

Cattle Disease (Ireland).

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B I L L

TO

Amend the Acts relating to Cattle Disease in Ireland.

A.D. 1876.

WHEREAS it is expedient to make further provisions to prevent the introduction into Ireland and the occurrence or spreading therein of cattle plague or rinderpest pleuro-pneumonia sheep-pox and glanders, and for such purpose to amend the Cattle Disease Act (Ireland), 1866, and the Acts amending the same :

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

Preliminary.

1. This Act may be cited for all purposes as The Cattle Disease (Ireland) Act, 1876. Short title.

2. The term "principal Acts" in this Act shall mean the Cattle Disease Act (Ireland), 1866, and the Cattle Disease (Ireland) Amendment Act, 1870 ; and the term "animal" in this Act shall, in addition to the meaning assigned to the same term by the principal Acts, include horse. Interpretation.

3. The principal Acts, as amended by this Act, and this Act shall be construed together as one Act. Construction of Act.

Orders by Lord Lieutenant and Privy Council.

4. In addition to the purposes for which the Lord Lieutenant, by and with the advice of Her Majesty's Privy Council in Ireland, is empowered by the principal Acts to make orders, he may, with the like advice, from time to time, in case cattle plague or rinderpest pleuro-pneumonia sheep-pox or glanders shall, to his satisfaction,

[Bill 94.]

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Power to Lord Lieutenant and Privy Council to make orders.

A.D. 1876. — be shown to exist within the area of any poor law union in Ireland, make an order for the purposes following :

For authorising and directing the board of guardians of such poor law union to provide for the compulsory slaughter and burial of animals affected with any of the said diseases, or that have been in contact with animals so affected, or that are likely to propagate by infection any of the said diseases ;

For the appointment by the board of guardians of such poor law union of local inspectors and valuers for the purposes of this Act ;

For defining the powers of and regulating the duties to be performed by such local inspectors and valuers respectively ;

For fixing the period or periods for which such local inspectors and valuers shall be appointed, and the remuneration and allowances to be paid to them respectively ;

For fixing the amount of compensation to be paid in respect of animals slaughtered in pursuance of this Act where the same is not prescribed by the principal Acts ;

For regulating the proceedings before valuers under this Act for ascertaining the amount of compensation payable in respect of animals slaughtered in pursuance of such orders, and generally for such purposes as he may, with the like advice, think expedient for the due execution of this Act ;

and the provisions of the principal Acts with respect to orders made in pursuance thereof shall, so far as they may be applicable, extend and apply to any orders made under the authority of this Act.

Effect of order.

5. Where any order has been made under the authority of this Act, the following provisions of this Act shall be in force and apply, and the terms “ the guardians ” and “ the union ” therein used shall be construed to mean the board of guardians for the poor law union to which such order relates and such union respectively.

Proceedings of Guardians after Order.

Proceedings of guardians.

6. The proceedings of the guardians under this Act shall, except where by this Act otherwise expressly prescribed, be regulated by the provisions of the laws for the time being in force for the relief of the poor in Ireland relating to proceedings of boards of guardians of poor law unions ; and, save as aforesaid, the guardians shall, in the execution of this Act, act as guardians of such poor law union, but with the additional powers and subject to the additional duties by this Act conferred and imposed upon them.

7. The guardians may form a committee or committees, and may delegate to any such committee all or any powers conferred on them by this Act, and they may from time to time revoke or alter any power given by them to a committee.

A.D. 1876.
Appoint-
ment of
committees.
32 & 33 Vict.
c. 70. s. 11.

5 The guardians may appoint and designate any such committee as their executive committee for the purposes of this Act.

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

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

In case of the formation of two or more committees, they shall act according to rules laid down for their guidance by such guardians.

20 A committee formed by the said guardians may consist wholly of such guardians, or partly thereof and partly of such other persons being occupiers rated to the relief of the poor in the union and qualified to be elected guardians in such union; provided that not less than one third nor more than one half of the members of such committee shall be ex-officio guardians of the union.

A committee appointed by the guardians and a sub-committee of an executive committee may elect a chairman of their meetings.

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

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

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

8. The guardians shall from time to time appoint such persons as they think fit to fill the offices of local inspectors and valuers in accordance with the directions in the order in that behalf contained, and shall assign them such duties and award them such remuneration and allowances as, subject to the terms of the order in that behalf, they may think fit, and they may at any time revoke

Appoint-
ment of
inspectors
and other
officers.
32 & 33 Vict.
c. 70. s. 12.

A.D. 1876. — any appointment so made, but so that they shall at all times keep appointed at least one local inspector.

Removal of local inspectors. 32 & 33 Vict. c. 70. s. 13. 9. The Lord Lieutenant, if satisfied on inquiry that a local inspector so appointed as aforesaid is incompetent, or has been guilty of misconduct or neglect in the discharge of his duty, may, 5 if he think fit, direct his removal, and thereupon he shall cease to be local inspector for the purposes of this Act.

Reports to Privy Council, &c. 32 & 33 Vict. c. 70. s. 14. 10. The guardians, and every local inspector appointed by them, shall make such reports to the Lord Lieutenant as the Lord Lieutenant may from time to time require. 10

Reservation for experimental treatment. Ib., s. 73. 11. The Lord Lieutenant, by and with the advice of the Privy Council, may make an order reserving for experimental treatment any animal liable to be slaughtered under the authority of this Act, but compensation shall be payable in respect thereof as if this section had not been enacted. 15

Record respecting slaughter. Ib., s. 74. 12. The guardians shall keep, in such manner and form as the Lord Lieutenant and the Privy Council from time to time by order direct or approve, a record relative to proceedings under this Act, stating the date of any order for slaughter, and the execution of the order, or the reservation of any cattle for experimental treatment (as the case may be), and other proper particulars; and such record shall be evidence if any question arises concerning an order for the slaughter of any animal, or concerning compensation in respect thereof. 20

Expenses.

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Mode of payment of compensation. 13. The remuneration and allowances from time to time payable to any local inspector and valuer appointed under the authority of this Act by the guardians, and all sums payable to any person by way of compensation in respect of animals slaughtered under any order under the authority of this Act in the union, shall, when due, 30 be paid to such local inspector, valuer, and person respectively by the treasurer of such union out of any moneys in his hands to the credit of the guardians of such union, and if there shall be then no sufficient assets in his hands out of the moneys next received by him, and placed to the credit of the guardians; and such treasurer, on 35 proof to the satisfaction of the Chief or Under Secretary to the Lord Lieutenant of the payment of any moneys for such purposes as aforesaid, in accordance with the provisions of this Act, shall be entitled to a certificate to that effect, and to an order, signed by such Chief or Under Secretary, for the payment out of the moneys for the time 40 being in the Bank of Ireland to the credit of the Cattle Plague

account, under the principal Acts, of one half of the moneys so certified to have been paid, and thereupon the amount stated in such order shall be paid out of such moneys as aforesaid to such treasurer, and the same shall when so paid be by him carried to the
5 credit of such union.

A.D. 1876.
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14. In case the guardians fail to comply with the terms of any order under this Act, and the Lord Lieutenant, by and with the advice of the Privy Council, shall, under the authority of the principal Acts, make any order for compulsory slaughter of animals
10 in the union, then and in such case half the amount of the expenses incurred in carrying such order into effect (including) compensation paid in respect of animals slaughtered in pursuance thereof shall, on the order of the Chief or Under Secretary, be paid into the Bank of Ireland to the credit of the Cattle Plague account under the
15 principal Acts by the treasurer of the union out of any moneys in his hands to the credit of the guardians, and if there shall be then no sufficient assets in his hands, out of the moneys next received by him and placed to the credit of the guardians.

Proceedings
in case of
default.

Cattle Disease (Ireland).

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B I L L

To amend the Acts relating to Cattle
Disease in Ireland.

*(Prepared and brought in by
Sir Michael Hicks-Beach and Mr. Solicitor-
General for Ireland.)*

*Ordered, by the House of Commons, to be Printed,
2 March 1876.*

[Bill 94.]

Under 1 oz.