



SHEEP ORDINANCE AMENDMENT ORDINANCE, 1857.

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

No. 21.

ANALYSIS.

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Preamble.	7. Buisting to be <i>prima facie</i> evidence of ownership.
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AN ORDINANCE to amend the *Sheep Ordinance, 1856, in so far as relates to the* Title.  
*Marking of Sheep, and in certain other particulars.*

WHEREAS it is expedient to amend in certain particulars the "Sheep Preamble,  
Ordinance, 1856," passed by the Superintendent and Provincial  
Council of Otago, and to make new and further provision for the marking  
of Sheep within the said Province.

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

Repeal of provisions of Sheep Ordinance, 1856, repugnant to this Ordinance.

1. Sections second, third, fourth, fifth, and sixth of, and all other provisions in the Sheep Ordinance, 1856, passed by the Superintendent and Provincial Council of the Province of Otago, which are repugnant to the Provisions of this Ordinance, or that would in any way interfere with the operation thereof, are hereby repealed.

Sheep above three months old to be buisted.

2. All sheep above the age of three months, within the Province of Otago, shall be stamped, marked, or buisted, on the wool thereof, with the buist or stamp 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 three pence nor more than sixpence for every such sheep not being so stamped, marked, or buisted.

Buists or Stamps to be registered.

3. 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 so to register his buist or stamp, on or before the first day of February, 1858, and every person thereafter becoming an owner neglecting so 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.

4. 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.

5. 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.

6. 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.

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

Amendment of 33rd clause of Sheep Ordinance.

8. Whereas a clerical mistake has occurred in the thirty-third section of the said Sheep Ordinance, 1856, by the insertion of the word "not" before the word "belonging," in the said section; the thirty-third section of the said Ordinance shall be and is hereby amended to the following effect, that is to say,—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.

9. No fine or penalty by the said Ordinance, or this Ordinance, authorised to be imposed shall in any case, for any offence, exceed in the aggregate one hundred pounds. No penalty imposed by said Ordinance to exceed in the aggregate £100.

10. This Ordinance may be cited and referred to as the "Sheep Ordinance Amendment Ordinance, 1857." Short Title.

Passed the Provincial Council this 6th day of November, 1857.

JAMES MACANDREW,  
*Speaker.*

ROBERT CHAPMAN,  
Clerk of Council.

Assented to, on behalf of the Governor, at Dunedin, the Sixteenth day of November, One Thousand Eight Hundred and Fifty-seven.

W. CARGILL,  
*Superintendent.*