

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2921

Press
Mis.

Su. 572

Dated

27u. 1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
27th November 1865.*

No. 511. Read the following Proceedings of the Madras Government in the
Legislative Department:—

Approving, with certain amendments, of the Bill
for the prevention of the spread of disease
among cattle in this Presidency, and direct-
ing its introduction into the next Legislative
Council. (Here enter 21st November 1865, No. 424.)

No. 512. ORDER THEREON, 27th November 1865, No. 2,921.

Miscellaneous.

Ordered to be recorded.

(True Extract.)

(Signed) J. GROSE,

Acting Under Secretary to Government.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Legislative Department,

21st November 1865.

Read the following papers:—

No. 12. Proceedings of Government in the Revenue Department.

Forwarding a draft Bill for the prevention of the spread of disease among cattle in the Madras Presidency, and directing that the necessary steps be taken for its enactment. (Dated 24th October 1865, No. 2603).

No. 13. Draft Bill prepared in the Revenue Department, and revised by the Acting Assistant Secretary.

A

BILL

FOR

The prevention of the spread of disease among cattle in the Madras Presidency.

WHEREAS it is expedient to take measures to prevent the spreading of contagious or infectious diseases among cattle, sheep, and other animals in the Presidency of Madras, and with that object to prescribe by law in what way animals so infected shall be dealt with, it is hereby enacted as follows:—

Preamble.

1. This Act shall be put in force in such Districts, or parts of Districts, and during such periods of time, as the Governor in Council may from time to time direct by Notification in the "Fort Saint George Gazette".

Act to be extended to such places and during such periods of time as the Governor in Council thinks proper.

2. Whenever, in any District or part of a District to which this Act has been extended as above provided, any Camel, Buffaloe, Horse, Pony, Bull, Bullock, Cow, Calf, Ass, Sheep, or Goat, is attacked by any contagious disease, it shall be the duty of the owner, or of the person in charge thereof, to give immediate notice to such person as may be appointed, by the Magistrate of the District, Keeper of the Hospital Pound established in the village or township in which the owner or the person in charge of the said cattle resides, for the time being.

Owner or person in charge of cattle to give notice when they are attacked by any contagious disease.

3. Hospital Pounds shall be established in such places as the District Magistrate, under the orders of the Government, shall determine. The village or villages by which every Hospital Pound is to be used shall be determined and notified by the Magistrate.

Where Hospital Pounds shall be established.

4. On receiving notice as aforesaid, the Keeper of the Hospital Pound shall at once examine the animal, and shall decide whether it is necessary to place it in the Hospital Pound for treatment.

Pound-keeper to examine.

5. If the Keeper of the Hospital Pound should be of opinion that the animal has any contagious or infectious disease, he shall thereupon require the owner of the animal, or the person in charge thereof, to place it in the Hospital Pound, and, if necessary, shall require the owner, or the person in charge, to take such measures as he may direct for disinfecting the cattle shed or other place in which the said animal may have been kept.

To direct removal to Hospital Pound if necessary.

Proceedings of the Madras Government, Legislative Department,
21st November 1865.

6. From the time when any animal affected as aforesaid is taken charge of by the Keeper of the Hospital Pound, all expenses incurred on account of feeding and medical treatment for the said animal shall be borne by the Cattle Pound Fund, established under Act III of 1857, unless the owner, or person in charge thereof, desires to supply the food and medicines himself, provided always that such food and medicine shall be such as the Keeper of the Hospital Pound may direct.

Expenses for food and treatment to be borne by Cattle Pound Fund, unless owner supplies food and medicines.

7. Should it be found necessary to destroy any animal either before or after it has been impounded as aforesaid, or should any such animal die whilst in charge of the Keeper of the Hospital Pound, it shall be the duty of the said Keeper to have the carcase of the said animal buried at least six feet below the surface of the ground, and any cost incurred in so doing shall be met from the Cattle Pound Fund. When any animal is thus destroyed, the owner thereof shall not be entitled to any compensation for the loss he thereby sustains.

Animals destroyed to be buried, and no compensation claimable by owner.

8. Should an animal impounded as aforesaid recover from the disease under which it may have been labouring, the person in charge thereof shall pay to the Keeper of the Hospital Pound, to be placed to the credit of the Cattle Pound Fund, the actual cost of the feeding and treatment of such animal, and should he fail to pay the expenses aforesaid, then the said animal shall be sold by auction, and the sum realized by its sale, after deducting the amount of the expenses, shall be paid over to the aforesaid owner, or the person who was in charge: provided always that in such cases as the owner may elect to supply food and medicine he shall not be required to pay any charges whatever.

Fees to be charged, and animal to be sold to pay expenses if not paid.

9. In the event of any large number of cattle in any village being attacked by any contagious disease, it shall be lawful for the Magistrate of the District, with the sanction of the Governor in Council, by Proclamation to be published in the District Gazette, to declare the cattle belonging to that village to be in quarantine, for such period as he may deem necessary, and absolutely to prohibit any person from removing any of the cattle of the said village beyond certain limits which he shall determine.

The cattle of villages may be placed in quarantine by the Magistrate.

10. If any person who may be in charge of any animal at the time of its being attacked by a contagious disorder, shall fail to give notice to the Hospital Pound-keeper of the village, as required in Section 2, the said person shall be liable, on conviction before a Magistrate, to a fine not exceeding Rupees 5 for every instance of such neglect, commutable, if not paid, to imprisonment for any period not exceeding ten days.

Penalty for failing to give notice when animal is attacked by disease.

11. Any person who shall fail to comply with the directions of a Hospital Pound-keeper as to the impounding of any animal under Section 5, or as to the disinfecting of any place where such animal may have been kept, shall be liable, on conviction before a Magistrate, to a fine of Rupees 20, commutable, if not paid, to imprisonment for any period not exceeding fifteen days.

Penalty for refusing to obey direction of Cattle Pound-keeper.

Proceedings of the Madras Government, Legislative Department,
21st November 1865.

12. In any District in which this Act is in force, it shall be the duty of all Hospital Pound-keepers, of all Police Officers, and of all persons in charge of public roads, to seize and impound all cattle suffering from contagious disease, and any person who shall forcibly oppose such seizure, or who shall forcibly rescue the same after such seizure, shall be liable, on conviction before a Magistrate, to imprisonment, with or without labour, for any period not exceeding six months, or to a fine not exceeding Rupees 500, or to both.

Penalty for opposing the seizure and impounding of diseased cattle.

13. Any person who shall remove, or attempt to remove, any animal beyond the limits laid down by Proclamation, when a village has been declared under Section 9 of this Act to be in quarantine, shall be liable, on conviction before a Magistrate, to imprisonment for any period not exceeding one month, or to a fine not exceeding Rupees 50, or to both.

Penalty for breaking quarantine.

14. Any person whose cattle shall have been seized as being diseased, may prefer a complaint against the seizure at any time within ten days from the date thereof, to any Magistrate. The complaint may be either verbal, in which case the substance of it shall be taken down in writing by the Magistrate, or written upon plain paper, and shall be preferred by the complainant in person, or by an agent personally acquainted with the circumstances. The Magistrate if, on examination of the complainant or his agent, he shall see reason to believe the complaint to be well founded, shall summon the party complained against, and shall proceed to make a summary inquiry into the case. If the seizure be adjudged illegal, the Magistrate shall award to the complainant such damages as he may deem to be reasonable compensation for any loss or injury sustained from the unlawful seizure, together with all expenses incurred by the complainant in procuring the release of the cattle; or if the cattle have not been released, the Magistrate, in addition to the award of damages, shall make an order for their release, and shall direct that the expenses leviable under this Act shall be paid by the party who made the seizure. Moonsiffs and other Judicial officers having original jurisdiction, and not invested with Criminal powers, shall have the power of receiving and trying complaints under this Section, and in the exercise of such powers shall be subject to the same rules as Assistants and other officers subordinate to the Magistrate.

Owner may prefer complaint to Magistrate within ten days of the seizure of his cattle.

15. All fines levied under this Act shall be credited to the Cattle Pound Fund established under the provisions of Act III of 1857, which Fund shall be available for payment of all expenses incurred under the provisions of this Act, provided that it shall be lawful for the officer inflicting a fine under this Act to direct any portion thereof, not exceeding one-half, to be paid to the informer.

Fines and fees to be credited to Cattle Pound Fund.

16. It shall be lawful for the Governor in Council, by notice published in the "Fort Saint George Gazette," to lay down such additional rules, provided they be not repugnant to the provisions of this Act, as may from time to time seem necessary for the more effectually preventing the spreading of infectious or contagious diseases among cattle, and a breach of any such rule shall render the party liable, on conviction before a Magistrate, to a fine not exceeding Rupees 10, commutable to imprisonment for fifteen days.

Governor in Council may lay down additional rules with penalty for breach.

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*Proceedings of the Madras Government, Legislative Department,
21st November 1865.*

No. 14. ORDER THEREON, 21st November 1865, No. 424.

The Governor in Council approves of the Bill appended to the foregoing Proceedings as now revised, and directs that it be introduced into the Council of the Governor at the next Meeting for the purpose of making Laws and Regulations. The Honorable T. Pycroft will take charge of it.

2. The Governor in Council thinks it necessary to provide, in section 9, for the proclaiming of places placed in quarantine, and that such proclamation should be made with the sanction of Government. He also thinks that the damages which may be awarded to a complainant under Section 14, for seizure of cattle, should not be limited to the sum of 50 Rupees as originally proposed, but should be left to the discretion of the Magistrate. The necessary amendments have, therefore, been made in Sections 9 and 14. The other amendments are merely verbal.

(True Extract).

Thomas M. Pycroft

*Acting Assistant Secretary to Government,
Legislative Department.*

To the Revenue Department. ✓

„ Board of Revenue.

„ Honorable T. Pycroft.

RECORDED.

21-7-88 ✓
23-3-21

Dec. 1865. O/char.
no. of yards for 2 years
3393.

Proceedings of the
British Association
the Legislature
Dublin &c.

Patented 21st of Nov.
Dec. 24th 1865.
No. 421.

Approving, in
entire concurrence
of the Bill for the first
-vention of the spread
of disease among
-attle in that State.
-ey, directing it to be
-roduction into the
need of isolation, for
-oil -
No 2921

Ms. A. 5. 1. v. 572.

RECORDED -

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