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An Act to continue and amend the Acts relating to Contagious or Infectious Diseases among Cattle and other Animals. [20th *August* 1867.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

Preliminary.

1. This Act may be cited as The Contagious Diseases (Animals) Act, 1867. **Short Title.**

2. This Act shall not extend to *Ireland*. **Extent of Act.**

3. This Act shall be read as One Act with the Acts enumerated in the First Schedule to this Act as far as they remain in force after the passing of this Act, which Acts are in this Act referred to as the former Acts, and for that Purpose the Term "this Act," where used in any of the former Acts, shall be construed to include the present **Construction of Terms.**

Act,

Act, and where used in this Act shall be construed to include each of the former Acts, unless there is something in the Subject or Context inconsistent with such Construction; and such of the former Acts as are first, secondly, and fourthly described in that Schedule may be cited by the respective Short Titles appended to the Descriptions thereof in that Schedule; and the former Acts and this Act may be cited together as The Contagious Diseases (Animals) Acts.

Meaning of "Privy Council."

4. Notwithstanding anything in any of the former Acts, the Term "Privy Council" in the former Acts and this Act shall, as regards the making of Orders of Council affecting only Ports, Boroughs, Towns, or Places, or Parts thereof specified in such Orders, and as regards the issuing and Revocation of Licences under an Order of Council, be construed to mean the Lords and others of Her Majesty's Most Honourable Privy Council, or any Two of them, or the Lord President of the Council, or One of Her Majesty's Principal Secretaries of State.

Acts continued.

Continuance of Acts subject to partial Repeal.

5. Sections Eleven and Seventeen of The Cattle Diseases Prevention Act, 1866, are hereby repealed as from the passing of this Act, and the Residue of Part I. of that Act shall be deemed to be and to have always been in force at and before the passing of this Act, and, subject to such Repeal, the former Acts, as far as they are in force at the passing of this Act, shall be and the same are hereby continued (subject to the Provisions of this Act) until the Expiration of One Year after the passing of this Act and to the End of the then next Session of Parliament; but nothing herein (except the Repeal aforesaid) shall be deemed to cause the Discontinuance of any Provision of any of the former Acts sooner than it would have ceased to operate if this Act had not been passed.

Local Authorities.

Local Authority in Counties in Scotland.

6. With respect to Section Five of The Cattle Diseases Prevention Act, 1866, relating to Local Authorities in Counties in *Scotland*, Vacancies from Time to Time happening by Death, Resignation, or otherwise, among the Members of such a Local Authority, shall be filled up by the Authority and in the Manner by and in which the Members vacating Office were respectively nominated; and the Persons nominated as in that Section or in this Section provided, and the Lord Lieutenant of the County, the Convener of the County, and the Sheriff of the County (or in his Absence such One of his Substitutes within the County as he directs by Writing under his Hand), for the Time being, shall constitute

stitute the Local Authority; and the Chairman of the Local Authority, and in default of him the Convener of the County, and in default of him any Three Members of the Local Authority, may at any Time call a Meeting of the Local Authority, to be held at such Time and Place as he or they may fix.

Appointment of Executive Committee by Local Authority.

7. Where under Section Eight of The Cattle Diseases Prevention Act, 1866, a Local Authority forms a Committee, the Local Authority may, if it thinks fit, appoint and designate such Committee as its Executive Committee for the Purposes of this Act, and any Committee so appointed and designated shall have all the Powers of the Local Authority except the Power to make a Rate, and shall have Power to appoint a Sub-Committee or Sub-Committees, and to delegate to such Sub-Committee or Sub-Committees all or any of the Powers of the Executive Committee, with or without Conditions or Restrictions, and from Time to Time to revoke or alter any such Delegation, and shall also have Power to fix the Quorum, and from Time to Time to add to or diminish the Number of the Members, or otherwise alter the Constitution, of any such Sub-Committee, and to lay down Rules for the Guidance of any such Sub-Committee; and every such Sub-Committee shall act according to such Rules; and the Provisions of the said Section Eight relative to the Constitution and Proceedings of Committees formed by the Local Authority shall extend and apply to Sub-Committees formed by the Executive Committee.

Inspectors.

Appointment of Inspectors by Local Authorities.

8. Notwithstanding anything in Section Nine of The Cattle Diseases Prevention Act, 1866, every Local Authority shall at all Times keep appointed at least One such Inspector as in that Section mentioned; and where there is not at the passing of this Act any such Inspector for the District of any Local Authority, that Local Authority shall with all convenient Speed after the passing of this Act appoint at least One such Inspector.

The Privy Council, if satisfied on Inquiry that an Inspector appointed by a Local Authority is incompetent, or has been guilty of Misconduct or Neglect in the Discharge of his Duties, may remove him, and thereupon the Local Authority shall appoint another Person to fill the Vacancy.

Discovery of Disease.

Duties of Inspectors.

9. Every Inspector appointed by a Local Authority, on receiving Information of the supposed Existence of Cattle Plague in any Place within his District, shall proceed to that Place with all practicable

practicable Speed, and execute and discharge the Powers and Duties by Law conferred and imposed on him as such Inspector.

Extension of Power of Entry for Inspectors, &c.

10. Section Ten of The Cattle Diseases Prevention Act, 1866, shall be read and have Effect as if the Words "any Animal affected" were therein substituted for the Words "Cattle affected."

Provisional Declaration of infected Place by Inspector.

11. Where an Inspector finds Cattle Plague to exist within his District, he shall forthwith make a Declaration thereof under his Hand, and shall deliver a Notice under his Hand of such Declaration to the Occupier of the Field, Stable, Cowshed, or other Premises where the Disease is found, and thereupon the same, with all Lands and Buildings contiguous thereto in the same Occupation, shall become and be an infected Place, and the same shall continue to be an infected Place until the Determination and Declaration of the Local Authority relative thereto in this Act provided for.

Determination and Declaration of Local Authority.

12. Where an Inspector makes such a Declaration of the Existence of Cattle Plague he shall with all practicable Speed send a Copy thereof to the Privy Council, and deliver the Declaration to the Local Authority, who shall inquire into the Correctness thereof, and if it appears to them that Cattle Plague existed as declared by the Inspector, they shall so determine and declare, and shall prescribe the Limits of the infected Place; but if it appears to them that Cattle Plague did not exist as declared by the Inspector, and the same is certified to them in Writing by One or more duly qualified Veterinary Surgeons, they shall so determine and declare, and thereupon the Place comprised in the Inspector's Declaration or affected thereby shall cease to be an infected Place.

Declaration of infected Place by Local Authority or Council.

13. The following Authorities, that is to say, any Local Authority with respect to any Place within their District, and the Privy Council with respect to any Place in *Great Britain*, may from Time to Time by Order declare any Field, Stable, Cowshed, or other Premises in which Cattle Plague exists at the Date of the Order or has existed within Seven Days before that Date, with or without a further Area, to be from and after a Time specified in the Order an infected Place.

Extent of infected Place under Declaration of Local Authority.

14. The Area of an infected Place may in all Cases of a Declaration by the Privy Council include, with the Field, Stable, Cowshed, or other Premises in which Cattle Plague has been found to exist, such an Area as to the Privy Council seems requisite; and the Area of an infected Place may in all Cases of a Declaration by a Local Authority include, with the Field, Stable, Cowshed, or other Premises

mises in which Cattle Plague has been found to exist, all Lands and Buildings lying contiguous thereto being in the same Occupation, and within the District of the Local Authority, and also (except in the Metropolis) an Area comprised within One Mile from the Boundaries of those Lands in every Direction, but no more.

Cattle may be slaughtered to ascertain Nature of Disease. Compensation.

15. It shall be lawful for the Inspector of the Privy Council or the Inspector of any Local Authority to order any Animal to be slaughtered for the Purpose of ascertaining the Nature of any Disease, suspected to be Cattle Plague, under which such Animal may be labouring; and when any Animal is so slaughtered the Owner of such Animal shall be compensated in the Manner provided by The Cattle Diseases Prevention Act, 1866.

Extension of Area into District of other Authority.

16. A Local Authority may include in the Area of an infected Place any adjoining Part of the District of another Local Authority, with the previous Consent of that Authority in Writing signed by their Clerk, but not otherwise.

Description of infected Place.

17. The Area of an infected Place may in any Case be described by Reference to a Map deposited at some specified Place, or by Reference to Townships, Parishes, Farms, or otherwise.

Notice of Place being declared infected.

18. An Order of a Local Authority declaring a Place to be an infected Place shall be published by the Local Authority by Notices posted in and near the infected Place, and in such other Manner (if any) as they think expedient; and an Order of the Privy Council declaring a Place to be an infected Place shall be published in like Manner by and at the Expense of any Local Authority to whom the same is sent by the Privy Council for Publication; but any Want of or Defect or Irregularity in Publication shall not invalidate any Order.

Area of infected Places in Metropolis.

19. With respect to the Metropolis the Privy Council may from Time to Time by Order extend the Limits of an infected Place beyond the Boundaries of the Field, Stable, Cowshed, Farm, or Premises where Cattle Plague is declared or found to exist.

Effect of Orders of Council.

20. An Order of the Privy Council relative to an infected Place shall supersede any Order of a Local Authority inconsistent with it.

Rules as to infected Places.

21. The following Rules shall have Effect with respect to infected Places:

(1.) No Animal shall be moved alive out of an infected Place:

(2.) The Hide, Skin, Hair, Wool, Horns, Hoofs, or Offal of any Animal, or any Part thereof, shall not be moved out of an infected

infected Place without a Licence signed by an Officer of the Local Authority appointed to issue Licences in that Behalf, certifying either that the Thing moved has not formed Part of an Animal affected with Cattle Plague, or of an Animal that has been in the same Shed or Stable, or in the same Herd or Flock, or in contact with an Animal so affected, or that it has been disinfected:

(3.) The Carcase of an Animal, or a single Portion of raw Meat weighing more than Twenty Pounds, shall not be moved out of an infected Place without a Licence signed by an Officer of the Local Authority appointed in that Behalf, certifying that the Carcase or Meat moved is not the Carcase or Part of the Carcase of an Animal affected with Cattle Plague:

(4.) Any Dung of Animals, and any Hay, Straw, Litter, or other Thing commonly used for Food of Animals or otherwise for or about Animals, shall not be moved out of an infected Place without a Licence signed by an Officer of the Local Authority appointed in that Behalf, certifying that the Thing moved has not been in contact with or been used for or about any Animal affected with Cattle Plague, or that it has been disinfected:

But with respect to the Metropolis the Privy Council may from Time to Time by Order vary the Provisions of this Section.

Offences as to infected Places.

22. If any Animal, Hide, Skin, Hair, Wool, Horn, Hoof, Offal, Carcase, Meat, Dung, Hay, Straw, Litter, or other Thing is moved in contravention of the Rules of this Act with respect to infected Places, every Person moving the same, or causing the same to be moved, shall be deemed guilty of an Offence against this Act.

Exception for Railways.

23. The Rules of this Act with respect to infected Places shall not restrict the moving of any Animal or Thing by Railway through an infected Place, such Animal or Thing not being stopped within the infected Place.

Power to make further Rules as to infected Places.

24. The Privy Council may from Time to Time by Order make Rules with respect to infected Places not inconsistent with the Rules of this Act, and Rules so made shall be deemed Rules of this Act with respect to infected Places.

Duties of Local Authorities, &c.

25. It shall be the Duty of every Local Authority and of the Police of every County, Borough, Town, and Place within their respective Districts to enforce and execute the Provisions of this Act and of any Order of the Local Authority or Privy Council thereunder

under relative to infected Places, and to do or cause to be done all such Things as are from Time to Time necessary or expedient for securing, as far as may be, the effectual Isolation of infected Places in respect of the Movement of Animals and Things.

Authority of Constable.

26. Any Constable may proceed as follows:

(1.) He may apprehend any Person found committing an Offence against the Rules of this Act with respect to infected Places, and he shall take any Person so apprehended as soon as conveniently may be before a Justice of the Peace to be examined and dealt with according to Law; and a Person so apprehended shall not be detained in Custody by any Constable without the Order of a Justice longer than is necessary for bringing him before a Justice, or than Twenty-four Hours at longest:

(2.) He may require that any Animal or Thing moved out of an infected Place in contravention of those Rules be forthwith taken back within the Limits of that Place, and may enforce and execute such Requisition.

Discontinuance of Declaration of infected Place.

27. The Local Authority by whom an infected Place is declared may at any Time after the Expiration of Twenty-eight Days from the Disappearance of Cattle Plague in that Place by Order declare the Place to be free from Cattle Plague, and the Privy Council may at any Time by Order declare any Place to be free from Cattle Plague, and thereupon as from the Time specified in this Behalf in the Order of the Local Authority or Privy Council the Place shall cease to be an infected Place.

Report to Council.

28. The Clerk of a Local Authority declaring a Place to be an infected Place, or declaring a Place to be free from Cattle Plague, shall forthwith report by Post to the Privy Council the Fact of such Declaration having been made.

Restriction on Movement, &c. near infected Places.

29. Where, under this Act, an Inspector makes a Declaration which constitutes a Place an infected Place, he may also, if the Circumstances of the Case appear to him so to require, deliver a Notice under his Hand of such Declaration to the Occupiers of all Lands and Buildings adjoining thereto, any Part whereof respectively lies within One Mile of the Boundaries of the infected Place in any Direction, and thereupon the Rules of this Act with respect to infected Places shall, until the Determination and Declaration of the Local Authority relative thereto in this Act provided for, apply and have Effect to and in respect of those Lands and Buildings as if the same were actually within the Limits of the infected Place.

Towns,

Towns, Cities, &c.

Provisions for Towns, &c.

30. The Privy Council may from Time to Time by Order declare that such of the Provisions of this Act, and of any Order of the Privy Council under it, as relate to the Metropolis, or any of those Provisions, shall also extend and apply to any Town, City, Parish, or Place specified in the Order, and the same shall extend to such Town, City, Parish, or Place accordingly; and the Privy Council may at any Time revoke, or from Time to Time vary, any such Order.

Reports.

Reports to Privy Council.

31. Every Local Authority and every Inspector appointed by a Local Authority shall make such Reports to the Privy Council as the Privy Council from Time to Time require.

Compensation and Expenses.

Power to withhold Compensation in case of Offences, &c.

32. Notwithstanding anything in the former Acts, a Local Authority may, if they think fit, withhold Compensation in respect of any Animal slaughtered, where the Owner or Person having the Charge of such Animal has been guilty, in relation to such Animal, of any Act in contravention of any of the former Acts or this Act, or of any Order, Regulation, or Licence of the Privy Council or a Local Authority, or has, in relation to such Animal, failed to comply with the Provisions of any such Act, Order, Regulation, or Licence in respect of the giving of Notice of Disease or in any other respect.

Expenses of Local Authority other than Compensation.

33. Where the Expenses incurred by a Local Authority in pursuance of this Act do not include any Expenditure in Compensation for Animals slaughtered, the same shall be defrayed out of the Local Rate, as defined by The Cattle Diseases Prevention Act, 1866, and not out of a separate Rate; and in every such Case the following Provisions shall not extend and apply to the Local Rate; namely,

The Provisions of Section Eighteen of The Cattle Diseases Prevention Act, 1866, relative to the Deduction of Part of the Rate by a Person not the Owner of Premises:

The Provisions of the same Section relative to the describing, collecting, or specifying of the Rate as a separate Rate or separate Item of Rate:

The Provisions of The Cattle Diseases Prevention Amendment Act, 1866.

Further Provision for Compensation in Scotland.

34. Notwithstanding anything in any of the former Acts, the Local Authority of a County in *Scotland* may, if they think fit, pay in respect of Animals slaughtered in consequence of being affected with Cattle Plague in the Interval between the passing of

The

The Cattle Diseases Prevention Act, 1866, and the Constitution of the Local Authority, such Compensation as would have been payable in respect of the same Animals if the Local Authority had been duly constituted at the Time of the same being slaughtered; and, if necessary for the Purpose of making Payment of such Compensation, the Local Authority shall have and be entitled to exercise the same Powers of assessing and levying Money as are competent to Local Authorities in reference to Local Rates or Cattle Act Expenses under any of the former Acts.

Assessment and Collection of Local Rate in Counties in Scotland.

35. The Commissioners of Supply of a County in *Scotland* may assess and collect the Local Rate mentioned in Section Twenty-one of The Cattle Diseases Prevention Act, 1866, either on and from the Tenants of Lands and Heritages as therein provided or on and from the Proprietors thereof (and that, notwithstanding anything in this Act, either with or without Relief against the Tenants for One Half of the Assessment), according as it may be declared in the Resolutions imposing the same, and with the like Powers in regard to the Recovery of Assessments as are mentioned in that Section.

Expenses of Local Authority under Orders of Council.

36. Expenses incurred by a Local Authority in executing any Order of the Privy Council between the passing of The Cattle Diseases Prevention Act, 1866, and the Date of the Order of the Privy Council of the Twenty-fourth Day of *March* One thousand eight hundred and sixty-six, shall be deemed to have been incurred in pursuance of the last-mentioned Act; and the Expenses incurred by a Local Authority in executing any Order of the Privy Council made under this Act shall be defrayed as such Order directs, and, subject to or in the Absence of any such Direction, shall be deemed Expenses incurred in pursuance of this Act.

Rate in Aid.

Half-yearly Accounts of Compensation.

37. Each Local Authority shall cause an Account of their Expenditure in Compensation for Animals slaughtered to be made up to *Michaelmas* and *Lady Day* in each Year, commencing with the Half Year ending *Michaelmas* One thousand eight hundred and sixty-seven, or to such other half-yearly Days as the Poor Law Board from Time to Time direct.

As to Application to Poor Law Board by Local Authority for Audit.

38. Where from such half-yearly Account of a Local Authority it appears that their Expenditure in Compensation in any Half Year exceeds the Rate of Ninepence in the Pound *per Annum* on the annual rateable Value of the Property in the District, the Local Authority may apply to the Poor Law Board for an Audit of their Accounts for that Half Year, and the Poor Law Board shall direct an Audit accordingly.

39. With

Regulations respecting Audit.

39. With respect to such Audit the following Rules shall have Effect:

(1.) The Auditor shall be appointed by the Poor Law Board:

(2.) The Auditor shall receive such Remuneration as the Poor Law Board direct, and the same shall be paid by the Local Authority, and shall, with the Expenses of or incident to the Audit, be deemed Part of the Expenditure of the Local Authority in Compensation:

(3.) The Audit shall be held at a Place approved by the Poor Law Board and at the Time fixed by the Auditor, being as soon as may be after the Application for the Audit:

(4.) The Auditor shall, Fourteen Days at least before holding the Audit, give Notice of the Time and Place for the holding thereof by Advertisement in a Newspaper circulating in the District, and by a written Notice delivered to or served on the Clerk of the Local Authority:

(5.) The Clerk of the Local Authority shall attend the Audit, and produce to the Auditor all Books, Bills, Vouchers, and Documents relating to the Account:

(6.) Any Ratepayer in the District may be present at the Audit, and may object to the Account:

(7.) The Auditor shall, as nearly as may be, have the like Powers, and be under the like Obligation, to allow and disallow Items in the Account, as the Auditor in the Case of an Audit under the Authority of the Poor Law Board of the Account of an Overseer; and there may be an Appeal by any Person aggrieved by the Decision of the Auditor in like Manner, as nearly as may be, as in the Case of such last-mentioned Audit:

(8.) When the Auditor has completed his Audit, he shall sign the Account, and shall also sign and deliver to the Poor Law Board and to the Local Authority a Certificate of the Amount allowed:

(9.) Subject to the foregoing Provisions, the Poor Law Board may from Time to Time make such Regulations respecting the Audit as they think fit.

Power for Poor Law Board to make Order of Contribution.

40. If on any such Audit it appears to the Poor Law Board from the Certificate of the Auditor that the Expenditure of the Local Authority in Compensation within the Half Year of Account has exceeded the Rate of Ninepence in the Pound *per Annum* on the annual rateable Value of the Property in the District of the Local Authority, the Poor Law Board shall make a General Order directed to the several Local Authorities whose Districts adjoin to the District of the Local Authority on whose Behalf the Order is made,

made, and to the several Local Authorities whose Districts are locally situate (wholly or partly) within the District of the Local Authority on whose Behalf the Order is made or within such adjoining Districts, and shall thereby require those several Local Authorities to contribute a Sum of Money to meet such Excess of Expenditure: Provided always, that no Local Authority shall be required to contribute any Sum of Money beyond an Amount sufficient, together with any Cattle Rate raised in the District, to bring the Charge for the Year up to Ninepence in the Pound on the annual rateable Value.

Basis for Contribution.

41. The Sums to be so contributed by Local Authorities shall be assessed on them by the Poor Law Board in proportion to the annual rateable Value of the Property in their respective Districts, to be determined according to the Valuation Lists, or, where there are none, on such other Basis as the Poor Law Board from Time to Time direct.

Contribution to be a Debt.

42. The Sum to be so contributed by a Local Authority shall be a Debt due from them to the Local Authority on whose Behalf the Order is made, and the Order of the Poor Law Board shall be for all Purposes conclusive Evidence of the Existence and Amount of such Debt.

As to raising of Money for Contribution.

43. The Money to be so contributed by a Local Authority shall be deemed Expenditure in compensation for Animals slaughtered, and shall be raised accordingly by the Local Rate or a separate Rate, in manner provided by Section Eighteen of The Cattle Diseases Prevention Act, 1866.

Payment of Money for Contribution.

44. The Amount to be so contributed by a Local Authority shall, when raised, be paid to the Treasurer or other proper Officer of the Local Authority on whose Behalf the Order of the Poor Law Board is made.

Provision against disputing of Orders of Poor Law Board, &c.

45. An Order of the Poor Law Board under this Act shall not be liable to be removed into a Court of Law by Certiorari or otherwise, nor shall an Order of a Local Authority, or a Rate, made to carry into effect the Provisions of this Act relative to Contribution, be liable to Question in a Court of Law on the Ground of its having been made wholly or partly in furtherance of any such Order of the Poor Law Board.

Foreign Animals.

Regulations respecting landing, &c. of Foreign Animals.

46. The Privy Council may from Time to Time by Order regulate the landing in *Great Britain* of Foreign Animals (that is to say, Animals brought by Sea from any Place out of the United Kingdom),

Kingdom), either as regards the Port or Ports or as regards the Part or Parts of the Port or Ports at which such Animals may be landed, and may define the Limits of such Ports for the Purposes of this Act, and may from Time to Time by Order prohibit or regulate the Removal and regulate the Disposal, by Slaughter or otherwise, of such Animals from or at any such Port or any Part thereof.

Places for Sale, Slaughter, &c. may be provided by Local Authority.

47. It shall be lawful for the Local Authority to provide, erect, and fit up proper Places for the Sale of such Animals, Lairs for and Slaughter of the same, and for such Purpose they may purchase or hire Land or Buildings; and Section Twenty-six of The Cattle Diseases Prevention Act, 1866, shall be deemed to extend to such Purchase or Hiring, and to enable the Local Authority in that Behalf, and the Local Authority may charge for the Use of such Places such Rates as they shall from Time to Time appoint, with the Approval of the Privy Council; and all Expenses of the Execution by Local Authorities of the Powers of this Section shall be deemed Expenses incurred by them in pursuance of this Act.

Cleansing of Pens and Trucks.

Railway Companies to disinfect Carriages, Boats, &c.

48. It shall be the Duty of every Railway or other Company and every Person carrying Animals for Hire to thoroughly cleanse and disinfect, in such Manner as the Privy Council from Time to Time by Order direct, all Pens, Carriages, Trucks, Horse-boxes, Vehicles, and Boats used by such Company or Person for the carrying of Animals.

If any Company or Person on any Occasion fails to comply with the Requisitions of any such Order, such Company or Person shall on every such Occasion be deemed guilty of an Offence against this Act.

Section Ten of The Cattle Diseases Prevention Act, 1866, shall extend to authorize Entry by any such Person as therein described on Premises where he has reasonable Grounds for supposing that any such Pen, Carriage, Truck, Horse-box, Vehicle, or Boat is to be found, and that in respect thereof any Company or Person has on any Occasion failed to comply with the Requisitions of any such Order.

Pleuro-Pneumonia, &c.

Exposure for Sale of diseased Cattle or Sheep.

49. If any Person exposes for Sale in a Market or Fair Cattle affected with Pleuro-Pneumonia, or Sheep affected with Scab, he shall be deemed guilty of an Offence against this Act, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of the same being so affected, and that he could not with reasonable Diligence have obtained such Knowledge.

Disinfecting.

Disinfecting.

Regulations for disinfecting.

50. The Privy Council may from Time to Time by Order give Directions respecting Modes of disinfecting, and anything disinfected in accordance with the Provisions of such Order, or in accordance with any Process of Disinfection approved by the Privy Council, shall be deemed disinfected within this Act, but not otherwise.

Publication of certain Orders, &c.

Publication of Orders, &c. issued by Privy Council.

51. An Order of the Privy Council affecting only a particular Port, Borough, Town, or Place, or Part thereof specified in such Order, or declaring a Place to be an infected Place, or to be free from Cattle Plague, and a Licence under an Order of the Privy Council, or a Revocation of such a Licence, issued or made either before or after the passing of this Act, shall not be deemed an Order or Regulation made by the Privy Council within the Meaning of Section Seven of The Contagious Diseases (Animals) Act, 1866; and any such Orders, Licence, or Revocation as in this Section described shall be deemed to be and to have been valid if a Notice of the issuing thereof is or has been published once in the *London Gazette*.

Any such Order, Licence, or Revocation shall be published by and at the Expense of any Local Authority to whom the same is sent by the Privy Council for Publication in some Newspaper circulating in the District of the Local Authority, or in such other Manner as the Privy Council direct.

Forms.

Instruments may be in Print, &c.

52. Any Order, Licence, Regulation, or other Instrument made under this Act, or under any Order of the Privy Council thereunder, may be in Writing or Print, or partly in Writing and partly in Print.

Forms in Second Schedule.

53. The Forms given in the Second Schedule to this Act, or Forms to the like Effect, may be used, and when used shall be deemed sufficient.

Offences.

Penalties on Use of expired Licences, &c.

54. If any Person does any of the following Things he shall be deemed guilty of an Offence against this Act; that is to say,

(1.) If he does anything for which a Licence is requisite under any of the former Acts or this Act, or any Order of the Privy Council thereunder, without having obtained a Licence:

(2.) If where such a Licence is requisite, having obtained a Licence in that Behalf, he does the Thing licensed after the Licence has expired:

(3.) If he uses or offers or attempts to use as such a Licence an Instrument not being a complete Licence, or an Instrument untruly purporting or appearing to be a Licence, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of such Incompleteness or Untruth, and that he could not with reasonable Diligence have obtained such Knowledge:

(4.) If, with Intent to evade any Provision of any of the former Acts or of this Act or of any Order of the Privy Council thereunder, he fabricates or alters, or offers or utters knowing the same to be fabricated or altered, any Declaration or Certificate made or issued or purporting to be made or issued under or for any Purpose of any of the former Acts or this Act or any such Order:

(5.) If for the Purpose of obtaining any Licence, Certificate, or Instrument under or for the Purposes of any such Provision he makes a Declaration false in any material Particular, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of such Falsity, and that he could not with reasonable Diligence have obtained such Knowledge:

(6.) If he obtains or endeavours to obtain any such Licence, Certificate, or Instrument by means of any false Pretence, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of such Falsity, and that he could not with reasonable Diligence have obtained such Knowledge:

(7.) If he grants or issues any such Licence, Certificate, or Instrument, being false in any material Particular, unless he shows to the Satisfaction of the Justices before whom he is charged that he did not know of such Falsity, and that he could not with reasonable Diligence have obtained such Knowledge:

And the Provisions of Section Ten of The Cattle Diseases Prevention Amendment Act, 1866, respecting Procedure and Punishment, shall apply to every such Offence.

Penalties for Offences not comprised in foregoing Section.

55. If any Person is guilty of an Offence against this Act, or any Orders of the Privy Council thereunder, not comprised in the last foregoing Section, he shall for each such Offence be liable to such Penalty as is provided by Section Twenty-seven of The Cattle Diseases Prevention Act, 1866; and where any such Offence is committed in relation to Offal, Dung, Hay, Straw, Litter, or other Thing, a further Penalty not exceeding Ten Pounds may be imposed in respect of every Half Ton in Weight of such Offal or other Thing after the First Half Ton.

56. For

Jurisdiction for Trial of Offences, &c.

56. For the Purposes of Proceedings under this Act, or any Order of the Privy Council or Order or Regulation of a Local Authority thereunder, every Offence against this Act or any such Order or Regulation shall be deemed to have been committed, and every Cause of Complaint under this Act or any such Order or Regulation shall be deemed to have arisen, either in the Place in which the same actually was committed or arose, or in any Place in which the Person charged or complained against happens to be.

Protection of Persons in Execution of Act.

Actions against Persons executing Act not to be brought without Notice, &c.

57. No Action or Proceeding shall lie against any Person acting or intending to act under the Authority or in the Execution or in pursuance of this Act for any alleged Irregularity or Trespass or other Act or Thing done or omitted by him under this Act, unless Notice in Writing (specifying the Cause of the Action or Proceeding, and the Name and Residence of the intending Plaintiff or Prosecutor, and of his Attorney or Agent in the Matter,) is given by the intending Plaintiff or Prosecutor to the intended Defendant One Month at least before the Commencement of the Action or Proceeding, nor unless the Action or Proceeding is commenced within Four Months next after the Act or Thing complained of is done or omitted, or in case of a Continuation of Damage within Four Months next after the doing of such Damage has ceased; and any such Action shall be laid and tried in the County or Place where the Cause of Action arose, and not elsewhere.

Plea in Action.

58. In any such Action the Defendant may plead generally that the Act or Thing complained of was done or omitted by him when acting or intending to act under the Authority or in the Execution or in pursuance of this Act, and may give all special Matter in Evidence.

Evidence in Action.

59. On the Trial of any such Action the Plaintiff shall not be permitted to go into Evidence of any Cause of Action not stated in his Notice.

Tender of Amends, &c.

60. The Plaintiff in any such Action shall not succeed if Tender of sufficient Amends is made by the Defendant before the Commencement of the Action; and in case no Tender has been made the Defendant may, by Leave of the Court in which the Action is brought, at any Time pay into the Court such Sum of Money as he thinks fit, whereupon such Proceeding and Order shall be had and made in and by the Court as may be had and made on the Payment of Money into Court in an ordinary Action.

61. If

Costs of Defendant.

61. If in any such Action the Plaintiff does not succeed in obtaining Judgment, the Defendant shall receive such full and reasonable Indemnity as to all Costs, Charges, and Expenses incurred in and about the Action as may be taxed and allowed by the proper Officer, subject to Review; and though a Verdict is given for the Plaintiff in the Action, he shall not have Costs against the Defendant unless the Judge before whom the Trial is had certifies his Approval of the Action and Verdict.

Costs, &c. of Defence to Actions, &c. under Direction of Local Authority.

62. Where any such Action or Proceeding is defended under the Direction or with the Approval of the Local Authority, the Costs, Charges, and Expenses incurred in and about the same by or on behalf of the Defendant and payable by him, and any Damages or other Money recovered against or payable by him in or in consequence of such Action or Proceeding, shall be deemed Expenses incurred by the Local Authority in pursuance of this Act, and shall be defrayed accordingly.

SCHEDULES.

THE FIRST SCHEDULE.

Former Acts continued.

11 & 12 Vict. c. 107.—An Act to prevent until the First Day of September One thousand eight hundred and fifty, and to the End of the then Session of Parliament, the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. [The Contagious Diseases (Animals) Act, 1848.]

16 & 17 Vict. c. 62.—An Act to extend and continue an Act of the Twelfth Year of Her present Majesty, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. [The Contagious Diseases (Animals) Act, 1853.]

29 & 30 Vict. c. 2.—The Cattle Diseases Prevention Act, 1866.

29 & 30 Vict. c. 15.—An Act to amend the Act of the Eleventh and Twelfth Years of Her present Majesty, Chapter One hundred and seven, to prevent the spreading of contagious or infectious Disorders among Sheep, Cattle, and other Animals. [The Contagious Diseases (Animals) Act, 1866.]

29 & 30 Vict. c. 110.—The Cattle Diseases Prevention Amendment Act, 1866.

THE SECOND SCHEDULE.

Forms for Use by Inspector respecting infected Places.

(1.)

Declaration of infected Place.

The Contagious Diseases (Animals) Act, 1867.

I, *A.B.*, of , the Inspector appointed by , being the Local Authority for the [County] of , hereby declare that I have this Day found Cattle Plague to exist in the following Field, Stable, Cowshed, or other Premises, (that is to say,) [*here describe the Place where the Disease is found*].

Dated this Day of 18 .

(Signed) *A.B.*

(2.)

Notice of Declaration to Occupiers.

The Contagious Diseases (Animals) Act, 1867.

To *C.D.* of

I, *A.B.*, of , the Inspector appointed by , being the Local Authority for the [County] of , hereby give you Notice, as the Occupier of the following Field, Stable, Cowshed, or other Premises, (that is to say,) [*here describe the Place where the Disease is found,*] that I have made a Declaration, a Copy whereof is indorsed on this Notice [*Copy of Declaration as filled up and signed to be indorsed*], and that in consequence thereof the Field, Stable, Cowshed, or other Premises aforesaid, with all Lands and Buildings contiguous thereto in your Occupation, have become and are an infected Place, and that the same will continue to be an infected Place until the Determination and Declaration relative thereto of the Local Authority, as provided for in Section of the above-mentioned Act.

Dated this Day of 18 .

(Signed) *A.B.*

(3.)

Notice of Declaration to adjoining Occupiers.

The Contagious Diseases (Animals) Act, 1867.

To *E.F.* of

I, *A.B.*, of , the Inspector appointed by , being the Local Authority for the [County] of , hereby give you Notice that I have made a Declaration, a Copy whereof is indorsed on this Notice [*Copy of Declaration as filled up and signed to be indorsed*], and that in consequence thereof the Field, Stable, Cowshed, or other Premises therein described, with all Lands and Buildings contiguous thereto in the same Occupation, have become and are an infected Place, and the same will continue to be an infected Place until the Determination and Declaration relative thereto of the Local Authority, as provided for in Section of the above-mentioned Act. And I hereby require you, as an Occupier of Lands and Buildings adjoining to such infected Place, Part [*or* the whole] whereof lies within One Mile of the Boundaries of the infected Place, to take notice that in consequence of the Declaration aforesaid the Rules of the said Act with respect to infected Places will, until such Determination and Declaration of the Local Authority as aforesaid, apply and have Effect to and in respect of the Lands and Buildings of which you are Occupier as if the same were actually within the Limits of the infected Place.

Dated this Day of 18 .

(Signed) *A.B.*

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