



## SHEEP ORDINANCE, 1867.

IN THE THIRTIETH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XXIII., No. 253.

### ANALYSIS.

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AN ORDINANCE to Consolidate and Amend the Laws relating to the Prevention of Scab and other Diseases amongst Sheep. [5th June, 1867.]

WHEREAS it is expedient to consolidate and amend the laws now in force in the Province of Otago relating to the prevention of Scab and other Diseases amongst Sheep;

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows:—

I. This Ordinance may be cited and referred to as the “Sheep Ordinance 1867.”

II. Except as hereinafter mentioned the Ordinances mentioned in Schedule “A” hereto annexed shall be and the same are hereby repealed: Where before the coming into operation of this Ordinance any proclamation appointment order or certificate has been made or granted or any offence has been wholly or partly committed or any penalty has been incurred under or

against any of the Ordinances mentioned in the said schedule or any warrant or other instrument has been duly made or granted in respect of the same or any notice has been given or any bond or recognizance has been entered into or any right liability privilege or protection in respect of any matter or thing done before the coming into operation of this Ordinance has accrued or any action suit or other proceeding in respect of such matter or thing has been commenced every such proclamation appointment order or certificate shall continue in force and every such offence shall be dealt with and every penalty shall be recovered and every such warrant or other instrument and every such notice and bond or recognizance and every such right liability privilege or protection shall be of the same force and effect and every such action suit or other proceeding shall be prosecuted continued and defended as if such Ordinances were not repealed.

Interpretation of terms.

III. In the construction of this Ordinance the word "Sheep" shall include rams ewes wethers and lambs: The word "Inspector" shall mean any Inspector of sheep who shall be appointed under the provisions of this Ordinance.

#### BUISTS OR STAMPS.

Sheep above six months old to be buisted.

IV. All sheep above the age of six months within the Province of Otago shall be stamped marked or buisted on the wool thereof with the stamp or buist of the owner and such buist or stamp shall not be less than four inches in length and of a proportionate breadth and shall be at all times legible: And for every such sheep not so stamped marked or buisted the owner thereof shall be liable to a penalty not exceeding ten pounds and if such sheep shall exceed four hundred in number such owner shall be liable to a further penalty of not less than threepence nor more than sixpence for every such sheep not being so stamped marked or buisted.

Buists or Stamps to be registered.

V. Every owner of sheep shall cause a correct copy or impression of his buist or stamp to be registered in an office to be appointed by the Superintendent for that purpose and every owner neglecting to register his buist or stamp shall be liable to a penalty not exceeding five pounds and an additional penalty of not more than five pounds for every week he shall continue such neglect after the first conviction.

Superintendent may appoint Registrar.

VI. It shall be lawful for the Superintendent to appoint fit persons to be the Registrars of Buists and to make rules and regulations for the management of any such Registrar's Office and to fix the fees which shall be payable to any such Registrar and all such rules regulations and tables of fees shall be published in the *Government Gazette* and thereupon shall be binding upon all persons whom they may concern and shall have the force of law.

Penalty for using the Registered stamp of another.

VII. After any person shall have so registered a buist or stamp it shall not be lawful for any other person to stamp mark or buist any sheep with a stamp bearing the same mark or one so nearly similar as in the opinion of any of the said Registrars to be not readily distinguishable therefrom: And any person offending against this enactment shall be liable to a penalty not exceeding fifty pounds.

Penalty for unauthorisedly buisting, &c., sheep.

VIII. If any person shall stamp mark or buist any sheep or shall deface or efface any stamp mark or impression upon any sheep without the authority of the owner thereof he shall be liable to a penalty not exceeding one hundred pounds.

Buisting to be *prima facie* evidence of ownership.

IX. The mark or impression of any registered buist or stamp upon any sheep shall be *prima facie* evidence of the ownership of the said sheep by the person in whose name such buist or stamp shall be registered in the office of the said Registrar.

INSPECTORS.

X. The Superintendent by and with the advice and consent of his Executive Council shall from time to time appoint fit and competent persons to be Sheep Inspectors for the Province of Otago and the persons so to be appointed shall devote the whole of their time to the duties of the said office and the Superintendent shall and may with the like advice and consent from time to time remove any such Inspector and appoint another in his stead : And every such Inspector shall have a fixed place of abode where notices and other proceedings may be left or sent and the situation of such place of abode shall be published once at least in the *Government Gazette* of the Province : And one of such Inspectors shall be styled the Chief Inspector and shall be stationed in Dunedin and all communications relative to the department shall be addressed to him and all the other Inspectors shall forward to such Chief Inspector a monthly report of all matters connected with the discharge of their duties.

Superintendent to appoint Sheep Inspectors for the Province of Otago.

XI. It shall be lawful for any Inspector at such times as he may think fit to inspect any sheep within the Province of Otago and for the purposes of such inspection or for the purposes of inspecting and examining any dipping apparatus hereinafter referred to or for doing any other act which he is authorised or empowered to do by this Ordinance it shall be lawful for any Inspector at all reasonable times to have free ingress egress and regress through over and upon any lands or tenements whatsoever in the Province of Otago.

Power of Inspector to enter on lands.

XII. Every owner of any sheep or other person who shall without due cause after having notice in writing from any Inspector of his desire to inspect any sheep refuse to allow such inspection to be made by any Inspector or shall obstruct or shall refuse or neglect to muster his sheep for the purpose of such inspection with all convenient speed or to afford all reasonable facilities for making such inspection to such Inspector shall be subject to a fine not exceeding one hundred pounds.

Penalty for obstructing Inspector.

XIII. Every Inspector upon being required by notice in writing from any occupier of land or by the holder of a Right of Pasturage over land or by any owner of sheep and served personally at such Inspector's usual place of abode shall attend at any place appointed within or not exceeding five miles from his district within a reasonable time after the service of such notice for the purpose of examining any sheep belonging to any such occupier holder or owner and in default of so attending shall forfeit and pay any sum not exceeding fifty pounds and after examining any sheep when required as aforesaid such Inspector shall if such sheep be free from disease grant a certificate in the form and to the effect set forth in Schedule B hereunto annexed.

Inspector to attend and examine sheep whenever required.

And to give certificate if sheep found to be clean.

XIV. It shall be lawful for any Inspector when it shall appear to him to be necessary for the purpose of enabling him to decide satisfactorily upon the condition of any sheep to call upon the owner of such sheep to make a declaration in the form or to the effect specified in Schedule C to this Ordinance annexed and if any such owner shall refuse or neglect to make such declaration when so called upon he shall be liable to a penalty not exceeding fifty pounds and if any person shall make any such declaration knowing the same to be false he shall on conviction thereof before any Resident Magistrate or two Justices of the Peace be liable to a penalty of one hundred pounds or to be imprisoned for a period not exceeding six calendar months.

Inspector may require declaration.

XV. After examining any sheep which it is intended to remove from one run to another *not contiguous* the Inspector shall if such sheep be free from disease grant a certificate in the form and to the effect set forth in

Travelling certificate

Certificates to be produced to Inspectors. Schedule D hereunto annexed and such certificate shall be a sufficient authority for the removal of such sheep by the owner at any time within the period and in the way and manner and by the road prescribed by the said certificate and every such certificate shall specify the district or place to which the sheep therein mentioned are to be driven: And every such certificate shall be produced to any Inspector or runholder or other lawful occupier of land or person acting in his behalf through whose run or land the sheep are driven or about to be driven and who shall desire to inspect the same and any person employed in driving sheep who shall refuse to produce a certificate under this Ordinance when called on so to do shall be deemed guilty of driving such sheep without any certificate and shall be liable to a penalty of not less than sixpence nor more than one shilling for every sheep so driven.

Inspector to endorse memo.

XVI. Every Inspector who shall inspect any such certificate shall endorse thereon a memorandum under his hand to the effect that such certificate has been produced to and examined by him.

In certain cases may defer granting certificate.

XVII. It shall be lawful for the Inspector to defer granting a certificate for fourteen days in cases where he has just grounds for suspecting that any sheep which it is intended to remove from one run to another not contiguous have incurred risk of infection and if any such sheep have been infected with disease he shall not be at liberty to grant such certificate until the expiry of three months after the time they shall be proved by solemn declaration before a Justice of the Peace to have last received a dressing for the cure of such disease.

Penalty for Inspector granting false certificate.

XVIII. If any Inspector shall knowingly grant in a manner not authorised by this Ordinance any certificate for the removal of sheep or any certificate containing any statements or particulars which are not true such Inspector shall forfeit and pay for every such offence any sum not less than fifty pounds nor exceeding one hundred pounds.

Inspectors prohibited from taking any fee other than as provided.

XIX. If any Inspector shall under color of his office or employment exact or accept any fee or reward whatsoever other than his proper salary or allowance as hereby provided he shall be incapable of afterwards holding or continuing in any office or employment under this Ordinance and shall forfeit and pay the sum of fifty pounds and it shall be lawful for the Superintendent to make regulations for the guidance of such Inspectors in the execution of their duty and for carrying this Ordinance into effect which regulations shall be published as hereinafter enacted.

#### IMPORTING SHEEP.

Sheep not to be introduced into the Province except at certain ports and places.

XX. No sheep shall be imported into the Province of Otago by sea at any ports or places except at such places at or near Port Chalmers and Oamaru as the Superintendent may from time to time proclaim and no sheep shall be introduced into this Province by land from the Province of Canterbury except at such ford or fords place or places on the Waitaki river as the Superintendent may direct by proclamation to be published in the *Provincial Government Gazette*: And no sheep shall be introduced into this Province by land from the Province of Southland except at such ford or fords place or places on the Mataura river as the Superintendent may direct by proclamation to be published as aforesaid: Provided that it shall be lawful for the Superintendent by proclamation to be so published from time to time to appoint any other port or ports for the importation of sheep by sea and any other place or places for the introduction of sheep from the Provinces of Canterbury and Southland respectively: Provided also that all sheep imported into the Province of Otago by sea shall be dipped in a proper manner before they shall be removed from the

place at which they shall first be landed nor shall such sheep be removed from such place of landing without the certificate of an Inspector that such sheep (specifying the number and brands or marks) have been duly dipped.

XXI. The Superintendent shall within twelve months after the passing of this Ordinance erect at or near the landing place so to be proclaimed at or near Port Chalmers a good and sufficient apparatus for properly dipping for the cure of scab all sheep which may be landed at the place so to be proclaimed there as aforesaid and shall also within the like period of twelve months erect at or near the landing place so to be proclaimed at or near Oamaru as aforesaid another good and sufficient dipping apparatus for dipping all sheep which may be landed at the place which may be so proclaimed a landing place for sheep at or near that expressed.

Dips to be erected at landing places.

XXII. The charge for dipping sheep in each such dipping apparatus shall be such sum as the Superintendent may from time to time by notice under his hand published in the *Provincial Government Gazette* determine not exceeding in any case the sum of one shilling for every sheep which shall be dipped.

Charge for dipping.

SHEEP ON RUNS, &c.

XXIII. Every owner of sheep shall in the month of September in every year deliver in writing to the Inspector of the District in which such sheep shall be depasturing a return of the number of sheep above six months old owned by him or under his charge and certifying whether the said sheep are free from disease and shall append thereto a declaration that such return is true to the best of his knowledge and belief and every such person neglecting to make such return and declaration or making a false return or declaration shall forfeit and pay a penalty not under ten pounds nor more than fifty pounds.

Owners of sheep yearly to give a return of the number of their sheep, and whether they are clean.

XXIV. Every owner of any sheep infected with the disease called "Scab" or other disease of an infectious nature shall be liable to a fine of not less than one shilling nor more than five shillings for every such infected sheep: Provided that no person who shall have been convicted under this enactment shall be liable to pay any further penalty under the same on account of said disease in the same sheep until the expiration of four months after the date of such conviction as aforesaid: And if it shall appear to the satisfaction of the Justices before whom any conviction under this enactment shall take place that such sheep had been free from the said disease at any time within two months previously to such conviction or that the owner had been using proper and adequate means in the judgment of the Inspector for curing such sheep of such disease it shall be lawful for such Justices to require the person so convicted to enter into a bond or bonds in the form set forth in Schedule E to this Ordinance to the amount of the penalty in which he shall have been convicted and if it shall appear upon the report of an Inspector that during four months thereafter all adequate means have been employed and that the sheep are still diseased without any fault attributable to the owner a further period of four months may be allowed for effecting their cure and if at any time within either the said first period of four months or second period of four months if allowed such sheep shall appear upon the report of an Inspector to be free from such disease such bond shall be cancelled but if it shall not so appear then such bond shall be enforced in a summary way: Provided that if the owner of such infected sheep is willing to enter into such bond or bonds the Inspector shall take such bond or bonds from such owner of sheep and the Inspector shall in that case lodge such bond or bonds in the hands of the Clerk of the nearest Resident Magistrate.

Persons having sheep infected with disease to be fined.

XXV. If any owner shall suffer any sheep infected as aforesaid to stray or without having obtained a certificate as hereinbefore mentioned shall

Not to be driven on highways.

drive or conduct any such sheep or permit or suffer any such sheep to be driven or conducted upon any highway or to be conveyed across any ferry in the boats used at such ferry every owner shall forfeit and pay for every such offence any sum not less than five pounds nor more than one hundred pounds: Provided always that nothing herein contained shall prevent infected sheep from being conveyed on any highway in covered vehicles and that it shall be lawful for any person upon whose land any sheep are trespassing to remove the same therefrom and to drive or conduct any such sheep or to cause permit or suffer any such sheep to be driven or conducted to the place of abode of the owner thereof or to such place from whence they have strayed provided such sheep be free from disease.

Mode of proceeding when sheep to be driven through a run.

XXVI. Any person about to drive any sheep through or across any lawfully occupied land or run shall give to such occupier at least twenty-four hours' previous notice in writing of the day on which such sheep are so to be driven either by delivering such notice to him personally or by leaving the same at the principal house or station on such run endorsed with the words "Sheep Notice" on the cover or outside of such notice with an adult inmate of such house or station or if no such inmate be found leaving the same either within the said house or station if open or below or affixed to the door thereof and such notice shall set forth the brands or buists on such sheep as also the name of the owner and such notice shall be renewed unless the sheep shall be so driven within the time above specified: And every person offending against the provisions of this enactment shall be liable to a penalty of not less than ten pounds nor more than one hundred pounds and such penalty shall be incurred and may be levied over and above any penalty incurred in virtue of any other provision herein contained.

Separate Informations may be laid by every person whose run is crossed, &c.

XXVII. Nothing herein contained shall prevent separate informations being laid and prosecuted by every occupier of land upon which sheep infected as aforesaid shall have been driven depastured or suffered to stray without the owner having obtained either the written consent of the occupier or a certificate as hereinbefore enacted and by every occupier of land through or adjacent to which any public way shall lie upon or along which public way any such infected sheep shall have been suffered to stray or been driven or depastured and any Inspector shall have the same power to prosecute which is hereby made competent to every occupier.

Sheep may be examined without warrant by occupier of run on which found.

XXVIII. Every occupier of land or of a right of pasturage may without any warrant examine or cause to be examined any sheep which shall be found upon the land or run in his occupation or upon any part of a highway passing through or lying adjacent to such land or run.

A yard for inspecting sheep to be upon every run. Penalties for resisting inspection.

XXIX. There shall be at some convenient place on every run an enclosed yard and pen for the greater facility of examining sheep into which the Inspector may require the owner to drive them for that purpose and every owner who shall neglect to construct and maintain in sufficient condition such yard and pen shall be subject to a fine of not less than fifty pounds nor more than one hundred pounds.

Owner of sheep to erect dipping apparatus.

XXX. Every owner of any sheep depastured on any run within the Province of Otago shall within twelve months after the passing of this Ordinance or within twelve months after the run on which such sheep are depastured shall have been used for the purpose of depasturing sheep (if such run shall not at the time of the passing of this Ordinance be used for that purpose) erect and thenceforth maintain in good working order on the said run or on some land in his own occupation immediately adjoining thereto a good and sufficient apparatus for properly dipping for the cure of scab so many sheep as he shall for the time being be the owner of: Provided always

that it shall not be necessary to erect a new dipping apparatus where a dipping apparatus conforming to the terms of this Ordinance has been already erected.

XXXI. Every such dipping apparatus shall be constructed to the satisfaction of the Inspector and if such owner of sheep shall fail to erect such dipping apparatus to the satisfaction of such Inspector within the time hereinbefore limited for the purpose he shall be liable to a penalty of not more than fifty pounds and for every calendar month after the expiration of such time that shall elapse before he shall have so erected such apparatus he shall be liable to a separate penalty of not more than fifty pounds.

Dips to be constructed to satisfaction of Sheep Inspector.

XXXII. If any owner shall not maintain any dipping apparatus erected or to be erected as aforesaid in complete repair and good working order to the satisfaction of the Inspector and shall not from time to time if necessary alter and enlarge the same to the like satisfaction so that it may be sufficient for properly dipping the number of sheep of which he is for the time being the owner he shall be liable to a penalty of not more than ten pounds and for every fourteen days for which he shall neglect to repair put in order alter or enlarge the said dipping apparatus after notice in writing so to do shall have been given him by the said Inspector he shall be liable to a separate penalty of not more than ten pounds.

Owner neglecting to maintain dip or to keep same in repair liable to penalty.

XXXIII. Whenever the owner of any sheep shall become aware or shall have reasonable grounds to suspect that the same are infected with disease as aforesaid he shall within twenty-four hours thereafter give notice thereof in writing to the adjoining sheep owners in the manner hereinbefore prescribed for the notice required by section twenty-four hereof and within ten days shall give similar notice to the Inspector of the district in which such sheep are either by delivery of such notice to him personally or by leaving the same at such Inspector's place of abode and in default thereof such owner shall forfeit and pay for such offence any sum not less than twenty pounds nor more than one hundred pounds.

Owner to give notice of sheep infected, or suspected to be so.

XXXIV. All sheep forming one distinct flock shall be deemed to be infected as aforesaid within the meaning and for the purpose of this Ordinance of which one is so infected or which shall be known by the owner thereof to have mixed with other sheep infected as aforesaid and if any owner shall lodge written information to that effect with any Inspector he shall be bound to institute inquiry into the truth of the information and every owner shall be deemed to know that his sheep have so mixed whenever a written notice to that effect signed by an Inspector shall have been served on such owner personally or have been left at his last usual place of abode for twenty-four hours.

All sheep in a flock to be deemed infected if one is so, or if sheep have mixed with infected sheep.

XXXV. If any owner or other person shall wilfully set at large or abandon any sheep infected as aforesaid he shall forfeit and pay for every sheep so set at large and abandoned any sum not less than one pound nor more than five pounds: Provided that such penalty inflicted for any number of sheep at one time shall not exceed one hundred pounds: And it shall be lawful for any Inspector to destroy any sheep infected as aforesaid which shall be wandering at large and the owner thereof is unknown and cannot be ascertained after reasonable enquiry.

Penalty for abandoning diseased sheep.

XXXVI. Every occupier of a run within ten days after becoming aware or being informed that stray sheep have mixed with his flock shall give notice thereof in writing to such owner if known and in such notice shall appoint a time not less than one week nor more than one month from the delivery of such notice for the owner of such stray sheep removing the same to his own run and the one failing to give such notice and the other when such notice is

Occupiers of runs to give notice when stray sheep mix with their flocks.

given failing to attend at the time and place appointed and to remove such sheep shall be liable to a penalty not exceeding ten pounds : If the owner of such stray sheep be unknown a similar notice shall be given to the Inspector.

Recovery of strayed sheep.

XXXVII. Any Justice of the Peace may upon the application of any owner of sheep who has reason to believe that any of his sheep have strayed to and upon land or a run occupied by any other person by writing under his hand direct such occupier to muster his sheep in a pen at some time within two months after the receipt of such direction in writing for the purpose of delivering over such stray sheep to the owner thereof at least seven days' previous notice shall be given by such occupier to the owner of such stray sheep of the time at which such muster shall be made and every such occupier who shall refuse or neglect to comply with any such direction in writing or to give such notice shall be subject to a penalty of not less than five nor more than twenty pounds : Provided always that such occupier shall be entitled to recover from such owner any reasonable expense of mustering or delivering such sheep : Provided also that a certificate under the hand of an Inspector that the flock with which such stray sheep have mixed is not in a condition to be moved within such period of two months shall be a valid excuse for postponing the delivery of any such stray sheep.

Infected sheep may be destroyed.

XXXVIII. If any sheep infected as aforesaid shall be found on any land not lawfully in the exclusive occupation of the owner of such sheep and not being a public road or being within the limits of a Hundred it shall be lawful for an Inspector if he shall think it necessary so to do to cause such sheep or any of them to be destroyed and such Inspector shall keep a correct account of the number and description of sheep so destroyed and the expenses incurred by him in destroying them : Provided that if the owner of such sheep shall have complied with all the provisions of this Ordinance before the discovery of such infection he shall be entitled to compensation not exceeding five shillings for every sheep so destroyed the amount of compensation to be so awarded shall be determined by a Resident Magistrate or by two Justices of the Peace upon the evidence of the Inspector who may have directed such sheep to be destroyed and such other evidence as may be brought before him or them and such amount together with the amount of the expense incurred in destroying such sheep shall be paid out of the Provincial Revenue under warrant of the Superintendent in the usual way and the whole amount so paid shall be chargeable in the following year as part of the expenses for carrying out the provisions of this Ordinance.

Provision made for the expense of working the Ordinance.

XXXIX. From and after the coming into operation of this Ordinance it shall be lawful for the Superintendent to make and levy a rate yearly upon all sheep depasturing upon the Waste Lands of the Crown whether held under lease or license for depasturing purposes or otherwise which rate shall be sufficient to pay the salaries of the said Inspectors and of carrying out the other provisions of this Ordinance as well as the expenses incidental to the levying and collecting of such rate and every owner of such sheep shall make payment of the amount for which he is rated on or before the first day of January in each year and it shall be lawful for the Superintendent from time to time to appoint Assessors and Collectors of such rate and to regulate the duties of such Assessors and Collectors and also the mode of making such assessment and of collecting and enforcing payment of such rate : Provided always that notice of such rate shall be served upon every owner of such sheep on or before the first day of November in each year and provided also that no regulations by this Ordinance authorised to be made shall have force until after they shall have been published in the *Provincial Government Gazette*.



XL. If the occupier of any run or any other person shall knowingly or maliciously clip take or remove from any sheep not belonging to him the wool of such sheep he shall be liable to a penalty of not less than ten shillings for every fleece or part of a fleece so clipped taken or removed over and above the value thereof.

Penalty for clipping or taking wool from sheep.

XLI. Every person who shall drive or remove any sheep belonging to him or under his charge from a run in the occupancy of another or cause such sheep to be driven or removed therefrom without the consent of the occupier of such run shall be liable in a penalty of not less than ten pounds for every such offence.

Penalty for removing sheep without consent of owner.

XLII. The owner who shall fail to consume by fire or to bury at least three feet under ground within twelve hours after death the carcass of any sheep which shall have died within half-a-mile of any road or thoroughfare shall be liable to a penalty of not less than ten shillings nor more than five pounds for each carcass not so buried or destroyed.

Penalty for not burying or burning carcass of infected sheep.

XLIII. If any person by himself his servant or agent shall cast or cause to be cast the carcass of any sheep into any stream or pond or other water he shall be liable to a penalty of not less than five pounds nor more than twenty pounds.

Penalty for casting such carcass into the water.

XLIV. If any person shall slaughter and expose for sale or shall have in his possession for the purpose of slaughtering and exposing for sale any sheep infected with disease or shall expose for sale the carcass or any part of the carcass of any sheep so infected he shall be liable for each such offence to a fine of not less than one pound nor more than five pounds one-half of such fine to be paid to the informer and such infected carcass or such part thereof shall be thereupon destroyed in such manner as any Justice of the Peace may direct.

Penalty for exposing for sale any diseased animal.

XLV. It shall be lawful for any occupier of land or other person interested and also for any such Inspector and any such occupier or person interested not prosecuting such Inspector is hereby required to prosecute for any fines or penalties incurred by any breach of this Ordinance and no abandonment of any such prosecution or compromise made by any private party shall affect the Inspector's power to prosecute for and recover any such fine or penalty: And every information under this Ordinance may be laid before and a summons thereupon issued by one Justice of the Peace but the same shall be heard and determined by at least two Justices of the Peace.

Persons interested or Inspectors to prosecute. Informations may be laid before one Justice of the Peace; hearing by two.

XLVI. Over and above any other penalty imposed by this Ordinance and to which any person convicted of infringing the same shall be subjected he shall also be liable to pay to the owner of any sheep to which any disease shall have been communicated by his unlawful act or omission such sum or sums of money if demanded by the owner as in the judgment of any two Justices of the Peace may be sufficient to reimburse such owner for any expense loss or damage which he may have in consequence incurred or sustained so that such sum or each of such sums shall not in any such case exceed the sum of one hundred pounds: Provided always that nothing in this Ordinance shall be construed to limit or deprive any person suffering any such loss or damage of any remedy which he might have had at law or otherwise for recovering the same if this Ordinance had not been passed.

Owners of diseased sheep to be liable in damages to parties injured.

XLVII. All fines penalties and damages imposed or awarded under the authority of this Ordinance shall be recoverable in a summary way and damages when awarded at the suit of a private party shall be paid to such private party.

Fines, penalties, and damages, recoverable in a summary way.

Maximum penalty.

XLVIII. No penalty to be imposed on any one convicted under the provisions of this Ordinance shall exceed the sum of one hundred pounds.

List of diseased flocks  
to be published  
monthly.

XLIX. There shall be published by the Inspector resident in Dunedin at least once in every month in one or more newspapers within the Province a list of all stations on which there are at that time any sheep infected with scab or catarrh.

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## SCHEDULES.

### SCHEDULE A.

The "Sheep Ordinance, 1856," September 5, No. 12.

The "Sheep Ordinance Amendment Ordinance, 1867," September 6, No. 21.

The "Sheep Ordinance Amendment Ordinance, 1861," September 12, No. 49.

The "Scab Prevention Ordinance, 1862," September 15, No. 80.

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### SCHEDULE B.

#### CERTIFICATE OF INSPECTORS.

I, A. B., hereby certify that I have carefully examined sheep branded  
the property of C. D., now being depastured at and that I find said  
sheep to be entirely free from scab.

Given under my hand at this day of 18  
A. B.,  
Inspector of Sheep.

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### SCHEDULE C.

#### DECLARATION TO BE MADE BEFORE INSPECTOR AS TO SHEEP EXAMINED BY HIM.

I, A. B., of do hereby solemnly declare that (I have made  
to the best of belief, a complete muster of all sheep under my charge, and that\*) my sheep branded  
being in number now being at have not within†  
had applied to any of them any reputed scab-destroying preparation, nor within† been  
mixed with any sheep infected with the scab; and I make this solemn declaration, conscientiously  
believing the same to be true.

Declared before me at this day of 18  
C. D.,  
Inspector of Sheep.

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\* May be omitted when not required by Inspector.

† State period.

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SCHEDULE D.

FORM OF CERTIFICATE TO BE GRANTED BY INSPECTOR.

I do hereby certify that I have authorised (name, residence, and description of owner) to drive or conduct (number of sheep and marks or other description) sheep from (description of place where from) to (description of place where to), by the road (description of road) the said sheep being free from disease (or having been dressed to my satisfaction as the case may be).

This certificate to be in force for (number of days) days from the date hereof.

H. B.,  
Inspector of Sheep.

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SCHEDULE E.

WHEREAS (here shortly narrate the complaint and judgment) I hereby undertake, four months from the date hereof, to pay to Clerk to the Bench at the sum of and in default thereof I consent that the said sum, together with the costs incurred by such default, shall be levied by distress and sale of my goods and effects, wheresoever found, any law or Ordinance to the contrary notwithstanding.

Dated at this day of 18

(Signed)