SECOND SCHEDULE.

Reign and Chapter.	Title.
7 Will. 4. & 1 Vict. c. 41.	The Small Debt (Scotland) Act, 1837. In part; namely,— Section twenty-nine.
4 & 5 Vict. c. 10. -	An Act the title of which begins with the words "An Act for extending" and ends with the words "of Houses." In part; namely,— Preamble. The words "and be it enacted" in sections two and three.

CHAPTER 57.

An Act to consolidate the Contagious Diseases (Animals) Acts, 1878 to 1893. [25th August 1894.]

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

Central and Local Authorities.

Powers of Board of Agriculture in England, Wales, and Scotland. 52 & 53 Vict. c. 30.

1. The powers and duties conferred and imposed by this Act on the Board of Agriculture as regards England and Wales and Scotland, shall be executed and discharged by the Board in manner provided by the Board of Agriculture Act, 1889, and this Act.

Local authorities to execute Act.

2. The local authorities in this Act described shall execute and enforce this Act and every order of the Board of Agriculture so far as the same are to be executed or enforced by local authorities.

Local authorities in England and Wales. 51 & 52 Vict. c. 41.

3. The local authorities in England and Wales shall be—

(i) for each borough not being a borough to which section thirty-nine of the Local Government Act, 1888, applies, the borough council;

(ii) for the residue of each administrative county, the county council.

Provided that the mayor and commonalty and citizens of the city of London, acting by the mayor, aldermen, and commons of that city in common council assembled, shall be the local authority for the city of London, and shall be the local authority in and for the county of London for the purpose of the provisions of this Act relating to foreign animals.

Separation of Diseased Animals and Notice to Police.

Separation of diseased animals, and notice to constable.

4.—(1.) Every person having in his possession or under his charge an animal affected with disease shall—

(*a*) as far as practicable keep that animal separate from animals not so affected; and

(*b*) with all practicable speed give notice of the fact of the animal being so affected to a constable of the police force for the police area wherein the animal so affected is.

(2.) The constable to whom notice is given shall forthwith give information thereof to such person or authority as the Board of Agriculture by general order direct.

(3.) The Board may make such orders as they think fit for prescribing and regulating the notice to be given to or by any person or authority in case of any particular disease or in case of the illness of an animal, and for supplementing or varying for those purposes any of the provisions of this section.

Cattle Plague.

Cattle plague infected place.

5.—(1.) Where it appears to an inspector that cattle plague exists, or has within ten days existed, in a cow-shed, field, or other place, he shall forthwith make and sign a declaration thereof.

(2.) He shall serve a notice, signed by him, of that declaration on the occupier of that cow-shed, field, or other place.

(3.) Thereupon that cow-shed, field, or other place, with all lands and buildings contiguous thereto in the same occupation, shall become and be a place infected with cattle plague, subject to the determination and declaration of the Board of Agriculture.

(4.) The inspector shall serve a like notice, signed by him, unless in the circumstances this appears to him not to be expedient, on the occupiers of all lands and buildings, any part whereof lies, in his judgment, within one mile in any direction from that cow-shed, field, or other place, or on the occupiers of any of those lands and buildings.

(5.) Thereupon all the lands and buildings aforesaid, on the occupiers whereof the inspector serves such a notice, shall become and be part of the place infected with cattle plague, subject to the determination and declaration of the Board.

(6.) The inspector shall, with all practicable speed, inform the Board and the local authority of his declaration and notices, and shall send to the Board his declaration and a copy of his secondly-mentioned notice (if any).

(7.) The Board shall forthwith on receipt of the information inquire into the correctness of the inspector's declaration.

(8.) If the Board are satisfied of the correctness of that declaration as regards the existence or past existence of cattle plague, they shall by order determine and declare accordingly, and prescribe the limits of the place infected with cattle plague.

(9.) If the Board are not satisfied of the correctness of the inspector's declaration as regards the existence or past existence of cattle plague, they shall by order determine and declare accordingly; and thereupon, as from the time specified in the order, the place comprised in the inspector's declaration and notices shall cease to be a place infected with cattle plague.

(10.) The Board may at any time, if they think fit, on any evidence satisfactory to them, by order—

(*a*) declare any cow-shed, field, or other place with or without any lands or buildings adjoining or near thereto, to be a place infected with cattle plague; or

(*b*) extend, contract, or otherwise alter the limits of a place infected with cattle plague; or

(*c*) declare a place infected with cattle plague or any part thereof to be free from cattle plague.

Cattle plague infected area.

6. The Board of Agriculture may at any time, if they think fit, by order—

(*a*) declare any area, wherein a place infected with cattle plague is situate, to be an area infected with cattle plague; or

(*b*) extend, contract, or otherwise alter the limits of an area infected with cattle plague; or

(*c*) declare an area infected with cattle plague or any part thereof to be free from cattle plague.

Slaughter by Board of Agriculture in cattle plague, and compensation out of public money.

7.—(1.) The Board of Agriculture shall cause to be slaughtered—

(i) all animals affected with cattle plague, and

(ii) all animals being or having been in the same shed, stable, herd or flock, or in contact with an animal affected with cattle plague.

(2.) The Board may, if they think fit, in any case cause to be slaughtered—

(i) any animals suspected of being affected with cattle plague, or being in a place infected with cattle plague;

(ii) any animals being in such parts of an area infected with cattle plague as are not comprised in a place infected with cattle plague (but in this last-mentioned case subject to such regulations as the Treasury think fit to make).

(3.) The Board shall for animals slaughtered under this section pay compensation as follows, out of money provided by Parliament:—

(*a*.) Where the animal slaughtered was affected with cattle plague, the compensation shall be one half of its value immediately before it became so affected, but so that the compensation does not in any such case exceed twenty pounds; and

(*b*.) In every other case the compensation shall be the value of the animal immediately before it was slaughtered, but so that the compensation does not in any case exceed forty pounds.

Infected Places, Areas, and Circles for Diseases generally.

Pleuro-pneumonia or foot-and-mouth disease infected place.

8.—(1.) Where it appears to an inspector of a local authority that pleuro-pneumonia or foot-and-mouth disease exists, or has within the period herein-after mentioned existed, in a shed, field, or other place, he shall forthwith make and sign a declaration thereof. For the purposes of this sub-section the period shall be in the case of pleuro-pneumonia fifty-six days, and in the case of foot-and-mouth disease ten days.

(2.) The inspector shall serve a notice, signed by him, of the declaration on the occupier of that shed, field, or other place, and, in the case of foot-and-mouth disease, also on the occupier of any land or buildings contiguous thereto as he may consider necessary.

(3.) Thereupon that shed, field, or other place shall become and be a place infected with pleuro-pneumonia or foot-and-mouth

disease, as the case may be, subject to the determination and declaration of the local authority.

(4.) The inspector shall, with all practicable speed, inform the local authority of his declaration and notice, and shall send his declaration and a copy of his notice to the local authority, and shall, with all practicable speed, inform the Board of Agriculture of his declaration and notice, and send a copy of the same to the Board.

(5.) The local authority shall forthwith on receipt of that information inquire into the correctness of the inspector's declaration, with the assistance and advice, in the case of pleuro-pneumonia, and if so required by order of the Board in the case of foot-and-mouth disease, of a veterinary inspector, or of a person qualified according to this Act to be such.

(6.) If the local authority are satisfied of the correctness of the inspector's declaration as regards the existence or past existence of pleuro-pneumonia or foot-and-mouth disease, they shall by order determine and declare accordingly, and prescribe the limits of the place infected with pleuro-pneumonia or foot-and-mouth disease, and may, if they think fit, include within those limits any lands or buildings adjoining or near to the shed, field, or other place to which the inspector's declaration relates.

(7.) The local authority may include in a place infected with pleuro-pneumonia or foot-and-mouth disease any adjoining part of the district of another local authority, with the previous consent in writing of that authority, but not otherwise.

(8.) If the local authority are not satisfied of the correctness of the inspector's declaration as regards the existence or past existence of pleuro-pneumonia or foot-and-mouth disease, they shall by order determine and declare accordingly; and thereupon, as from the time specified in that behalf in the order, the shed, field, or other place to which the inspector's declaration relates, shall cease to be a place infected with pleuro-pneumonia or foot-and-mouth disease, as the case may be.

(9.) The local authority shall forthwith report to the Board the declaration of the inspector, and the proceedings of the local authority thereon, and shall state whether or not it is, in their opinion, expedient that an infected area, comprising the infected place, should be declared, and, if so, what should, in their opinion, be the limits of that area, and whether or not there is within that area any place used for the holding of a market, fair, exhibition, or sale of animals or any specified kind thereof, and, if so, whether or not it is, in their opinion, expedient that the holding in that area, while infected, of a market, fair, exhibition, or sale of animals, or such kind thereof, should be prohibited or restricted by order of the Board.

(10.) This section shall, notwithstanding anything therein contained, be construed and have effect subject to the subsequent section of this Act, whereby the Board are required to make, by order, provision respecting the case of animals found to be affected with pleuro-pneumonia or foot-and-mouth disease while exposed for sale or exhibited in a market, fair, sale yard, or place of

exhibition, and in other circumstances specified in the same section, and generally while being in a place not in the possession or occupation, or under the control, of the owner of the animals.

(11.) Where a local authority have declared a place to be infected with pleuro-pneumonia or foot-and-mouth disease, they may, if they think fit, having first obtained the assistance and advice of a veterinary inspector, or of a person qualified according to this Act to be such, at any time after the expiration of the period hereinafter mentioned from the date of the cessation therein of pleuro-pneumonia or foot-and-mouth disease, but not sooner, declare by order that place to be free from pleuro-pneumonia or foot-and-mouth disease. For the purposes of this sub-section the period shall be in the case of pleuro-pneumonia fifty-six days, and in the case of foot-and-mouth disease fourteen days or such longer period not exceeding twenty-eight days as the Board by general order prescribe.

(12.) The Board may at any time, if they think fit, on any evidence satisfactory to them, by order—

(*a*) declare any shed, field, or other place with or without any lands or buildings adjoining or near thereto, to be a place infected with pleuro-pneumonia or foot-and-mouth disease;

(*b*) extend, contract, or otherwise alter the limits of any place infected with pleuro-pneumonia or foot-and-mouth disease declared either by the Board or a local authority; or

(*c*) declare any place which has been declared by the Board or a local authority to be a place infected with pleuro-pneumonia or foot-and-mouth disease, to be free from pleuro-pneumonia or foot-and-mouth disease as the case may be.

Pleuro-pneumonia or foot-and-mouth disease infected area.

9.—(1.) The Board of Agriculture may at any time, if they think fit, on any evidence satisfactory to them by order—

(*a*) declare any area wherein a place infected with pleuro-pneumonia or foot-and-mouth disease is situate to be an area infected with pleuro-pneumonia or foot-and-mouth disease; and

(*b*) extend the limits of an area infected with pleuro-pneumonia or foot-and-mouth disease; and

(*c*) when there is not within an area so declared, or within some particular portion thereof, any place infected with pleuro-pneumonia or foot-and-mouth disease, as the case may be, declare that area or that portion thereof to be free from pleuro-pneumonia or foot-and-mouth disease.

(2.) The Board on making any order declaring an area to be an area infected with pleuro-pneumonia or foot-and-mouth disease shall consider whether it is necessary or expedient to prohibit the holding in that area, while infected, of any market, fair, exhibition, or sale of animals or any specified kind thereof, and shall either prohibit the holding thereof accordingly or allow the same to be held on such terms and conditions, if any, as they think fit to prescribe.

General provisions as to infected places and areas.

10.—(1.) The Board of Agriculture may make such orders as they think fit, subject and according to the provisions of this Act, for

prescribing the cases in which places and areas are to be declared to be infected with a disease other than cattle plague, pleuro-pneumonia, or foot-and-mouth disease, and the authority, mode, and conditions by, in, and on which declarations in that behalf are to be made, and the effect and consequences thereof, and the duration and discontinuance thereof, and other matters connected therewith.

(2.) Every place or area so declared infected, as well as a place or area declared infected with cattle plague, pleuro-pneumonia, or foot-and-mouth disease, shall be an infected place or area for the purposes of this Act.

(3.) Notwithstanding anything in this Act, where the Board, on inquiry, and after communication with the local authority, but without prejudice to the powers of the Board as regards cattle plague, are satisfied that a declaration of a place being an infected place has been made in error respecting the existence or past existence of disease, or respecting the limits of a place, or respecting any other matter of fact whereon the declaration proceeded, the Board may by order cancel the declaration as regards the infected place, or as regards any part thereof, as they think fit.

(4.) Where, in accordance with the provisions of this Act, a place or an area or a portion of an area is declared free from a disease, or a declaration of a place being an infected place is cancelled as regards the place or as regards any part thereof, then, from the time specified in that behalf by the Board or a local authority, as the case may be, the place, or area or that portion of the area or that part of the place, shall cease to be, or to be in, an infected place or area.

(5.) An order of the Board or of a local authority declaring a place to be an infected place or area, or declaring a place or area, or a portion of an area, to be free from disease, or cancelling a declaration, shall be conclusive evidence to all intents of the existence or past existence or cessation of the disease, or of the error, and of any other matter whereon the order proceeds.

Movement into, within, or out of infected places and areas in case of pleuro-pneumonia and foot-and-mouth disease.

11.—(1.) Cattle shall not be moved into, within, or out of a place or area infected with pleuro-pneumonia otherwise than in accordance with the conditions contained in Part I. of the First Schedule to this Act.

(2.) Animals shall not be moved into, within, or out of a place or area infected with foot-and-mouth disease otherwise than in accordance with the conditions contained in Part II. of the First Schedule to this Act.

Provisions as to infected circles.

12.—(1.) Where the Board of Agriculture by order declare that this section shall apply in the case of any disease, then, upon any place becoming, in pursuance of a declaration made and signed by an inspector of a local authority, a place infected with that disease, the whole space lying within a distance of half a mile from any part of the infected place shall become and be a circle infected with that disease: Provided that the Board may, if they think fit, limit the application of any such order to infected places in any particular district or districts.

(2.) Where, under or in pursuance of this Act, the place, in respect of which an infected circle has been constituted in pursuance of this section, ceases to be an infected place, the infected circle shall cease to exist.

(3.) The Board may make such orders as they think fit for giving public notice of the existence of, and for contracting, the limits of, and dissolving infected circles, and for prohibiting or regulating the movement of animals into, within, and out of infected circles, or for any of those purposes, or for authorising a local authority to make regulations for those purposes or any of them, subject to such conditions, if any, as the Board think fit to prescribe.

(4.) Where two or more circles infected with the same disease adjoin or overlap each other, the whole of the infected circles shall be deemed for the purpose of the movement of animals under any orders or regulations made in pursuance of this section to be one infected circle.

Power to exclude strangers by notice.

13. A person owning or having charge of any animals in a place or area declared infected with any disease may affix, at or near the entrance to a building or inclosure in which the animals are, a notice forbidding persons to enter therein without the permission mentioned in the notice; and thereupon it shall not be lawful for any person, not having by law a right of entry or way into, on, or over that building or inclosure, to enter or go into, on, or over the the same without that permission.

Slaughter by Board of Agriculture in case of Pleuro-pneumonia, Foot-and-mouth Disease, or Swine-fever.

Slaughter by Board of Agriculture in pleuro-pneumonia, and compensation.

14.—(1.) The Board of Agriculture shall cause to be slaughtered all cattle affected with pleuro-pneumonia.

(2.) The Board may, if they think fit, in any case cause to be slaughtered—

(*a*) any cattle suspected of being affected with pleuro-pneumonia; and

(*b*) any cattle which are or which have been in the same field, shed, or other place, or in the same herd or otherwise in contact with cattle affected with pleuro-pneumonia, or which appear to the Board to have been in any way exposed to the infection of pleuro-pneumonia.

(3.) The Board shall for cattle slaughtered under this section pay compensation as follows:—

(*a.*) Where the animal slaughtered was affected with pleuro-pneumonia, the compensation shall be three fourths of the value of the animal immediately before it became so affected, but so that the compensation do not in any such case exceed thirty pounds; and

(*b.*) In every other case the compensation shall be the value of the animal immediately before it was slaughtered, but so that the compensation do not in any case exceed forty pounds.

(4.) Where the Board have decided that any head of cattle is to be slaughtered under this section, the Board shall, if the owner of

such head of cattle by notice in writing so requires, cause the same to be slaughtered within twenty-one days after the receipt of the notice.

(5.) The costs of the execution of this section in Great Britain shall be paid by the Board out of the moneys standing to the Cattle Pleuro-pneumonia Account for Great Britain.

Slaughter by Board of Agriculture in foot-and-mouth disease, and compensation.

15.—(1.) The Board of Agriculture may, if they think fit, in any case cause to be slaughtered—

(*a*) any animals affected with foot-and-mouth disease, or suspected of being so affected; and

(*b*) any animals which are or have been in the same field, shed, or other place, or in the same herd or flock, or otherwise in contact with animals affected with foot-and-mouth disease, or which appear to the Board to have been in any way exposed to the infection of foot-and-mouth disease.

(2.) The Board shall for animals slaughtered under this section pay compensation as follows:—

(i.) Where the animal slaughtered was affected with foot-and-mouth disease the compensation shall be the value of the animal immediately before it became so affected:

(ii.) In every other case the compensation shall be the value of the animal immediately before it was slaughtered.

(3.) The costs of the execution of this section in Great Britain shall be paid by the Board out of the moneys standing to the Cattle Pleuro-pneumonia Account for Great Britain.

Slaughter by Board of Agriculture in swine-fever, and compensation.

16.—(1.) The Board of Agriculture may, if they think fit, in any case cause to be slaughtered—

(*a*) any swine affected with swine-fever, or suspected of being so affected; and

(*b*) any swine which are or have been in the same field, pig-sty, shed, or other place, or in the same herd, or otherwise in contact with swine affected with swine-fever, or which appear to the Board to have been in any way exposed to the infection of swine-fever.

(2.) The Board shall for animals slaughtered under this section pay compensation as follows:—

(i.) Where the animal slaughtered was affected with swine-fever, the compensation shall be one half of the value of the animal immediately before it became so affected:

(ii.) In every other case the compensation shall be the value of the animal immediately before it was slaughtered.

(3.) The costs of the execution of this section in Great Britain, including the costs of such measures under this Act as may seem to the Board necessary for preventing the spread of swine-fever, shall be paid by the Board out of the money standing to the Cattle Pleuro-pneumonia Account for Great Britain.

Additional officers, and expenses for purposes of slaughter.

17. The Board of Agriculture may, for the purposes of the execution of the sections of this Act relating to the slaughter by the Board of cattle, animals, or swine, on account of pleuro-pneumonia, foot-and-mouth disease, or swine-fever, employ such

additional inspectors, valuers, and other persons, and at such remuneration and may incur such expenses as, subject to the sanction of the Treasury, the Board think necessary; and all costs and expenses incurred under this section shall be paid by the Board out of the money standing to the Cattle Pleuro-pneumonia Account for Great Britain.

Pleuro-pneumonia Account for Great Britain.

18.—(1.) The account opened at the Bank of England under the provisions of section two of the Contagious Diseases (Animals) Pleuro-pneumonia Act, 1890 (and therein and in this Act referred to as the Cattle Pleuro-pneumonia Account for Great Britain), is hereby continued, and there shall be paid to the said account—

(*a*) such moneys (not exceeding one hundred and forty thousand pounds in any one year) as may be provided by Parliament towards defraying the costs incurred by the Board of Agriculture in the execution in Great Britain of the provisions of this Act relating to the slaughter of cattle, animals, or swine, on account of pleuro-pneumonia, foot-and-mouth disease, or swine-fever, and such other costs and expenses as are by this Act made payable out of the money standing to the Cattle Pleuro-pneumonia Account for Great Britain; and

(*b*) all sums received by the Board on the sale of the carcases of cattle, animals, or swine slaughtered by the Board on account of pleuro-pneumonia, foot-and-mouth disease, or swine-fever, after deducting any amounts payable thereout as excess to the owners of the cattle, animals, or swine, under this Act.

Provided that of the money provided by Parliament for the Cattle Pleuro-pneumonia Accounts for Great Britain and Ireland not more than fifty thousand pounds shall be so provided for the costs of the execution of this Act as respects swine-fever in any one year.

(2.) If in any financial year the money standing to the Cattle Pleuro-pneumonia Account for Great Britain is insufficient to defray the costs and expenses by this Act made payable out of the money standing to the Cattle Pleuro-pneumonia Account for Great Britain, the Local Government Board and the Secretary for Scotland shall out of the Local Taxation Account and the Local Taxation (Scotland) Account respectively, pay to the Cattle Pleuro-pneumonia Account for Great Britain in the proportions provided in the Second Schedule to this Act such additional sums as may be certified by the Board of Agriculture to be required for defraying those costs and expenses.

(3.) The regulations contained in the Second Schedule to this Act shall apply to the Cattle Pleuro-pneumonia Account for Great Britain.

Slaughter in Disease, and Compensation generally.

Power for Board of Agriculture to provide for slaughter in

19. The Board of Agriculture may make such orders as they think fit subject and according to the provisions of this Act for directing or authorising, in case of the existence or suspected existence of any disease other than cattle plague and under such

conditions as the Board think fit to prescribe, the slaughter of animals by local authorities, either generally or in particular instances, and in all or any of such cases the payment of compensation for the same by local authorities out of the local rate; and the Board may by such orders direct or authorise the slaughter both of animals actually affected with disease, and also of animals suspected of disease, or being or having been in the same field, shed, or other place, or in the same herd or flock, or otherwise in contact, with animals affected with disease, or being or having been otherwise exposed to the infection thereof. diseases other than cattle plague.

20.—(1.) The Board of Agriculture may, notwithstanding anything in this Act, reserve for observation and treatment an animal liable to be slaughtered under this Act by order of the Board or of a local authority, but subject to payment of compensation by the Board or the local authority, as the case may be, as in case of actual slaughter. General provisions relative to slaughter and compensation.

(2.) Where an animal has been slaughtered under this Act by order of the Board or of a local authority, the carcase of the animal shall belong to the Board or to the local authority, as the case may be, and shall be buried, or sold, or otherwise disposed of by the Board or the local authority, or as they direct, as the condition of the animal or carcase and other circumstances may require or admit; and any money received by a local authority on any such sale shall be carried by them to the credit of the local rate.

(3.) If, in any case, the sum received by the Board or a local authority on sale of a carcase under this section exceeds the amount paid for compensation to the owner of the animal slaughtered, the Board or the local authority, as the case may be, shall pay that excess to the owner, after deducting reasonable expenses.

(4.) Where an animal has been slaughtered under this Act by order of the Board or of a local authority, the Board or the local authority, as the case may be, may use for the burial of the carcase any ground in the possession or occupation of the owner of the animal and suitable in that behalf, or any common or uninclosed land, but, as regards the use by a local authority of common or uninclosed land, not without the approval of the Board.

(5.) If the owner of an animal slaughtered under this Act by order of the Board or of a local authority has an insurance on the animal, the amount of the compensation awarded to him under this Act may be deducted by the insurers from the amount of the money payable under the insurance before they make any payment in respect thereof.

(6.) A local authority shall keep in such manner as the Board by general order direct, a record relative to slaughter, which record shall be admitted in evidence.

(7.) Notwithstanding anything in this Act, the Board or a local authority, as the case may be, may, if they think fit, withhold, either wholly or partially, compensation or other payment in respect of an animal slaughtered under this Act by their respective order, where the owner or the person having charge thereof has, in the

judgment of the Board or the local authority, as the case may be, been guilty, in relation to the animal, of an offence against this Act, or where the animal, being a foreign animal, was, in their judgment, diseased at the time of its landing.

Exceptional Powers for Transit, and in other Cases.

Board of Agriculture to provide for pleuro-pneumonia or foot-and-mouth disease during transit, &c.

21.—(1.) The Board of Agriculture shall, by order, make such further or other provision as they think necessary or expedient respecting the case of animals found to be affected with pleuro-pneumonia or foot-and-mouth disease—

(i) while exposed for sale or exhibited in a market, fair, sale-yard, place of exhibition, or other place; or

(ii) while placed in a lair or other place before exposure for sale; or

(iii) while in transit or in course of being moved by land or by water; or

(iv) while in a foreign animals wharf or foreign animals quarantine station; or

(v) while being in a slaughter-house or place where animals are slaughtered or are kept with a view to slaughter; or

(vi) while being on common or uninclosed land; or

(vii) generally, while being in a place not in the possession or occupation or under the control of the owner of the animals.

(2.) The Board shall, by orders under this section, make such provision as they think fit for the consequences under this Act of animals being so found in the circumstances aforesaid, as well with regard to the animals as with regard to the places where they are when so found and other places, and with regard to animals being or having been in the same shed or stable, herd or flock, or in contact, with animals so found.

(3.) The Board may, by orders under this section relating to particular places, make such provision as they think fit for the consequences aforesaid.

(4.) Every order under this section shall have full effect notwithstanding any provision of this Act requiring the declaration of a place infected with pleuro-pneumonia or foot-and-mouth disease or relating to any consequence thereof, or to any matter connected herewith, and notwithstanding any other provision whatsoever of this Act.

Disease and Movement, generally.

Power for Board of Agriculture to make orders for prevention or checking of disease, and other purposes.

22. The Board of Agriculture may make such orders as they think fit, subject and according to the provisions of this Act, for the following purposes, or any of them:—

(i) for prescribing and regulating the publication by placards, handbills, or otherwise, in the immediate neighbourhood of a place or area declared infected, of the fact of such declaration;

(ii) for prohibiting or regulating the movement of animals and persons into, within, or out of an infected place or area;

(iii) for prescribing and regulating the isolation or separation of animals being in an infected place or area;

(iv) for prohibiting or regulating the removal of carcases, fodder, litter, utensils, pens, hurdles, dung, or other things into, within, or out of an infected place or area;

(v) for prescribing and regulating the destruction, burial, disposal, or treatment of carcases, fodder, litter, utensils, pens, hurdles, dung, or other things, being in an infected place or area, or removed thereout;

(vi) for prescribing and regulating the cleansing and disinfection of infected places and areas, or parts thereof;

(vii) for prescribing and regulating the disinfection of the clothes of persons coming in contact with or employed about diseased or suspected animals, or being in an infected place, and the use of precautions against the spreading of disease by such persons;

(viii) for prohibiting or regulating the digging up of carcases which have been buried;

(ix) for prohibiting or regulating the exposure of diseased or suspected animals in markets or fairs or sale-yards, or other public or private places, where animals are commonly exposed for sale, and the placing thereof in lairs or other places adjacent to or connected with markets or fairs, or where animals are commonly placed before exposure for sale;

(x) for prohibiting or regulating the sending or carrying of diseased or suspected animals, or of dung or other thing likely to spread disease, or the causing the same to be sent or carried, on railways, canals, rivers, or inland navigations, or in coasting vessels, or otherwise;

(xi) for prohibiting or regulating the carrying, leading, or driving of diseased or suspected animals, or the causing them to be carried, led, or driven on highways or thoroughfares, or elsewhere;

(xii) for prohibiting or regulating the placing or keeping of diseased or suspected animals on commons or uninclosed lands, or in fields or other places insufficiently fenced, or on the sides of highways;

(xiii) for prescribing and regulating the seizure, detention, and disposal of a diseased or suspected animal exposed, carried, kept, or otherwise dealt with in contravention of an order of the Board; and for prescribing and regulating the liability of the owner or consignor or consignee of such animal to the expenses connected with the seizure, detention, and disposal thereof;

(xiv) for prescribing the mode of ascertainment of the value of an animal slaughtered, or liable to be slaughtered, by order of the Board or of a local authority;

(xv) for regulating applications for, and the mode of payment of, compensation to be paid out of money provided by Parliament;

(xvi) for prescribing and regulating the destruction, burial, disposal, or treatment of carcases of animals slaughtered by order of the Board or of a local authority, or dying while diseased or suspected;

(xvii) for prohibiting or regulating the movement of animals, and the removal of carcases, fodder, litter, dung, and other things, and for prescribing and regulating the isolation of animals newly purchased;

(xviii) for prescribing and regulating the issue and production of licences respecting movement and removal of animals and things;

(xix) for prohibiting or regulating the holding of markets, fairs, exhibitions, and sales of animals;

(xx) for prescribing and regulating the cleansing and disinfection of places used for the holding of markets, fairs, exhibitions, or sales of animals, or for lairage of animals, and yards, sheds, stables, and other places used for animals;

(xxi) for prescribing and regulating the cleansing and disinfection of vessels, vehicles, and pens and other places, used for the carrying of animals for hire or purposes connected therewith;

(xxii) for prescribing modes of cleansing and disinfection;

(xxiii) for prohibiting the conveyance of animals by any specified vessel to or from any port in the United Kingdom for such time as the Board may consider expedient;

(xxiv) for insuring for animals carried by sea a proper supply of food and water and proper ventilation during the passage and on landing;

(xxv) for protecting them from unnecessary suffering during the passage and on landing;

(xxvi) for protecting animals from unnecessary suffering during inland transit;

(xxvii) for securing a proper supply of water and food to animals during any detention thereof;

(xxviii) for prescribing and regulating the marking of animals;

(xxix) for prohibiting, absolutely or conditionally, the use, for the carrying of animals or for any purpose connected therewith, of a vessel, vehicle, or pen or other place in respect whereof, or of the use whereof, a penalty has been recovered from any person for an offence against this Act;

(xxx) for prescribing and regulating the muzzling of dogs, and the keeping of dogs under control;

(xxxi) for prescribing and regulating the seizure, detention, and disposal (including slaughter) of stray dogs and of dogs not muzzled, and of dogs not being kept under control, and the recovery from the owners of dogs of the expenses incurred in respect of their detention;

(xxxii) for prescribing and regulating the payment and recovery of expenses in respect of animals;

(xxxiii) for prescribing and regulating the form and mode of service or delivery of notices and other instruments;

(xxxiv) for authorising a local authority to make regulations for any of the purposes of this Act or of an order of the Board subject to such conditions, if any, as the Board, for the purpose of securing uniformity and the due execution of the provisions of this Act, think fit to prescribe;

(xxxv) for extending, for all or any of the purposes of this Act, the definition of disease in this Act, so that the same shall for those purposes, or any of them, comprise any disease of animals in addition to the diseases mentioned in this Act;

(xxxvi) for extending, for all or any of the purposes of this Act, the definition of animals in this Act, so that the same shall for those purposes or any of them comprise any kind of four-footed beasts, in addition to the animals mentioned in this Act; and

(xxxvii) generally, for the better execution of this Act, or for the purpose of in any manner preventing the spreading of disease.

Provision of water and food at railway stations.

23.—(1.) Every railway company shall make a provision, to the satisfaction of the Board of Agriculture, of water and food, or either of them, at such stations as the Board, by general or specific description, direct, for animals carried, or about to be or having been carried, on the railway of the company.

(2.) The water and food so provided, or either of them, shall be supplied to any such animal by the company carrying it, on the request of the consignor or of any person in charge thereof.

(3.) As regards water, if, in the case of any animal, such a request is not made, so that the animal remains without a supply of water for twenty-four consecutive hours, the consignor and the person in charge of the animal shall each be guilty of an offence against this Act; and it shall lie on the person charged to prove such a request and the time within which the animal had a supply of water.

(4.) But the Board may, if they think fit, by order prescribe any other period, not less than twelve hours, instead of the period of twenty-four hours aforesaid, generally, or in respect of any particular kind of animals.

(5.) The company supplying water or food under this section may make in respect thereof such reasonable charges (if any) as the Board by order approve, in addition to such charges as they are for the time being authorised to make in respect of the carriage of animals. The amount of those 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, with costs, by proceedings in any court of competent jurisdiction. The company shall have a lien for the amount thereof on the animal in respect whereof the same accrued due, and on any other animal at any time consigned by or to the same consignor or consignee to be carried by the company.

Foreign Animals.

Animals in the absence of any order to be slaughtered at port of landing.

24.—The provisions set forth in Part I. (slaughter at port of landing) of the Third Schedule to this Act shall apply to all foreign animals other than—

(*a*) foreign animals the landing of which is for the time being prohibited by order of the Board of Agriculture;

(*b*) foreign animals the landing of which is allowed by order of the Board without being subject under the provisions of this Act to slaughter or quarantine; and

(*c*) foreign animals intended for exhibition or other exceptional purposes, and the landing of which is allowed for the time being by the Board subject to the provisions of Part II. (quarantine) of the Third Schedule to this Act.

Orders prohibiting importation of animals.

25. The Board of Agriculture may, whenever they deem it expedient so to do, for the purpose of preventing the introduction of disease into the United Kingdom, make orders for prohibiting the landing of animals or of any specified kind thereof, or of carcases, fodder, litter, dung, or other thing brought from any specified country out of the United Kingdom or any specified part of any such country, and they shall prohibit the landing of such animals whenever they are not satisfied with respect to any such country or any specified part thereof, that having regard to the sanitary condition of the animals therein or imported therefrom, to the laws made by such country for the regulation of the importation and exportation of animals, and for the prevention of the introduction or spreading of disease, and to the administration of such laws, the circumstances are such as to afford reasonable security against the importation therefrom of animals affected with foot-and-mouth disease.

Orders admitting animals free without being subject to slaughter.

26. In relation to foreign animals other than those the landing whereof is for the time being prohibited by order of the Board of Agriculture, and other than those brought from the Channel Islands or the Isle of Man, if and so long as the Board are satisfied with respect to any country out of the United Kingdom or any specified part of such country that the laws thereof relating to the importation and exportation of animals, and to the prevention of the introduction or spreading of disease, and the general sanitary condition of animals therein, are such as to afford reasonable security against the importation therefrom of diseased animals, the Board, by order, shall allow animals, or any specified kind of animals, brought from that country or such part to be landed without being subject to the provisions of the Third Schedule to this Act as to slaughter or quarantine, and may for that purpose alter or add to those provisions as the case may require.

Provided that the admission of such animals shall be subject to such regulations as to the route by which the animals are conveyed to this country, quarantine, or otherwise, as the Board of Agriculture may by order direct.

Orders admitting animals to quarantine.

27. Notwithstanding anything contained in this Act or in any order of the Board of Agriculture, the Board may make such orders as they think fit for allowing the landing of any foreign animals intended for exhibition, or for other exceptional purposes, and for allowing such animals to be landed without being subject to the provisions of Part I. (slaughter at port of landing) of the Third Schedule to this Act, and the provisions of Part II. (quarantine) of the said schedule shall apply to any animals so allowed to be landed.

Special provisions as to Channel Islands and Isle of Man.

28. In relation to animals brought from the Channel Islands or the Isle of Man, the Board of Agriculture may, if they think fit, by order or by licence, alter or add to the provisions of the Third Schedule to this Act relating to slaughter or to quarantine, as the case may require.

Orders to be laid before Parliament.

29. Every order made in pursuance of this Act in relation to the landing or conveyance of foreign animals shall be forthwith laid before both Houses of Parliament.

Regulation of ports.

30.—(1.) The Board of Agriculture may make such orders as they think fit, subject and according to the provisions of this Act, for the following purposes, or any of them :—

(i) for prescribing the ports at which alone foreign animals may be landed ;

(ii) for defining the limits of ports for the purposes of this Act ;

(iii) for defining parts of ports ;

(iv) for prohibiting or regulating the movement of animals into, within, or out of a defined part of a port ;

(v) for prescribing and regulating the inspection and examination, and the mode, time, and conditions of slaughter, of animals in a defined part of a port ;

(vi) for prescribing and regulating the disposal of animals, not being foreign animals, and being in a defined part of a port ;

(vii) for regulating the removal of carcases, fodder, litter, utensils, dung, or other things into, within, or out of a defined part of a port, and the disposal thereof, when likely to introduce or spread disease ;

(viii) for prescribing and regulating the cleansing and disinfection of a defined part of a port or of parts thereof ;

(ix) for prescribing and regulating the disinfection or destruction of things being in a defined part of a port or removed thereout ;

(x) for regulating the movement of persons into, within, or out of a defined part of a port ;

(xi) for prescribing and regulating the disinfection of the clothes of persons employed or being in a defined part of a port, and the use of precautions against the introduction or spreading by them of disease ;

(xii) for prescribing and regulating the seizure and detention of any foreign animal, carcase, fodder, litter, dung, or other thing whereby disease may be introduced or spread ; and

(xiii) generally, for the better execution of this Act in relation to foreign animals, carcases, fodder, litter, dung, or other things, or for the purpose of in any manner preventing the introduction or spreading thereby of disease.

(2.) Notwithstanding anything in this Act, a defined part of a port, or any part thereof, shall not be declared to be an infected place, or be made part of an infected place, otherwise than by the Board.

(3.) Where the district or part of a district of a local authority under this Act is or comprises, or is comprised in, a port or part of a port, the Board may, if they think fit, in relation to that port or

part of a port, by order, make any body, other than the body constituted the local authority by this Act for such district or part of a district, the local authority for the purposes of the provisions of this Act relating to foreign animals, and, in connexion with the local authority so made, prescribe the local rate, if any, and the clerk of the local authority.

General Provisions as to Local Authorities.

Committees of local authorities.

31.—(1.) The provisions in the Fourth Schedule to this Act shall have effect with respect to committees of local authorities, but nothing therein contained shall prejudice or affect the power of a county council to delegate their powers to any committee or body under section twenty-eight of the Local Government Act, 1888.

51 & 52 Vict. c. 41.

(2.) Provided that the Board of Agriculture, in any order made by them under this Act for authorising a local authority to make regulations, may direct that the power to make such regulations for any purpose specified in that behalf in the order shall be exercised only by the local authority or their executive committee, and shall not be deputed to any other committee nor to a sub-committee.

Provision of wharves, stations, lairs, &c.

32.—(1.) A local authority may provide, erect, and fit up wharves, stations, lairs, sheds, and other places for the landing, reception, keeping, sale, slaughter, or disposal of foreign or other animals, carcases, fodder, litter, dung, and other things.

10 & 11 Vict. c. 14.

(2.) There shall be incorporated with this Act the Markets and Fairs Clauses Act, 1847, except sections six to nine and fifty-one to sixty thereof.

(3.) A wharf or other place provided by a local authority under this section shall be a market within that Act; and this Act shall be the special Act; and the prescribed limits shall be the limits of lands acquired or appropriated for purposes of this section; and byelaws shall be approved by the Board of Agriculture, which approval shall be sufficient without any other approval or allowance, notice of application for approval being given, and proposed byelaws being published before application, as required by the Markets and Fairs Clauses Act, 1847.

10 & 11 Vict. c. 14.

(4.) A local authority may charge for the use of a wharf or other place provided by them under this section such sums as may be imposed by byelaws, and the same shall be deemed tolls authorised by the special Act.

(5.) All sums so received by the local authority shall be carried to a separate account, and shall be applied in payment of interest on money borrowed by them under the Contagious Diseases (Animals) Act, 1869, the Contagious Diseases (Animals) Acts, 1878 to 1893, or this Act, and in repayment of the principal thereof, and, subject thereto, towards discharge of their expenses under this Act.

32 & 33 Vict. c. 70.

(6.) The local authority shall make such periodical returns to the Board of Agriculture of their expenditure and receipts in respect of the wharf or other place as the Board require.

(7.) The Board, if satisfied on inquiry that the tolls taken by the local authority for the wharf or other place may properly be

reduced, regard being had to the expenditure and receipts of the local authority in respect thereof, and to any money secured on the tolls, and to the other circumstances of the case, may require the local authority to submit to the Board, for their approval, a new schedule of tolls, and on failure of the local authority to do so to the satisfaction of the Board, may, by order, prescribe such tolls as the Board think fit, in lieu of those before approved by the Board.

(8.) The provisions of this section shall apply to a wharf or other place provided by a local authority under the Contagious Diseases (Animals) Act, 1869, or under the Contagious Diseases (Animals) Acts, 1878 to 1893. 32 & 33 Vict. c. 70.

33.—(1.) A local authority may purchase, or may by agreement take on lease or at a rent, land for wharves or other places, or for use for burial of carcases, in cases where there is not any ground suitable in that behalf in the possession or occupation of the owner of the animal, or any common or uninclosed land suitable and approved by the Board of Agriculture in that behalf, or for any other purpose of this Act. Power for local authority to acquire land.

(2.) The local authority may (subject to any agreement) dispose of lands so acquired but not required for the purposes of this Act, carrying the money produced thereby to the credit of the local rate.

(3.) The regulations contained in section one hundred and seventy-six of the Public Health Act, 1875, shall be observed with respect to the purchase of land by a local authority for purposes of this Act, as if the local authority were a local board, and purposes of this Act were purposes of that Act; provided that the requisite advertisements and notices may be published and served in any two consecutive months, and that the local rate shall be substituted for the rates therein mentioned. 38 & 39 Vict. c. 55.

(4.) The powers conferred by this section may be exercised by a local authority with respect to land within or without their district.

34.—(1.) Where a local authority fail to execute or enforce any of the provisions of this Act, or of an order of the Board of Agriculture, the Board may by order empower a person therein named to execute and enforce those provisions, or to procure the execution and enforcement thereof. Proceedings in case of default of local authorities.

(2.) The expenses incurred under any such order or in respect of any such default by or on behalf of the Board, including compensation for animals slaughtered, shall be expenses of the local authority, and the treasurer or other proper officer of the local authority shall pay the amount of such expenses to the Board on demand, and in default of payment a person appointed by the Board to sue in that behalf, may recover the amount of such expenses, with costs, from the local authority.

(3.) For the purposes of this section an order of the Board shall be conclusive in respect of any default, amount of expenses, or other matter therein stated or appearing.

(4.) The provisions of this section shall be without prejudice to the right or power of the Board, or any other authority or any

person, to take any other proceedings for requiring a local authority to execute or enforce any of the provisions of this Act, or of an order of the Board.

Inspectors and other officers of local authority.

35.—(1.) Every local authority shall appoint so many inspectors and other officers as the local authority think necessary for the execution and enforcement of this Act, and shall assign to those inspectors and officers such duties, and salaries or allowances, and may delegate to any of them such authorities and discretion, as to the local authority seem fit, and may at any time revoke any appointment so made.

(2.) Every local authority shall keep appointed at all times at least one veterinary inspector, and shall appoint and at all times keep appointed so many other veterinary inspectors as the Board of Agriculture, having regard to the extent and circumstances of the district of the local authority, direct.

(3.) The Board, on being satisfied on inquiry that an inspector of a local authority is incompetent, or has been guilty of misconduct or neglect, may, if they think fit, direct his removal, and thereupon he shall cease to be an inspector.

Reports to Board of Agriculture.

36. Every local authority and their inspectors and officers shall send and give to the Board of Agriculture such notices, reports, returns, and information as the Board require.

Orders and regulations of local authorities.

37.—(1.) An order or regulation of a local authority may be proved—

(i) by the production of a newspaper purporting to contain the order or regulation as an advertisement; or

(ii) by the production of a copy of the order or regulation purporting to be certified by the clerk of the local authority as a true copy.

(2.) An order or regulation so proved shall be taken to have been duly made, unless and until the contrary is proved.

(3.) An order or regulation of a local authority authorised by this Act or by an order of the Board of Agriculture shall alone be deemed for the purposes of this Act an order or regulation of a local authority.

Powers of local authorities to be for their district.

38. The provisions of this Act conferring powers on, or otherwise relating to, a local authority, or their inspectors or officers, shall, unless otherwise expressed, be read as having reference to the district of the local authority; and powers thereby conferred shall, unless it is otherwise expressed, be exerciseable and shall operate within and in relation to that district only.

Transfer of powers from one local authority to another, or formation of united district.

39.—(1.) Wherever the whole or any part of the district of any local authority is wholly surrounded by or has a common boundary with the district of any other local authority, those two local authorities may by agreement in writing between themselves make and vary and rescind provisions for the exercise by one of them (in this section referred to as the administering authority) of powers under this Act or any order of the Board of Agriculture

within the whole or any part of the district of the other (in this section referred to as the surrendering authority) and for ascertaining the proportion of the expenses of the administering authority to be paid by the surrendering authority, such proportion to be fixed with reference to the rateable value of the part of the district of the surrendering authority surrendered to the administering authority as compared with the rateable value of the original area of the district of the administering authority.

(2.) The district or part of a district subjected, in pursuance of an agreement under this section, to the powers of the administering authority, shall, for the purpose of the exercise of such powers, be deemed to be part of the district of the administering authority, and be dealt with accordingly.

(3.) Any expenses payable by a surrendering authority to an administering authority under this section shall be paid out of the local rate of the surrendering authority.

(4.) Provided that where the surrendering authority is the local authority for a borough and the administering authority is the local authority for a county to the rate of which such borough is assessed, the provision of this Act requiring that the local authority of the borough shall be paid by the local authority of the county the proportionate amount paid by the several parishes or parts of parishes in the borough shall not apply.

(5.) A local authority may by agreement in writing concur with any other local authority or authorities in appointing out of their respective bodies a joint committee consisting of such number of members with such tenure of office as they may determine, and in assigning to the joint committee a district consisting of the whole or such parts of the districts of the constituent authorities as the authorities may determine, and in delegating to the joint committee within their district the whole or any part of the powers of a local authority, and the joint committee shall, in respect of any powers so assigned to them, exercise the same powers and be subject to the same obligations, and this Act and any order of the Board shall, in respect of the district so assigned, take effect, as if such district were the district of a local authority and the joint committee were a local authority within the meaning of this Act.

(6.) All expenses incurred by the joint committee shall be apportioned among the component areas belonging to the different constituent authorities in proportion to the rateable values of such areas, as compared with each other, and shall be paid out of the local rates of the constituent authorities.

(7.) An agreement made under this section shall not be valid unless it has been approved by the Board.

(8.) The expression "powers" in this section shall not include the power of making or levying a rate, but shall include all other powers, duties, and obligations exerciseable by or imposed on a local authority or its officers under or by this Act, or any order of the Board.

Expenses of Local Authorities.

Expenses out of local rate.

40.—(1.) The expenses of a local authority under this Act shall be defrayed out of the local rate; and such sums as may be necessary to defray those expenses shall be levied with and as part of the local rate.

(2.) The local rate in England and Wales shall be as follows:—

(i) in the case of the local authority for a county, the county rate with the county fund;

(ii) in the case of the local authority for the City of London, the consolidated rate; and

(iii) in the case of the local authority for a borough, the borough rate with the borough fund.

(3.) Provided that the payment of the expenses of the local authority for the county of London, under this Act, shall be a general county purpose for which the parishes in the City of London shall be liable to be assessed to county contributions.

Relief of boroughs from contribution to county expenses.

41.—(1.) In England and Wales the council of a borough assessed to the county rate of a county shall be paid by the council of the county the proportionate amount paid by the several parishes and parts of parishes in the borough towards the expenses under this Act of the council of the county.

(2.) Nothing in this Act shall affect the exemption of any borough which had a separate court of quarter sessions at the date of the passing of the Local Government Act, 1888, from contributing towards the expenses under this Act of the council of the county within which the borough is situate.

51 & 52 Vict. c. 41.

Power for local authority to borrow.

42.—(1.) Where the amount or proportion of the local rate levied or required for the purposes of this Act exceeds or would exceed in any financial year sixpence in the pound, a local authority may borrow at interest on the credit of the local rate any money necessary for the purposes of this Act, and may secure the repayment thereof, with interest, by mortgaging the local rate for any term not exceeding seven years.

(2.) Where the amount or proportion aforesaid exceeds or would exceed in any financial year ninepence in the pound, the Local Government Board may, if they think fit, on application of the local authority, extend the term to any period not exceeding fourteen years.

(3.) A local authority, borrowing for the purposes of this section, shall borrow subject to the provisions of the Local Loans Act, 1875; and every loan raised under this section shall be discharged in manner prescribed by section thirteen of that Act, for which purpose a sinking fund is hereby prescribed, if in any case the Local Government Board so direct, but not otherwise.

38 & 39 Vict. c. 83.

(4.) The Public Works Loan Commissioners may, on the recommendation of the Local Government Board, advance money to a local authority in manner provided by the Public Works Loans (Money) Act, 1875, and any enactment amending or substituted for that Act, the same to be repaid, with interest, within the term aforesaid, and the local authority may so borrow accordingly.

38 & 39 Vict. c. 58.

(5.) A local authority, borrowing for any of the purposes of this Act, may, if they think fit, give as security, either with the local rate, if any, or separately therefrom, the charges which they are authorised to make for the use of a wharf or other place provided by them under this Act, and any estates, revenues, or funds belonging to them and not otherwise appropriated by law; and in that case the limitations in this section respecting the amount or proportion of rate and term of years shall not operate.

Police.

Duties and authorities of constables.

43.—(1.) The police force of each police area shall execute and enforce this Act and every order of the Board of Agriculture.

(2.) Where a person is seen or found committing, or is reasonably suspected of being engaged in committing, an offence against this Act, a constable may, without warrant, stop and detain him; and, if his name and address are not known to the constable, and such person fails to give them to the satisfaction of the constable, the constable may, without warrant, apprehend him; and the constable may, whether so stopping or detaining or apprehending the person or not, stop, detain, and examine any animal, vehicle, boat, or thing to which the offence or suspected offence relates, and require the same to be forthwith taken back to or into any place or district wherefrom or whereout it was unlawfully removed, and execute and enforce that requisition.

(3.) If any person obstructs or impedes or assists to obstruct or impede a constable or other officer in the execution of this Act or of an order of the Board or of a regulation of a local authority, the constable or officer may without warrant apprehend the offender.

(4.) A person apprehended under this section shall be taken with all practicable speed before a justice, and shall not be detained without a warrant longer than is necessary for that purpose; and all enactments relating to the release of persons on recognizances taken by an officer of police or a constable shall apply in the case of a person apprehended under this section.

(5.) The foregoing provisions of this section respecting a constable extend and apply to any person called by a constable to his assistance.

(6.) A constable shall forthwith make a report in writing to his superior officer of every case in which he stops any person, animal, vehicle, boat, or thing under this section, and of his proceedings consequent thereon.

(7.) Nothing in this section shall take away or abridge any power or authority that a constable would have had if this section had not been enacted.

General Administrative Provisions.

General powers of inspectors.

44.—(1.) An inspector shall have, for the purposes of this Act, all the powers which a constable has, under this Act or otherwise, in the place where the inspector is acting.

(2.) An inspector may at any time enter any land or shed to which this Act applies, or other building or place wherein he has reasonable grounds for supposing—

(*a*) that disease exists or has within fifty-six days existed; or

(*b*) that the carcase of a diseased or suspected animal is or has been kept, or has been buried, destroyed, or otherwise disposed of; or

(*c*) that there is to be found any pen, place, vehicle, or thing in respect whereof any person has on any occasion failed to comply with the provisions of this Act, or of an order of the Board of Agriculture, or of a regulation of a local authority; or

(*d*) that this Act or an order of the Board or a regulation of a local authority has not been or is not being complied with.

(3.) An inspector may at any time enter any pen, vehicle, vessel, or boat in which or in respect whereof he has reasonable grounds for supposing that this Act or an order of the Board or a regulation of a local authority has not been or is not being complied with.

(4.) An inspector entering, as herein-before by this section authorised, shall, if required by the owner, or occupier, or person in charge of the land, building, place, pen, vehicle, vessel, or boat, state in writing his reasons for entering.

(5.) A certificate of a veterinary inspector to the effect that an animal is or was affected with a disease specified in the certificate shall, for the purposes of this Act, be conclusive evidence in all courts of justice of the matter certified.

(6.) An inspector of the Board shall have all the powers of an inspector throughout England or that part thereof for which he is appointed, and in addition to the powers herein-before conferred upon inspectors, an inspector of the Board may at any time, for the purpose of ascertaining whether pleuro-pneumonia, foot-and-mouth disease, or swine-fever exists, or has within fifty-six days existed, in any shed, land, or other place, enter such shed, land, or place.

Power for detention of vessels.

45.—(1.) Where an inspector of the Board of Agriculture is satisfied that this Act or an order of the Board or a regulation of a local authority has not been or is not being complied with on board a vessel in a port, then, on the representation in writing to that effect of the inspector, stating particulars of non-compliance, the vessel may be detained until the Board otherwise direct.

(2.) The officer detaining the vessel shall forthwith deliver to the master or person in charge of the vessel a copy of the representation.

57 & 58 Vict. c. 60.

(3.) Section six hundred and ninety-two of the Merchant Shipping Act, 1894, shall apply in the case of such detention as if it were authorised or ordered under that Act.

Expenses of burial of carcases washed ashore.

46.—(1.) Where a carcase washed ashore is buried or destroyed under the direction of a receiver of wreck with authority from the Board of Trade, the expenses thereof shall be expenses of the local

authority, and shall be paid by the local authority to the receiver on demand, and in default of payment shall be recoverable with costs by the receiver from the local authority.

(2.) Where a local authority has incurred any expenses under this section on account of the burial or destruction of the carcase of any animal which, or the carcase of which, was thrown or washed from any vessel, the owner of the vessel shall be liable to repay such expenses to the local authority; and the local authority may recover such expenses with costs in the same manner as salvage is recoverable.

Exemption from stamp duty and fees.

47. No stamp duty shall be payable on, and no fee or other charge shall be demanded or made for, any appointment, certificate, declaration, licence, or thing under this Act, or an order of the Board of Agriculture, or a regulation of a local authority, or for any inspection or other act precedent to the granting, making, or doing of a certificate, declaration, licence, or other thing.

Evidence and form and service of instruments.

48.—(1.) In any proceeding under this Act, no proof shall be required of the appointment or handwriting of an inspector or other officer of the Board of Agriculture or of the clerk or an inspector or other officer of a local authority.

(2.) Every notice under this Act or under any order or regulation made under this Act must be in writing.

(3.) Any notice or other instrument under this Act or under an order of the Board or a regulation of a local authority may be served on the person to be affected thereby, either by the delivery thereof to him personally, or by the leaving thereof for him at his last known place of abode or business, or by the sending thereof through the post in a letter addressed to him there.

(4.) A notice or other instrument to be served on the occupier of any building, land, or place may, except when sent by post, be addressed to him by the designation of the occupier of that building, land, or place, without naming or further describing him; and where it is to be served on the several occupiers of several buildings, lands, or places, may, except when sent by post, be addressed to them collectively by the designation of the occupiers of those several buildings, lands, or places, without further naming or describing them, but separate copies thereof being served on them severally.

Provisions respecting orders of Board of Agriculture.

49.—(1.) The Board of Agriculture may alter or revoke any order of the Board.

(2.) Every order of the Board shall have effect as if it had been enacted by this Act.

(3.) The Board shall, in the case of every order made by them under this Act, publish in the London Gazette a notice that the order has been made, and of the place where copies of the order may be obtained.

(4.) Every local authority shall at their own expense publish every order of the Board, and every licence, or other instrument sent to them by the Board for publication, in such manner as the Board direct, and, subject to and in the absence of any direction,

by advertisement in a newspaper circulating in the district of the local authority.

(5.) The validity or effect of an order of the Board, licence, or other instrument issued by the Board, shall not be affected by want of or defect or irregularity in any publication thereof.

Yearly return to Parliament.

50. The Board of Agriculture shall make and lay before both Houses of Parliament, not later than the thirty-first day of March in each year, a return stating the proceedings and expenditure under this Act of the Board, and, as far as reasonably may be, of all local authorities, in the year ending the thirty-first day of December then last; and showing the number of foreign animals landed and found diseased in that year, specifying separately the different kinds of disease, and the ports of exportation and landing, and the mode of disposal of the animals; and containing such other information respecting the operation of this Act as the Board think fit.

Offences and Legal Proceedings.

Penalties for offences.

51. If any person is guilty of an offence against this Act, he shall for every such offence be liable—

(i) to a fine not exceeding twenty pounds; or

(ii) if the offence is committed with respect to more than four animals, to a fine not exceeding five pounds for each animal; or

(iii) where the offence is committed in relation to carcases, fodder, litter, dung, or other thing (exclusive of animals), to a fine not exceeding ten pounds in respect of every half ton in weight thereof after one half ton, in addition to the first fine of not exceeding twenty pounds.

General offences.

52. If any person, without lawful authority or excuse, proof whereof shall lie on him, does any of the following things, he shall be guilty of an offence against this Act:

(i) if he does anything in contravention of this Act, or of an order of the Board of Agriculture, or of a regulation of a local authority; or

(ii) if, where required by this Act or by an order of the Board to keep an animal separate as far as practicable, or to give notice of disease with all practicable speed, he fails to do so; or

(iii) if he fails to give, produce, observe, or do any notice, licence, rule, or thing which by this Act, or by an order of the Board, or by a regulation of a local authority, he is required to give, produce, observe, or do; or

(iv) if he does anything which by this Act or an order of the Board is made or declared to be not lawful; or

(v) if he does or omits anything, the doing or omission whereof is declared by this Act or by an order of the Board to be an offence by him against this Act; or

(vi) if he refuses to an inspector or other officer, acting in execution of this Act, or of an order of the Board, or of

a regulation of a local authority, admission to any land, building, place, vessel, pen, vehicle, or boat which the inspector or officer is entitled to enter or examine, or obstructs or impedes him in so entering or examining, or otherwise in any respect obstructs or impedes an inspector or constable or other officer in the execution of his duty, or assists in any such obstructing or impeding; or

(vii) if he throws or places, or causes or suffers to be thrown or placed, into or in any river, stream, canal, navigation, or other water, or into or in the sea within three miles of the shore, the carcase of an animal which has died of disease, or been slaughtered as diseased or suspected;

and on a further conviction within a period of twelve months for a second or subsequent offence against the same sub-section of this section he shall be liable, in the discretion of the court, to be imprisoned for any term not exceeding one month, with or without hard labour, in lieu of the fine to which he is liable under this Act.

Imprisonment instead of fine for use of expired licences, digging up of carcases, and other specified offences.

53.—(1.) If any person does any of the following things, he shall be guilty of an offence against this Act:

(i) if, with intent to unlawfully evade this Act, or an order of the Board of Agriculture, or a regulation of a local authority, he does anything for which a licence is requisite under this Act, or an order of the Board, or a regulation of a local authority, without having obtained a licence; or

(ii) if, where a licence is requisite, having obtained a licence, he, with the like intent, does the thing licensed after the licence has expired; or

(iii) 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 court that he did not know of that incompleteness or untruth, and that he could not with reasonable diligence have obtained knowledge thereof; or

(iv) if, with intent to unlawfully evade this Act, or an order of the Board of Agriculture, or a regulation of a local authority, he alters, or falsely makes, or ante-dates, or counterfeits, or offers or utters, knowing the same to be altered, or falsely made, or ante-dated, or counterfeited, a licence, declaration, certificate, or instrument made or issued, or purporting to be made or issued, under or for any purpose of this Act, or of an order of the Board or of a regulation of a local authority; or

(v) if, for the purpose of obtaining a licence, certificate, or instrument, he makes a declaration or statement false in any material particular, unless he shows to the satisfaction of the court that he did not know of that falsity, and that he could not with reasonable diligence have obtained knowledge thereof; or

(vi) if he obtains or endeavours to obtain such a licence, certificate, or instrument by means of a false pretence, unless he shows to the satisfaction of the court that he did not know of

that falsity, and that he could not with reasonable diligence have obtained knowledge thereof; or

(vii) if he grants or issues such a licence, certificate, or instrument, being false in any date or other material particular, unless he shows to the satisfaction of the court that he did not know of that falsity, and that he could not with reasonable diligence have obtained knowledge thereof, or if he grants or issues such a licence, certificate, or instrument, having, and knowing that he has, no lawful authority to grant or issue the same; or

(viii) if, with intent to unlawfully evade or defeat this Act, or an order of the Board, or a regulation of a local authority, he grants or issues an instrument being in form a licence, certificate, or instrument made or issued under this Act or an order of the Board or a regulation of a local authority, for permitting or regulating the movement of a particular animal, or the doing of any other particular thing, but being issued in blank, that is to say, not being before the issue thereof so filled up as to specify any particular animal or thing; or

(ix) if he uses or offers or attempts to use for any purpose of this Act, or of an order of the Board, or of a regulation of a local authority, an instrument so issued in blank, unless he shows to the satisfaction of the court that he did not know of it having been so issued in blank, and that he could not with reasonable diligence have obtained knowledge thereof; or

(x) if he by means of any fraud or false pretence obtains, or attempts to obtain, compensation from the Board or a local authority in respect of an animal slaughtered, or aids or abets any person in any such fraud or false pretence; or

(xi) if, without lawful authority or excuse, proof whereof shall lie on him, he digs up, or causes to be dug up, a carcase buried under the direction of the Board or of a local authority or of a receiver of wreck; or

(xii) if, where the Board has by order prohibited, absolutely or conditionally, the use for the carrying of animals, or for any purpose connected therewith, of a vessel, vehicle, or pen, or other place, he, without lawful authority or excuse, proof whereof shall lie on him, does anything so prohibited.

(2.) And in every case in this section specified he shall be liable, on conviction, in the discretion of the court, to be imprisoned for any term not exceeding two months, with or without hard labour, in lieu of the fine to which he is liable under this Act.

Proceedings in court of summary jurisdiction.

54. Any offence against this Act may be prosecuted, and any fine in respect thereof may be recovered, and any money by this Act or an order of the Board of Agriculture made recoverable summarily may be recovered, and any summary orders under this Act or an order of the Board may be made in manner provided by the Summary Jurisdiction Acts; but nothing in this section shall apply to proceedings under the Customs Acts.

Appeal.

55. If any person thinks himself aggrieved by the dismissal of a complaint by, or by any determination or adjudication of, a court of summary jurisdiction under this Act, he may appeal therefrom to a court of quarter sessions.

Proceedings under Customs Acts for unlawful landing or shipping.

56.—(1.) If any person lands or ships or attempts to land or ship an animal or thing in contravention of this Act or of an order of the Board of Agriculture, he shall be liable, under and according to the Customs Acts, to the penalties imposed on persons importing or exporting or attempting to import or export goods the importation or exportation whereof is prohibited by or under the Customs Acts, without prejudice to any proceeding against him under this Act for an offence against this Act.

(2.) The animal or thing in respect whereof the offence is committed shall be forfeited under and according to the Customs Acts in like manner as goods the importation whereof is prohibited by or under the Customs Acts.

General provision as to procedure.

57.—(1.) Where the owner or person in charge of an animal is charged with an offence against this Act relative to disease or to any illness of the animal, he shall be presumed to have known of the existence of the disease or illness, unless and until he shows to the satisfaction of the court that he had not knowledge thereof, and could not with reasonable diligence have obtained that knowledge.

(2.) Where a person is charged with an offence against this Act in not having duly cleansed or disinfected any place, vessel, vehicle, or thing belonging to him or under his charge, and a presumption against him on the part of the prosecution is raised, it shall lie on him to prove the due cleansing and disinfection thereof.

(3.) A person charged with an offence against this Act may, if he thinks fit, tender himself to be examined on his own behalf, and thereupon he may give evidence in the same manner and with the like effect and consequences as any other witness.

(4.) Every offence against this Act shall be deemed to have been committed, and every cause of complaint or matter for summary proceeding under this Act or an order of the Board of Agriculture or regulation of a local authority shall be deemed to have arisen, either in any place where the same actually was committed or arose, or in any place where the person charged or complained of or proceeded against happens to be at the time of the institution or commencement of the charge, complaint, or proceeding.

(5.) Notwithstanding anything in any Act relating to the metropolitan police or to municipal corporations or in any other Act, such part not exceeding one half of every fine or forfeiture recovered under this Act (except in proceedings under the Customs Acts) as the court before which it is recovered thinks fit, shall be paid to the person who proceeds for the same, and the residue thereof shall be applied as if this section had not been enacted.

Miscellaneous.

Local authority and local rate in Hove.

58. Notwithstanding anything in this Act the Hove Improvement Act Commissioners shall be the local authority for the

Improvement Act District of Hove, and the local rate for that district shall be the rate applicable by the Commissioners to the maintenance of the police, and this Act shall apply to that district as if it were a borough and as if the said Commissioners were the council of the borough.

Interpretation and construction.

59.—(1.) In this Act, unless the context otherwise requires, the following terms have the meanings herein-after respectively assigned to them, that is to say:—

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

The expression "animals" means, except where it is otherwise expressed, cattle, sheep, and goats, and all other ruminating animals, and swine:

The expression "disease" means cattle plague (that is to say, rinderpest, or the disease commonly called cattle plague), contagious pleuro-pneumonia of cattle (in this Act called pleuro-pneumonia), foot-and-mouth disease, sheep-pox, sheep-scab, or swine-fever (that is to say, the disease known as typhoid fever of swine, soldier purples, red disease, hog cholera or swine-plague):

The expression "diseased" means affected with disease:

The expression "suspected" means suspected of being diseased:

The expression "carcase" means the carcase of an animal, and includes part of a carcase, and the meat, bones, hide, skin, hoofs, horns, offal, or other part of an animal, separately or otherwise, or any portion thereof:

The expression "fodder" means hay or other substance commonly used for food of animals:

The expression "litter" means straw or other substance commonly used for bedding or otherwise for or about animals:

The expression "foreign," applied to animals and things, means brought to the United Kingdom from a country out of the United Kingdom:

The expression "inspector of the Board of Agriculture" or "inspector of a local authority" means a person appointed to be an inspector for purposes of this Act by the Privy Council or the Board of Agriculture, or by a local authority, as the case may be; and the expression "inspector," used alone, means such a person, by whichever authority appointed:

The expression "veterinary inspector" means an inspector being a member of the Royal College of Veterinary Surgeons, or any veterinary practitioner qualified as approved by the Board of Agriculture:

The expressions "police area" and "police force" with respect to the City of London mean the said city and the police thereof, and with respect to any other place have the same meaning as in the Police Act, 1890:

53 & 54 Vict. c. 45.

The expression "district," when used with reference to a local authority, means the area for which the local authority exercises powers under this Act:

The expression "the Customs Acts" means the Customs Consolidation Act, 1876, and any enactment amending or substituted for that Act: 39 & 40 Vict. c. 36.

The expression "justice" means justice of the peace:

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

The expression "Order of Council" means an Order of the Privy Council under the Contagious Diseases (Animals) Acts, 1875 to 1886:

The expression "order of the Board of Agriculture" means an order made by the Board of Agriculture under this Act or under any enactment by this Act repealed.

(2.) In the computation of time for purposes of this Act, a period reckoned by days from the happening of an event or the doing of an act or thing shall be deemed to be exclusive of the day on which the event happens or the act or thing is done.

Special Provisions as to Scotland.

60. In the application of this Act to Scotland: Local authority and local rate in Scotland.

(1.) The local authority and the local rate shall respectively be—

(*a*) for each burgh not being a burgh to which section fourteen of the Local Government (Scotland) Act, 1889, applies, the magistrates and town council, and a rate to be levied equally upon owners and occupiers within the burgh; and

(*b*) for each county and any burgh to which section fourteen of the Local Government (Scotland) Act, 1889, applies, and any royal burgh which does not return or contribute to return a member to Parliament, the county council, and a rate within the county to be levied equally upon owners and occupiers as an item of the consolidated county rates, and within such burghs and royal burghs to be ascertained, fixed, and paid to the county council as provided by the Local Government (Scotland) Act, 1889.

(2.) The expression "county" means a county as defined by the Local Government (Scotland) Act, 1889; 52 & 53 Vict. c. 50.

(3.) The expression "burgh" means a burgh which returns or contributes to return a member to Parliament;

(4.) The expressions "police area" and "police force" have the same meaning as in the Police (Scotland) Act, 1890; 53 & 54 Vict. c. 67.

(5.) "Value according to the valuation roll" shall be substituted for "rateable value";

(6.) With respect to the delegation of powers by a county council section seventy-three of the Local Government (Scotland) Act, 1889, shall be substituted for section twenty-eight of the Local Government Act, 1888; and 52 & 53 Vict. c. 50. 51 & 52 Vict. c. 41.

(7.) All deeds made or granted by a local authority under this Act shall in addition to being sealed be signed by two members of the local authority and by the clerk of the local authority.

61. The provisions of this Act relating to the purchase of land shall have effect with respect to Scotland as if section ninety of the Purchase of land in Scotland.

30 & 31 Vict. c. 101. 38 & 39 Vict. c. 55.

Public Health (Scotland) Act, 1867, were thereby applied, instead of section one hundred and seventy-six of the Public Health Act, 1875; 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.

Provisions as to borrowing by local authority in Scotland.

62. The provisions of this Act relating to borrowing by local authorities shall, as regards Scotland, be modified as follows:—

(i.) Those provisions shall have reference to the amount only of the local rate, and not to the proportion thereof;

(ii.) The Secretary for Scotland shall be substituted for the Local Government Board; and

(iii.) Borrowing by a local authority shall not be subject to the provisions of the Local Loans Act, 1875; and in lieu thereof, as regards borrowing by local authorities of counties, the provisions of the Local Government (Scotland) Act, 1889, shall apply, and as regards borrowing by local authorities of burghs the provisions of the Commissioners Clauses Act, 1847, with respect to the mortgages to be executed by the commissioners, shall be deemed to have been incorporated with this Act, 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 judicial factor.

38 & 39 Vict. c. 83.

10 & 11 Vict. c. 16.

Powers and qualifications of inspectors in Scotland.

63.—(1.) An inspector of the Board of Agriculture shall have all the powers of an inspector throughout Scotland or that part thereof for which he is appointed.

(2.) Any person may be appointed and be a veterinary inspector in Scotland who holds the veterinary certificate of the Highland and Agricultural Society of Scotland.

Legal proceedings in Scotland.

64. For the purposes of the application of this Act to Scotland—

(1.) Any offence against this Act may be prosecuted, and any fine in respect thereof may be recovered, and any money by this Act or an order of the Board of Agriculture made recoverable summarily may be recovered, and any summary order under this Act or an order of the Board may be made in manner provided by the Summary Jurisdiction (Scotland) Acts;

(2.) 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 common form;

(3.) The section of this Act relating to appeals to quarter sessions shall not apply;

(4.) Notwithstanding anything in this or any other Act, the part of every fine or forfeiture recovered under this Act, which is not in this Act directed to be paid to the person who sues or proceeds for the same, shall be paid as follows:—

(*a.*) To the Queen's and Lord Treasurer's Remembrancer, on behalf of Her Majesty, when the court is the sheriff court;

(*b.*) To the collector of the county, in aid of the county general assessment portion of the consolidated rates of the county, when the court is the justice of the peace court;

(*c.*) To the treasurer of the burgh, in aid of the funds of the burgh, when the court is a burgh court; and

(*d.*) To the treasurer of the board of police, or commissioners of police, in aid of the police funds, when the court is a police court;

(5.) Nothing in this section shall apply to proceedings under the Customs Acts.

Special Provisions as to Ireland.

65. For the purposes of the execution of this Act in Ireland— Powers of Lord Lieutenant and Privy Council.

(1.) The powers by this Act conferred on the Board of Agriculture shall be vested in the Lord Lieutenant acting by the advice of the Privy Council, in this Act referred to as the Lord Lieutenant and Privy Council, and as regards the making of orders and doing of acts affecting only particular local authorities, persons, ports, towns, districts, places, areas, vessels, or things, and as regards the issuing and revocation of licences, and the appointment or removal of inspectors and other officers, may be exercised by the Lord Lieutenant, or by the Chief Secretary as a Privy Councillor;

(2.) Any act of the Lord Lieutenant and Privy Council under this Act done otherwise than by Order in Council shall be sufficiently done and signified by an instrument signed by the Clerk of the Council: and every act done and signified by an instrument so signed shall be deemed to have been duly done by the Lord Lieutenant and Privy Council; and every such instrument shall be received in evidence in all courts and proceedings without proof of the authority or signature of the Clerk of the Council or other proof;

(3.) Any power under this Act vested in the Chief Secretary except as a Privy Councillor may, in his absence, be exercised by the Under Secretary for the time being to the Lord Lieutenant;

(4.) An order of the Lord Lieutenant and Privy Council under this Act is referred to therein as an Order in Council; and

(5.) Subject to the provisions of this and subsequent sections of this Act relating to Ireland, the provisions of this Act relating to the Board of Agriculture and to orders of the Board of Agriculture and to officers of the said Board shall apply to the Lord Lieutenant and Privy Council, and to Orders in Council, and to orders of the Lord Lieutenant and to officers appointed by the Lord Lieutenant for the purposes of this Act.

66. In order to secure uniformity of action every Order in Council and every order of the Board of Agriculture made under this Act shall, with all practicable speed, be communicated to the Communication of orders from and to Ireland.

Board of Agriculture, or to the Lord Lieutenant and Privy Council, as the case may be.

Provision as to local authorities, lands, and borrowing in Ireland.

67.—(1.) The local authorities in Ireland shall be the boards of guardians of the several poor law unions, and the district of each local authority shall be the poor law union.

(2.) The provisions of this Act relating to the purchase of land by local authorities shall, as regards Ireland, have effect as if instead of section one hundred and seventy-six of the Public Health Act, 1875, there were thereby applied section two hundred and three of the Public Health (Ireland) Act, 1878; and as if the local authority were a rural sanitary authority, and purposes of this Act were purposes for which a rural sanitary authority may acquire land.

38 & 39 Vict. c. 55.
41 & 42 Vict. c. 52.

(3.) The provisions of this Act relating to borrowing by local authorities shall, as regards Ireland, have effect as if sections two hundred and thirty-seven to two hundred and forty-six of the Public Health (Ireland) Act, 1878, were thereby applied instead of the Local Loans Act, 1875, and as if the local authority were a rural sanitary authority, and purposes of this Act were purposes for which a rural sanitary authority may borrow, and as if the Commissioners of Public Works in Ireland were substituted for the Public Works Loan Commissioners.

41 & 42 Vict. c. 52.
38 & 39 Vict. c. 83.

Provisions respecting officers of local authorities in Ireland.

68. The Lord Lieutenant and Privy Council may make such Orders in Council as to them seem fit,—

(i) for defining the numbers, qualifications, and powers of inspectors and valuers, and other officers of local authorities, and the terms and conditions of their appointment, and regulating their duties; and

(ii) for fixing the periods for which they are to be appointed, and their remuneration and allowances.

Qualifications and powers of inspectors in Ireland.

69.—(1.) The provisions of this Act requiring local authorities to keep appointed veterinary inspectors shall not extend to Ireland; and the powers and duties by this Act conferred and imposed on a veterinary inspector shall in Ireland be vested in and discharged by an inspector; but where a person appointed to be an inspector in Ireland has the qualification of a veterinary inspector under this Act, he may be styled a veterinary inspector.

(2.) The Lord Lieutenant and Privy Council may make such Orders in Council as to them seem fit for uniting two or more poor law unions into a district for the purposes of inspection, and for authorising or directing the local authorities of those unions to appoint and keep appointed a veterinary inspector for the united district, and for regulating the mode of appointing such inspector, and the amount of his remuneration, and the mode in which the several unions shall contribute thereto; or the Lord Lieutenant may, if he thinks fit, appoint a veterinary inspector for the united district, on such terms and conditions with reference to contribution by the several unions towards the travelling expenses and allowances of the inspector as the Lord Lieutenant thinks fit.

(3.) An inspector appointed by the Lord Lieutenant shall have, throughout Ireland, or that part thereof for which he is appointed, all the powers by this Act conferred on a veterinary inspector of the Board of Agriculture.

(4.) In the application of this Act to Ireland the expression "inspector of the Board of Agriculture" shall mean a person appointed to be an inspector for the purposes of this Act by the Lord Lieutenant, and "inspector of a local authority" means an inspector appointed by a local authority or by local authorities under this section, and the expression "inspector" means such an inspector by whichever authority appointed.

Expenses of local authorities in Ireland.

70. The remuneration and allowances of an inspector or valuer of a local authority in Ireland, and all money payable as compensation for animals slaughtered by direction of the local authority, shall when due be paid by the treasurer of the union out of union funds.

General Cattle Diseases Fund for Ireland.

71.—(1.) The General Cattle Diseases Fund established by the Contagious Diseases (Animals) Act, 1878, shall continue for the purpose of the execution of this Act in Ireland, and any money at the commencement of this Act standing to the credit of the fund, not being money paid to the cattle pleuro-pneumonia account, shall, in the first instance, constitute the general account of the fund.

(2.) The Chief Secretary may, as and when he thinks fit, certify to the effect that a sum equivalent to a certain poundage on the net annual value of the property in all the poor law unions is required for the purposes of this Act.

(3.) Thereupon the Local Government Board for Ireland shall by order under their seal assess that sum on the several poor law unions in proportion to the net annual value of the property therein, and shall send copies of the order to the guardians and to the treasurer of each union.

(4.) Thereupon the treasurer of each poor law union shall out of union funds pay over the amount assessed on the union to the Bank of Ireland, to be placed to the general account of the General Cattle Diseases Fund. The guardians of each union shall debit the several electoral divisions with proportions of that sum, according to the net annual value of the property therein.

(5.) No larger sum shall be levied under this Act at any one time than is equivalent to a poundage of one halfpenny in the pound on the net annual value of the property in all the poor law unions; nor shall any larger sum be levied under this Act in the whole than is equivalent, taken with any money before the commencement of the Contagious Diseases (Animals) Act, 1878, carried to the Cattle Plague Account, and with any sums levied under that Act to a poundage of eightpence in the pound on the net annual value of the property in all the unions.

(6.) On receipt of a certificate of the Chief Secretary to the effect that any part of the sum standing to the general account of the General Cattle Diseases Fund is not required for purposes of that fund, the Local Government Board for Ireland shall by order

under their seal assign the proportions returnable to the several poor law unions, according to the net annual value of the property therein; and the Bank of Ireland shall, on a direction to that effect from the Chief Secretary, remit the sum so assigned to the treasurers of the unions; and the guardians of each union shall, on receipt of that sum, credit the several electoral divisions with proportions of that sum according to the net annual value of the property therein.

(7.) The expression "net annual value of property" in this section means the net annual value of property rateable to the relief of the poor according to the valuation in force for the time being.

(8.) The expression "union funds" in this Act means any money in the hands of the treasurer of a poor law union to the credit of the guardians of the union, and if at any time the assets in the treasurer's hands are not sufficient for any purpose of this Act, then union funds shall be taken to include the moneys next received by the treasurer and placed to the credit of the guardians.

Application of General Cattle Diseases Fund.

72.—(1.) The treasurer of a poor law union, on proof to the Chief Secretary of the payment by a local authority of any money for remuneration, expenses, allowances, or compensation, in accordance with this Act, shall be entitled to a certificate to that effect, and to an order by the Chief Secretary for payment from the general account of the General Cattle Diseases Fund of one half of the money so proved to have been paid, subject, in the case of compensation, to all proper deductions for money received by the local authority in respect of animals slaughtered; and the amount so ordered shall be paid accordingly to the treasurer for the union.

(2.) If in any case it is proved to the Chief Secretary that an animal in respect whereof compensation was paid by the treasurer of a union was, within seven days immediately before its slaughter, brought into that union solely for the purpose of being shipped out of Ireland from a port in that union within those seven days, or of being sold at a fair to be held in that union within those seven days, and that neither the owner nor the person in charge thereof had been guilty, in relation to it, of any offence against this Act, then the Chief Secretary shall order payment to the treasurer in manner aforesaid of the whole of the money paid in compensation in respect of that animal.

(3.) If in any case it is proved to the Chief Secretary that an animal in respect whereof compensation has been paid by a local authority ought not to have been slaughtered, the Chief Secretary may, notwithstanding anything in this section, withhold his order for payment out of the general account of the General Cattle Diseases Fund of any money in respect of that animal.

(4.) All expenses incurred by or on behalf of the Lord Lieutenant and Privy Council in the execution of this Act, and not otherwise provided for by this Act, shall be defrayed out of the general account of the General Cattle Diseases Fund.

Expenses of Lord Lieutenant in case of slaughter for pleuro-pneumonia, foot-and-mouth disease, or swine-fever.

73. For the purpose of defraying the costs incurred by the Lord Lieutenant and Privy Council in the execution of the sections of this Act which relate to the slaughter of cattle, animals, or swine, on account of pleuro-pneumonia, foot-and-mouth disease, or swine-fever, and the payment of compensation on account of such slaughter, the following provisions shall apply :—

(1.) There shall be paid to the General Cattle Diseases Fund—

(*a*) such moneys (not exceeding twenty thousand pounds in any one year) as may be provided by Parliament towards defraying the costs incurred by the Lord Lieutenant and Privy Council in the execution of the provisions of this Act relating to the slaughter of cattle, animals, or swine on account of pleuro-pneumonia, foot-and-mouth disease, or swine-fever; and

(*b*) all sums received by the Lord Lieutenant and Privy Council on the sale of the carcases of cattle, animals, or swine, slaughtered by the Lord Lieutenant and Privy Council on account of pleuro-pneumonia, foot-and-mouth disease, or swine-fever, after deducting any amount payable thereout as excess to the owners of the cattle, animals, or swine, under this Act;

and the amounts so paid shall be carried to the separate account, called the Cattle Pleuro-pneumonia Account of the said Fund (which account is in this Act referred to as the Cattle Pleuro-pneumonia Account for Ireland), and the moneys standing to the credit of the said account shall be applicable solely to the purposes of the sections of this Act relating to the slaughter by the Board of Agriculture of cattle, animals, or swine, on account of pleuro-pneumonia, foot-and-mouth disease, or swine-fever, and the payment of compensation on account of such slaughter, and any expenses incurred in connexion therewith;

(2.) Provided that of the money provided by Parliament for the Cattle Pleuro-pneumonia Accounts for Great Britain and Ireland not more than fifty thousand pounds shall be so provided for the costs of the execution of this Act as respects swine-fever in any one year;

(3.) The costs and expenses under this Act which in the case of Great Britain are by this Act made payable out of the money standing to the Cattle Pleuro-pneumonia Account for Great Britain shall in the case of Ireland be paid by the Lord Lieutenant and Privy Council out of the moneys standing to the Cattle Pleuro-pneumonia Account for Ireland, and, if those moneys are insufficient, shall be paid out of the general account of the General Cattle Diseases Fund;

(4.) The regulations contained in the Second Schedule to this Act shall apply to the Cattle Pleuro-pneumonia Account for Ireland.

Police in Ireland.

74. The provisions of this Act relating to the police and to constables shall apply to the members of the Royal Irish Constabulary Force and of the Dublin Metropolitan Police Force.

Recovery of penalties and summary proceedings in Ireland.

75. For the purposes of the application of this Act to Ireland:

(1.) Any offence against this Act may be prosecuted, and any fine in respect thereof may be recovered, and any money by this Act or an Order in Council made recoverable summarily may be recovered, and any summary order under this Act or an Order in Council may be made, in manner provided by the Summary Jurisdiction (Ireland) Acts;

(2.) The provisions of the Summary Jurisdiction (Ireland) Acts relative to appeals against orders and convictions shall apply to orders and convictions and to dismissals of complaints under this Act;

(3.) A court of summary jurisdiction may consist of one or more justices; and

(4.) Fines recovered under this Act shall be applied as follows; that is to say, a part thereof not exceeding one third may be awarded to the informer, and the rest shall be awarded to the Crown, to be applied in aid of the general account of the General Cattle Diseases Fund.

Publication and proof of Orders in Council in Ireland.

76. In the application of this Act to Ireland:

(1.) The Dublin Gazette shall be substituted for the London Gazette;

(2.) A copy of the Dublin Gazette purporting to be printed by the Queen's authority shall be conclusive evidence in all courts and legal proceedings of the date, contents, due making, and publication of any order appearing therein and purporting to be an Order in Council;

(3.) An Order in Council may also be proved by the production of an instrument purporting to be certified to be a true copy thereof by the Clerk of the Privy Council, or the person for the time being acting as such; and that instrument shall be conclusive evidence in all courts and legal proceedings of the date, contents, due making, and publication of the order.

Expenses of Veterinary Department in Ireland.

77. The Lord Lieutenant, with the approval of the Treasury, may fix the salaries and allowances of the officers and persons acting in execution of this Act in or under the Veterinary Department of the Privy Council Office in Ireland; and the same, and all charges and expenses incurred in the maintenance and management of that department, shall be paid out of money provided by Parliament.

Supplemental.

Repeal of enactments in schedule.

78.—(1.) The Acts specified in the Fifth Schedule to this Act are hereby repealed to the extent specified in the third column to that schedule.

(2.) Notwithstanding such repeal, every Order of Council and in Council, and every order of the Board of Agriculture, or regulation of a local authority made, and every licence granted, and every committee or sub-committee constituted, and every inspector appointed, under any of the enactments repealed, shall continue and be as if this Act had not been passed; but so that the same

may be revoked, altered, cancelled, or otherwise dealt with under this Act, as if it had been made, done, or granted under this Act.

79. This Act may be cited as the Diseases of Animals Act, 1894. Short title.

SCHEDULES.

THE FIRST SCHEDULE. Section 11.

PART I.

Pleuro-Pneumonia.

1. Cattle shall not be moved into or out of a place infected with pleuro-pneumonia, except where, as regards movement into such a place, the cattle are affected with pleuro-pneumonia, and except in such other cases as the Board of Agriculture think fit by order to except.

2. In the cases so excepted by order cattle may be moved into or out of an infected place on conditions prescribed by order of the Board, and not otherwise.

3. Cattle may be moved into, within, or out of such parts of an area infected with pleuro-pneumonia as are not comprised in a place infected with pleuro-pneumonia, by licence of the local authority, granted on conditions prescribed by order of the Board, and not otherwise.

PART II.

Foot-and-Mouth Disease.

1. Animals shall not be moved into or out of a place infected with foot-and-mouth disease except where, as regards movement into such a place, the animals are affected with foot-and-mouth disease, and except in such other cases as the Board of Agriculture think fit by order to except.

2. In the cases so excepted by order animals may be moved into or out of an infected place on conditions prescribed by order of the Board, and not otherwise.

3. Animals may be moved into, within, or out of such parts of an area infected with foot-and-mouth disease as are not comprised in a place infected with foot-and-mouth disease, by licence of the local authority, granted on conditions prescribed by order of the Board, and not otherwise.

THE SECOND SCHEDULE. Sections 18, 73.

REGULATIONS AS TO CATTLE PLEURO-PNEUMONIA ACCOUNTS.

1. Notwithstanding anything in this Act the moneys provided by Parliament towards defraying the cost of the execution of the provisions of this Act relating to the slaughter by the Board of Agriculture or the Lord Lieutenant and Privy Council of cattle, animals, or swine, on account of pleuro-pneumonia, foot-and-mouth disease, or swine-fever, may be apportioned between Great Britain and Ireland in such manner as the Treasury in communication with the Board and the Lord Lieutenant may direct.

2. At the end of every financial year, accounts of the receipts and expenditure of the Cattle Pleuro-pneumonia Account for Great Britain and the Cattle Pleuro-pneumonia Account for Ireland shall be made up in such

form and with such particulars as may be directed by the Treasury, and such accounts shall be audited by the Comptroller and Auditor-General as public accounts in accordance with such regulations as the Treasury may make, and shall be laid before Parliament, together with his report thereon.

3. If at the end of any financial year the Treasury, after communication with the Board of Agriculture, or the Lord Lieutenant and Privy Council, as the case may be, are satisfied that the balance standing to the credit of either of the said Cattle Pleuro-pneumonia Accounts, or any part of such balance, will not be required for the purposes of this Act, they may—

(*a*) in the case of the Cattle Pleuro-pneumonia Account for Great Britain direct such balance or part to be paid in the proportions provided by this schedule into the Local Taxation Account and the Local Taxation (Scotland) Account, in repayment of any sums which have been paid to the Cattle Pleuro-pneumonia Account out of the said Local Taxation Accounts; and

(*b*) in the case of the Cattle Pleuro-pneumonia Account for Ireland, direct such balance or part to be paid into the general account of the General Cattle Diseases Fund in repayment of any sums which have been paid out of the said general account for any of the purposes to which the Cattle Pleuro-pneumonia Account is by this Act applicable;

and in either case the Treasury may direct any balance or part which may not be required for such repayment to be paid into the Exchequer.

4. The proportions in which any sum is to be paid out of or into the Local Taxation Account and the Local Taxation (Scotland) Account under this Act shall be eighty-eight per centum of such sum out of or into the Local Taxation Account, and twelve per centum out of or into the Local Taxation (Scotland) Account.

5. All money paid under this Act out of or into the Local Taxation Account shall in account be charged against or credited to the proceeds of the probate duty.

6. All moneys paid under this Act out of or into the Local Taxation (Scotland) Account shall in account be charged against or credited to the residue of the Scotch share of the local taxation (customs and excise) duties in manner provided by section two of the Local Taxation (Customs and Excise) Act, 1890.

53 & 54 Vict. c. 60.

7. Payments out of or into the said Cattle Pleuro-pneumonia Accounts, and all other matters relating to the accounts and to the moneys standing to the credit of the accounts shall be made and regulated in such manner as the Treasury direct.

Sections 24, 26, 27.

THE THIRD SCHEDULE.

FOREIGN ANIMALS.

PART I.

Slaughter at Port of Landing.

1. The animals shall be landed only at a part of a port defined for that purpose by order of the Board of Agriculture, to be called a foreign animals wharf.

2. The animals shall be landed in such manner, at such times, and subject to such supervision and control as the Commissioners of Customs direct.

3. The animals shall not be moved alive out of the wharf.

PART II.

Quarantine.

1. The animals shall be landed only at a part of a port defined for that purpose by order of the Board of Agriculture, to be called a foreign animals quarantine station.

2. The animals shall be landed in such manner, at such times, and subject to such supervision and control as the Commissioners of Customs direct, and subject to such conditions in respect of the animals, or of the vessel from which they are landed, as the Board by order prescribe.

3. When landed the animals shall be placed in sheds or other receptacles in the quarantine station, prepared by the local authority or the owners of the quarantine station, or the consignees of animals, or other persons, and approved by the Board.

4. The animals shall not be moved out of the quarantine station except on conditions prescribed by order of the Board.

5. Notwithstanding anything in the foregoing provisions of this part of this schedule the provisions of this Act relating to slaughter in case of the existence of disease, and to compensation or other payment in respect of animals so slaughtered, and to the ownership of carcases of such animals, shall apply to animals within a foreign animals quarantine station.

THE FOURTH SCHEDULE.

Section 30.

COMMITTEES OF LOCAL AUTHORITIES.

1. Every local authority shall form and keep up a committee or committees, and may appoint the number of members by whom the powers of a committee may be exercised, and may at any time add to or diminish the number of the members of a committee, or otherwise alter the constitution thereof, and fill up or provide for the filling up of vacancies therein, or revoke the appointment thereof and appoint another committee or committees, and lay down rules for the guidance of a committee, who shall act accordingly.

2. A committee may consist wholly of members of the local authority or partly thereof, and partly of other persons, being rated occupiers in the district of the local authority, and otherwise qualified, as the local authority think fit.

3. A local authority may except in so far as it is otherwise provided by order of the Board of Agriculture delegate all or any of their powers, except the power to make a rate, to a committee, with or without conditions or restrictions.

4. A local authority may revoke or alter any power given by them to a committee.

5. A local authority may, if they think fit, appoint and designate one committee as their executive committee.

6. An executive committee shall have all the powers of the local authority, except the power to make a rate, and may, if they think fit, appoint a sub-committee or sub-committees, and delegate to them [except in so far as it is otherwise provided by order of the Board] all or any of the powers of the executive committee, with or without conditions or restrictions, and revoke or alter any such delegation, and appoint the number of members by whom the powers of a sub-committee may be exercised, and add to or diminish the number of the members of a sub-committee, or otherwise alter the constitution thereof, and fill up or provide for the filling up of vacancies therein, or revoke the appointment thereof and appoint

another sub-committee or other sub-committees, and lay down rules for the guidance of a sub-committee who shall act accordingly.

7. Proceedings of a committee or sub-committee shall not be invalidated by any vacancy in the committee or sub-committee.

8. 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.

9. A committee, and a sub-committee of an executive committee, may elect a chairman of their meetings.

10. If no chairman is elected, or if the chairman so elected is not present at the time appointed for a meeting, the members then present shall choose a chairman for that meeting.

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

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

Section 78.

THE FIFTH SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
41 & 42 Vict. c. 74.	The Contagious Diseases (Animals) Act, 1878.	The whole Act, except section thirty-four.
47 & 48 Vict. c. 13.	The Contagious Diseases (Animals) Act, 1884.	The whole Act.
47 & 48 Vict. c. 47.	The Contagious Diseases (Animals) Transfer of Parts of Districts Act, 1884.	The whole Act.
49 & 50 Vict. c. 32.	The Contagious Diseases (Animals) Act, 1886.	The whole Act, except section nine.
52 & 53 Vict. c. 30.	The Board of Agriculture Act, 1889.	Section three.
53 & 54 Vict. c. 14.	The Contagious Diseases (Animals) (Pleuro-pneumonia) Act, 1890.	The whole Act.
55 & 56 Vict. c. 47.	The Contagious Diseases (Animals) Act, 1892.	The whole Act.
56 & 57 Vict. c. 43.	The Contagious Diseases (Animals) Act, 1893.	The whole Act.