

As to the
issue of stores
and
provisions.

9. The colonial store keeper shall have the charge of all stores (not being medicines or surgical instruments) and provisions for the use of the hospital, and shall issue such stores and provisions in such quantities as may be from time to time required on the order in writing of the house-surgeon.

Power of
Governor and
Executive
Council to
make and
alter Rules
and Regula-
tions

10. It shall be lawful for the Governor and Executive Council, to alter the rules made by the Governor and the Legislative Council on the third day of June, one thousand eight hundred and seventy-two, and from time to time to make other rules and regulations for the good order and government of the Colonial Hospital, the admission of patients, the distribution and performance of the duties of the officers and servants of the same; and such rules and regulations, from time to time, to revoke, alter, or annul.

Revokes
Rules of 1860.

11. The rules and regulations made by the Governor and Legislative Council on the first day of October, 1860—shall be and the same are hereby revoked.

Passed in Council, this first day of November, in the year of our Lord, one thousand eight hundred and seventy-two,

A. C. ROSS,
Clerk of the Council.

No. 19.—1872.

1st November.

AN ORDINANCE for the Prevention of Glanders.

(L.S.) W. H. RENNIE, *Administrator.*

2nd December, 1872.

WHEREAS on the twenty-third day of June in the year of our Lord one thousand eight hundred and sixty-eight, an Ordinance, No. 15, of 1868, was passed in Council, entitled "An Ordinance for the Prevention of Glanders"; and whereas it is expedient to repeal the said Ordinance: Be it therefore enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:—

1. From and after the commencement of this Ordinance, the said Ordinance of the twenty-third day of June, one thousand eight hundred and sixty-eight, shall be and the same is hereby repealed.

Repeals
Ordinance 15
of 1868.

2. Throughout this Ordinance the following words shall have the meanings hereinafter respectively assigned to them, that is to say, the word "animals" shall mean horses, mules, and asses; the word "master" shall mean any person having for the time being the command or charge of any vessel; the word "consignee" shall extend to and include the owner as well as any person in charge of the animal; the word "glanders" shall extend to and include the disease known as "farcy"; words of the singular number shall extend to and include several persons or things, as well as one person or thing, and words of the masculine gender shall extend to and include females as well as males.

Interpretation
of terms.

3. It shall be lawful for the Governor from time to time to appoint some competent person, being a veterinary surgeon, to be examiner of animals imported into this Island, and such persons, from time to time, to remove as the Governor shall see fit; and to such examiner there shall be allowed and paid out of the Colonial Treasury a salary at the rate of two hundred and fifty pounds a year.

Appointment
of Examiner
of Animals.

4. No animal imported into this Island shall be landed or water-borne for the purpose of being landed, until such animal shall have been inspected by the examiner appointed under this Ordinance; and any person who shall land or be otherwise concerned in the landing of any animal before such inspection shall have been made, or contrary to the order of the examiner, shall for every such offence, on conviction thereof, forfeit and pay any sum not exceeding fifty pounds.

Animals to be
inspected
before being
landed.

5. The master of every vessel in which any animal shall be imported into this Island shall deliver to the examiner a return, according to the form A in the first schedule to this Ordinance, to be signed by such master, stating the name of the vessel and her owner, the port of shipment, and the number and description of animals shipped on board of such vessel at such port, the

Return to be
made by
master of
vessel in
which
animals are
imported.

consignee or importer of such animals, the day of the departure of such vessel from the port of shipment; the port or ports, if any, at which such vessel may have entered or called during her voyage; the number and description of animals, if any, landed at every such port; the number of animals which may have died or been destroyed during the voyage; the day of the same being so lost or destroyed, and the cause of such loss or destruction of every such animal; and the examiner shall keep all such returns; and if any such return shall be false in any particular, the master shall, on conviction thereof, forfeit and pay for any such offence any sum not exceeding fifty pounds.

Certificate of non-infection, when grantable.

6. If the examiner shall on such inspection be satisfied that all the animals on board of such vessel are not infected with or labouring under glanders, he shall grant to the master a certificate to that effect according to the form B in the first schedule to this Ordinance, and thereupon it shall be lawful to land the animals mentioned in such certificate.

Infected animals to be destroyed on order of Examiner.

7. If the examiner shall be of opinion that any animal is labouring under or infected by glanders, he shall make an order according to the form C in the schedule to this Ordinance, to be delivered to the master, that such animal shall be destroyed; and if such animal be not forthwith destroyed, the master shall, on conviction thereof, forfeit and pay for every such animal any sum not less than twenty pounds and not exceeding fifty pounds.

Order may be made for detention of animals.

8. It shall be lawful for the examiner in any case, if he shall see fit, to make an order, according to the form D in the first schedule to this Ordinance, to be delivered to the master, that all animals on board of such vessel, except such as the examiner may have ordered or may order to be destroyed, shall be detained until the examiner shall make order for their discharge; and such animals shall be detained on board of such vessel, or may at the option of the master be landed at such wharf or quay, and detained at such place as shall be allowed by such examiner, to be named in such order; provided always that no animal the landing whereof

may be so allowed shall be landed except between the hours of one and six in the morning.

9. All animals so ordered to be detained shall, during the time of their detention, be subject to the inspection of the examiner, and the examiner may from time to time make order in writing according to the form C in the first schedule to this Ordinance, to be delivered to the consignee, that any animal so detained be destroyed; and if such animal shall not be forthwith destroyed, the consignee shall, on conviction thereof, forfeit and pay for every such animal any sum not less than twenty pounds and not exceeding fifty pounds.

Animals to be inspected by examiner during their detention.

10. Every animal for the destruction whereof any order may be made under this Ordinance, shall be destroyed in such manner as the examiner shall direct, and the body of every animal so destroyed shall be sunk in the sea, at a distance of not less than two miles from the nearest part of the shore of the Island; and if any such animal so destroyed shall not be sunk in the sea, or shall be thrown into the sea at any distance less than two miles from the nearest part of the shore of the Island, the master of the vessel or the consignee shall forfeit and pay for every such offence the sum of twenty pounds.

Animals to be destroyed in manner ordered by examiner.

11. When the examiner shall be satisfied that no animal so detained has shown symptoms of glanders for the space of ten days, he shall, on the request of the consignee of such animals, grant to such consignee a certificate to that effect, hereinafter called a Certificate of Freedom from Glanders, according to the form E in the first schedule to this Ordinance, and thereupon such animals may be disposed of in such manner as the consignee shall see fit.

Certificate of freedom from glanders, when grantable.

12. If any animal for the detention whereof an order shall have been made under this Ordinance shall be landed at any other place except the place allowed for that purpose by the examiner, or except between the hours of one and six o'clock of the morning, or when so landed shall be driven or taken, or shall escape and be found in or upon any street or place not being in the direct road from the place of landing to the place men-

Penalty allowing escape of animals ordered to be detained.

tioned in such order, as the place of detention, or shall at any time be allowed to go beyond or escape from such place of detention before the examiner shall have granted a Certificate of Freedom from Glanders in respect of the animals mentioned in such order, the consignee shall forfeit and pay the sum of twenty pounds.

Fees to be taken.

13. There shall be paid to the examiner by the master or consignee (as the case may be) the several fees mentioned in the second schedule to this Ordinance; and all such fees shall be paid over by such examiner to the Receiver General for the use of the Colony.

Penalty for bringing infected animals into any public place.

14. If any person shall lead or drive into any market, highway, street, or thoroughfare, or shall expose for sale in any place, public or private, or sends or causes to be carried on a railway or tramway, or in a vessel, or carries, leads or drives, or causes to be carried, led or driven in any street or thoroughfare, or shall tether out, place, keep or depasture in or upon any waste land, roadside, or in any uninclosed land, or in any field or other place insufficiently fenced, any animal affected with glanders, he shall, on conviction, for any such offence forfeit and pay any sum not exceeding fifty pounds, unless he shows to the satisfaction of the Justice before whom he is charged that he did not know of the same being so affected, and that he could not with reasonable diligence have obtained such knowledge.

Infected animals found in any public place may be seized and destroyed on order of a justice.

15. In case any animal infected with or labouring under glanders shall be found in any farrier's shop, smithy's shop, or other place where animals are shod, or in any market, fair, highway, railway, tramway, or terminus of a railway or tramway, street or thoroughfare, or in or upon any waste land, roadside, or in any uninclosed land, or in any field or other place insufficiently fenced, it shall be lawful for any police constable or other person to seize the same, together with any harness or other articles then upon such animal, and to report such seizure to any Justice of the Peace having jurisdiction in the place; and to keep such animal in some proper place until an order shall be made by such Justice; and it shall be lawful for such Justice either to restore such animal, or, if he shall be satisfied that such animal is infected with or labouring under glanders, to order

such animal, together with any harness or other articles which he may judge likely to have been infected thereby, to be forthwith destroyed.

16. In case the Justice, to whom the seizure of any animal supposed to be infected as aforesaid shall be reported, shall upon enquiry order the same to be restored, and it shall appear to such Justice that there was a probable cause of seizure, then and in such case such Justice shall grant a certificate to the person making such seizure, that there was such probable cause, and in such case the person making such seizure shall not be liable to any action, indictment, or other suit or prosecution, on account of such seizure.

Person making seizure of animal supposed to be infected not liable to prosecution.

17. In case any action or indictment shall be brought to trial against such person on account of the seizure of any animal, or any harness or other articles seized under this Ordinance, wherein a verdict shall be given against the defendant, if the Court or Judge before whom such action or indictment shall be brought shall certify on the record that there was a probable cause for such seizure, then the plaintiff, besides the animal, harness, and other articles seized, or the value thereof, shall not be entitled to above two pence damages, nor to any costs of suit, nor shall the defendant in such prosecution be fined above one shilling.

Case in which any such person shall be indicted and a verdict given against defendant.

18. In case any person shall wilfully obstruct or impede any person acting under the authority of this Ordinance, every person so offending, and all others aiding and abetting and assisting shall and may be seized and detained by such person so acting under the authority of this Ordinance, or any person or persons whom he may call to his assistance, until such offender or offenders can be conveniently taken before some Justice of the Peace having jurisdiction in the place wherein such offence shall be committed, and when convicted before such Justice as aforesaid shall forfeit such sum not exceeding five pounds as to such convicting Justice shall seem fit, and in default of payment thereof may be imprisoned for any term not exceeding two calendar months, unless the amount of the penalty shall be sooner paid.

Penalty for obstructing any person acting under the Ordinance.

Recovery and appropriation of penalties. 19. All the penalties imposed under this Ordinance may be recovered summarily before any Stipendiary Justice of the Peace on the information of any person who shall sue for the same, and shall be applied as follows: one-half thereof shall be paid to the person who shall sue for the same, and the other half to the use of Her Majesty.

Complaint to be made within three months after commission of offence. 20. No person shall be liable to the payment of any penalty imposed by this Ordinance unless the complaint respecting such offence shall have been made before a Stipendiary Justice within three months next after the commission of such offence.

Passed in Council this first day of November in the year of our Lord one thousand eight hundred and seventy-two.

A. C. ROSS,
Clerk of the Council.

FIRST SCHEDULE.

FORM "A."

Return to be made by master of every vessel in which any horse, mule, jennet, or ass is imported.

Name of Vessel.	Name of Owner.	Name of Master.	Name of Consignee or Importer of Animals.	Port of Shipment.	Day of departure of the Vessel from Port of shipment.	Number and description of animals shipped at Port of shipment.	Name of Port or Ports touched at during voyage.	Number and description of animals landed at any Port so touched at.	Number of animals lost or destroyed during the voyage, and cause and time of loss or destruction.

FORM "B."

CERTIFICATE OF NON-INFECTON, ALLOWING ANIMALS TO BE LANDED.

I, A. B., examiner of imported animals, do hereby certify that I have on the _____ day of _____ inspected the animals

on board of the vessel called _____ whereof
 is master, imported from _____ viz.: _____ horses
 mules, _____ jennets, _____ asses (as the case may be),
 and that the same are not infected with, or labouring under
 glanders, and I permit the same to be landed.
 Given under my hand this _____

FORM "C."

I, A. B., examiner of imported animals, do hereby make order
 that the animals hereafter mentioned, that is to say, (*state number
 and description*) being certain of the animals imported in the
 _____ whereof _____ is master, be
 forthwith destroyed by (*state mode of destruction*)
 Given under my hand this _____

FORM "D."

I, A. B., examiner of imported animals, do hereby make order
 that the animals hereinafter described, imported in the
 _____ whereof _____ is master (with the exception of
 _____ viz: _____ which I have ordered, or hereby
 order, to be destroyed) be detained until I make order for their
 discharge (*and if the master shall elect to land the animals,—pro-
 ceed as follows*): and at the request of the said master, I do hereby
 allow the said animals to be landed at (*state wharf, quay or other place*)
 and detained at (*describe the place where they are to be detained.*)

FORM "E."

CERTIFICATE OF FREEDOM FROM GLANDERS.

I, A. B., examiner of imported animals, do hereby certify that
 the following animals imported in the _____ whereof
 _____ is master, and which by my order of the
 _____ day of _____ were ordered to be detained and have been detained
 in (*describe the place of detention*) allotted by me as a place of
 detention, are not infected by glanders, and that there is no longer
 any fear of infection from the same.
 Given under my hand this _____

SECOND SCHEDULE.

	£	s.	d.
1. On the first examination—for every horse, mule or jennet examined—the sum of	0	3	0
And for every ass examined—the sum of	0	1	0
2. For every Certificate of non-Infection the sum of	0	10	0
3. For every day on which the animals in detention shall be visited by the examiner	1	0	0
4. For every Certificate of Freedom from Glanders.	1	0	0