

(Hon. Mr. Reid.)

Fencing.

ANALYSIS.

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A BILL INTITULED

AN ACT to regulate the Erection and Maintenance of Title. Dividing Fences.

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 shall be "The Fencing Act, 1877;" Short Title.
5 and it shall take effect on and after the first day of December, in the year one thousand eight hundred and seventy-seven.

2. This Act shall not apply to any Native lands, except such as Act not to apply to all Native lands.
have passed through the Native Land Court, and are held under memorial of ownership or certificate of title issued by the said Court.

Repeals.

3. The several enactments enumerated in the last Schedule hereto annexed are hereby repealed, but this repeal shall not affect any order, award, requisition, appointment, nomination, or notice made or given, or any liability, claim, or right or cause of action accrued under either of the said repealed enactments before the coming into operation of this Act, but the same shall continue and shall have the like effect and operation, and may be enforced in the same manner, as if this Act had not passed. 5

Interpretation.

4. In the construction of this Act, the words and expressions following within inverted commas shall, unless there be something in the context repugnant to such construction, have the several meanings hereby assigned to them :— 10

“Justices,” or “two Justices,” shall respectively be deemed to mean two Justices of the Peace or a Resident Magistrate.

“To repair” shall include to trim, keep, and maintain a live fence. 15

“Owner” shall include a tenant in fee-simple, a tenant in tail, a tenant for life, and a tenant for any term of years not being less than twelve years, subject to the enactments hereof, but shall not include a mortgagee not in possession, nor a trustee unless he shall have the legal estate. 20

“Occupier” shall include any person who is in the actual occupation of or entitled as owner to occupy any land alienated from the Crown by grant, lease, or license.

“Dividing fence” shall mean a fence separating the lands of different occupiers. 25

“Road” or “street” shall include any public highway, by-way, cross-way, or public place, whether it be a carriage-way, horse-way, or footway.

“Crown lands” shall include all waste lands of the Crown, as well as all Crown lands heretofore so designated. 30

What deemed a sufficient fence.

5. Any substantial fence of any of the kinds mentioned and described in Schedule B to this Act shall be a sufficient fence within the meaning of this Act, except as against sheep.

Where a sufficient fence has already been erected under the provisions of any enactment hereby repealed, it shall not be necessary that any such fence should, until its re-erection, be made a sufficient fence within the meaning of this Act. 35

Sheep-proof fence.

6. Any sufficient fence as described in Schedule B shall be deemed to be sheep-proof if it be a close fence, or if it be of any of the kinds mentioned and described at the end of Schedule B; but no open fence shall be deemed to be sheep-proof if the interstices thereof exceed the measurements given in the last-named description. 40

Fences may be converted into sheep-proof.

7. Where any sufficient fence shall have been erected, and any occupier shall elect to keep sheep, or to have such fence made proof against sheep, the adjoining occupier shall, after having received one month's notice in writing of the fence having been so made, pay one-half of the cost of making such fence sheep-proof. 45

Fences forbidden in towns.

8. No person shall be entitled to erect any such ditch-and-bank fence as is described in No. 9 of Schedule B within the limits of a town or village; and no person shall be allowed to erect any gorse hedge within the limits of a town or village, or within a radius of one mile from the outer limits of any such town or village. 50

Gorse not to be planted without consent of neighbours.

9. No person shall plant gorse or sweetbriar upon any boundary line or boundary fence without the consent of the occupiers of the adjoining lands; and no person shall plant as aforesaid upon any fence bounding or abutting upon any public road or public reserve, or Crown lands, without the consent first obtained of the proper authority having control over such road, reserve, or Crown lands; and any person who shall contravene the provisions of this section shall be 60

guilty of an offence against this Act, and shall be liable, for every such offence, to a penalty not exceeding twenty pounds, to be recoverable summarily.

10. The owner or occupier of any land fenced with a gorse fence running along any road shall be held liable to keep the road in front of the said fence and the ditch running along the side of such road clear of young gorse plants, and should he fail to do so the Board or Council having the control of such road shall, on the complaint of any proprietor or occupier of land within the said district, cause the work to be done at the expense of the owner or occupier of the said land, the amount to be recovered in a summary way: Provided always that the said Board or Council shall give fourteen days' previous notice in writing to the owner or occupier of such land.

Owner of gorse fence on roads and streets to be given to occupiers of adjoining lands.

11. It shall be the duty of the Board or Council having the control of any road or street to give notice in writing to the occupier, or, in case there shall be no occupier, then to the owner of any land abutting upon any road or street within any road or highway district or town respectively, which may at the time be, or may formerly have been, divided from such road by a gorse hedge, to cleanse out and to keep open any ditch, and clear away and destroy all obstructions to traffic or to the free flow of water arising from the growth of gorse upon such road or street, or any ditch running alongside thereof, respectively; and in the event of the said occupier or owner failing to comply with such notice within thirty days from the delivery thereof, he shall be liable to a penalty not exceeding ten pounds.

Notice to clear gorse on roads and streets to be given to occupiers of adjoining lands.

12. If the land on both sides of any road or street shall be, or formerly have been, divided from such road or street by a gorse hedge, the occupier, or, in case there shall be no occupier, the owner of the land on each side, shall be answerable for the clearing away and destroying of gorse on such road or street for half the width thereof, and from the ditch running alongside such road or street adjoining to the land occupied or owned by him, and the notices to be given by the aforesaid Board or Council, as provided by the preceding section, shall be made out accordingly.

Each occupier on both sides of road to clear half width.

13. If any person shall throw or cause to be thrown the trimmings of any hedge, or other rubbish, upon a public road or street, and shall neglect to remove the same within two weeks from the receipt of a written notice so to do from the Board or Council aforesaid having the control of such road or street, the said Board or Council may cause such trimmings or rubbish to be removed, and the cost of the removal of the same, and all expenses attendant thereupon, shall be recoverable accordingly.

Trimnings of hedges not to be thrown on roads.

14. Where an owner or occupier shall plant a hedge of white-thorns on the boundary between his own lands and those of an adjoining owner or occupier, he may make fences sufficient for their protection, and one of such fences may be placed on the adjoining land: Provided always that no adjoining owner or occupier shall be liable to pay as his half of the value of such hedge and protecting fences a greater sum than thirty shillings per chain for it and them: Provided also that where a boundary fence has been erected for three years, and any person may elect to plant a hedge of white-thorns on such boundary, the adjoining owner or occupier shall in like manner be liable to pay as his half of the value of such hedge and protecting fences a sum not exceeding fifteen shillings per chain.

Where boundary of fence of thorns, adjoining owner to contribute half value.

15. If the occupier of any land bounded by a road desire to plant a live fence on the common boundary of his land and such road, and for that purpose to construct a fence upon such road until such live fence shall have grown up, such occupier may at any time proceed to construct a fence on such road, so that no part of such fence be more than five feet distant from the nearest point on the boundary

Power to construct a fence on road to protect live fence.

of his land, and that the width of such road available for traffic after the construction of such fence be in no place where the same is reduced by the construction of such fence less than twenty-two feet; and if such occupier forthwith after the construction of such fence proceed to plant a live fence on the boundary of his land and such road, such occupier, constantly with all proper diligence keeping, maintaining, and protecting from injury such live fence, may maintain on such road the fence so constructed for such time not exceeding six years, or such longer time as the Board or Council having the control of such road may in writing allow, until such live fence becomes a sufficient fence within the meaning of this Act. 5 10

Adjoining occupiers to share cost of fencing.

16. The owners or occupiers of adjoining lands not divided by a sufficient fence shall be liable to join in or contribute to the construction of a dividing fence between such lands in equal proportions.

Runholders in Canterbury and Southland may not be required to fence.

17. Within the limits of the Provincial District of Canterbury and of the former Province of Southland, respectively, any person occupying land under any pasturage license held under the Crown may require any occupier of any adjoining land granted by the Crown to make or repair a fence between the land in their respective occupation; and all the provisions of this Act shall apply to such case as if both such occupiers held land which had been granted by the Crown; but an occupier of land granted by the Crown abutting on land occupied under such license as aforesaid shall not be entitled to require the person occupying such last-mentioned land to make a fence between the lands occupied by them respectively. 15 20 25

Notice to fence to be given.

18. Any person desiring to compel any other person to contribute to the construction of a dividing fence under the provisions of this Act may serve on such person a notice to fence, which shall be in the form in the Schedule A hereto, and shall be in writing or in print, or partly in writing and partly in print, and shall specify the boundary to be fenced, and contain a proposal for fencing the same, and shall specify the kind of fence proposed to be constructed. And if any person shall erect any fence without giving notice as aforesaid, the occupier or owner, as the case may be, of such adjoining land shall not be liable to pay any portion of the value of such fence. 30 35

Mode of service of notice, and proof of service.

19. Every such notice may be served upon such occupier or owner either personally or by leaving the same with some adult inmate at his usual residence, or, if such owner shall be absent from the provincial district, then by delivering the same to or leaving the same at the residence of his known agent in the same manner, and, if there shall be no such agent resident in the provincial district, or if such owner is not known or cannot be found, or any land is unoccupied, then it shall be sufficient to insert such notice at least three consecutive times in some newspaper circulating in the district: Provided always that the burden of proving the due service or publication of every such notice shall rest with the giver of the notice. 40 45

If parties cannot agree, fence may be made.

20. If, within two months when the land to be fenced is open land, and within six months when the land is covered with standing bush, after the service of such notice or publication thereof as hereinbefore provided, the giver and receiver thereof do not enter into an agreement as to the nature of the fence to be made and the cost thereof and the mode and time of making the same, the person giving such notice may proceed to erect a sufficient fence within the meaning of this Act, and the owner or occupier of such adjoining land to whom such notice shall have been given, or any person who, during the continuance of such fence, shall go into occupation of such adjoining land, shall be liable for and shall pay to such person or any other in his right, within three months after a demand made upon him personally or at his dwelling-place if within the provincial district, or upon or at the residence of his known agent if absent from the 50 55 60

provincial district, or by notice in some newspaper circulating in the district, one-half of the original value of such fence as divides the said several properties, unless he earlier avails himself of the fence, in which case he shall be liable for and shall pay the aforesaid value within one month from the time of so availing himself of such fence.

21. If either party shall neglect or fail for the space of one month to perform his part of any such agreement which may be so made, the other party may thereupon, or at any time within six months thereafter, make a fence of the kind or description so agreed upon, or may at his discretion make any other sufficient fence within the meaning of this Act, and may immediately thereupon or at any time thereafter recover from the defaulting party one-half of the actual cost of making such fence.

If default made by one party, other may fence and recover.

22. In the event of any adjoining lands being Crown lands at the time of the erection of any fence within the meaning of this Act, the purchaser, occupier, or Crown lessee of such adjoining lands shall, not later than three calendar months after the time of his becoming the purchaser, occupier, or lessee, after a demand made upon him or notice given as provided in the last foregoing section but one, pay to the owner, occupier, or Crown lessee who has erected the fence one-half of the then value of such fence.

Where adjoining lands are Crown lands.

23. If any owner or occupier of land shall, at any time after the passing of this Act, make use of or avail himself of any sufficient dividing fence erected or made before his acquiring such land or entering into occupation thereof respectively, towards the erection or making of which no assistance equal to one moiety of the original cost of such fence shall have been given by such person or any former owner or occupier, he shall be liable to pay one moiety of the then value thereof, or of so much thereof as shall be available as a fence for his land, to the owner or occupier of the land divided by such fence from his land, less the value of the assistance originally given towards the construction of such fence.

Party using a fence to contribute towards the cost thereof.

24. When any stream or ditch which does not form a sufficient fence shall divide two properties, and the owner of the land on one side of the stream or ditch shall, after having given the requisite notice to the owner of the land on the other side of the stream or ditch, have erected a sufficient fence for half the distance between the said properties, and the owner of the land on the opposite side shall have refused or neglected to complete a dividing fence by erecting a sufficient fence for the other half of such distance, then it shall be lawful for the owner who shall have given such notice and erected such fence as aforesaid and his workmen to enter upon the land on either side of the stream or ditch, and erect or cause to be erected thereon a sufficient fence for the remainder of the distance, and connect the said fences in such a way as occasion may require and he may deem most advisable, and he shall be entitled to recover one-half of the entire cost of such fence from the owner of the land on the opposite side of such stream or ditch.

In case of stream or ditch which does not form a sufficient fence.

25. When a river, creek, or natural watercourse forms the boundary of contiguous lands, but is not capable of resisting the trespass of cattle, it shall be competent for the occupants of such contiguous lands to agree upon such a line of fence on either side of such river, creek, or natural watercourse as shall secure such fence from the action of floods, and in the event of their not agreeing upon a line of fence it shall be competent for either party to call in the nearest Resident Magistrate, or any other Magistrate they may agree to select, who shall determine the line of fence to be erected, and decide whether any and what compensation in the shape of an annual payment shall be paid to either of the parties occupying such contiguous lands in consideration of loss of occupation of land; and the

Where river, &c., natural boundary, power to agree on line of fence.

Resident Magistrate or other Magistrate so called in shall be entitled to receive from such occupiers in equal proportions the actual cost of his travelling expenses (if any) incurred by him in visiting and inspecting the ground, and shall not thereby be disqualified from a seat in the General Assembly, or become liable to any penalty under any Disqualification Act for the time being in force. But the occupation of lands on either side of such line of fence shall not be deemed adverse possession, and shall not affect the title to or possession of any such lands, save for the purposes of this Act.

Half of dividing fence may be on adjoining land.

26. The owner or occupier of any land may, in making a ditch and bank fence dividing his land from the land thereto adjoining, make a ditch on such adjoining land (Crown lands inclusive), and use the soil taken therefrom towards the making of a bank, and he may also place the half of the bank on such adjoining land: Provided always that it shall not be lawful to make any ditch or bank upon any such adjoining land in any case where a hedge of live thorns, gorse, or other live hedge may have been planted and kept in good thriving condition thereon so as to disturb or injure such hedge, without the consent of the owner or occupier of such land first obtained. And where a dividing fence is made of posts and rails, or wire, or palings, the posts of such fence shall be placed on the boundary line.

Adjoining occupiers to keep dividing fences in repair.

27. When any dividing fence made or to be made shall be out of repair or become insufficient, the occupiers of land on either side thereof shall be liable to the cost of repairing such fence in equal proportions.

Procedure to compel contribution to the repair of dividing fences.

28. The occupier of any land separated from any adjoining land by a dividing fence may serve a notice upon the occupier of such adjoining land requiring him to assist in repairing such fence, and, if such occupier shall refuse or neglect for the space of one week after the service of such notice to assist in repairing such fence, it shall be lawful for such first-mentioned occupier to repair such fence, and to demand and recover of and from such other occupier half the cost of repairing the same: Provided that, if any dividing fence or any portion thereof shall be destroyed by accident, the occupier of land on either side may immediately repair the same without any notice, and shall be entitled to recover half the expense of so doing from the occupier of the adjoining land: Provided always that in case such dividing fence shall have been destroyed by fire, or by the falling of any tree or trees, the occupier through whose neglect (if any) such fire shall have originated or have caused injury to the fence or such tree or trees shall have fallen shall be the party bound to repair the entire of the fence so damaged as aforesaid.

Nothing herein shall be deemed to take away or interfere with the right of any person to sue for and recover compensation for or in respect of any damage or injury to any fence occasioned by the reckless or negligent use of fire.

From whom moneys recoverable under this Act may be recovered.

29. All moneys recoverable under this Act in respect of the construction or repairing of any fence, by any person serving any notice to fence or repair, may be recovered from any person liable to contribute to the cost of constructing or repairing such fence who is served with notice to fence or repair, or from any person who may come in and defend under the provisions of this Act any proceedings consequent on such notice.

All moneys recoverable under this Act by any person served with any notice to fence or repair may be recovered from the person serving the same, or from any person liable to contribute to the construction or repair of such fence as landlord, from whom the person serving such notice may hold the lands bounded by such fence.

30. All matters or questions arising between owners or occupiers of property liable to the provisions of this Act regulating the erection and maintenance or alteration or removal of dividing fences may be heard and determined before any Resident Magistrate or Court of Petty Sessions, notwithstanding that the decision of any such matter or question shall be beyond the ordinary jurisdiction of such Resident Magistrate or Court of Petty Sessions.

Jurisdiction of Justices and Resident Magistrates in matters arising under Act.

31. Any Resident Magistrate or Court of Petty Sessions may hear and determine any such matters, being any one of the following matters, that is to say,—

What may be heard and determined by Courts.

- (1.) Hearing and taking evidence and making any order as to the erection or maintenance of dividing fences :
- (2.) Hearing and taking evidence as to the proper boundary line between adjoining lands upon which any dividing fence should be erected ; and making any order as to the removal of dividing fences if not erected on such proper boundary, and as to the erection or re-erection of dividing fences on the proper boundary line between adjoining lands :
- (3.) Deciding upon the description or kind of fence to be erected or maintained, or that in the opinion of the Court ought to be erected or maintained, in accordance with this Act :
- (4.) Determining the date, time, and manner in which such fence should be erected, and by whom it should be erected or maintained :
- (5.) Determining the expense of erecting or maintaining any such fence, and by whom the same should be borne and paid.

32. All proceedings before any Resident Magistrate or Court of Petty Sessions upon or in respect of any of the matters in the last preceding clause, or of any combination or modification thereof, shall and may be taken and conducted, and any order may be enforced and acted upon, in like manner as the proceedings and orders of such Courts are taken, conducted, and enforced in their summary jurisdiction under "The Justices of the Peace Act, 1866."

How proceedings to be enforced.

33. Nothing in this Act contained shall be deemed or taken to affect any covenant, contract, or agreement made, or hereafter to be made, relative to fencing between landlord and tenant or between occupiers of adjoining land, or between any other persons whomsoever.

Act not to interfere with agreements.

34. This Act shall not apply to any unalienated Crown lands ; nor shall the Crown, the Governor, any Land Board, nor any public officer appointed by the Governor or by the Governor in Council for the administration, management, or control of the Crown lands, or who may by virtue of his office however styled have any such management or control, be liable under the authority of this Act to make any contribution towards the construction or repairing of any dividing fence between the land of any occupier and any Crown lands.

Act not to apply to unalienated Crown lands.

35. Where any person shall have erected, or shall hereafter erect, any fence upon any Crown lands, it shall be lawful for the Commissioner of Crown Lands of the district to direct such person to make such gates or other openings at such places in such fence as shall be thought necessary ; and if such person shall not comply with such direction within one calendar month after the receipt thereof, he shall be liable to a penalty not exceeding twenty pounds, and the aforesaid Commissioner may forthwith have such gates or other openings made at the expense of the person so failing to do so.

Fences on Crown lands to be provided with gates or openings, &c.

36. Every person engaged in constructing or repairing a fence under this Act, his agents and servants, may, with or without horses,

Persons constructing fences can enter upon contiguous lands.

cattle, carts, or carriages, at all reasonable times during such construction or repairing, enter upon the contiguous lands and do thereon such acts, matters, and things as are necessary or reasonably required to carry into effect the construction or repairing of such fence.

Power of landlord to come in and defend proceeding against his tenant under this Act.

37. Any person may come in and defend any proceeding under this Act against any tenant of such person in consequence of which such person may ultimately incur any liability, and any defence which the person originally proceeded against might set up shall be available to the person so coming in to defend.

Schedules.

SCHEDULES.

SCHEDULE A.

NOTICE TO MAKE FENCE.

To _____, occupier [or owner, or lessee, or agent, as the case may be]
of _____ [describing adjoining land].
TAKE NOTICE that I desire that a boundary or dividing fence between [describing the lands] be made immediately (on or before the _____ day of _____, 18 ____), and that such fence shall be a [Describe the fence].
Dated this _____ day of _____, 18 ____.

A.B.,

Occupier [or owner, or lessee, or agent] of, &c.

SCHEDULE B.

DESCRIPTION OF SUFFICIENT FENCE.

1. A fence of posts and rails, the posts to be not less than four feet six inches high from the surface of the ground, the upper rail to be not less than four feet three inches from the ground of substantial material, firmly erected with no greater distance between the rails or the bottom rail and the ground than nine inches unless there be a wire inserted between the rails, and the posts not more than nine feet asunder.

2. A substantial paling fence at least four feet in height, with no greater distance between the palings than four inches.

3. A substantial wire fence at least four feet in height, having not less than seven wires tightly stretched, and the posts or standards or binding wires of which are not more than eight feet from each other.

The posts for all post-and-rail fences shall contain not less than fifteen superficial inches to the foot if sawn or split, or eighteen superficial inches to the foot if round posts be used, and shall be inserted into the ground not less than two feet.

The posts for all post-and-wire fences shall contain not less than eight superficial inches to the foot if sawn or split, or twelve superficial inches to the foot if round posts be used. Straining posts for wire fences shall contain not less than eighteen superficial inches to the foot, and shall be inserted into the ground not less than three feet and not more than five chains apart.

The rails for all fences where the posts are nine feet apart shall contain not less than six superficial inches to the foot if sawn or split, nor less than nine superficial inches to the foot if round rails be used, but if the posts be not more than seven feet apart the rails when sawn may be five superficial inches.

The rails to be either firmly mortised into the posts or double-nailed, and the wires either passed through the posts or firmly fixed with staples.

4. A bank or wall of substantial materials at least five feet in height, of which the slope is not more than one foot from the perpendicular.

5. A close hedge or live fence at least four feet in height, and which shall be proved to be capable of resisting the trespass of cattle.

6. A log fence not less than five feet high from the surface of the ground, substantially built of logs or trunks of trees laid horizontally, the top log not being less than six inches in diameter, and properly secured.

7. A fence at least five feet in height, composed of logs and chocks, the logs not exceeding eighteen feet in length between the chocks, and the chocks of no greater thickness than will leave an opening of one foot between each log, and between the bottom log and the ground.

8. A combination of any of the above-mentioned fences at least four feet in height.

9. A ditch not less than five feet broad, with a bank or any fence or combination of the above-mentioned fences on either side thereof, the top of which shall be at least five feet six inches from the bottom of the ditch, and three feet six inches above the level of the ground, and where the slope of the bank on the ditch side thereof is not more than one in three, and the slope of the ditch on the bank side not more than one in two.

10. A ditch not less than four feet in width and two feet in depth, with a bank and wires not less than three feet six inches in height; the wires to be tightly strained, with

not more than eight inches between the wires, and six inches between the bottom wire and the bank, and the standards or binding wires to be not more than nine feet apart.

11. A natural stream, ditch, or watercourse, not less than seven feet broad at the top and four feet broad at the bottom, and not less than three feet six inches deep, with a stream of water running in it, and with a bank with a slope of not more than one in three, or any fence or combination of the above-mentioned fences on either side thereof being not more than nine inches from the edge of the ditch, and the top not being less than two feet above the level of the ground.

12. Any barrier of any description which, from its height, strength, and character, shall be proved to be as effective as any of the fences herein described.

Sheep-proof Fence.

A wire fence as described above in No. 3, of seven wires, with no greater distance between the ground and the bottom wire than six inches, and the same distance between the bottom wire and the sixth, and the sixth and the fifth, and no more than six and a half inches between the fifth and the fourth, and seven and a half inches between the fourth and the third, and eight and a half inches between the third and the second.

Any sufficient open fence, the interstices of which shall not be greater than as herein last mentioned.

Any sufficient combination of fences, provided that, in all fences where post-and-rail or wire are erected on any bank, the rail or wire nearest the top of the bank shall be deemed to be the bottom rail or wire of the fence, and the measurements hereinbefore given in respect of the spaces between the wires of such sheep-proof wire fences must be measured from the top of the bank.

LAST SCHEDULE.

SCHEDULE OF ACTS AND ORDINANCES REPEALED.

(1.) *Ordinance of the Governor and Legislative Council of New Zealand.*

Sess. VIII., 1847, No. 8.—An Ordinance to encourage the Fencing of Land.

(2.) *Act of the General Assembly.*

1874, No. 85.—The Provincial Fencing Laws Empowering Act, 1874.

(3.) *Acts of the Province of Auckland.*

Sess. II., 1855, No. 5.—An Act to make Provision relative to fencing Land in the Province of Auckland.

Sess. XXIX., No. 23.—The Fencing Act 1855 Amendment Act, 1874.

Sess. XXIX., No. 24.—The Fencing Acts Suspension Act, 1874.

(4.) *Ordinances of the Province of Taranaki.*

Sess. VIII., No. 3.—The Furze Ordinance, 1859.

Sess. XVI., No. 4.—The Furze Ordinance, 1868.

Sess. XXIV., No. 2.—The Fencing Ordinance, 1875.

Sess. XXIV., No. 5.—The Furze Ordinance 1868 Amendment Ordinance, 1875.

(5.) *Acts of the Province of Hawke's Bay.*

Sess. XXI., No. 2.—The Fencing Act, 1874.

Sess. XXII., No. 2.—The Provincial Fencing Laws Empowering Act 1874 Adoption Act, 1875.

(6.) *Acts of the Province of Wellington.*

Sess. XV., No. 10.—The Fencing Act, 1867.

Sess. XXII., No. 9.—The Fencing Act, 1872.

(7.) *Acts of the Province of Nelson.*

Sess. VIII., No. 2.—The Nelson Gorse Hedges Act, 1861.

Sess. IX., No. 6.—The Fencing Act, 1862.

Sess. X., No. 3.—The Pastoral Districts Fencing Act, 1863.

Sess. XIV., 1866, No. 2.—An Act to repeal the Fencing Act, 1862, so far as relates to Districts constituted under the Pastoral Districts Fencing Act, 1863.

(8.) *Acts of the Province of Marlborough.*

Sess. VII., No. 2.—The Marlborough Fencing Act, 1863.

Sess. XV., No. 2.—The Fencing Act Amendment Act, 1866.

(9.) Ordinances of the Province of Canterbury.

Sess. XIV., 1861, No. 3.—The Gorse Ordinance, Session XIV., No. 3.
Sess. XXXVII., No. 8.—The Canterbury Fencing Ordinance, 1872.

(10.) Ordinance of the Province of Westland.

Sess. III., No. 1.—The Fencing Ordinance, 1875.

(11.) Ordinance of the Province of Otago.

Sess. XXX., No. 366.—The Fencing Ordinance, 1872.

(12.) Ordinances of the Province of Southland.

Sess. XII., No. 73.—The Fencing Ordinance, 1866.
Sess. XX., No. 6.—The Fencing Ordinance 1866 Amendment Ordinance, 1868.