

Hon. Mr. Walker.

STOCK-DRIVING.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Owners of travelling stock to give way-bill or delivery-note to drover, who must produce same when properly called on to do so.</p> <p>4. Indorsement of way-bill. If not correct, stock may be impounded, and penalty imposed</p>	<p>upon drover. Owner, when he claims stock to pay poundage fees, &amp;c.</p> <p>5. Owner or drover may in certain cases be apprehended. Penalty for purchasing or receiving stock incorrectly described in way-bill or delivery-note.</p> <p>6. Recovery of penalties.</p> <p>7. Extent of Act. Schedule.</p>
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A BILL INTITULED

AN ACT to regulate the Driving of Stock and in Prevention of Theft Title. thereof.

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-driving Act, 1891." Short Title.
- 2. In this Act, if not inconsistent with the context,— Interpretation.
  - "Drover" means any person other than the owner of any stock being driven by or in the possession or charge of the same:
  - "Inspector" means any Inspector of Sheep appointed under "The Sheep Act, 1890:"
  - "Owner" means every person claiming jointly or in severalty (other than a mortgagee not in possession) any right, title, or interest in any stock, and every manager or other person in possession or charge of any stock:
  - "Ranger" means any Ranger of Crown lands:
  - "Run" means any run, station, farm, or place where stock are placed or depastured:
  - "Stock" means horses of all kinds, asses, mules, cattle of all kinds, and sheep of all kinds, and includes the young of any such horses, cattle, and sheep, and shall apply to any one or more animals of the aforesaid several kinds, and shall include cattle within the meaning of "The Impounding Act, 1884."

Owners of travelling stock to give way-bill or delivery-note to drover, who must produce same when properly called on to do so.

3. Whenever the owner of any stock intends to act as the drover thereof he shall provide himself with a way-bill in the Form A in the Schedule hereto, or to such effect; and, if it is intended that any person other than the owner as aforesaid of such stock shall act as the drover thereof, such owner shall complete and deliver to such person a delivery-note in the Form B in the Schedule hereto, or to such effect. 5

Any Inspector, or member of the police force, or ranger, or owner of any run, may inspect any travelling stock, and compare the number, brands, and ear-marks thereof with the number, brands, and ear-marks set forth in any such way-bill or delivery-note, and the drover thereof shall, on being requested so to do, submit the stock in his charge to such inspection accordingly, and shall, when required, produce his way-bill or delivery-note as the case may be. 10

Any owner or drover failing to comply with any of the requirements of this section, or failing to assist in the inspection of such stock, shall, on conviction, for every such offence be liable to a penalty not exceeding *fifty* pounds. 15

Indorsement of way-bill.

4. Any Inspector, member of police force, ranger, or owner of any run inspecting travelling stock as aforesaid, and being satisfied with the correctness of the way-bill or delivery-note thereof, shall indorse such way-bill or delivery-note with his name, designation, and address; but should any such travelling stock not be fully and accurately described in any such way-bill or delivery-note as aforesaid, or satisfactorily accounted for to the satisfaction of such Inspector, member of police force, ranger, or owner, then he shall cause all such stock as is not fully and accurately described or satisfactorily accounted for to be impounded in the pound nearest to the place where the said inspection was made, in the direction in which the same are travelling, unless such pound be double the distance from the nearest pound, in which event the same shall be driven to the actually nearest pound, and kept there at the expense of the owner of such stock until claimed by him or some person duly authorised on his behalf, and until the requirements of this Act with respect thereto shall have been complied with, and a way-bill or delivery-note fully and accurately describing such travelling stock shall be produced and shown to the keeper of such pound. 20 25 30 35

If not correct, stock may be impounded, and penalty imposed upon drover.

Owner, when he claims stock, to pay poundage fees, &c.

But such stock shall not be delivered to the owner or duly-authorized person claiming them on his behalf until he shall have paid the poundage fees and all other charges and disbursements incurred in respect thereof, which amount any owner may recover from any drover in charge, if such owner prove himself blameless. 40

Owner or drover may in certain cases be apprehended.

5. Any owner or drover having in his charge or possession stock not fully and accurately described in any such way-bill or delivery-note, or satisfactorily accounted for, or who does not produce the same when called on as aforesaid, or any person or any auctioneer purchasing or receiving from such owner or drover any stock not described or incorrectly described in any such way-bill or delivery-note, or any owner or drover selling, or offering for sale, or placing with any one for sale, without producing a written authority from the actual owner of such stock to sell or otherwise dispose of the same, shall, on conviction, for every such offence forfeit and pay a penalty not exceeding *fifty* pounds. 45 50

Penalty for purchasing or receiving stock incorrectly described in way-bill or delivery-note.

6. All penalties under this Act shall be recoverable in a summary manner under "The Justices of the Peace Act, 1882," before any two or more Justices of the Peace; and when recovered shall be paid into the Public Account, and form part of the Consolidated Fund.

Recovery of penalties.

5 7. This Act shall extend and apply to such districts as the Governor shall, from time to time by Proclamation published in the *New Zealand Gazette*, declare to be subject to the provisions hereof; and the limits of such district shall, for the purposes of this Act, be such as are defined in such Proclamation. And it shall be lawful for the  
10 Governor at any time to revoke any such Proclamation, and thereupon this Act shall cease to apply to the district named therein unless re-proclaimed.

Extent of Act.

SCHEDULE.

Schedule.

FORM A.

*Stock-driving: Owner's Way-bill.*

I, \_\_\_\_\_, do solemnly and sincerely declare that I am the owner [or the manager of the owner] of the stock named in the Schedule below, consisting of [number in words] cattle [or horses or sheep], which are travelling from \_\_\_\_\_ to \_\_\_\_\_, by \_\_\_\_\_.

Signed at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_ .  
Witness: \_\_\_\_\_ (Signature.)

Schedule referred to above.

Number.	Description.	Brands and Ear-marks of Stock.

Owner [or Manager.]

FORM B.

*Stock-driving: Delivery-note.*

THIS is to certify that I have here this day delivered into the charge of \_\_\_\_\_, as my drover, the [State number in words] cattle [or horses or sheep], mentioned in the Schedule below, for the purpose of their being \_\_\_\_\_ by him to \_\_\_\_\_, at \_\_\_\_\_, and such \_\_\_\_\_ will travel by \_\_\_\_\_ and \_\_\_\_\_.

Signed at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, before me \_\_\_\_\_.  
Witness: \_\_\_\_\_ Owner.

Schedule referred to above.

Number.	Description.	Brands and Ear-marks of Stock.

Witness: \_\_\_\_\_ Owner [or Manager].