

T A S M A N I A.

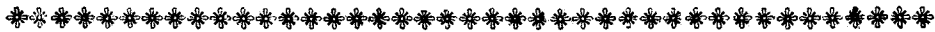


1870.

ANNO TRICESIMO-QUARTO.

VICTORIÆ REGINÆ,

No. 7.



AN ACT to remove Doubts as to the Construction of "The Scab Act, 1870," and for other Purposes connected therewith.

[18 October, 1870.]

WHEREAS doubts have arisen with reference to the construction of certain words in "The Scab Act, 1870:" And whereas it is desirable to amend the said Act in other particulars: Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

PREAMBLE.
33 Vict. No. 2.

1 Whereas the Governor in Council did, by Proclamation dated the Thirty-first day of *March*, 1870, fix the amount of contribution to be paid under "The Scab Act, 1870," for every Sheep possessed by one Sheepowner in the year 1870: And whereas the Governor did on the said Thirty-first day of *March* appoint the Honorable *James Whyte* to receive such contribution: Be it therefore enacted that such Proclamation and such appointment shall be deemed and taken to have been lawfully made, and to be good and valid to all intents and purposes, anything in the said Act to the contrary notwithstanding.

Proclamation of contribution, &c. valid.

2 Notwithstanding anything contained in the Sixth Section of the said Act, all persons who have paid the contribution fixed by such Proclamation as aforesaid before the passing of this Act shall be deemed to have lawfully paid the same, and all persons who have not paid such contribution before the passing of this Act shall be deemed to be liable

As to payment of contribution in 1870.

Scab Act Amendment.

to pay, not only such contribution, but also an additional amount equal to one-fourth part of such contribution ; and if such contribution and addition thereto is not paid to the person appointed to receive the same on or before the First day of *December*, 1870, then the same may be recovered as hereinafter provided.

Proceedings when contribution not paid.

3 If any Sheepowner omits or refuses to pay to the person authorised to receive the same the contribution hereby declared to be payable by such Sheepowner under the said Act in the year 1870, or which may be payable in any succeeding year, then it shall be lawful for the person appointed to receive such contribution, or other person appointed by the Governor in that behalf, to sue for and recover such contribution as hereinafter provided at any time not being more than one year after the time when such contribution should have been paid ; and such Sheepowner shall, in respect of the contribution unpaid by him, be liable to forfeit and pay to the person suing for the same, in addition to such contribution, a sum equal to one-fourth of the amount of the contribution payable by such person ; and all amounts of contribution, with any addition thereto, may be recovered in a summary way before any Two Justices of the Peace in the mode prescribed by *The Magistrates Summary Procedure Act*.

No payments from Scab Act Fund unless Parliament approves.

4 Notwithstanding anything contained in the said Act, it shall not be lawful for the Colonial Treasurer after the year 1871 to appropriate, issue, or pay any sum of money to any person out of "The Scab Act Fund" for the purposes of the said Act unless and until an estimate of the sums required to be paid therefrom is submitted to and approved by Parliament.

Acts to be read together.

5 Save as altered or amended by this Act, "The Scab Act, 1870," and this Act shall be read and construed together as one Act.

Short Title.

6 This Act may be cited as "The Scab Act Amendment Act."