

*Catarrh in Sheep.*

## No. XXII.

An Act to provide for the Summary Jurisdiction of cases under an Act intituled "*An Act for preventing the extension of the Disease commonly called the Influenza or Catarrh in Sheep and Lambs in the Colony of New South Wales*" and to indemnify certain Justices of the said Colony. [8th November, 1845.]

WHEREAS an Act was passed by the Governor and Legislative Council of New South Wales in the second year of the reign of Her Majesty Queen Victoria intituled "*An Act for preventing the extension of the Disease commonly called the Influenza or Catarrh in Sheep or Lambs in the Colony of New South Wales*" which Act has been continued by certain other Acts passed in the third fifth and eighth years of the reign of Her said Majesty and whereas doubts have arisen as to the summary power of Justices to adjudicate under the said recited Act or Acts as aforesaid and it is expedient to remove such doubts Be it enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That all fines forfeitures or penalties sued for under the said recited Act or Acts as aforesaid shall be heard and determined in a summary way by any two or more Justices of the Peace and that all such proceedings shall be regulated according to the provisions of an Act of the said Governor and Council passed in the fifth year of the reign of His late Majesty King William the Fourth intituled "*An Act to regulate summary proceedings before Justices of the Peace*" so far as the same may be applicable.

2. And whereas it is equitable and just that Justices of the Peace who before the passing of this Act may have adjudicated in a summary way under the said recited Act or Acts as aforesaid should be indemnified for any matter or thing so done by them Be it enacted That no action suit or information indictment prosecution or other proceeding whatsoever shall be commenced or prosecuted in any manner whatsoever against such Justice or Justices for any matter or thing done by him or them under the said recited Act or Acts as aforesaid previous to the passing of this Act by reason of the want of power or authority in such Justice or Justices to hear and determine such matter or thing in a summary way and if any action suit information indictment prosecution or proceeding whatsoever shall be commenced or prosecuted against any such Justice or Justices or against any gaoler constable or other person acting under and in obedience to any warrant order or conviction of any such Justice or Justices in respect of his or their want of summary jurisdiction under the said recited Act or Acts as aforesaid it shall be lawful for the defendant or defendants to apply to the Supreme Court or any Judge thereof to stay proceedings and such Court or Judge respectively is hereby required to stay such proceedings as to the said Court or Judge shall seem fit.