier or person in possession of such premises, to pave or flag the premises in his occupation or possession, and provide drains and receptacles as aforesaid, within a time specified in such notice, and every such occupier or person who does not within that time comply with such notice shall be liable to a penalty of Ten Shillings for every day he shall continue to make default in complying therewith, and such Local Board may cause such premises to be paved or flagged, and drains and receptacles provided, at the expense of the occupier or person in possession of the premises, such expense to be recovered by such Board from such occupier or person in a summary manner as is hereinafter provided.

Lanes and yards to be formed.

58. In case any street, lane, yard, or passage, or other premises, or any part thereof, formed or set out on private property, is not formed, paved, levelled, or drained to the satisfaction of the Local Board of Health of the town or other place in which the same is situated such Local Board may, by notice in writing to the respective owners of the premises fronting, adjoining, or abutting upon such parts thereof as may require to be formed, paved, levelled, drained, or made good, require them to form, pave, level, drain, or make good the same, in such manner and according to such levels and specifications as may be approved by such Local Board of Health, and within a time to be named in such notice; and if such notice is not complied with, the said Local Board of Health may enter upon such private property and execute the work mentioned or referred to therein, and the expenses incurred by it in so doing shall be paid by the owners in default, in such proportions as may be fixed by the Local Board of Health, and shall be recoverable as hereinafter provided.

59. Each Local Board of Health may provide, by regulations, that all streets within its jurisdiction, including foot pavements thereof, shall be properly swept, cleansed, and watered, and that all dust, mud, ashes, rubbish, filth, dung, and soil thereon shall be collected and removed; and may make regulations for the removal by the occupier, or in case of his default by the said Local Board, of dust, mud, ashes, rubbish, filth, blood, offal, manure, dung, or soil, collected, placed, or found in or about any house, stable, cowhouse, street, or place whatsoever within its jurisdiction, and for preventing the deposit thereof in or by the side of any such street, or so as to be a nuisance to any person, and for requiring the occupiers of premises to provide boxes or other specified receptacles for the temporary deposit of house refuse, and for authorizing and directing the placing of such boxes or other receptacles at or between certain specified hours, in places at or contiguous to such premises, and convenient for the discharge and removal of the contents of such boxes or receptacles; and for regulating the times and manner of cleansing and emptying waterclosets, earthclosets, privies, cesspools,
and places for the deposit of night-soil, offal, or blood, and for regulating the disinfecting or the deodorizing of the night-soil, offal, or blood contained therein or removed therefrom.

60. Each Local Board of Health may provide in proper and convenient situations, boxes or other receptacles for the temporary deposit and collection of dust, ashes, and rubbish, and also fit buildings and places for the deposit of the sewage, soil, dung, filth, ashes, dust, and rubbish collected by, or by the permission of such Board; and all sewage, soil, dung, filth, ashes, dust, and rubbish so collected by, or by the permission of the said Local Board, or in any box or other receptacle provided as aforesaid, shall be vested in and be sold and disposed of by such Board, and the proceeds of such sale shall be carried to account of the rates or moneys applicable to the purposes of this Act:

Each Local Board of Health may undertake or contract with any person for the proper cleansing of streets, the removal of house refuse from any premises, the cleansing of waterclosets, earthclosets, privies, ashpits, or cesspools; and all matters thus collected by the Local Board of Health or contractor may be sold or otherwise disposed of, and any profit thus made by the Local Board of Health shall be carried to the account of the rates or moneys as aforesaid:

Whosoever deposits or causes to be deposited any filth, dust, ashes, or rubbish in any place except such boxes or conveniences so provided, or without the consent of the said Local Board collects or removes any sewage, soil, dung, filth, ashes, dust, or rubbish (except in cases where such matters are produced on his own premises, and are removed for sale or for his own use as manure, and are in the meantime kept so as not to be a nuisance or injurious to health), or obstructs the Local Board of Health or such contractor in removing any such matters or wilfully or negligently damages such boxes or other receptacles shall, for every such offence, be liable to a penalty not exceeding Five Pounds.

61. Any Local Board of Health, or any officer of such Board acting under the authority thereof, may at all reasonable times enter into and inspect any butcher's, poulterer's, or fishmonger's shop, or any abattoir or slaughter-house, or any shop, building, stall, or place kept or used for the sale of any provisions or other articles used or intended to be used as food for human consumption, and may examine any carcase, provisions, or articles which may be therein, and may also inspect any carcase, provisions, or articles, or any part thereof which may appear to such Board or officer to be intended as food for human consumption if offered or exposed for sale by any hawker or such like person; and in case any such carcase, provisions, or articles, or any part thereof respectively, appear to such Board or officer to be intended as food for human consumption, and to be unfit for such food, may seize and carry the same before two Justices:
In case, upon inspection or examination by or before such Justices, such carcases, provisions, or articles, or any part thereof respectively, shall be found by such Justices to be unfit for food for human consumption, such Justices shall order the same to be immediately destroyed, or to be otherwise disposed of, so as to prevent the same being exposed for sale or used for such food; and the sale or exposure for sale, or the possession with the intention of selling for human food of any such carcase, provisions, or articles, or any such part thereof respectively, shall be an offence under this Act, and the person guilty of such offence shall, in addition to the penalty which may be imposed upon him, be charged with and shall pay the expenses incurred in the seizure, carriage, inspection, examination, and destruction or other disposition of such provisions or articles.

62. In any case where it is ordered or notified by or under the authority of this Act that the owner of any premises shall do any act, matter, or thing for the removal, abatement, or prevention of any nuisance, or for any of the other purposes of this Act, or construct any works for the aforesaid purposes, or any of them, the Local Board of Health which gave such order or notification may, by the same or any subsequent order or notice in writing, require the person occupying or in possession of the premises, or the agent receiving the rent for the same, to do any such act, matter, or thing, or to construct such works as the said Local Board may deem necessary, within a time specified therein; and any such owner, and also the person occupying or in possession of premises, or such agent as aforesaid, who shall refuse or neglect to comply with such direction, order, or notice, after service thereof, and within the time named therein, shall be liable to a penalty for each and every day after the expiration of such specified time of not more than Five Pounds:

Provided that any expenses incurred by the person occupying or in possession of the premises, or such agent, in complying with the said direction, order, or notice of the Local Board shall (unless any nuisance so removed or abated had been caused or created by or by the default of such occupier) be summarily recoverable by the person occupying or in possession of such premises, or such agent, from the owner before two or more Justices as money paid to the use of such owner, or may be deducted from or set off against the rent then due, or thereafter to become due, and the owner from or against whom such expenses are so recovered, deducted, or set off, if he be a tenant to another person of the same premises, may in like manner recover, deduct, or set off the said expenses, any covenant or agreement whatsoever to the contrary notwithstanding:

Provided also that when the owner or occupier of any premises is, from poverty or otherwise, unable in the opinion of the Local Board
Board effectually to carry out the requirements of any order or regulation made by it, or of any of the provisions of this Act relating to the removal, abatement, or prevention of any nuisance, or the construction of any works for any of the purposes of this Act, the Local Board may, without enforcing the performance of such requirements on such owner or occupier, enter the said premises, and out of the rates or moneys applicable to the execution of this Act, remove, abate, or prevent such nuisance, or construct such works.

63. Whenever it appears that the person by whose act, default, permission, or sufferance, a nuisance arises, or the owner of the premises whereon the nuisance exists, is not known or cannot be found, then the Local Board of Health within the jurisdiction of which such premises are situate shall remove, abate, or discontinue the nuisance, and the cost shall be defrayed out of the rates or moneys applicable to the execution of this Act, but shall remain a charge upon such premises, and be recoverable from any owner thereof at any time within six years from the time the same was incurred.

64. In any case where a nuisance shall have been ascertained by a Local Board of Health to exist within its jurisdiction, and (although the same may have since been removed or discontinued) to be likely to recur or be repeated on the same premises, or a part thereof, such Local Board may make an order in writing on the person by whose act, default, permission, or sufferance the nuisance is likely to recur or be repeated, or (if such person cannot be found or ascertained) on the owner of the premises on which the nuisance existed, requiring him to erect such works, or do or abstain from doing such other acts, as the case may be, as may be necessary, in the judgment of such Local Board, to prevent the recurrence and repetition of the nuisance, and a time within which such works or other acts are to be erected or done shall be specified in such order; and if the nuisance proved to exist be such as to render a house or building, in the judgment of such Local Board, unfit for human habitation, such Board may, by the same or any subsequent order in writing, prohibit the using thereof for that purpose until it is rendered fit for that purpose in its judgment; and the Board, on being satisfied that it has been rendered fit for such purpose, may determine its previous order by another order in writing, declaring such house or other building habitable, and from the date of the last-mentioned order, but not before, such house or other building may be let or inhabited.

65. If any person shall neglect to obey the said order for abatement or prohibition he shall, on complaint thereof being made to a Justice of the Peace, be summoned to appear before any two Justices of the Peace, and if he shall fail to satisfy the said Justices that he has used all due diligence to carry out such order, he shall be liable for
for every such offence to a penalty of not more than Twenty
Shillings for each day on which he neglects to obey such order, and
any person knowingly or wilfully acting contrary to the said order of
prohibition shall be liable for every such offence to a penalty not
exceeding Forty Shillings for each day during such contrary action;
and the Local Board which made such order may remove or abate the
nuisance condemned or prohibited, and execute such works and do
such acts to prevent the recurrence or repetition of the nuisance as
may be required by such order, at the expense of the person on
whom such order was made, such expense to be recovered as herein-
after provided.

Expenses recoverable.

66. Any expenses incurred under this Act by any Local Board of
Health shall (except when otherwise ordered by the Local Board
under the last proviso of the sixty-second section) be payable by and
recoverable from the person occupying or in possession of the
premises whereon or wherein such nuisance or other cause of offence
existed, or by and from the agent for the said property; and in all
cases in which it is provided by this Act that any works which may
be necessary for any of the purposes of this Act may be done at the
expense of the occupier of premises in which such works shall be
necessary, such expenses shall be recoverable by him or by such
agent from the owner thereof as money paid to his use, or the same
may be deducted by the occupier from or set off against the rent
then due or thereafter to become due, any covenant or agreement to
the contrary whatsoever notwithstanding.

Expenses incurred on unoccupied premises.

67. Expenses incurred under this Act in respect of premises
unoccupied shall be payable by and recoverable from the
owner of such premises; and if the owner is not known to the Local
Board of Health within the jurisdiction of which such premises are
situated, or cannot be found, shall remain a charge upon such
premises, and shall be recoverable at any future time within six years
from the time the same were incurred from the owner or any sub
sequent occupier.

Service of notice.

68. Whenever, under this Act, any written notice is required to be
given to the owner or occupier of any building or land, such notice,
addressed to the owner or occupier thereof as the case may require,
may be served on the occupier of such building or land, or left with
some inmate of his abode, or if there is no occupier then resident
there, may be put up on some conspicuous part of such building or
land; and it shall not be necessary in any such notice to name the
occupier or the owner of such building or land: Provided that
when the owner of any such building or land and his residence are
known to the Local Board of Health by which such notice is given,
the Local Board shall, if such owner is residing within its jurisdiction,
cause every notice required to be given to the owner to be served on
such owner, or left with some inmate of his abode; and if such owner
is not resident within its jurisdiction, shall send every such notice
by post addressed to the last known place of residence of such owner.

69. All
69. All notices required under this Act to be served on any owner or occupier shall, if due service thereof has been once made on any owner or occupier, be binding on all persons claiming by, from, or under such owner or occupier, to the same extent as if such notice had been served on such last-mentioned persons respectively.

70. Each Local Board of Health shall occasionally make either by its members, or by its officers, inspections of the town, or other place within its jurisdiction, with the view to ascertain what nuisances exist calling for abatement under the powers of this Act, and to enforce the provisions thereof:

Persons acting in the execution of this Act under the authority of the Central or any Local Board may, with such assistants as may be necessary, at all reasonable times in the daytime, enter and inspect any abattoir, shop, stall, dwelling, and all other places whatsoever, whether private or public, within the jurisdiction of any Local Board, in order to ascertain if any person has recently died of any epidemic, endemic, or contagious disease in any of the places aforesaid, or if there is any filth or other matter dangerous to health therein or thereupon, or if such entry and inspection are, in the judgment of such Local Board, proper in order to effectuate any of the purposes of this Act.

71. Whosoever shall wilfully obstruct any inspector or any member of the Central or of a Local Board of Health, or any officer or person duly employed in the execution of this Act, or shall incite any other person so to do, or shall destroy, pull down, injure, or deface any board, placard, or notice made or published under this Act, shall be liable for every such offence to a penalty not exceeding Five Pounds; and if the occupier of any premises or any other person whomsoever wilfully prevents, or attempts to prevent, the owner thereof or his agent from obeying or carrying into effect the provisions of this Act, or of any order, rule, regulation, or direction made hereunder, he shall be liable to a penalty not exceeding Five Pounds for every day of such prevention; and if the occupier of any premises when requested by the Local Board of Health within the jurisdiction of which the same are situate, or by any officer thereof, to state the name of the owner of the premises occupied by him shall refuse or wilfully omit to disclose to the best of his knowledge, information, and belief, or wilfully misstate the same, he shall be liable to a penalty not exceeding Ten Pounds.

72. Where any act is by this Act, or by any regulation or direction of the Central Board, or by any order, notice, or regulation of any Local Board made under the authority hereof directed to be done, or forbidden to be done, or where any authority is given to the Central or any Local Board of Health, or any officer of theirs respectively to direct any act to be done, or to forbid any act to be done, and such act having been duly directed to be done shall remain
remain undone, or such act having been duly forbidden to be done
shall be done, in every such case the person making default as to
such direction or prohibition respectively, as the case may be, shall
be deemed guilty of an offence against this Act:

Every person guilty of an offence against this Act, for which no
penalty is specially provided hereby, shall be liable for any
such offence to a penalty not exceeding the sum of Twenty
Pounds, in addition to all costs and expenses to which he is
hereby made liable.

73. All complaints and informations for offences against this Act
shall be heard and determined, and all moneys, costs and expenses
made payable or recoverable hereby, shall be recovered in a summary
way before a Special Magistrate or two or more Justices of the
Peace.

74. There shall be an appeal from any conviction by any Special
Magistrate or Justices for any offence against this Act, and from
any order dismissing the information or complaint, or declaring any
forfeiture, and from any other order, whether for the payment of
costs or otherwise, made or purporting to be made under or in pur-
suance to this Act. Every such appeal shall be to the Local Court
of Adelaide of Full Jurisdiction only, and the proceedings on each
such appeal, shall be conducted in manner appointed by the Ordi-
nance No. 6 of 1850, for appeals to the Local Courts; but the Local
Court of Adelaide aforesaid may make such order as to the payment
of the costs of appeal as it shall think fit, although the amount of
such costs may exceed Ten Pounds.

75. The Local Court of Adelaide of Full Jurisdiction, upon the
hearing of any appeal under this Act, may state a special case for
the opinion of the Supreme Court, which shall hear and decide such
special case according to the practice of the Supreme Court on special
cases, and shall make such order as shall seem to it just as to the
costs of any such special case.

76. The said Local Court of Adelaide shall make, in respect to
the matters referred to the Supreme Court, an order in conformity
with the certificate of the Supreme Court, or of any Judge thereof;
and every such order of the Justices or Local Court shall be enforced
in manner provided for the enforcement of orders of Justices under
the said Ordinance; and save as herein is provided, no order, con-
viction, or proceeding of any Special Magistrate or Justices, made or
purporting to be made, under this Act, shall be appealed against.

77. Whenever any penalty, forfeiture, costs, expenses, or other
payment shall have been imposed, or directed or awarded to be paid
under the provisions of this Act, and the person convicted, or
directed, or awarded to pay such penalty, forfeiture, costs, or
expenses, or to make such other payment, shall not pay or make
the same within such time as such Justices shall direct, the convicting
Justices
Justices may order that the same be levied by distress and sale of the goods and chattels of such offender, or may, where it shall appear to them that no goods or chattels are available for such distress, without ordering any such distress, direct such person to be imprisoned, with or without hard labor, as they shall think fit, for a period not exceeding one month, if the amount of the penalty, forfeiture, costs, expenses, or payment, shall not exceed Twenty Pounds; and for a period not exceeding three months if the amount of the penalty, forfeiture, costs, expenses, or payment be above Twenty Pounds; and such person shall be imprisoned accordingly, unless the amount of such respective penalties, forfeitures, costs, expenses, and payment shall be sooner paid.

78. Except where it is herein otherwise expressly directed, the moneys arising from fines, penalties, and forfeitures imposed by this Act shall, when recovered, be paid and applied towards defraying the expenses of carrying this Act into execution, in such manner as any Local Board within whose jurisdiction such fines, penalties, or forfeitures may have been incurred shall direct.

79. Nothing in this Act contained shall take from, lessen, or diminish any of the powers belonging to any corporate body, or to the Council of any town or other place, or to any Justice of the Peace in respect of any matters provided for by this Act.

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

A. MUSGRAVE, Governor.