

New Zealand.



ANALYSIS.

Title.

1. Short Title.

2. Interpretation.

3. Inspector may examine dead stock.

4. Person slaughtering sheep to furnish return to Inspector.

5. Compensation for destruction of stock. Cases when payable. Limit of amount. Repeal.

6. Owner to dip sheep.

7. "Brand" redefined. Repeal.

8. Amendments of principal Act.

9. How sums payable under sections 48 and 49 of principal Act recovered.

1895, No. 38.

AN ACT to amend "The Stock Act, 1893."

[26th October, 1895.]

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 Stock Act Amendment Act, 1895," and it shall be read with "The Stock Act, 1893" (hereinafter called "the principal Act").

Short Title.

2. The expressions "land" and "place," and all references thereto in the principal Act contained, shall extend to and include "water," "harbour," "wharf," and "vessel."

Interpretation.

3. For all the purposes of section fifteen of the principal Act, the power by that section conferred upon the Inspector to kill stock shall extend and apply to the examination, in such manner as he thinks fit, of the carcase of any dead stock, whether such stock has been killed by him under that section or not.

Inspector may examine dead stock.

4. (1.) Every person who slaughters sheep for human consumption or for boiling down or for meat-preserving shall, on or before the fourteenth day of May in every year, deliver or cause to be delivered to the Chief Inspector of Stock, or to the Inspector for the subdivision in which such slaughtering is done, a return, in the prescribed form, of the total number of sheep so slaughtered during the twelve months ending the thirtieth day of April then last past. Such return may be combined with the return prescribed by subsection three of section eight of this Act.

Person slaughtering sheep to furnish return to Inspector.

(2.) Every person who fails or neglects to deliver such return on or before the day aforesaid is liable to a penalty of not less than one nor more than twenty pounds.

5. (1.) In any case where stock is destroyed by an Inspector under the provisions of this Act, compensation shall be paid to

Compensation for destruction of stock.

the owner thereof to the extent and subject to the conditions following:—

Cases when payable.

- (a.) If on examination of the carcase by or on behalf of the Inspector he is satisfied that the animal was not infected with any disease, then the compensation shall be according to the full market value of the animal;
- (b.) If on such examination the Inspector is satisfied that the animal was infected with any disease (other than those next hereinafter mentioned), then the compensation shall be according to two-thirds of the market value:

Provided that no compensation whatever shall be payable—

If the animal so destroyed was infected with any of the diseases following, that is to say: Actinomycolosis, cancer, mange, rabies, tuberculosis, or any tumour or growth which in the opinion of an Inspector is of a malignant or recurrent nature, and such as to render unfit for human consumption the flesh or milk of the animal suffering therefrom; nor unless the animal (if imported) had been actually depastured in the colony for at least six months.

Limit of amount.

- (c.) In every case where compensation is payable under this section, the amount thereof shall be ascertained if necessary by arbitration, but shall in no case exceed—

For horses: Twenty pounds per head;

For cattle: Eight pounds per head;

For sheep or swine: Three pounds per head;

For other stock: One pound per head.

Repeal.

- (2.) Section thirty-three of the principal Act is hereby repealed.

Owner to dip sheep.

6. (1.) Every owner of longwool or crossbred sheep shall, between the first day of February and the thirtieth day of April in every year, dip, or cause to be dipped, all such sheep of which he is the owner: Provided that on the application of such owner any Inspector, if satisfied that, owing to want of water or other sufficient cause, the dipping cannot be done by the thirtieth day of April, may, by writing under his hand, grant an extension of time for any period not exceeding thirty-one days.

(2.) For every sheep not dipped as aforesaid the owner is liable to a penalty of not less than threepence nor more than two shillings.

- (3.) Section forty-two of the principal Act is hereby repealed.

"Brand" redefined.

7. (1.) "Brand," in the case of sheep, means and includes—

A wool-mark, made with pitch, tar, paint, raddle, or lamp-black mixed with oil or tallow, in plain and distinct letters, figures, or otherwise, not less than three inches in length, on the sides, back, shoulders, hips, or rump of the sheep, in conjunction with any one of the following marks, that is to say:—

- (a.) An ear-mark, plainly and distinctly made by cutting, splitting, or punching the ear, but so that in no case shall more than one-fourth of the ear be removed; or

(b.) A metal clip affixed to the ear; or

(c.) A tattoo-mark, plainly and distinctly imprinted on any part of the skin; or

(d.) A fire-mark, made on the horn or face :

Provided that the aforesaid wool-mark shall not form part of the brand in any district which is for the time being exempt from wool-marking.

(2.) The definition of "brand," in the case of sheep, as set forth in section fifty-six of the principal Act, is hereby repealed. Repeal.

8. The principal Act is hereby further amended as follows :— Amendments of principal Act.

(1.) As to section two: By repealing all the words from and inclusive of "except that" down to the end of the section.

(2.) As to subsection four of section fourteen: By inserting next after the words "such land" the words "together with such other lands in the neighbourhood as he thinks fit."

(3.) As to section forty-seven: By repealing the first paragraph thereof, and substituting the following in lieu thereof:—

"Every owner of sheep shall, on or before the fourteenth day of May in every year, deliver or cause to be delivered to the Chief Inspector of Stock, or to the Inspector for the subdivision wherein such owner keeps such sheep, a return in the prescribed form, setting forth the number of sheep so kept on the thirtieth day of April then last past, together with such further particulars as may be prescribed. A separate return shall be delivered in respect of each separate property."

(4.) As to section forty-nine: By substituting the words "forty-eight" for the words "forty-seven," as from the date of the commencement of the principal Act.

(5.) As to section fifty-three: By adding the words "or Postmaster, or police constable," next after the words "Inspector of Stock."

(6.) As to Schedule A: By repealing the Schedule and substituting the following :—

SCHEDULE A.

INFECTIOUS AND CONTAGIOUS DISEASES AFFECTING STOCK.

ACTINOMYCOSIS, anthrax, cancer, catarrh, foot-and-mouth disease, glanders, hog-cholera, mange, pleuro-pneumonia, rabies, rinderpest, scab, swine-fever, trichinosis, tuberculosis, variola, and also any tumour or growth which, in the opinion of an Inspector, is of a malignant or recurrent nature, and such as to render unfit for human consumption the flesh or milk of the animal suffering therefrom.

(7.) As to Schedule B: By repealing the Schedule.

9. All sums payable under sections forty-eight and forty-nine of the principal Act may be recovered either in manner prescribed by that Act, or, at the discretion of the Chief Inspector of Stock, by suit in his official name; and in the latter case the following special provisions shall apply :— How sums payable under sections 48 and 49 of principal Act recovered.

(1.) The summons shall be served on the defendant at least twenty-one days before the day of hearing.

(2.) Unless, at least eight days before the day of hearing, a statement in writing by or on behalf of the defendant, showing a defence on the merits, is filed in the Court out of which the summons was issued, judgment shall be given for the amount claimed, without allowing any

defence, and without the necessity of the nominal plaintiff or any one on his behalf appearing or proving the liability of the defendant.

- (3.) It shall be sufficient if the particulars of demand state the amount sought to be recovered, and the date on which the same was payable, with such further and other particulars as the Chief Inspector of Stock thinks necessary in order to fully inform the defendant of the nature of the demand.