

CHAP. 70.

An Act to consolidate, amend, and make perpetual the Acts for preventing the introduction or spreading of Contagious or Infectious Diseases among Cattle and other Animals in Great Britain. [9th August 1869.] A.D. 1869.

WHEREAS it is expedient to confer on Her Majesty's Most Honourable Privy Council power to take such measures as may appear from time to time necessary to prevent the introduction into Great Britain of contagious or infectious diseases among cattle, sheep, and other animals, by prohibiting or regulating the importation of foreign animals, and it is further expedient to provide against the spreading of such diseases in Great Britain, and to consolidate and amend and make perpetual the Acts relating thereto, and to make such other provisions as are contained in this Act:

Be it therefore 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:

Part I.—Preliminary.

1. This Act may be cited as The Contagious Diseases (Animals) Act, 1869. Short title.

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

3. This Act is divided into parts, as follows:— Division of Act into parts.

Part I.—Preliminary.
Part II.—Local authorities.
Part III.—Foreign animals.
Part IV.—Discovery and prevention of disease.
Part V.—Slaughter in cattle plague: compensation.
Part VI.—Orders of Council and of local authorities.
Part VII.—Lands.
Part VIII.—Expenses of local authorities.
Part IX.—Offences and legal proceedings.
Part X.—Scotland.

A.D. 1869.

Repeal of Acts in schedule.

4. The Acts described in the first schedule to this Act are hereby repealed, but this repeal shall not extend to Ireland, or affect the past operation of any of those Acts, or affect any order of Her Majesty in Council made, or any order or regulation of the Privy Council or of a local authority made, or any licence granted, or any committee or sub-committee constituted, or any appointment made, or any right, title, obligation, or liability accrued, or any rate or mortgage made, or the validity or invalidity of anything done or suffered, under any of those Acts, before the passing of this Act; nor shall this repeal interfere with the institution or prosecution of any proceeding in respect of any offence committed against, or any penalty or forfeiture incurred under, any of the Acts repealed by this Act, or any order or regulation made thereunder, or take away or abridge any protection or benefit conferred or secured by any of those Acts in relation to anything done thereunder before the passing of this Act; and, notwithstanding the repeal by this Act of any of those Acts, every local authority constituted thereby or thereunder shall (subject to any provision of this Act altering the local authority or the constitution thereof in any case) continue as if this Act had not been passed; and every such order, regulation, licence, committee, sub-committee, and appointment as aforesaid shall continue and be as if this Act had not been passed, but so that the same may be revoked, altered, or otherwise dealt with under this Act as if the same had been made, granted, or constituted under this Act.

Definition, &c. of Privy Council.

5. In this Act the term "the Privy Council" means the lords and others of Her Majesty's Most Honourable Privy Council.

All or any powers by this Act conferred on the Privy Council may be exercised by those lords and others or any two or more of them.

Powers by this Act conferred on the Privy Council may, as regards the making of orders affecting only specified ports, towns, or places, or parts thereof, and as regards the issuing and revocation of licences under any Order of Council, be exercised by the Lord President of the Council or one of Her Majesty's Principal Secretaries of State.

Interpretation of terms as to animals, &c.

6. In this Act—

The term "cattle" means bulls, cows, oxen, heifers, and calves:

The term "animal" means, except where it is otherwise expressed, cattle, sheep, goats, and swine:

The term "foreign," as applied to cattle or animals, means brought from any place out of the United Kingdom:

The term "cattle plague" means the rinderpest, or disease commonly called the cattle plague:

The term "contagious or infectious disease" includes cattle plague, pleuro-pneumonia, foot-and-mouth disease, sheep-pox, sheep-

scab, and glanders, and any disease which the Privy Council from time to time by order declare to be a contagious or infectious disease for the purposes of this Act:

The term "railway company" includes a company or person working a railway under lease or otherwise:

The term "person" includes a body corporate or unincorporate.

Definition of boroughs and other places.

7. In this Act—

The term "borough" means a place which is for the time being subject to the Act of the session of the fifth and sixth years of the reign of King William the Fourth (chapter seventy-six), "to provide for the regulation of municipal corporations in "England and Wales," or which is a town or place having under any general or local Act of Parliament or otherwise a separate police establishment:

The term "county" does not include a county of a city or county of a town, but includes any riding, division, or parts of a county, having a separate commission of the peace:

The term "metropolis" includes all parishes and places in which the Metropolitan Board of Works have or had power to levy a main drainage rate.

For the purposes of this Act, the liberty of St. Albans, the liberty of the Isle of Ely, and the soke of Peterborough shall respectively be deemed separate counties, but all other liberties and franchises of counties shall be considered as forming part of the county by which they are surrounded, or if partly surrounded by two or more counties, then as forming part of that county with which they have the longest common boundary.

Every place that is not a borough, a county, or part of the metropolis as respectively defined in this Act, or is not separately mentioned in the second schedule to this Act, shall be deemed to form part of a county as defined in this Act to the county rate whereof it is assessed, or if it is not so assessed, then of the county within which it is situate.

Effect of schedules.

8. The schedules to this Act shall be construed and have effect as part of this Act.

Part II.—Local Authorities.

Local authorities, &c. in schedule.

9. For the purposes of this Act, the respective districts, authorities, rates or funds, and officers described in the second schedule to this Act, shall be the district, the local authority, the local rate, and the clerk of the local authority.

Local authority in city of London.

10. Notwithstanding anything in this Act or the second schedule thereto, within the city of London and the liberties thereof the mayor,

A.D. 1869.

aldermen, and commons of the city of London shall be the local authority, and the town clerk shall be the clerk of the local authority, and the consolidated rate shall be the local rate, but the city of London and the liberties thereof shall nevertheless be deemed part of the metropolis for the purposes of the local rate described in the second schedule to this Act in relation to the metropolis.

Appointment of committees.

11. With respect to committees of a local authority, the following provisions shall have effect:—

(1.) A local authority shall form a committee or committees, and may delegate to any such committee all or any powers conferred on the local authority by this Act, except the power to make a rate:

(2.) A local authority may from time to time revoke or alter any power given by them to a committee:

(3.) A local authority may appoint and designate any such committee as their executive committee for the purposes of this Act:

(4.) Such an executive committee shall have all the powers of the local authority under this Act, except the power to make a rate, and may appoint a sub-committee or sub-committees, and delegate to them all or any powers of the executive committee, with or without conditions or restrictions, and from time to time revoke or alter any such delegation, and fix the quorum, and add to or diminish the number of the members, or otherwise alter the constitution of a sub-committee, and lay down rules for the guidance of a sub-committee, who shall act accordingly:

(5.) Proceedings of a committee or sub-committee shall not be invalidated by any vacancy in the committee or sub-committee, or, in case of a committee appointed by general or quarter sessions of a county, by the termination of the sessions at which they were appointed:

(6.) In case of the formation of two or more committees, they shall act according to rules laid down for their guidance by the local authority:

(7.) The regulations contained in the third schedule to this Act shall have effect with respect to committees and sub-committees.

Inspectors and Officers.

Appointment of inspectors and other officers by local authorities.

12. Every local authority shall from time to time appoint so many inspectors and other officers as appear to the local authority necessary for the execution of this Act, and shall assign them such duties and award them such salaries or allowances as the local

authority think fit, and may at any time revoke any appointment so made, but so that every local authority shall at all times keep appointed at least one inspector.

Removal of inspectors.

13. 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 duty, may, if they think fit, direct his removal, and thereupon he shall cease to be an inspector for the purposes of this Act.

Reports to Privy Council, &c.

14. 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.

PART III.—FOREIGN ANIMALS.

Power to define ports.

15. The Privy Council may from time to time by order define the limits of ports for the purposes of this part of this Act.

Power to prohibit landing of foreign animals.

16. The Privy Council may from time to time by order, in relation to foreign animals, or to any specified kind of foreign animals, or to foreign animals, or any specified kind thereof, brought from any specified country or place, prohibit the landing thereof either generally, or in any specified port, or in any defined part thereof, or elsewhere than in some specified port or ports, or than in some defined part or parts thereof.

This section shall extend to horses and other animals not within the definition of animals in this Act.

Power to apply regulations in schedule to landing in specified cases.

17. The Privy Council may from time to time by order apply to the landing, either generally, or with specified exceptions, or in some specified port, or in some defined part thereof, of foreign animals, or of any specified kind of foreign animals, or of foreign animals, or any specified kind thereof, brought from any specified country or place, and to the movement and disposal thereof when landed, the regulations contained in the fourth schedule to this Act, or any of them.

Power to vary regulations.

18. The Privy Council may from time to time by order, in relation to foreign animals, or to any specified kind of foreign animals, or to foreign animals, or any specified kind thereof, brought from any specified country or place, add to or vary the regulations contained in the fourth schedule to this Act.

Provision respecting animals within port, &c.

19. Where the regulations contained in the fourth schedule to this Act, or any of them, (with or without addition or variation,) are in operation in respect of a port or a defined part thereof,

A.D. 1869.

then all animals for the time being within that port or defined part shall, subject to any order of the Privy Council to the contrary, be deemed foreign animals, and the same regulations shall apply thereto accordingly.

Power to impose quarantine.

20. The Privy Council may from time to time by order make such regulations as they think expedient for imposing conditions on the landing of or for subjecting to inspection or to quarantine foreign animals, or any specified kind of foreign animals, or foreign animals, or any specified kind thereof, brought from any specified country or place.

This section shall extend to horses and other animals not within the definition of animals in this Act.

Punishment for wrongful landing, &c.

21. If any person lands or attempts to land any foreign animal (including any horse or other animal not within the definition of animals in this Act) in contravention of any order of the Privy Council, the animal shall be forfeited in like manner as goods the importation whereof is prohibited by the Acts relating to the Customs are liable to be forfeited; and the person so offending shall be liable to such penalties as are imposed on persons importing or attempting to import goods the importation whereof is prohibited by the Acts relating to the Customs, without prejudice to any proceeding against him under this Act or any such order, but so that no person be punished twice for the same offence.

Return of diseases among foreign animals to be published in London Gazette.

22. There shall be published in the London Gazette once in every month, under the direction of the Privy Council, a return of the number of foreign animals brought by sea to any port in Great Britain which on inspection on landing within the then last preceding month have been found to be affected with any contagious or infectious disease, specifying the disease and the ports from which and to which such animals are brought, and the mode in which such animals have been disposed of.

Power to provide, &c. wharves, lairs, &c.

23. A local authority may provide, erect, and fit up wharves, lairs, sheds, markets, houses, and places for the landing, reception, sale, and slaughter of foreign animals.

Incorporation of Markets, &c. Clauses Act, 1847.

24. There shall be incorporated with this part of this Act The Markets and Fairs Clauses Act, 1847; and for the purposes of the application and construction of that Act in conjunction with this part of this Act any place provided by a local authority under this part of this Act for the landing, reception, sale, or slaughter of foreign animals shall be deemed a market, and this part of this Act shall be deemed the special Act, and the prescribed limits shall be deemed to be the limits of the lands acquired for the purposes

of this part of this Act; and byelaws shall be approved by the Privy Council, which approval shall be sufficient, without any other approval or any allowance thereof (notice of application for such approval being nevertheless given, and proposed byelaws being published before application for approval, in like manner as under that Act notice of application for allowance and publication before that application are required to be made).

Charges for use of wharves, &c.

25. A local authority may charge for the use of any wharf, lair, shed, market, house, or place provided by them under this part of this Act such sums as they from time to time by byelaw appoint.

Power to give as security for borrowed money, charges, estates, &c.

26. A local authority, on exercising for the purposes of this part of this Act the borrowing powers vested in them under this Act, may, if they think fit, give as security for repayment of money borrowed with interest (either together with the local rate, if any, or separately therefrom) the charges which they are authorized to make under this part of this Act, and any estates, revenues, or funds belonging to them and not otherwise appropriated by law.

Separate account and application of money received.

27. All money received by a local authority from charges made by them under this part of this Act shall be carried to a separate account, and shall be applied in payment of interest on money borrowed by them for the purposes of this part of this Act, and in repayment of the principal thereof, and subject thereto towards discharge of expenses incurred by them in the execution of this Act.

Special provisions respecting metropolis.

28. With respect to the metropolis, notwithstanding anything in this Act or in the second schedule thereto, the following provisions shall have effect:

(1.) The mayor, aldermen, and commons of the city of London shall, for the purposes of this part of this Act, be exclusively the local authority in and for the metropolis:

(2.) The mayor, aldermen, and commons, on exercising for the purposes of this part of this Act the borrowing powers vested in a local authority under this Act, may borrow on the credit of the property on the credit whereof they are authorized to borrow by The Metropolitan Market Act, 1865, and the money so borrowed may be secured in the manner and subject and according to the provisions in that Act authorized and contained:

(3.) All money received by the mayor, aldermen, and commons from charges made by them under this part of this Act shall (subject to the application thereof as in this part of this Act directed in payment of interest on and in repayment of principal of money borrowed for the pur-

A.D. 1869.

poses of this part of this Act) be applied in repayment of the principal of money borrowed by them under The Metropolitan Market Acts, 1857 and 1865, and subject thereto in discharge of expenses incurred by them in the execution of this part of this Act:

(4.) From and after the opening for public use of a market provided by the mayor, aldermen, and commons under this part of this Act to the satisfaction of the Privy Council (declared by order), the maximum tolls, dues, and payments that may be taken under The Metropolitan Market Act, 1857, in respect of the animals mentioned in the fifth schedule to this Act, shall be the sums in that schedule specified in lieu of those specified in schedule A. to that Act.

Provision on failure of corporation of London to provide market.

29. Provided that if the mayor, aldermen, and commons of the city of London do not before the first day of January one thousand eight hundred and seventy-two provide and open for public use a market for the purposes of this part of this Act to the satisfaction of the Privy Council (declared by order), then on and after that day the following consequences shall ensue:

(1.) The provision of this part of this Act making the mayor, aldermen, and commons exclusively for the purposes of this part of this Act the local authority in and for the metropolis shall cease to operate:

(2.) The enactment in section fifteen of The Metropolitan Market Act, 1857, that no new market for the sale of cattle or horses shall be opened in the cities of London or Westminster, or the liberties thereof, or in the borough of Southwark, or at any place distant less than seven miles in a straight line from Saint Paul's Cathedral in the city of London, shall not prevent any local authority or person from establishing a market for the purposes of this part of this Act in or at any place named or defined in that section.

Continuance of defined part where market, &c. provided.

30. Where a local authority, with the approval of the Privy Council, have before or after the passing of this Act provided, erected, and fitted up within a part of a port defined by the Privy Council as a place where foreign animals may be landed any wharf, lair, shed, market, house, or place for the landing, reception, sale, or slaughter of foreign animals, it shall not be lawful for the Privy Council (as long as importation of foreign animals at that port is allowed, but under restriction) to revoke the definition of the part or parts of that port at which foreign animals may be landed, or

to alter it so as to exclude therefrom any part of the site of such wharf, lair, shed, market, house, or place, except with the consent of the local authority; and if any railway company have provided, erected, or fitted up any such wharves, lairs, sheds, markets, houses, or places, the same may, with the approval of the Privy Council, be used for the purposes of this part of this Act. A.D. 1869.

Part IV.—Discovery and Prevention of Disease.

Inspector to proceed on information.

31. An inspector of a local authority, on receiving information of the supposed existence of cattle plague, pleuro-pneumonia, or sheep-pox, or having reasonable ground to suspect that any of those diseases exists in any place within his district, shall proceed to that place with all practicable speed, and execute and discharge the powers and duties by or under this Act conferred and imposed on him as inspector.

Power of entry for inspector, &c.

32. An inspector or other officer of a local authority authorized to act in the execution of this Act may at any time enter any field, stable, cow-shed, or other premises within his district, where he has reasonable grounds for supposing that any animal affected with cattle plague, pleuro-pneumonia, or sheep-pox is to be found, for the purpose of executing this Act, but shall, if required, state in writing the grounds on which he has so entered.

If any person refuses admission to such inspector or officer acting under this section, he shall be deemed guilty of an offence against this Act.

Evidence of disease.

33. The certificate of an inspector of a local authority to the effect that an animal within his district is affected with cattle plague, pleuro-pneumonia, or sheep-pox, shall for the purposes of this Act be conclusive evidence in all courts of justice and elsewhere of the matter certified.

Infected Places: Cattle Plague and Sheep-pox.

Provisional declaration of infected place by inspector.

34. Where an inspector finds cattle plague or sheep-pox 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.

35. Where an inspector makes such a declaration of the existence of cattle plague or sheep-pox, he shall with all practicable speed send a copy thereof to the Privy Council, and deliver the declaration

A.D. 1869.

to the local authority, who shall forthwith inquire into the correctness thereof, and if it appears to them that cattle plague or sheep-pox 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 or sheep-pox did not exist as declared by the inspector, and the same is certified to them in writing by one or more duly qualified veterinary surgeon or surgeons, employed by them in that behalf, 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 Privy Council.

36. A 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 or sheep-pox 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 area on declaration by local authority.

37. 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 in which cattle plague or sheep-pox 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.

Extension of area into district of other authority.

38. 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.

Extent of infected place under declaration by Council.

39. 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 or sheep-pox has been found to exist, such an area as to the Privy Council seems requisite.

Area of infected places in metropolis.

40. 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 or sheep-pox is declared or found to exist.

Description of infected place.

41. 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 declaration.

42. 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.

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.

Any want of or defect or irregularity in publication shall not invalidate any order.

Order evidence of disease.

43. An order of a local authority or of the Privy Council declaring a place to be an infected place shall be conclusive evidence in all courts of justice and elsewhere of the existence of disease and other matters on which the order proceeds.

Rules in schedule.

44. The rules set forth in the sixth schedule to this Act shall have effect with respect to infected places (which rules are in this Act referred to as the rules of this Act with respect to infected places).

Offences as to infected places.

45. 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.

46. 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 Privy Council to make rules as to infected places.

47. The Privy Council may from time to time by order make rules with respect to infected places not being inconsistent with the rules set forth in the sixth schedule to this Act; and with respect to the metropolis, the Privy Council may also from time to time, if they think it expedient, vary the rules set forth in that schedule; and all rules and variations of rules so made shall be deemed rules of this Act with respect to infected places.

Duties of local authorities, &c.

48. Every local authority and the police of every county, borough, town, and place shall, within their respective districts, enforce and execute the provisions of this Act and of any order of the local authority or Privy Council thereunder relative to infected places, and do or cause to be done all things 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.

49. 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

A.D. 1869.

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 places.

50. 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 or sheep-pox (as the case may be) in that place, by order declare the place to be free from cattle plague or sheep-pox (as the case may be).

The Privy Council may at any time by order declare any place to be free from cattle plague or sheep-pox.

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 as regards cattle plague or sheep-pox (as the case may be).

Report to Privy Council.

51. The clerk of a local authority declaring a place to be an infected place, or declaring a place to be free from cattle plague or sheep-pox, shall forthwith report by post to the Privy Council the fact of such declaration having been made.

Effect of orders of Council.

52. An order of the Privy Council relative to an infected place shall supersede any order of a local authority inconsistent with it.

Restriction on movement, &c. near infected places.

53. 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.

Pleuro-pneumonia.

Provisional declaration as to pleuro-pneumonia by inspector.

54. Where an inspector finds pleuro-pneumonia 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 declara-

tion to the occupier of the field, stable, cow-shed, or other premises where the disease is found; and thereupon the rules set forth in the seventh schedule to this Act (in this Act called the pleuro-pneumonia rules of this Act) shall have effect in relation to such field, stable, cow-shed, or other premises until the determination and declaration of the local authority relative thereto in this Act provided for.

Determination and declaration by local authority as to pleuro-pneumonia.

55. Where an inspector makes a declaration of the existence of pleuro-pneumonia, 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 pleuro-pneumonia existed as declared by the inspector, they shall so determine and declare, and thereupon the pleuro-pneumonia rules of this Act shall continue to apply to the field, stable, cow-shed, or other premises to which the declaration relates; but if in any such case it appears to the local authority that pleuro-pneumonia did not exist as declared by the inspector, or that a fresh case of pleuro-pneumonia has not occurred for thirty days in such field, stable, cow-shed, or other premises, then the local authority shall so determine and declare, and the pleuro-pneumonia rules of this Act shall cease to operate in relation thereto.

Miscellaneous.

Forms in schedule.

56. The forms given in the eighth schedule to this Act, with such variations as circumstances require, may be used by an inspector for the purposes of this part of this Act, and a declaration of disease under this part of this Act shall not be deemed a certificate of the inspector for any purpose of this Act.

Exposure for sale, transport by railway, &c. of diseased animals.

57. If any person exposes in a market or fair or other public place where horses or animals are commonly exposed for sale, or exposes for sale in any sale-yard, whether public or private, or places in a lair or other place adjacent to or connected with a market or fair, or where horses or animals are commonly placed before exposure for sale, or sends or causes to be carried on a railway, or on a canal, river, or other inland navigation, or on a coasting vessel, or carries, leads, or drives, or causes to be carried, led, or driven on a highway or thoroughfare, any horse or animal affected with a contagious or infectious disease, 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.

A.D. 1869.

Where any horse or animal so affected is exposed or otherwise dealt with in contravention of this section, an inspector of the local authority or any officer of the local authority authorized to act in execution of this Act may seize the same, and cause it, if affected with glanders, cattle plague, or sheep-pox, to be slaughtered, and if affected with any other contagious or infectious disease to be removed to some convenient and isolated place, and to be there kept for such time as the local authority think expedient; and the local authority may recover the expenses of the execution by them of this section from the owner of the horse or animal, or from the consignor or consignee thereof, who may recover the same from the owner.

In case of a conviction for an offence under this section no compensation shall be payable in respect of any animal slaughtered under this section.

Notwithstanding anything in this section, the Privy Council may from time to time, by order, make such further or other provision as they think expedient respecting animals becoming affected with foot-and-mouth disease, or any other contagious or infectious disease not being cattle plague, pleuro-pneumonia, sheep-pox, or glanders, while exposed or placed or being carried, led, or driven as aforesaid, and any such order shall be deemed part of this section.

Turning out of diseased animals on uninclosed lands, &c.

58. If any person places or keeps on any common or uninclosed land or in any field or other place insufficiently fenced, or on the side of a highway, any horse or animal affected with a contagious or infectious disease, 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.

Trespass on land.

59. Where a person having cattle in his possession or keeping within the district of a local authority wherein cattle plague exists affixes at the entrance to a building or inclosed place in or on which such cattle are kept a notice forbidding persons to enter into or on that building or place without his permission, then, if any person not having a right of entry or way into, on, or over that building or place, enters into, on, or over the same or any part thereof, in contravention of the notice, he shall for every such offence be liable to a penalty not exceeding five pounds.

Burial of diseased animals.

60. Every local authority shall cause every horse or animal that has died of glanders, cattle plague, or sheep-pox, or has been slaughtered in consequence of being affected with glanders, cattle plague, or sheep-pox, within their district, to be buried as soon as possible in its skin in some proper place, and to be covered with

a sufficient quantity of quicklime or other disinfectant, and with not less than six feet of earth, or to be destroyed under inspection of the local authority in such mode as the Privy Council from time to time by order direct or approve.

It shall not be lawful for any person, except with the licence of the Privy Council, to dig up or cause to be dug up the carcase or any part of the carcase of any horse or animal so buried.

Purification of sheds, &c. of diseased animals.

61. A local authority shall cause the yard, shed, stable, field, or other premises in which any horse or animal affected with glanders or cattle plague or sheep-pox has been kept while so affected, or has died or been slaughtered, to be thoroughly cleansed and disinfected, and all hay, straw, litter, dung, or other article that has been in contact with or used about any such horse or animal to be burnt or otherwise destroyed.

No fresh animal shall be admitted into any yard, shed, stable, field, or other premises in which any animal affected with cattle plague or sheep-pox has been kept while so affected, or has died or been slaughtered, until the expiration of thirty days after the cleansing and disinfecting of such premises in pursuance of this Act.

Any such hay, straw, litter, dung, or other article shall not be removed from the premises in which any horse or animal affected with glanders or cattle plague has been, except for the purpose of being destroyed and with a licence of an inspector specifying the place at which it is to be destroyed, nor shall it be removed out of the district of the local authority without the consent in writing of the local authority into whose district it is moved. If any such thing is removed in contravention of this Act, the occupier of the premises from which it is removed and the person removing it shall each be deemed guilty of an offence against this Act.

A local authority shall direct the disinfecting of the clothes of and the use of due precautions against the spreading of contagion by inspectors and others in contact with animals affected with cattle plague.

Steamboat and railway companies &c. to disinfect carriages, boats, &c.

62. Every steamboat, railway, and other company, and every person carrying animals for hire to or in Great Britain, shall thoroughly cleanse and disinfect, in such manner as the Privy Council from time to time by order direct, all steamers, vessels, boats, pens, carriages, trucks, horse-boxes, and vehicles 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

A.D. 1869.

shall on every such occasion be deemed guilty of an offence against this Act.

An inspector of a local authority, or any officer of a local authority authorized to execute this Act, may at all times enter on board any steamer, vessel, or boat in respect whereof he has reasonable grounds for supposing that any company or person has failed to comply with the requisitions of any such order, and on premises where he has reasonable grounds for supposing that any pen, carriage, truck, horse-box, or vehicle in respect whereof any company or person has on any occasion so failed is to be found; and if any company or person refuses admission to an inspector or other officer acting under this section, such company or person shall be deemed guilty of an offence against this Act.

Regulations for disinfecting.

63. 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.

Water and food to be provided at railways to satisfaction of Privy Council.

64. Every railway company shall make a provision, to the satisfaction of the Privy Council, of water and food, or either of them, at such stations as the Privy Council from time to time, by general or specific description, direct, for animals carried or about to be or having been carried on the railway of the company; and such water and food, or either of them, shall be supplied to any such animal by the company carrying it on the request in writing of the consignor thereof, or on the request of any person in charge thereof, and the company so supplying water and food, or either of them, may make in respect thereof such reasonable charges, if any, as the Privy Council by order approve, in addition to such charges as they are for the time being authorized to make in respect of the carriage of animals; and the amount of such additional charges accrued due in respect of any animal shall be a debt from the consignor and from the consignee thereof to the company, and shall be recoverable by the company from either of them by proceedings in any court of competent jurisdiction, and the company shall have a lien for the amount thereof on the animal in respect of which the same accrued due, and on any other animal at any time consigned by the same person to be carried by the company.

If any company on any occasion fails to comply with the requirements of this section, they shall, on every such occasion, be deemed guilty of an offence against this Act. If in the case of any animal such a request as aforesaid is not made so that the

animal remains without a supply of water for thirty consecutive hours, or other period not being less than twelve hours as the Privy Council from time to time by order prescribe, the consignor and the person in charge of the animal shall each be deemed guilty of an offence against this Act; and it shall lie on the person accused to prove the time within which the animal has had a supply of water.

PART V.—SLAUGHTER IN CATTLE PLAGUE: COMPENSATION.

Slaughter in cattle plague.

65. Every local authority shall cause all animals affected with cattle plague within their district to be slaughtered.

Slaughter of cattle herded with diseased animals.

66. A local authority may, if they think fit, cause to be slaughtered any animal that has been in the same shed or stable, or in the same herd or flock, or in contact with any animal affected with cattle plague within their district.

Slaughter of animals to ascertain disease.

67. Where an animal is affected with disease suspected to be cattle plague, the local authority may cause the animal to be slaughtered in order to ascertain the nature of the disease.

Compensation to owners of animals on slaughter.

68. Where an animal affected with cattle plague, or affected with disease suspected to be cattle plague, is slaughtered in pursuance of this Act, the local authority (except as otherwise provided in this Act) shall, by way of compensation for the animal, pay to the owner thereof such sum, not exceeding twenty pounds and not exceeding one half of the value of the animal immediately before it was affected with cattle plague, as to the local authority seems fit.

Compensation for slaughter of cattle herded with diseased animals.

69. Where a local authority causes an animal to be slaughtered on account of it having been in the same shed or stable, or in the same herd or flock, or in contact with an animal affected with cattle plague, the owner of the animal so slaughtered may either dispose of the carcase on his own account, with a licence from some officer appointed in that behalf by the local authority, or may require the local authority to dispose of the same, in which latter case the local authority shall pay to the owner thereof, by way of compensation, such sum, not exceeding thirty pounds, as may equal three fourths of the value of the animal slaughtered.

Power to ascertain value of slaughtered animals.

70. A local authority may require the value of any animal slaughtered under this Act to be ascertained by officers of the local authority or by arbitration, and generally may impose conditions as to evidence of the slaughter and value of the animals slaughtered.

A.D. 1869.

Restrictions on compensation.

71. A local authority may, if they think fit, withhold compensation in respect of any animal slaughtered, where the owner or the person having the charge thereof has in their judgment been guilty, in relation to such animal, of any act in contravention of this Act, or of any order, regulation, or licence of the Privy Council or of a local authority, or has, in relation to such animal, failed to comply with the provisions of this Act, or of any such order, regulation, or licence in respect of the giving of notice of disease or in any other respect, and may, if they think fit, withhold compensation in respect of a foreign animal slaughtered on account of it being affected with cattle plague, or with disease suspected to be cattle plague, if it appears to them that the animal was so affected at the time of the landing thereof.

Amount of insurance to be recovered.

72. Where an animal has been slaughtered in pursuance of this Act, the owner thereof shall not be entitled to recover in respect of the insurance thereof any sum which, together with the payment which he receives for the same under this Act, would exceed the sum which he would have been entitled to receive in respect of the insurance.

Reservation for experimental treatment.

73. The Privy Council may, notwithstanding anything in this Act, reserve for experimental treatment any animal ordered to be slaughtered under this Act, but compensation shall be payable in respect thereof as if this section had not been enacted.

Record respecting slaughter.

74. Every local authority shall keep, in such manner and form as the Privy Council from time to time by order direct or approve, a record relative to proceedings under this part of this Act, stating the date of any order for slaughter, and the execution of the order, or the reservation of the animal for experimental treatment (as the case may be), and other proper particulars; and such record shall be evidence if any question arises concerning an order for the slaughter of any animal, or concerning compensation in respect thereof.

PART VI.—ORDERS OF COUNCIL AND LOCAL AUTHORITIES.

Power for Privy Council to make orders.

75. The Privy Council may from time to time make such orders as they think expedient for all or any of the following purposes:

For insuring for animals brought by sea to ports in Great Britain a proper supply of food and water during the passage and on landing:

For protecting such animals from unnecessary suffering during the passage and on landing:

For protecting animals from unnecessary suffering during inland transit:

For prohibiting or regulating the movement of animals, and the removal of dead animals or parts thereof, and of hay, straw, litter, dung, and other things likely to spread contagious or infectious diseases among animals:

For requiring the cleansing and disinfecting of yards, sheds, stables, fields, and other premises:

For regulating the disposal of animals dying while affected with a contagious or infectious disease:

For requiring notice of the appearance of any such disease among animals:

For prohibiting or regulating the holding of markets, fairs, exhibitions, or sales of animals:

And generally any orders whatsoever which they think it expedient to make for the better execution of this Act, or for the purpose of in any manner preventing the introduction or spreading of contagious or infectious disease among animals in Great Britain (whether any such orders are of the same kind as the kinds enumerated in this section or not), and may in any such order direct or authorize the slaughtering of animals that are affected with any contagious or infectious disease, or that have been in contact with animals so affected; and may in any such order direct or authorize the local authority to pay compensation for any animals so slaughtered; and may in any such order impose penalties for offences against the same, not exceeding the sum of twenty pounds for any such offence, and so that in every such order provision be made that a penalty less than the maximum may be ordered to be paid; and this section shall extend to horses and all ruminating animals not within the definition of animals in this Act.

Every such order shall have the like force and effect as if it had been enacted by this Act.

Privy Council inspectors.

76. A person for the time being appointed by the Privy Council an inspector for the purposes of this Act shall have for and through-

A.D. 1869.

out Great Britain all such powers, authorities, and privileges as an inspector of a local authority has within or in relation to his district, and a direction of the Privy Council shall in the case of an inspector appointed by them be deemed equivalent to a direction of a local authority in the case of an inspector appointed by them.

Provisions for towns, &c.

77. 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.

Regulation, &c. of landing of hay, &c.

78. The Privy Council may from time to time by order make such regulations as they think expedient for prohibiting or regulating the landing of any hay, straw, fodder, or other article brought from any place out of the United Kingdom, whereby it appears to the Privy Council contagion or infection may be conveyed to animals, or for causing the same to be destroyed if landed.

If any person lands or attempts to land any hay, straw, fodder, or other article in contravention of any such order, the same shall be forfeited in like manner as goods the importation whereof is prohibited by the Acts relating to the Customs are liable to be forfeited, and the person so offending shall be liable to such penalties as are imposed on persons importing or attempting to import goods the importation whereof is prohibited by the Acts relating to the Customs, without prejudice to any proceeding against him under this Act or any such order, but so that no person be punished twice for the same offence.

Directions of Council and local authority.

79. The Privy Council may require a local authority to carry into effect any order of the Privy Council under this Act, and may authorize a local authority to make any regulations for the purpose of preventing the spreading of contagious or infectious diseases among animals, subject to such conditions as the Privy Council impose, and the local authority may by any such regulation impose such penalties as the Privy Council are by this Act authorized to impose by order.

Expenses of execution of orders.

80. The expenses incurred by a local authority in executing any order of the Privy Council under this Act shall be defrayed by the local authority out of such local rates or funds as such order directs, and subject to or in the absence of any such direction shall be deemed expenses incurred by the local authority in pursuance of this Act.

Publication of orders, &c.

81. Every order of the Privy Council under this Act shall be published in the London Gazette, save that where an order of the Privy Council affects only a particular port, town, or place, or part thereof, specified in the order, or declares a place to be an infected place, or to be free from cattle plague or from sheep-pox, or is in the nature of a licence under an order of Council, or of a revocation of such a licence, then the insertion in the London Gazette of a notice of the issuing thereof shall be for all purposes sufficient publication thereof.

Any order of the Privy Council under this Act 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.

Any order or regulation made by a local authority shall be published by them at their own expense in such manner as the Privy Council direct, and, subject to or in the absence of any such direction, in such manner as the local authority think sufficient and proper to ensure publicity.

Instrument may be in print, &c.

82. 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.

Stamp duty and fees not to be paid.

83. No stamp duty shall be payable on, and no fee or other charge shall be demanded or made for, any appointment, certificate, declaration, or licence under this Act, or any order or regulation made thereunder.

Evidence of orders.

84. An order or regulation made or issued by a local authority under this Act, or under any order of the Privy Council, may be proved as follows:—

By the production of a copy of a newspaper containing a copy of such order or regulation; or

By the production of a printed copy of such order or regulation, purporting to be certified to be a true copy by the clerk of the peace where the authority are justices in general or quarter sessions assembled, or by the town clerk or other officer performing the duties of a town clerk in the case of an authority having a town clerk or other officer as aforesaid, or by such other officer as the Privy Council prescribe:

And any such order or regulation shall, until the contrary is proved, be deemed to have been duly made and issued at the time at which it bears date.

A.D. 1869.

Recovery of penalties.

85. Penalties and forfeitures shall be recoverable and applicable under an order of the Privy Council, or an order or regulation of a local authority, as penalties and forfeitures under this Act are recoverable and applicable.

PART VII.—LANDS.

Acquisition of land by local authority.

86. A local authority may purchase or take on lease or at a rent land for the purpose of burying therein animals dying of or slaughtered on account of any contagious or infectious disease, or for the purpose of providing wharves, lairs, sheds, markets, houses, and places for the landing, reception, sale, and slaughter of foreign animals, or for any other purpose of this Act, and may sell, exchange, or dispose of lands acquired by them under this Act, but not required to be retained for the purposes thereof, carrying the money produced thereby to the credit of the local rate.

Conveyances, &c. of land.

87. Land purchased or taken on lease or at a rent under this Act by a local authority, not being a body corporate, shall be assured or demised to the local authority and their successors, in trust for the purposes of this Act, and shall be accepted, taken, and held by them as a body corporate.

Purchase under provisional order.

88. The regulations contained in section seventy-five of The Local Government Act, 1858, shall be observed with respect to the purchase of land by a local authority for the purposes of this Act, and shall apply and have effect as if the local authority were a local board acting under the Local Government Act, and the purposes of this Act were purposes of that Act, save that the advertisements and notices requisite under that section may be published and served in any two consecutive months instead of only in the months therein specified, and that the local rate be substituted for the rates therein mentioned; and the powers conferred by this section may be exercised by a local authority with respect to land either within or without their district.

PART VIII.—EXPENSES OF LOCAL AUTHORITIES.

Expenses for compensation.

89. The expenditure of a local authority in compensation for animals slaughtered under Part V. of this Act, or in respect of principal of or interest on money borrowed in pursuance of this Act, shall be defrayed out of the local rate, or out of a separate

rate to be levied in all respects as the local rate, and included under the term local rate. A.D. 1869.

Any person who is not the owner of the premises in respect of which he is rated under this section to the local rate may deduct from the growing rent due to the owner of such premises one half of the rate payable by him for the purposes of this section, and every owner shall allow such deduction accordingly.

The owner for the purposes of this section shall be the person for the time being entitled to receive the rackrent of the premises in respect of which the rate is made on his own account, or who would be entitled to receive the same if such premises were let at a rackrent, including under the term rackrent any rent which is not less than two thirds of the net annual value of the premises out of which the rent issues.

Every local authority shall have power, notwithstanding any limit in any Act of Parliament, to levy a local rate to the amount required for the purposes of this Act, but every rate or increase of rate levied under this section shall in all precepts for the levy thereof be described as a separate rate or separate item of rate, and when collected from the individual ratepayers shall be collected as a separate rate or specified as a separate item of rate.

Every order of a board of guardians for contribution of monies, out of which any such expenditure as in this section mentioned is payable, shall state the amount in the pound of contribution required for such expenditure; and the overseers, on the receipt given to any ratepayer for poor rate, shall specify the amount (if any) collected in respect of such expenditure.

General expenses.

90. Expenses incurred by a local authority in pursuance of this Act, other than their expenditure in compensation for animals slaughtered under Part V. of this Act, or in respect of principal of or interest on money borrowed in pursuance of this Act, shall be defrayed out of the local rate.

Remission of rate in certain cases.

91. Where before the twentieth day of February one thousand eight hundred and sixty-six any person suffered so great a loss of cattle by cattle plague as to entitle him, after the passing of this Act, in the opinion of the local authority, to a remission in whole or in part of the amount due from him in respect of the local rate, such remission may be granted by the local authority.

Application of balance unappropriated.

92. Where at the passing of this Act a local authority have in their hands an unappropriated balance of a local rate levied under any Act repealed by this Act, they may, if they think fit, apply any part of such balance in compensation for cattle

A.D. 1869.

slaughtered between the passing of "The Cattle Diseases Prevention Act, 1866," and the appointment of inspectors under that Act, by direction of a person whom the owner of such cattle had reasonable ground to believe to be the authorized inspector for the execution of the Act; or they may carry such balance or any part thereof to the credit of the ordinary account of the local rate, to be applied for any of the purposes for which the local rate when levied under any Act other than an Act repealed by this Act is applicable.

Variation of forms of precepts and orders.

93. All precepts, orders for contribution, and forms of poor rate shall, where necessary, be varied in such manner as may be required for carrying into effect this Act.

Advance of monies by treasurer of local authority.

94. The treasurer of a local authority may, if directed by them, advance out of any monies for the time being in his hands any sums required for payment of expenses incurred by them in pursuance of this Act.

Saving of statutes applicable to rates leviable for expenses.

95. Where the local rate is a county rate or borough rate, or any other such rate as is mentioned in the second schedule to this Act, all the provisions of the statutes applicable to the making, levying, and collecting of a county rate, borough rate, or such other rate shall apply, notwithstanding that the whole of such rate, or any part thereof, is applicable to the payment of the expenditure of a local authority in pursuance of this Act in compensation for animals slaughtered, or in respect of principal of or interest on money borrowed in pursuance of this Act.

Error in statement not to vitiate precept, &c.

96. An error in the statement of the amount of expenses in any precept, warrant, contribution, order, or receipt issued or given under this Act shall not invalidate such precept, warrant, contribution, order, or receipt; but any person aggrieved by the error may appeal to the justices in petty sessions, and the justices may rectify the error, and award to the appellant compensation for any loss he may have sustained thereby, the amount of such compensation to be paid to the appellant, and to be deemed expenses of the local authority under this Act.

Recouping of charges on boroughs out of county rates.

97. Notwithstanding anything in this Act, the local authority of each borough situate within a county and assessed to the county rate thereof shall be recouped the proportionate amount contributed by the borough to the expenses incurred by the local authority of the county in pursuance of this Act (including expenditure in compensation for animals slaughtered, or in respect of principal of or interest on money borrowed in pursuance of this Act), so that the burden of those expenses shall be borne wholly by the county, and not as to any part thereof by any borough situate within the county.

Borrowing.

Mortgage of rates in certain cases.

98. Where the rate levied or required for the purposes of this Act exceeds or would exceed sixpence in the pound, a local authority may, for the purposes of defraying any costs, charges, and expenses under this Act, borrow at interest on the credit of the local rate any sums of money necessary for defraying such costs, charges, and expenses; and for the purpose of securing the repayment of any sums of money so borrowed, together with such interest as aforesaid, the local authority may mortgage the local rate for any period not exceeding seven years.

Where the rate levied or required for the purposes of this Act exceeds or would exceed ninepence in the pound, the Commissioners of Her Majesty's Treasury may, on application from the local authority, extend the term to any term not exceeding fourteen years, and the local authority may mortgage the rate accordingly.

Provided that where the local authority borrow for any purpose of this Act on any security other than the local rate (whether together with the local rate, if any, or separately therefrom) the limitations in this section contained respecting the amount of rate and the term of years shall not operate.

The provisions of The Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the commissioners, shall be incorporated with this section, the local authority being deemed to be the commissioners, and any mortgagee or assignee may enforce payment of his principal and interest by appointment of a receiver.

The Public Works Loan Commissioners may, with the approval of the Commissioners of Her Majesty's Treasury, advance to a local authority, on the security of the local rate, without any further security, any sums of money to be applied for the purposes of this Act, and to be repaid, with interest, within any period as aforesaid.

Further power where expenses exceed one shilling in pound.

99. Where the estimated amount of the sum required to be levied for payment of the expenditure of a local authority in pursuance of this Act (including expenditure incurred in the payment of money borrowed or of interest thereon) exceeds the sum that would be raised by the levying of a rate of one shilling in the pound on the rateable value of the property assessed to the local rate, the local authority may borrow from the Public Works Loan Commissioners, and the Public Works Loan Commissioners may, out of the balance for the time being unapplied of any money by any Act already passed authorized to be issued for the purposes of loans under any Act repealed by this Act, or out of any other money for the time being authorized to be issued for the purpose of

A.D. 1869.

loans under this section, lend to them such sums as may be required, subject to the following conditions:

1. Every such loan shall be made with the sanction of the Commissioners of Her Majesty's Treasury;
2. Interest shall be at the rate of three and a quarter per centum per annum:
3. Repayment of the loan shall be made by such number of equal annual instalments, not exceeding thirty, as the Commissioners of Her Majesty's Treasury direct:
4. The Commissioners of Her Majesty's Treasury may, if they think fit, authorize the postponement, for a period not exceeding two years, of any payment of principal or interest becoming due within the first three years:
5. Repayment of the loan and interest shall be secured by a mortgage of the local rate, and it shall not be incumbent on the Public Works Loan Commissioners to require any other security:
6. The local authority shall have power to levy and shall levy rates requisite for the purpose of repaying the loan with interest:
7. The sanction of the Commissioners of Her Majesty's Treasury to the loan shall be conclusive evidence that it is authorized by this Act; and no objection shall be made by any ratepayer to the validity of any mortgage for the loan, or to the application of the proceeds of the local rate to the payment of the principal or interest of the loan:
8. The Commissioners of Her Majesty's Treasury may, by agreement with the local authority borrowing, commute into an equivalent annuity terminable at the time fixed for the liquidation of the annual instalments aforesaid, the payments secured by the mortgage or any portion of such payments.

Provision for existing loans.

100. Where a local authority have borrowed money on the security of a mortgage of the local rate, under any Act repealed by this Act, then (except as otherwise provided in this Act with respect to the county of Chester), notwithstanding any repeal in this Act, or any alteration made by this Act in the definition of a local authority or local rate, or any other thing in this Act contained, the local rate mortgaged shall continue to be the security for the money borrowed, as if this Act had not been passed; and in relation to the money so borrowed, the local authority which borrowed such money, and the local rate on which the same is charged, shall continue to be the local authority and the local rate under the Acts repealed by this Act, as if this Act had not

been passed; and all provisions of Part II. of The Cattle Diseases Prevention Act, 1866, relative to expenses, and all the provisions of The Cattle Diseases Prevention Amendment Act, 1866, and all other provisions of any Act repealed by this Act relative to expenses of local authorities, rating, remission of rates, and borrowing, and matters connected therewith respectively, shall, in relation to the money so borrowed, and to the rate charged therewith, continue to operate as if this Act had not been passed.

Provisions for Cheshire as to repayment of existing loan, &c.

101. With respect to the county of Chester the following provisions shall have effect:

(1.) As far as regards the expenditure of the local authority of the county of Chester in respect of principal of or interest on money borrowed in pursuance of any Act repealed by this Act, and any matter consequent on or relative to that expenditure (including the remission of rates), the foregoing provisions of this part of this Act shall not apply to that county;

(2.) That expenditure shall be defrayed out of the county rate for the county of Chester, or out of any money applicable under any Act of Parliament or otherwise for the public charges or uses of that county, or partly out of one and partly out of the other; such county rate to be assessed, levied, and collected in the manner prescribed by law for the assessment, levying, and collection of county rates, independently of this Act or of any Act repealed by this Act;

(3.) In lieu of any provision authorizing deduction by tenant from landlord of half of the local rate, any person who is not the owner of the premises in the county of Chester in respect of which he is rated to the poor rate may, in each year until the first day of November one thousand eight hundred and ninety-six, in which he duly pays his poor rate, deduct from the growing rent due to the owner of such premises a sum equal to one penny in the pound on the annual rateable value of such premises, and every owner shall allow such deduction accordingly; and the owner, for the purposes of this section, shall be the person defined as such in this part of this Act;

(4.) The local authority for the county of Chester shall entertain and decide on applications from ratepayers to whom, if this section had not been inserted in this Act, remission in respect of the local rate might have been granted, and may on such applications grant to the applicants, or any of them, such sum or sums of money (if any) out of the

A.D. 1869.

county rate as the local authority think reasonable, regard being had to the extent of loss in the cases of the several applicants;

(5.) The local authority of each borough situate within the county of Chester, and assessed to the county rate thereof, shall, by means of repayment out of the county rate, or by means of differential rates, or partly in the one way and partly in the other, be recouped the proportionate amount contributed by the borough to any money granted as aforesaid, so that the burden of the expenditure incurred by the local authority of the county in respect of such grants shall be borne wholly by the county, and not as to any part thereof by any borough situate within the county;

but nothing in this section shall prejudicially affect the mortgage security of the Public Works Loan Commissioners for money advanced to the local authority of the county of Chester under any Act repealed by this Act; and the local authority of that county shall from time to time levy such rates as are under this section applicable, and as are for the time being requisite (either wholly or in conjunction with such other money as in this section mentioned), for the purpose of repaying with interest the money advanced on such mortgage security according to the terms thereof.

Validity of rates under Act.

102. The existence of any order or precept for the making or collection under any Act repealed by this Act of any rate remaining uncollected wholly or in part at the passing of this Act shall not affect the validity of any rate made after the passing of this Act.

PART IX.—OFFENCES AND LEGAL PROCEEDINGS.

Penalty for disobedience to Act or Order.

103. If any person acts in contravention of or is guilty of any offence against this Act, or any order or regulation made by the Privy Council or a local authority in pursuance of this Act, he shall for every such offence (except as otherwise provided in this Act, and except where a less penalty is provided in any such order or regulation,) be liable to a penalty not exceeding twenty pounds.

Where any such offence is committed with respect to more than four animals a penalty not exceeding five pounds for each animal may be imposed instead of the penalty of twenty pounds.

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.

A.D. 1869.

Penalties on use of expired licences, &c.

104. If any person does any of the following things he shall be deemed guilty of an offence against this Act:

(1.) If he does anything for which a licence is requisite under 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 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 licence, declaration, certificate, or instrument made or issued or purporting to be made or issued under or for any purpose of 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 in any such case he shall be liable, on conviction, in the discretion of the justices, to be imprisoned for any term not exceeding

A.D. 1869.

three months, with or without hard labour, in lieu of the pecuniary penalty to which he is liable under this Act.

Punishment for obstructing inspectors, &c.

105. If any person obstructs or impedes an inspector or other officer acting in execution of this Act or of any order of the Privy Council thereunder, he, and every person aiding and assisting him therein, shall be guilty of an offence against this Act, and the inspector or other officer, or any person whom he calls to his assistance, may seize the offender and detain him until he can be conveniently taken before a justice, to be dealt with according to law.

Application of penalties.

106. Notwithstanding anything in any Act relating to the metropolitan police, or to municipal corporations, or in any other Act, one half of every penalty or forfeiture recovered under this Act shall be paid to the person who sues or proceeds for the same, and the other half shall be applied as if this section had not been enacted.

Appearance of companies, &c.

107. In proceedings before justices under this Act, any railway company or other body corporate may appear by any member of their board of directors or council, or by any officer authorized in writing under the hand of any director or member of the council of the company or body.

Appeal.

108. If any party feels aggrieved by the dismissal of his complaint by justices, or by any determination or adjudication of justices with respect to any penalty or forfeiture under this Act, he may appeal therefrom, subject to the conditions and regulations following:

1. The appeal shall be made to some court of general or quarter sessions for the county or place in which the cause of appeal has arisen, holden not less than fifteen days and not more than four months after the decision of the justices:
2. The appellant shall, within three days after the cause of appeal has arisen, give notice to the clerk of the petty sessional division for which the justices act whose decision is appealed from of his intention to appeal, and of the grounds thereof:
3. The appellant shall immediately after such notice enter into a recognizance, before a justice of the peace, with two sufficient sureties, conditioned personally to try such appeal, and to abide the judgment of the court thereon, and to pay such costs as may be awarded by the court:
4. The court may adjourn the appeal, and may make such order thereon as they think just:

But nothing in this section respecting appeals shall affect any enactment relative to appeals in cases of summary convictions or

adjudications in the city of London or the metropolitan police district. A.D. 1869.

Jurisdiction for trial of offences, &c.

109. 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.

110. An action or proceeding shall not 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.

111. 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.

112. 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.

113. 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

A.D. 1869.

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.

Costs of defendant.

114. 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.

115. 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.

PART X.—SCOTLAND.

Application of Part X. to Scotland.

116. The provisions of this part of this Act shall extend to Scotland only, and shall have effect in substitution for the provisions of the preceding parts of this Act, when so expressed or implied, and otherwise shall have effect in addition to the provisions thereof.

Local authority, &c.

117. For the purposes of this Act the respective districts, authorities, rate, and officers described in that behalf in the ninth schedule to this Act shall be the district, the local authority, the local rate, and the clerk of the local authority.

Appointment of local authority in counties.

118. The commissioners of supply in every county shall meet, and nominate not fewer than four or more than fifteen of their number to act on the county board for the purposes of this Act, and shall intimate to the lord lieutenant of the county and the convener of the county the number and names of the persons so appointed.

The clerk of supply in each county shall call a meeting of the occupiers of agricultural subjects in such county, valued in the valuation roll in force for the time at one hundred pounds and upwards, and of occupiers of such subjects of which they are owners

valued in the valuation roll at fifty pounds and under one hundred pounds; and such meeting shall be called by advertisement in one or more newspapers circulating in the county for the same day as, or for a day not later than eight days after, the meeting of the commissioners of supply; and such advertisement shall specify the time and place of such meeting, and the clerk of supply shall be clerk to such meeting; and the meeting shall nominate from among such occupiers and owners and occupiers a number of persons equal to those nominated by the commissioners of supply, and the meeting shall also name a convener, who shall intimate the names of the persons so nominated to the convener of the county, and shall have power to call similar meetings by such advertisement, when occasion shall require; and in the event of such election not being intimated to the convener of the county within fifteen days from the date of such meeting, it shall be lawful to the lord lieutenant to nominate from among such occupiers, or owners and occupiers, such number of persons, and intimate the same to the convener of the county. A.D. 1869.

Any such nomination and intimation made for the purposes of any Act repealed by this Act shall continue to have effect for the purposes of this Act.

Vacancies from time to time happening by death, resignation, or otherwise among the members of the local authority shall be filled up by the authority and in the manner by and in which the members vacating office were respectively nominated.

The persons nominated as 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 the local authority; five shall be a quorum of the local authority.

As far as not otherwise provided by this Act, such local authority shall have all the powers conferred on the local authority by this Act, and shall have power to elect a chairman, specify a quorum, and make all regulations necessary for carrying the purposes of this Act into effect.

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 loca authority, to be held at such time and place as he or they may fix, and the local authority may adjourn as they from time to time think fit.

A.D. 1869.

Purchase under provisional order.

119. Part VII. of this Act shall have effect as if section ninety of The Public Health (Scotland) Act, 1867, were thereby applied, instead of section seventy-five of The Local Government Act, 1858, and in the said section ninety the local authority and local rate under this Act shall be substituted for the local authority and the assessment therein mentioned.

Mode of levying and recovering assessments.

120. The local authority in a county shall from time to time give notice to the commissioners of supply of the sums necessary to be provided under the provisions of this Act by means of the local rate; and the amount so intimated shall be assessed and collected by the commissioners of supply according to the real rent of lands and heritages as appearing on the valuation roll in force for the year, who shall pay over the same to the local authority.

The local authority in a burgh shall in like manner assess and collect the amount required to be raised by local rate within such burgh.

All such assessments shall be payable one half by the proprietor and one half by the tenant, but may be collected wholly from the tenant, who shall in that case be entitled to deduct one half thereof from the rent payable by him to the proprietor; or wholly from the proprietor, who shall in that case be entitled to relief against the tenant for one half of the assessment; and for the purposes of the provisions of this Act relative to any balance of funds remaining over from any assessment, the words "local rate" shall in Scotland mean the poor rate.

All the provisions in regard to the recovery of assessments in the Act of the session of the twentieth and twenty-first years of Her Majesty (chapter seventy-two), "to render more effectual the "police in counties and burghs in Scotland," are hereby incorporated in this Act as far as the same are not inconsistent with the provisions of this Act.

Certificate of copy for evidence.

121. In the case of a county, a printed copy of an order or regulation of the local authority, purporting to be certified to be a true copy by the clerk of supply, shall be received in proof.

Jurisdiction under 27 & 28 Vict. c. 53.

122. The terms "justice" and "justices" shall include any magistrate having jurisdiction under The Summary Procedure Act, 1864.

Local authority may apply to procurator fiscal.

123. In the event of any person refusing or delaying to comply with the order of a local authority, the local authority may give information thereof to the procurator fiscal of the county or burgh,

who may apply to the sheriff for a warrant to carry such order into effect, and such warrant may be executed by the officers of court in the usual way.

Sheriff to have concurrent jurisdiction.

124. All judicial powers given to justices and quarter sessions, or to magistrates in boroughs, by this Act, may also be exercised by the sheriff of the county or the sheriff substitute.

Notice of appeal.

125. Notice of appeal and of the grounds thereof shall be given to the clerk of the peace of the county.

Burgh of Maxwelltown.

126. For the purposes of this Act the burgh of Maxwelltown shall be held to be a part of the stewartry of Kirkcudbright and not of the parliamentary burgh of Dumfries.

THE FIRST SCHEDULE.

Acts repealed.

38 Geo. 3. c. 65.—An Act for preventing the depasturing of forests, commons, and open fields with sheep or lambs infected with the scab or mange in that part of Great Britain called England.

11 & 12 Vict. c. 105.—An Act to prohibit the importation of sheep, cattle, or other animals, for the purpose of preventing the introduction of contagious or infectious disorders.

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.

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.

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.

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

30 & 31 Vict. c. 125.—The Contagious Diseases (Animals) Act, 1867.

THE SECOND SCHEDULE.

Local authorities, &c. in England.

District of local authority.	Description of local authority of district set opposite name.	Local rate.	Clerk of local authority.
Counties except the metropolis.	The justices in general or quarter sessions assembled.	The county rate, or rate in the nature of a county rate.	Clerk of the peace.
The metropolis (subject to the provisions of this Act respecting the city of London and the liberties thereof).	The Metropolitan Board of Works.	Rate or fund applicable to the payment of the general expenses of the board.	The clerk of the Metropolitan Board of Works.
Boroughs - -	The mayor, aldermen, and burgesses acting by the council.	The borough fund or borough rate.	Town clerk.
	Where the borough is not subject to the Act of the session of the fifth and sixth years of the reign of King William the Fourth, chapter seventy-six, the commissioners or other body maintaining the police therein.	The rate applicable by the commissioners or other body to the maintenance of the police.	Clerk of the commissioners or other body.
District of local board of Oxford.	The local board -	Rate leviable by the local board.	Clerk of the local board.

THE THIRD SCHEDULE.

Regulations respecting Committees and Sub-Committees.

1. A committee formed by a local authority may consist wholly of members of the local authority, or partly thereof, and partly of such other persons being rated occupiers in the district and qualified in such other manner as the local authority determine.

2. A committee of a local authority and a sub-committee of an executive committee may elect a chairman of their meetings.

3. If no chairman is elected, or if the chairman elected is not present at the time appointed for the holding of a meeting, the members then present shall choose one of their number to be chairman of the meeting.

4. A committee or sub-committee may meet and adjourn as they think proper.

5. Every question at a meeting of a committee or sub-committee shall be determined by a majority of votes of the members present and voting on the question, and in case of an equal division of votes the chairman shall have a second or casting vote.

THE FOURTH SCHEDULE.

Regulations that may be applied to landing, movement, and disposal of Foreign Animals.

1. These regulations are to have effect with respect to those foreign animals to which they are from time to time applied by order of the Privy Council.

2. Those foreign animals are to be landed only at parts of ports defined by special orders of the Privy Council for the several ports as places where foreign animals may be landed.

3. They are to be landed in such manner, within such times, and subject to such supervision and control as the Commissioners of Customs from time to time direct.

4. The owner, consignee, or other person landing them is either before landing them or within twelve hours after landing them, at his own expense, to mark them as follows :—in case of cattle, by clipping the hair off the end of the tail, and in such further manner (if any) as the Privy Council from time to time prescribe, and in case of other animals in such manner as the Privy Council from time to time prescribe.

5. They are not to be moved from the place of landing or lairs adjacent thereto, approved by the Privy Council, except as follows:

(*a.*) After the expiration of twelve hours from the time of landing or such other period as the Privy Council from time to time prescribe.

(*b.*) On a certificate from the veterinary inspector appointed in this behalf by the Commissioners of Customs certifying that they are free from contagious or infectious disease. A.D. 1869.

6. They are not to be moved alive out of the part of the port of landing from time to time defined in that behalf by the Privy Council.

7. Notwithstanding anything in these regulations, where a vessel comes into port having on board foreign animals maimed or injured on the voyage, the owner, consignee, or other person in charge thereof, or the master of the vessel, shall if directed by the veterinary inspector aforesaid, or may if he thinks fit, slaughter those animals or any of them immediately on their being landed; but the carcase, hide, skin, hair, wool, horn, hoof, or offal of any such animal or any part thereof is not to be moved from the place of landing, or some lair or slaughter-house adjacent thereto approved by the Privy Council, without a certificate from the veterinary inspector aforesaid certifying that it is not likely to introduce or spread contagious or infectious disease.

THE FIFTH SCHEDULE.

Maximum Tolls, Dues, and Payments in Metropolitan Market after opening of Foreign Cattle Market.

Sheep, per head - - - -	Five farthings.
Beasts, per head - - -	Sixpence.
Calves, per head - - - -	Threepence.
Pigs, per head - - - -	Five farthings.

THE SIXTH SCHEDULE.

Rules with respect to infected Places.

PART I.—CATTLE PLAGUE.

1. The rules of this part of this schedule are to have effect with respect to infected places as regards cattle plague.

2. No animal is to be moved alive out of an infected place.

3. Any hide, skin, hair, wool, horn, hoof, or offal of any animal, or any part thereof, is not to be moved out of an 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 the thing moved has been disinfected.

4. The carcase of an animal, or a single portion of raw meat weighing more than twenty pounds, is not to be moved out of an infected place without a licence signed by an officer of the local authority appointed in that behalf,

A.D. 1869.

certifying that the carcase or meat moved is not the carcase or part of the carcase of an animal affected with cattle plague.

5. Any dung of animals, and any hay, straw, litter, or other thing commonly used for food of animals or otherwise for or about animals, is not to 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.

PART II.—SHEEP-POX.

1. The rules of this part of this schedule are to have effect with respect to infected places as regards sheep-pox.

2. No sheep is to be moved alive out of an infected place.

3. Any skin, wool, horn, or hoof of any sheep, or any part thereof, is not to be moved out of an infected place without a licence signed by an officer appointed by the local authority to issue licences in that behalf certifying that the thing moved did not belong to any sheep forming part of a flock affected with sheep-pox, or to any sheep that has been on a farm or place in which that disease existed.

4. Sheds and places used by sheep affected with sheep pox are forthwith after being so used to be cleansed and disinfected.

THE SEVENTH SCHEDULE.

Pleuro-pneumonia Rules.

1. These rules are to have effect with respect to any field, stable, cow-shed, or other premises infected by pleuro-pneumonia.

2. Cattle affected with pleuro-pneumonia are not to be moved from such field, stable, cowshed, or other premises, or from any land or building contiguous thereto in the same occupation, except for immediate slaughter, and according to regulations to be from time to time made by the local authority for insuring such slaughter.

3. Other cattle are not to be moved from such field, stable, cowshed, or other premises, or from any land or building contiguous thereto in the same occupation, except for immediate slaughter, without a licence signed by an officer of the local authority appointed to issue licences in that behalf certifying that the cattle moved are not affected with pleuro-pneumonia, and have not been in the same shed or herd, or in contact with cattle so affected.

4. Sheds and places used by cattle affected with pleuro-pneumonia are forthwith after being so used to be cleansed and disinfected to the satisfaction of the local authority.

THE EIGHTH SCHEDULE.

Forms for Use by Inspector.

(1.)

Declaration of Disease.

The Contagious Diseases (Animals) Act, 1869.

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 [*or* pleuro-pneumonia *or* sheep-pox] 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, 1869.

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, [*or in case of pleuro-pneumonia omit the part between the asterisks, and insert* the pleuro-pneumonia rules of the above-mentioned Act will have effect in relation to the field, stable, cowshed, or other premises aforesaid].

Dated this day of 18 .

(Signed) *A.B.*

(3.)

Notice of Declaration to adjoining Occupiers.

The Contagious Diseases (Animals) Act, 1869.

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.*

THE NINTH SCHEDULE.

Local authorities, &c. in Scotland.

District of local authority.	Description of local authority of district set opposite name.	Local rate.	Clerk of local authority.
Counties, including any town or place which does not return or contribute to return a member to Parliament.	The persons appointed as provided in Part X. of this Act.	Rate appointed to be levied in Part X. of this Act.	Clerk of supply.
Burghs which return or contribute to return a member to Parliament.	The magistrates and town council.		Town clerk.

LONDON: Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1869.