

## APPROPRIATION ORDINANCE, 1861-2.

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIII., No. 64.

### ANALYSIS.

**Title.**

- |  |   |
|--|---|
| <p>1. Certain sums to be applied to the service of the six months commencing on 1st October, 1861, and ending 31st March, 1862.</p> <p>2. Treasurer to pay money on Superintendent's</p> | <p>Warrant, and to be allowed credit for all money so paid.</p> <p>3. The Treasurer to be allowed credit for sums paid, but not authorised by Appropriation Ordinance, 1860-1.</p> <p>4. Short Title.</p> |
|--|---|

AN ORDINANCE to appropriate the Revenue of the Province of Otago, for the period of six months from and after the 30th day of September, 1861.

**B**E it enacted by the Superintendent of the Province of Otago, with the advice and consent of the Provincial Council thereof, as follows :—

1. Out of the Revenues of the Province there may be issued and applied for defraying the charge of the Government of the Province of Otago, for the six months commencing on the 1st day of October, 1861, and ending on the 31st day of March, 1862, the sum of one hundred and seventy five thousand five hundred and eight pounds, eleven shillings and ten pence sterling, in any sums not exceeding the several sums for the several purposes hereinafter particularly specified—that is to say—
- Certain sums to be applied to the service of the six months commencing on 1st October, 1861, and ending 31st March, 1862.

## ESTABLISHMENTS.

## SUPERINTENDENT'S DEPARTMENT—

SALARIES.				£	s.	d.	£	s.	d.
Superintendent	...	...	...	400	0	0			
Provincial Secretary	...	...	...	75	0	0			
Clerk	...	...	...	152	10	0			
Co.	...	...	...	115	0	0			
Do.	...	...	...	80	0	0			
Office Keeper	...	...	...	77	10	0			

£900 0 0

## PROVINCIAL COUNCIL DEPARTMENT—

SALARIES.				£	s.	d.	£	s.	d.
Speaker	...	...	...	50	0	0			
Chairman of Committees	...	...	...	25	0	0			
Clerk	...	...	...	37	10	0			
Clerical Assistance	...	...	...	75	0	0			
Office Keeper	...	...	...	75	0	0			

262 10 0

## CONTINGENCIES.

Copying and Printing Proceedings	...	...	...	200	0	0			
Council Library	...	...	...	150	0	0			
Furniture for Council Library	...	...	...	100	0	0			
Expences of Country Members	...	...	...	300	0	0			

750 0 0

## EXECUTIVE COUNCIL DEPARTMENT—

SALARIES.				£	s.	d.	£	s.	d.
Non-Official Members	...	...	...	150	0	0			

150 0 0

## PROVINCIAL SOLICITOR'S DEPARTMENT—

SALARIES.				£	s.	d.	£	s.	d.
Provincial Solicitor	...	...	...	150	0	0			
Clerical Assistance	...	...	...	50	0	0			

200 0 0

## PROVINCIAL AUDITOR'S DEPARTMENT—

SALARIES.				£	s.	d.	£	s.	d.
Auditor	...	...	...	175	0	0			
Deputy-Auditor	...	...	...	50	0	0			

225 0 0

## TREASURER'S DEPARTMENT—

SALARIES.				£	s.	d.	£	s.	d.
Treasurer	...	...	...	125	0	0			
Sub-Treasurer and Accountant	...	...	...	175	0	0			

300 0 0

## LAND DEPARTMENT—

SALARIES.				£	s.	d.	£	s.	d.
Chief Commissioner	...	...	...	225	0	0			
Clerk to Chief Commissioner	...	...	...	152	10	0			
Clerk to Treasurer and Receiver	...	...	...	140	0	0			
Assistant Clerks, 2 at £190, and 1 at £130 per annum	...	...	...	255	0	0			
Crown Grant Clerk	...	...	...	90	0	0			

862 10 0

## CONTINGENCIES.

Rangers of Bush Reserves	...	...	...	50	0	0			
Refunds on Land	...	...	...	125	0	0			
Stationery, Printing, and Advertising	...	...	...	400	0	0			
Contingencies	...	...	...	75	0	0			
Unofficial Members of Waste Land Board	...	...	...	25	0	0			

675 0 0

## SURVEY DEPARTMENT—

SALARIES.				£	s.	d.	£	s.	d.
Chief Surveyor	...	...	...	250	0	0			
3 District Surveyors at £300 per annum	...	...	...	450	0	0			
2 Assistant do. at £280 per annum	...	...	...	280	0	0			
5 Sub-Assistant do., at £230 per annum	...	...	...	575	0	0			
Apprentice	...	...	...	7	10	0			
Chief Draughtsman, at £280 per annum	...	...	...	140	0	0			
Assistant do. at £205	...	...	...	102	10	0			
Lithographic Draughtsman, at £155 per annum	...	...	...	77	10	0			
Apprentice " at £7 10s. "	...	...	...	7	10	0			
Lithographic Printer at £180	...	...	...	90	0	0			
10 Survey Parties, at £300 per annum	...	...	...	3000	0	0			

4980 0 0

Carry forward

£9305 0 0

## CONTINGENCIES.

Travelling Expences	...	...	...	440	0	0			
Stationery	...	...	...	60	0	0			
Instruments	...	...	...	150	0	0			
Contingencies	...	...	...	40	0	0			

690 0 0

Carry forward

£9995 0 0

Brought forward ... .. £9995 0 0  
**ROADS AND BRIDGES DEPARTMENT—**

**SALARIES.**  
 Engineer ... .. 25 0 0  
 Assistant Surveyor ... .. 150 0 0  
 Northern Inspector ... .. 125 0 0  
 Southern Inspector ... .. 125 0 0  
 Clerk and Draughtsman ... .. 102 10 0  
 2 Engineering Parties ... .. 500 0 0

1027 10 0

**CONTINGENCIES.**  
 Horse Hire for Assistant Surveyors and Inspectors ... 75 0 0  
 Travelling and Field Expenses of Officers ... 200 0 0  
 Stationery ... .. 20 0 0  
 Instruments ... .. 50 0 0  
 Contingencies ... .. 20 0 0

365 0 0

**PUBLIC WORKS DEPARTMENT—**

**SALARIES.**  
 Superintendent of Public Buildings .. .. 150 0 0  
 Assistant and Inspector .. .. 115 0 0  
 Temporary Assistance .. .. 100 0 0  
 Travelling Expenses .. .. 50 0 0  
 Instruments, Stationery, and Contingencies .. 25 0 0

440 0 0

**POLICE DEPARTMENT—**

**SALARIES.**  
 Commissioner ... .. 200 0 0  
 2 Sub-Inspectors at £250 ... .. 250 0 0  
 2 Mounted Sergeants, 1 at 12s. 6d. and 1 at 11s. 6d. per diem ... 219 5 0  
 9 Foot Sergeants, 2 at 12s. 6d. and 7 at 11s. per diem ... 930 15 0  
 15 Mounted Constables, at 10s. 6d. per diem ... 1437 3 9  
 30 Foot Constables at 10s. per diem ... 2737 10 0  
 Escort Driver, at 12s. 6d. ... .. 114 1 3  
 2 Escort Grooms, at 10s. ... .. 182 10 0  
 6 Detectives, 1 at 15s., 2 at 13s., and 3 at 11s. per diem ... 675 5 0  
 Water Police Sergeant, at 14s. per diem ... 127 15 0  
 5 Constables, 1 at 12s., 4 at 11s. ... .. 511 0 0

**CONTINGENCIES.**  
 Allowances to Officers and Constables ... .. 306 0 0  
 Stationery ... .. 120 0 0  
 Forage ... .. 600 0 0  
 Travelling Expenses ... .. 30 0 0  
 Transport of Prisoners ... .. 40 0 0  
 Purchase of Horses ... .. 200 0 0  
 Shoeing and Farriery ... .. 180 0 0  
 Prisoners' Rations ... .. 80 0 0  
 Stores, Furniture, and Bedding ... .. 250 0 0  
 Fuel, Light, and Water ... .. 200 0 0  
 Compensation to Officers for Clothing destroyed and }  
 Medical Expenses } 60 0 0  
 Repairs to Saddlery ... .. 100 0 0  
 Female Searchers .. .. 37 0 0  
 Rewards .. .. 50 0 0  
 Incidental Expenses .. .. 200 0 0  
 Special Detective Service .. .. 100 0 0  
 General Contingencies .. .. 400 0 0

10,338 5 0

**HARBOUR DEPARTMENT—**

**SALARIES.**  
 Harbour Master .. .. 140 0 0  
 Pilot .. .. 140 0 0  
 4 Assistant Pilots, at £200 per annum each .. 400 0 0  
 Lighthouse Keeper .. .. 60 0 0  
 2 Signal-men at £200 per annum .. 200 0 0  
 Jetty Keeper .. .. 100 0 0  
 Assistant Jetty Keeper .. .. 50 0 0  
 Boats' Crews for Pilot, Harbour, and Cutter .. 940 0 0

**CONTINGENCIES.**  
 Cutter for Pilot Service .. .. 700 0 0  
 Boat .. .. 45 0 0  
 Launch .. .. 100 0 0  
 Oars .. .. 50 0 0  
 Flagstaves (3) .. .. 150 0 0  
 Marryatt's and Bar Signals .. .. 50 0 0  
 Moorings at Oamaru .. .. 50 0 0  
 " per "Thomas and Henry" .. 100 0 0  
 Buoys and Beacons .. .. 100 0 0  
 Oil .. .. 50 0 0  
 Contingencies ... .. 700 0 0

4125 0 0

Carry forward .. .. £6,990 15 0

Brought forward	..	..	..	..	..	£9305	0	0
<b>SHEEP INSPECTOR'S DEPARTMENT—</b>								
SALARIES.								
Chief Inspector	..	..	..	..	..	300	0	0
Sub-Inspector	..	..	..	..	..	150	0	0
								450 0 0
<b>HOSPITAL DEPARTMENT—</b>								
SALARIES.								
Provincial Surgeon	..	..	..	..	..	150	0	0
Keeper, with family	..	..	..	..	..	112	10	0
Assistant-Keeper	..	..	..	..	..	65	0	0
Chaplain	..	..	..	..	..	50	0	0
CONTINGENCIES.								
Surgical Instruments	..	..	..	..	..	20	0	0
Rations, Medicines, and Medical Comforts	..	..	..	..	..	3000	0	0
Bedding and Furniture	..	..	..	..	..	400	0	0
								3797 10 0
<b>GAOL DEPARTMENT—</b>								
SALARIES.								
Gaoler	..	..	..	..	..	112	10	0
Matron	..	..	..	..	..	25	0	0
One Senior Turnkey	..	..	..	..	..	100	7	6
8 Warders	..	..	..	..	..	730	0	0
Overseer of Hard Labour	..	..	..	..	..	100	7	6
Incidental Expenses	..	..	..	..	..	150	0	0
Rations, &c.	..	..	..	..	..	1400	0	0
								2618 5 0
<b>SCHOOL DEPARTMENT—</b>								
SALARIES.								
Inspector and Secretary	..	..	..	..	..	180	13	11
CONTINGENCIES.								
Allowances for Teacher's Salaries	..	..	..	..	..	1320	0	0
Late Clerk	..	..	..	..	..	16	13	4
School Buildings	..	..	..	..	..	3940	0	0
High School (erection of)	..	..	..	..	..	2000	0	0
School Fees	..	..	..	..	..	501	10	9
Contingencies	..	..	..	..	..	100	0	0
								8058 18 0
<b>IMMIGRATION—</b>								
SALARIES.								
Immigration Agent	..	..	..	..	..	125	0	0
Contingencies	..	..	..	..	..	50	0	0
								175 0 0
<b>GOLD FIELD DEPARTMENT—</b>								
2 Commissioners at £550 per annum	..	..	..	..	..	550	0	0
2 Receivers at £350	..	..	..	..	..	350	0	0
2 Clerks of Sessions at £300	..	..	..	..	..	300	0	0
2 Inspectors of Licenses at £250 per annum	..	..	..	..	..	250	0	0
Contingencies	..	..	..	..	..	1000	0	0
								2450 0 0
Total of Establishments	..	..	..	..	..			£43,840 8 0
<b>ROADS.</b>								
<b>SOUTHERN TRUNK ROADS—</b>								
Dunedin to Taieri Ferry	..	..	..	..	..	12,000	0	0
Taieri Ferry to Clutha	..	..	..	..	..	10,000	0	0
Clutha Ferry to Mataura	..	..	..	..	..	1,000	0	0
								23,000 0 0
<b>NORTHERN TRUNK—</b>								
Dunedin to Waikouaiti	..	..	..	..	..	5000	0	0
Waikouaiti to Oamaru	..	..	..	..	..	5000	0	0
Oamaru to Waitaki	..	..	..	..	..	2000	0	0
								12,000 0 0
<b>CENTRAL INTERIOR TRUNK—</b>								
Saddlehill to West Taieri	..	..	..	..	..	5000	0	0
West Taieri to Interior	..	..	..	..	..	2000	0	0
								7000 0 0
<b>SOUTHERN INTERIOR TRUNK—</b>								
Clutha Mouth towards Interior	..	..	..	..	..	2000	0	0
								2000 0 0
<b>NORTHERN INTERIOR TRUNK—</b>								
Oamaru to Interior	..	..	..	..	..	1000	0	0
Oamaru Town to Port	..	..	..	..	..			500 0 0
Road from Inch Clutha across Swamp	..	..	..	..	..			500 0 0
								1000 0 0
Carry forward	..	..	..	..	..			£45,884 8 0

Brought forward .. .. .				£45,884	8	0
<b>BRANCH ROADS—</b>						
West Taieri to Tuapeka .. .. .	...	...	500	0	0	
Tokomairiro to Gold Field .. .. .	...	...	1000	0	0	
Dunedin to Portobello .. .. .	...	...	1000	0	0	
Dunedin to West Taieri .. .. .	...	...	500	0	0	
North East Valley to Timber District .. .. .	...	...	500	0	0	
						3500 0 0
<b>PORT CHALMERS TO NORTHERN TRUNK—</b>						
North East Valley to Port Chalmers .. .. .	...	...	500	0	0	— 500 0 0
<b>SUPPLEMENTED ROADS—</b>						
Main Road through Hawkesbury .. .. .	...	...	144	1	11	
Shag Valley to Maniototo .. .. .	...	...	18	1	11	
Hawkesbury .. .. .	...	...	250	0	0	
Oamaru .. .. .	...	...	100	0	0	
						512 3 10
<b>BRIDGES AND FERRIES—</b>						
West Taieri .. .. .	...	...	3500	0	0	
Lower Taieri .. .. .	...	...	8000	0	0	
Lovell's Creek .. .. .	...	...	300	0	0	
Clutha Punt and Gangways .. .. .	...	...	100	0	0	
Waitahuna Wire Suspension .. .. .	...	...	500	0	0	
Silver Stream .. .. .	...	...	200	0	0	
Waikouaiti .. .. .	...	...	600	0	0	
Shag Valley .. .. .	...	...	500	0	0	
Otepopo .. .. .	...	...	600	0	0	
Kakanui .. .. .	...	...	600	0	0	
Waipori .. .. .	...	...	600	0	0	
Stoney Creek .. .. .	...	...	250	0	0	
						15,750 0 0
<b>SUPPLEMENTAL BRIDGES—</b>						
Tokomairiro to Coal Fields .. .. .	...	...	350	0	0	
Salmond's Creek .. .. .	...	...	150	0	0	
						500 0 0
<b>PUBLIC BUILDINGS --</b>						
Gaol Extension .. .. .	...	...	5000	0	0	
„ Furniture .. .. .	...	...	200	0	0	
Hospital addition (portion) .. .. .	...	...	5000	0	0	
„ Accommodation at Diggings .. .. .	...	...	500	0	0	
Lunatic Asylum (portion) .. .. .	...	...	4000	0	0	
Improving Court House Grounds .. .. .	...	...	300	0	0	
Moeraki Jetty .. .. .	...	...	450	0	0	
Waihola Jetty .. .. .	...	...	500	0	0	
Coalstage and Shed, Dunedin .. .. .	...	...	400	0	0	
Repairing and Painting Buildings .. .. .	...	...	550	0	0	
Quarantine Buildings .. .. .	...	...	106	0	0	
Pilots' Houses at Heads .. .. .	...	...	400	0	0	
„ Taieri .. .. .	...	...	300	0	0	
„ Clutha .. .. .	...	...	300	0	0	
Gold Field Buildings .. .. .	...	...	2000	0	0	
District Police Stations .. .. .	...	...	4000	0	0	
Central Police Station, Dunedin .. .. .	...	...	350	0	0	
Fitting up Hulk for Prisoners .. .. .	...	...	120	0	0	
Additional Barracks .. .. .	...	...	750	0	0	
Addition to Government Buildings .. .. .	...	...	1500	0	0	
Works not provided for .. .. .	...	...	1000	0	0	
Jetty and Crane at Port Chalmers .. .. .	...	...	500	0	0	
Dunedin Jetty .. .. .	...	...	2000	0	0	
Waihola Jetty, improvement of .. .. .	...	...	100	0	0	
Court House at Oamaru .. .. .	...	...	600	0	0	
„ Port Chalmers .. .. .	...	...	500	0	0	
Military Barracks .. .. .	...	...	3000	0	0	
Meteorological Observation House .. .. .	...	...	250	0	0	
						34,676 0 0
<b>IMMIGRATION .. .. .</b>						5000 0 0
<b>STEAM—</b>						
Inter-Colonial .. .. .	...	...	1000	0	0	
Coastal .. .. .	...	...	750	0	0	
Inland .. .. .	...	...	500	0	0	
						2250 0
<b>LOANS—</b>						
Debentures, Payment of Interest .. .. .	...	...	2000	0	0	— 2000 0 0
<b>MISCELLANEOUS—</b>						
Loan to Harbour Endowment .. .. .	...	...	10,000	0	0	
Improving Navigation of Waihola Lake .. .. .	...	...	1000	0	0	
Geologist .. .. .	...	...	1000	0	0	
Recreation Ground .. .. .	...	...	500	0	0	
Bonus to Mr. Read for discovery of Gold Fields .. .. .	...	...	500	0	0	
						12,500 0 0
Carry forward .. .. .	...	...	12,500	0	0	154,528 11 10

Brought forward .. ..	12,500 0 0	154,528 11 10
Prospecting Parties .. ..	300 0 0	
Inspector of Slaughter Houses .. ..	100 0 0	
Standard Weights and Measures .. ..	100 0 0	
Inspector of Weights and Measures .. ..	12 10 0	
Local Posts .. ..	600 0 0	
Expenses of Returning Officer .. ..	150 0 0	
Loan to Port Chalmers Town Board .. ..	1000 0 0	
Fuel .. ..	150 0 0	
Relief to Destitute Persons .. ..	300 0 0	
Printing .. ..	500 0 0	
Advertising .. ..	300 0 0	
Stationery .. ..	1000 0 0	
Temporary Employment of Immigrants .. ..	1000 0 0	
Taieri Ferry .. ..	500 0 0	
Meteorological Register .. ..	15 0 0	
Gratuity to Gaoler .. ..	300 0 0	
Poundkeeper .. ..	25 0 0	
Mechanics' Institution .. ..	400 0 0	
Athenæum .. ..	45 0 0	
Upper Taieri Ferryman .. ..	182 10 0	
General Contingencies .. ..	1000 0 0	
		20,980 0 0
TOTAL .. ..		<u>£175,508 11 10</u>

Treasurer to pay money on Superintendent's Warrants, and to be allowed credit for all money so paid.

2. The Provincial Treasurer shall issue and pay from time to time any sum or sums of money for the purposes hereinbefore mentioned not exceeding in the whole the sums respectively above specified, to such persons and in such proportions as the Superintendent shall, by Warrants signed by him from time to time direct, and such Treasurer shall in his accounts be allowed credit for all sums paid by him in pursuance of such Warrants, and the receipt of the person to whom such sums shall have been paid shall be to him a full and valid discharge for the sum or sums for which such receipt shall have been given, and the amount thereof shall be passed to his credit in account accordingly.

The Treasurer to be allowed credit for sums paid, but not authorized by Appropriation Ordinance, 1860-1.

3. And whereas the actual expenditure for the Provincial Government, and Public Works, and undertakings has exceeded the sums authorised by the Appropriation Ordinance for the six months commencing on the 1st day of April, 1861, and ending on the 30th September, 1861, by the sum of five thousand eight hundred and seven pounds, nine shillings and two pence, according to the items enumerated in the Schedule hereto annexed ; And whereas the said Expenditure was reasonable and necessary, therefore the Superintendent is indemnified for the issue of his Warrants for the said amount of five thousand eight hundred and seven pounds, nine shillings and two pence for which amount the Provincial Treasurer shall be allowed, and is hereby authorised to take credit in his accounts.

Short Title.

4. This Ordinance may be cited and referred to as the Appropriation Ordinance, 1861-2.

Passed the Provincial Council this twelfth day of November, One thousand eight hundred and sixty-one.

ROBT. CHAPMAN,  
*Clerk of Council.*

ALEX. RENNIE,  
*Speaker.*

Assented to on behalf of the Governor, at Dunedin, this twelfth day of November, One thousand eight hundred and sixty-one.

J. RICHARDSON,  
*Superintendent of the Province of Otago.*

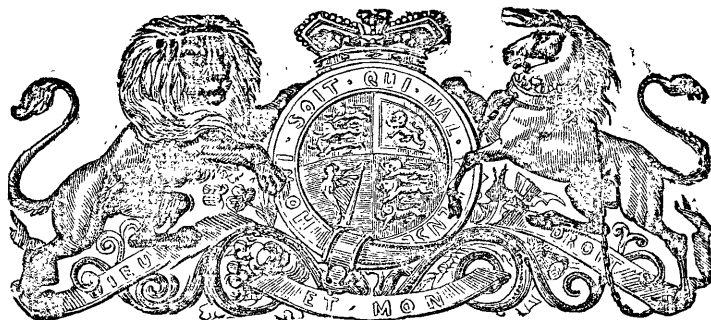
## SCHEDULE.

### UNAUTHORIZED EXPENDITURE DURING THE FINANCIAL YEAR 1860-61.

<b>SURVEY DEPARTMENT—</b>						
Survey Parties, including Field allowances and travelling expenses	..	...	...	296	5	2
Lithographic Printers	...	...	...	20	3	1
Instruments, Contingencies, &c.	..	..	..	162	18	8
Passages of Surveyors from Britain	...	...	...	116	0	0
					595	6 11
<b>HARBOUR DEPARTMENT—</b>						
Pilot's Crew	...	..	...	19	11	8
Contingencies	...	...	...	144	1	9
					163	13 5
<b>POLICE DEPARTMENT—</b>						
Special Service and Contingencies	...	...	...	117	19	11
Gold Fields—						
Buildings	...	...	...	430	16	1
Police, including Horses	...	...	...	1583	1	1
Allowance to Government Officers	...	...	...	212	7	9
Saddlery	...	...	...	267	13	2
Contingencies	...	...	...	297	12	7
					2309	10 7
<b>EDUCATION DEPARTMENT—</b>						
Books per Crawford and Auld	...	...	...	341	12	8
Port Chalmers District Buildings	...	...	...	14	0	0
Contingencies	...	...	...	7	10	6
North-East Harbour District Buildings	...	...	...	11	9	6
Return of School Fees	...	...	...	17	10	10
					392	3 6
<b>ROADS' DEPARTMENT—</b>						
Shag Valley to Maniototo	...	..	...	47	6	11
Invercargill to Otaria	...	...	...	133	14	4
					181	1 3
<b>LOWER TAIERI FERRY—</b>						
Compensation (Punt)	...	...	...		50	0 0
<b>PUBLIC WORKS, BUILDINGS, &amp;c.—</b>						
Landing Place at Oamaru	...	...	...		58	6 11
Interest on overdrawn Bank Accounts and Commission	...	...	...		349	17 6
<b>MISCELLANEOUS—</b>						
Upper Taieri Ferryman (arrears)	...	...	...	15	0	0
Pleura-Pneumonia	...	...	...	35	13	0
Supreme and other Courts	...	...	...	29	1	8
Books for Hospital	...	...	...	15	0	0
Defalcations by James Macandrew, Esq.	...	...	...	1012	14	5
					1107	9 1
					£5,807	9 2







## PREVENTION OF CRUELTY TO ANIMALS ORDINANCE, 1861.

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XIV., No. 65.

### ANALYSIS.

Title.

Preamble.

1. Penalty.

2. As to places kept for Bull Baiting, Dog Fighting, &c.

3. As to damage done by persons guilty of cruelty to animals.

4. Fines to be recovered in a summary way.

5. Offenders not paying penalty may be committed.

6. Vehicles, &c., may be detained.

7. Meaning of certain words.

### *AN ORDINANCE for the Prevention of Cruelty to Animals.*

**B**E it Enacted by the Superintendent of the Province of Otago, by and with the advice and consent of the Provincial Council thereof as follows:—

1. If any person shall from and after the passing of this Ordinance, Penalty. cruelly beat, ill-treat, over-drive, abuse, or torture, or cause or procure to be beaten, ill-treated, over-driven, abused, or tortured, any animal, every such offender shall for every such offence forfeit and pay a penalty not exceeding £5.

2. Every person who shall keep or use or act in the management of any place for the purpose of fighting or baiting any bull, dog, cock, or other kind of animal, whether of domestic or wild nature, or shall per- As to places kept for Bull Baiting, dog fighting, &c.

mit or suffer any place to be so used, shall be liable to a penalty not exceeding £5, for every day he shall so keep or use or act in the management of any such place, or permit or suffer any place to be used as aforesaid. Provided always that every person who shall receive money for the admission of any other person to any place kept or used for any of the purposes aforesaid shall be deemed to be keeper thereof, and every person who shall in any manner encourage, aid, or assist at the fighting or baiting of any bull, dog, cock, or other animal as aforesaid, shall forfeit and pay a penalty not exceeding £5 for every such offence.

As to damage done by persons guilty of Cruelty to Animals.

3. If any person shall by cruelly beating, ill-treating, over-driving, abusing, or torturing any animal, do any damage or injury to any animal, or shall thereby cause any damage or injury to be done to any person or to any property, every such offender shall on conviction of every such offence pay to the owner of such animal (if the offender shall not be the owner thereof,) or to the person who shall sustain damage or injury as aforesaid, such sum of money by way of compensation not exceeding the sum of £10, as shall be ascertained and determined by the Justice of the Peace by whom such person shall have been convicted. Provided always that the payment of such compensation or any imprisonment for the non-payment thereof, shall not prevent or in any manner affect the punishment to which such person or the owner of such animal may be liable for, or in respect of the beating, ill-treating, or abusing of the said animal. Provided also that nothing herein contained shall prevent any proceeding by action against such offender or the employer of such offender, where the amount of damage or injury is not sought to be recovered under this Ordinance.

Fines to be recovered in a summary way.

4. All fines, penalties, and damages imposed or awarded under the authority of this Ordinance, shall be recoverable in a summary way before any Justice of the Peace for the Colony of New Zealand.

Offenders not paying penalty may be committed.

5. In every case of a conviction under this Ordinance, where the sum imposed as a penalty or the amount awarded for compensation or damage together with costs (if any), by any Justice of the Peace for or in respect of any offence against the provisions of this Ordinance, shall not be paid immediately upon the conviction or within such time as the convicting Justice shall in the exercise of his discretion appoint and direct in that behalf, it shall be lawful for such Justice, and he is hereby required to commit the offender to any goal or other prison in the said Province, there to be imprisoned with or without hard labour for any term not exceeding two calendar months. Provided always that if such conviction shall take place before two Justices, or before one Resident Magistrate, if they or he shall think fit, instead of imposing a pecuniary penalty, forthwith to commit any such offender to any gaol or other prison, with or without hard labour, for any time not exceeding three calendar months.

Vehicles, &c., may be detained.

6. Whenever any person having charge of any vehicle or any animal, shall be taken into custody by any constable for any offence against the

provisions of this Ordinance, it shall be lawful for such constable to take charge of such vehicle or animal, and deposit the same in some place of safe custody as a security for payment of any penalty to which the person having had charge thereof, or the owner thereof, may become liable, and for payment of any expenses which may have been, or which may be necessarily incurred for taking charge of and keeping the same. And it shall be lawful for any Justice of the Peace before whom the case shall have been heard, to order such vehicle or such animal to be sold for the purpose of satisfying such penalty and reasonable expenses; and in default of payment thereof, in like manner as if the same had been subject to be distrained, and had been distrained for the payment of such penalty and expenses.

7. For the purposes of this Ordinance, the following words are intended to have the meaning hereby assigned to them respectively, so far as such meaning is not excluded by the context, or by the nature of the subject matter—(that is to say) Meaning of certain words.

The word animal shall be taken to mean any horse, mare, gelding, bull, ox, cow, heifer, steer, calf, mule, ass, sheep, lamb, hog, pig, sow, goat, dog, cat, or other domestic animal.

And subject to the context, and to the nature of the subject matter, words denoting the singular number are to be understood to apply also to a plurality of persons, animals, or things; and words denoting the masculine gender are to be understood also to apply to persons and animals of the feminine gender; and the word overdrive shall also signify override.

Passed the Provincial Council this eleventh day of December, One thousand eight hundred and sixty-one.

ALEX. RENNIE,  
*Speaker.*

ROBT. CHAPMAN,  
*Clerk of Council.*

Assented to on behalf of the Governor, at Dunedin, this eleventh day of December, One thousand eight hundred and sixty-one.

J. RICHARDSON,  
*Superintendent of the Province of Otago.*