

Mr. Pinkerton.

## DUNEDIN PUBLIC ABATTOIRS.

[LOCAL BILL.]

### ANALYSIS.

Title.	16. Council may demise or let abattoirs. Proviso.
1. Short Title.	17. No protection from indictment for nuisance or other legal proceedings.
2. When Act to come into operation.	18. Power to erect buildings, &c.
3. Interpretation.	19. After due notice slaughtering, &c., to be done only in public abattoir. Penalty.
4. Acts deemed to be incorporated.	20. Meat of cattle slaughtered at places other than public abattoir not to be sold or exposed for sale. Penalty. Proviso.
5. Power to establish abattoirs.	21. Dues payable to Council.
6. Animals to be inspected immediately after slaughtering.	22. Council may alter dues.
7. Inspector also to have power to inspect before slaughtering.	23. Dues to be part of borough fund.
8. Condemned meat to be destroyed.	24. Balance may be transferred to general account.
9. Record to be kept of all condemned animals or meat.	25. Penalty for charging excess of authorised dues. Proviso.
10. Power to take land, &c.	26. Recovery of unpaid dues.
11. Compensation for land taken to be determined under "The Public Works Act, 1882."	27. List of dues to be posted in conspicuous place.
12. Power to borrow.	28. Council may make by-laws.
13. Amount borrowed may be obtained upon security of debentures.	29. By-laws, mode of making, &c.
14. Sections 177 and 188 "Municipal Corporations Act, 1886," not applicable.	30. Register to be kept. Penalty for making false entry.
15. Power to levy dues.	31. Application of "Slaughterhouses Act, 1877."

### A BILL INTITULED

AN ACT to enable the Council of the City of Dunedin to establish and maintain Public Abattoirs. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. The Short Title of this Act is "The Dunedin Public Abattoirs Act, 1894." Short Title,

2. This Act shall come into force on the passing hereof.

3. In the interpretation of this Act and of any by-laws made hereunder the terms following within inverted commas shall have the meanings hereby assigned to them respectively, unless there be something in the context or subject-matter repugnant thereto:—

"The Council" shall mean the Council of the City of Dunedin:

"The City of Dunedin," "Dunedin," and "the said city" shall, according to the circumstances, mean the Mayor, No. 68—1.

Councillors, and citizens of the City of Dunedin as incorporated by law, or the area comprised within the boundaries of the said city :

“Cattle” shall include large and small cattle :

“Large cattle” shall include any bull, ox, steer, cow, heifer, or calf : 5

“Small cattle” shall include ram, ewe, wether, lamb, goat, kid, or swine :

“Abattoir” shall include any slaughterhouse or place for slaughtering cattle, with its appurtenances established, provided, or maintained by the Council under this Act, or under any Act or authority enabling it in that behalf, and shall also include any such slaughterhouse or place established or maintained as an abattoir by and with the authority of the Council : 10 15

“Public notification,” “public notice,” “publicly notify,” or any such or similar term shall mean the insertion of a notice in one or more newspapers having general circulation in the particular place or area affected by the matter contained in such notification or notice : 20

“Inspector” shall mean the Inspector of meat appointed or acting under the provisions hereof, or an Inspector of abattoirs or slaughterhouses appointed under the provisions hereof, and shall include any person for the time being holding the office of or acting as assistant to any such Inspector : 25

“Keeper” shall mean and include the keeper of any abattoir appointed by the Council or by any lessee, and any person for the time being in charge of an abattoir, and any assistant keeper : 30

“Gazette” means the New Zealand Government *Gazette* :

“The Collector” shall mean the person appointed by the Council to collect the dues authorised by this Act, and shall include the assistants of the Collector and all persons acting under his authority : 35

“Dues” includes all stallages, rents, tolls, slaughtering fees, inspection fees, and other sums recoverable under the provisions of this Act, or of any by-law made hereunder.

Acts deemed to be incorporated.

4. “The Municipal Corporations Act, 1886,” and “The Public Health Act, 1876,” “The Public Works Act, 1882,” and all Acts amending either or any of the same, or hereafter to be passed in lieu thereof or of any provision thereof, shall be deemed to be incorporated herewith, and shall be read as part of this Act. 40

#### POWER TO ESTABLISH ABATTOIRS.

Power to establish abattoirs.

5. From and after the passing of this Act it shall be lawful for the Council from time to time to establish, maintain, and conduct, at such place or places within or beyond the city as they shall think fit, notwithstanding that the same may be within any borough or within a mile of any borough, such public abattoirs as they shall deem requisite, and therein to slaughter cattle and to perform all acts which they may deem necessary or desirable for the preparation 45 50

of a supply of wholesome meat, as well for the inhabitants of the city as for the inhabitants of other places.

• INSPECTION OF ANIMALS AND MEAT.

- 5 6. All animals slaughtered at any such abattoir shall immediately thereafter be inspected by an Inspector with the object of determining whether the meat thereof is fit for food of man, and in case it shall not be fit for food of man, of which fact the opinion of such Inspector shall be conclusive, the same shall be condemned.
- 10 7. The Inspector shall also have power to inspect any animal brought to any abattoir before the same shall be slaughtered, and to reject the same if, in his opinion, the same is unfit or unsuitable for food of man, and in such case he shall have power to decide whether the same ought to be condemned as unfit or returned to the person who brought the same as unsuitable for food of man.
- 15 8. All such meat as is condemned as unfit for food of man shall be retained and destroyed by the persons for the time being in control of the abattoir, and the owner shall have no claim for compensation against the Corporation, or any officer, or lessee; but, if the Council, or any lessee of any abattoir, shall establish any such means
- 20 of destroying such meat as shall yield a surplus of profit over cost, the Council may, by by-law or by regulation posted in a conspicuous place in the abattoir, fix a scale of compensation to be allowed to such owners, and such scale from time to time revoke or alter.
- 25 9. Whenever any animal or meat shall be condemned as unfit for food of man an entry thereof shall on the same day be made in a book, to be kept at the abattoir to which such animal has been brought for slaughter, or in which such meat has been killed, and such entry shall be in such form as to identify the animal to which it relates; and in any action or legal proceedings between any parties
- 30 whatsoever an extract from such book, certified by any Inspector, shall be conclusive evidence of the condemnation of such animal or meat, and of the cause thereof, and that the same was unfit for food of man.

Animals to be inspected immediately after slaughtering.

Inspector also to have power to inspect before slaughtering.

Condemned meat to be destroyed.

Record to be kept of all condemned animals or meat.

POWER TO TAKE LAND.

- 35 10. For the purposes aforesaid, or any of them, the Council shall have power to purchase, lease, or otherwise acquire all such lands, buildings, streams, water, tenements, easements, and hereditaments, as it shall require, and to take such lands, streams, water, tenements, easements, and hereditaments, as it shall require.
- 40 11. Any interest in land or water taken pursuant to the last foregoing clause, or to any power herein contained or implied, shall be taken as for a local work under the provisions of "The Public Works Act, 1882," and the establishment of an abattoir shall be deemed to be an undertaking within the meaning of the said Act, and the Council shall be the local authority for the purposes of the said Act, and any person suffering any damage by the exercise of any of the aforesaid powers in respect of such interest in land or water may recover full compensation for the same in the manner in the said Act provided.
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Power to take land, &c.

Compensation for land taken to be determined under "The Public Works Act, 1882."

## POWER TO BORROW.

Power to borrow.

12. For the purpose of establishing such public abattoir or abattoirs, and for all purposes connected therewith or conducive thereto, including the acquisition of any interest in land or water, it shall be lawful for the Council to borrow any sum not exceeding the sum of ten thousand pounds. 5

Amount borrowed may be obtained upon security of debentures.

13. Such sum may be obtained upon the security of debentures bearing interest at a rate not exceeding five pounds per centum per annum.

Sections 177 and 188 "Municipal Corporations Act, 1886," not applicable.

14. Sections numbered from one hundred and seventy-seven to one hundred and eighty-eight of "The Municipal Corporations Act, 1886," shall not be applicable to any such loan. 10

## GENERAL POWERS.

Power to levy dues.

15. The Council may demand, receive, and have from every person who shall use any abattoir, such dues as shall be appointed by any by-law of the Council in such behalf respectively. 15

Council may demise or let abattoirs.

16. The Council may demise or let to farm to any person or company, for any term not exceeding three years, and on such terms and subject to such conditions as the Council shall think fit, all or any of the dues from time to time payable under this Act in respect of any abattoir provided hereunder, and also similarly let the said abattoirs, or any of them, or any part thereof: Provided that in such case the powers of the Council and its officers with regard to inspection of meat, and as to making by-laws, shall remain unimpaired save as to the change of dues recoverable as is hereinafter provided: Provided that any such lease may contain provisions permitting or regulating the change of dues, and all such provisions as the Council shall think fit: Provided, further, that such letting shall not be subject to the provisions of section two hundred and twenty-four of "The Municipal Corporations Act, 1886," or of any Act for the time being in force relating to the leasing of lands by Municipal Corporations. 20 25 30

Proviso.

No protection from indictment for nuisance or other legal proceedings.

17. Nothing in this Act shall protect the Council, its officers, or servants from an information or indictment for nuisance or from any other legal proceeding in respect of any such abattoir as aforesaid. 35

Power to erect buildings, &c.

18. For the purpose of providing abattoirs under this Act the Council shall have power to erect on any land acquired under this Act any buildings and appliances required by them, and to set apart and improve any buildings and appliances required by them for the slaughtering of cattle and the preparation of meat as aforesaid, and so soon as the same shall be ready for public use the Council shall give public notice to that effect. 40

After due notice slaughtering, &c., to be done only in public abattoir.

19. After the expiration of fourteen days from the publication of such notice no person shall slaughter any cattle, or dress any carcase, or prepare any meat for sale as food of man in any place within the limits of the city other than any abattoir so provided for the city, and every person who shall, after such notice as aforesaid, slaughter any such cattle, or dress for sale any such carcase, or prepare any meat for sale as food of man within the limits of the said city in any 45 50

place other than at such abattoir, shall be liable to a penalty not exceeding *ten* pounds for every such offence.

Penalty.

20. After the expiration of fourteen days from the publication of such notice as is in the last-preceding section hereof mentioned, no person shall, within the limits of the said city, sell, or expose, or offer for sale any meat of cattle slaughtered at any place other than an abattoir or place authorised under this Act, and any person selling, or exposing, or offering for sale any meat against the provisions hereof, shall be liable to a penalty not exceeding *ten* pounds for every such offence: Provided that this Act shall not apply to the case of a person slaughtering any animal exclusively for his own use or for the use of members of his own household.

Meat of cattle slaughtered at places other than public abattoir not to be sold or exposed for sale.

Penalty.

21. The several dues payable in respect of the abattoir shall be paid from time to time, on demand, to the Council, or the Collector, or other person authorised by the Council to receive the same.

Proviso.

Dues payable to Council.

22. The Council may from time to time, by by-law, change the dues to be taken for any abattoir by altering the nature or varying the amount thereof: Provided that no such change shall be made during the continuance of any lease of such abattoir, or of such dues, without the consent of the lessee or farmer thereof, or in terms of any provision in any such lease.

Council may alter dues.

23. All such dues whatsoever received by the Council shall form part of the borough fund, and shall be deemed to be within the second subsection of section one hundred and sixty-two of "The Municipal Corporations Act, 1886," and the account established in respect thereof shall be subject to the provisions of section one hundred and sixty-five of the said Act.

Dues to be part of borough fund.

24. After making due provision for all charges properly chargeable against the revenues derivable from such abattoirs, including depreciation of plant and buildings, and, if they shall think fit, providing a fund for the redemption of debentures and the extension of buildings and works, the Council may, from time to time, transfer any balance to the general account.

Balance may be transferred to general account.

25. Every person who shall demand or receive a greater due than that authorised to be taken under the provisions of this Act, or of any by-law made hereunder, shall, for every such offence, be liable to a penalty not exceeding *forty* shillings, and shall, in addition, be liable to refund the excess: Provided that no action shall be brought, or proceeding taken, for any such refund after the expiry of six months from the time when the right to recover the same accrued.

Penalty for charging excess of authorised dues.

Proviso.

26. If any person liable to the payment of any due authorised by this Act to be taken does not pay the same when demanded, the Council, or their lessee, or any person authorised by the Council or their lessee to collect the same, may levy the same by distress of all or any of the cattle in respect of which such due is payable, or the meat thereof, or of any other cattle or meat then or thereafter in the abattoir belonging to the person liable to pay such due, or such sums may be recovered in any Court having competent jurisdiction.

Recovery of unpaid dues.

27. The Council, or their lessee, shall from time to time cause to be painted on boards, or to be printed and attached to boards, in

List of dues to be posted in conspicuous place.

large and legible characters, a list of the several dues from time to time payable under this Act, and shall cause a board containing such list to be conspicuously set up and continued in each abattoir provided by the Council to which each such list shall relate, and no due shall be payable during the time such list is not so set up, or for anything not specified therein: Provided that proof that no such list is set up, or that anything claimed is not specified therein, shall be upon the person setting up the same. 5

Council may make by-laws.

28. The Council may, from time to time, and whether such abattoirs or the dues thereof shall be leased to a tenant or tenants or not, make such by-laws as they think fit relating to the inspection of the abattoirs, and relating to the inspection of animals brought thereto, and of meat therein, and for keeping such abattoirs in a cleanly and proper state, and for removing filth and refuse therefrom, and for requiring that such abattoirs be provided with a sufficient supply of water, and for providing water and food for cattle therein, and for preventing the exercise of cruelty therein, and for and in respect of all matters which, in their opinion, are conducive to the proper conduct and management of such abattoirs, and to the proper conduct of persons, whether under the control of the Council or of any lessee employed therein or resorting thereto, and to the health and convenience of the inhabitants of the city and of the locality wherein the same shall be situated; and all such by-laws shall have full force, notwithstanding that any such abattoir may be situated without the said city and in any borough or county. 10 15 20 25

By-laws, mode of making, &c.

29. All by-laws relating to abattoirs made by the Council under the last-preceding section, or under any powers herein contained, shall be made in the same manner and have the like force and effect, and subject to the like provisions, as by-laws made by the Council under the authority of any of the Acts incorporated herewith, or of any Acts for regulating cities or boroughs in force at the time of the making of such by-laws and applicable to the City of Dunedin. 30

#### GENERAL PROVISIONS.

Register to be kept.

30. The keeper shall keep a book in which he shall enter a description of all cattle slaughtered in such abattoir, specifying the colour, marks, brands, sex, and apparent age of such cattle, and if purchased containing the name of the person from whom the same shall have been so purchased, and the date of slaughter. The aforesaid book shall be open for inspection by any Inspector, which expression shall, in this section and in the sections of "The Slaughterhouses Act, 1877," herein referred to, mean any local Inspector for a corporate district within the meaning of that Act, and by any Justice of the Peace on demand, and to every other person on payment of a fee of one shilling for every inspection thereof, and a report in writing for the preceding week of all cattle slaughtered with the particulars above stated, shall be transmitted weekly by and under the hand of the keeper to the Town Clerk; and for making any false entry therein, or for failure to perform any of the duties herein prescribed, or for refusing or hindering inspection of the aforesaid book, such keeper shall for every first offence forfeit a sum 35 40 45 50

Penalty for making false entry.

not exceeding *five* pounds, and for every subsequent offence a sum not exceeding *twenty* pounds, and such report shall, for the purposes of section twenty-eight of the said Act, be the report in the said section referred to.

5       31. After any abattoir shall have been established under the provisions of this Act, and so long as any such abattoir shall continue to be in operation, "The Slaughterhouses Act, 1877," and its amendments shall not apply to the City of Dunedin, nor to any such abattoir, save only sections twenty-eight, twenty-nine, thirty, thirty-  
10 one, thirty-two and thirty-three thereof.

Application of  
"Slaughterhouses  
Act, 1877."