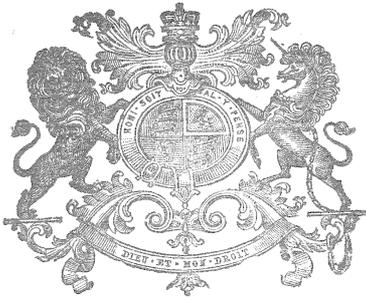


PROVINCE OF AUCKLAND.



CATTLE BRANDING ACT.

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

SESSION 5. No. 7.

ANALYSIS.

- Title.
Preamble.
1. Repeal of all Laws in force within the Province repugnant to the provisions of this Act.
 2. The Superintendent empowered to appoint or extinguish districts, or extend or contract the limits thereof.
 3. And to appoint persons to act as Registrars of Brands in such districts.
 4. Registrars to register in their districts when requested.
 5. Sales of cattle to be registered, on request of buyer or seller.
 6. Owners of cattle to register their brands now in use.
 7. No brand but a registered one to be used in branding cattle.
 8. Registrar to transmit to every other Registrar copy of brands registered by him.
 9. Registrars not to register after a time limited any brand closely resembling any other one previously registered.
 10. All cattle to be branded if above the age of nine months, or if the Registrar shall give notice in writing that they are, in his opinion, of that age.
 11. Penalty not exceeding £10 for offending against any of the preceding enactments.
 12. Persons altering or defacing brands liable to imprisonment for any term not exceeding one year.
 13. Penalties to be recovered before a Justice of the Peace, one moiety whereof is to be paid to the party suing, and the other moiety to be paid into the Provincial Treasury.
 14. Definition of the words "Cattle," and "Owner."
 15. Act to come in force first day of May, 1856.
 16. Short title.

AN ACT to Provide for the Branding of Cattle in the Province of
Auckland. Title.

WHEREAS it is expedient to make provision for the branding Preamble.
of cattle within this Province, and for the registration of
the brands which are or shall be in that behalf respectively used
therein :

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

Repeal of all laws in force within the Province repugnant to the provisions of this Act.

1. All laws in force in the said Province that are repugnant to the provisions of this Act, or that would in any way interfere in the operation thereof, are hereby repealed.

The Superintendent empowered to appoint or extinguish districts, or extend or contract the limits thereof.

2. The Superintendent of the said Province shall and may, from time to time, and as to him it shall seem meet, constitute and appoint districts therein for the purposes of this Act, and may extend or contract the limits of such districts, or extinguish such districts, and constitute and appoint other districts in lieu thereof.

And to appoint persons to act as Registrars of Brands in such districts.

3. Such Superintendent shall and may, from time to time, and whensoever and as often as to him it shall seem meet, appoint competent persons to act in the capacity of Registrars of Brands, which persons shall hold such office at the pleasure of such Superintendent.

Registrars to register when requested.

4. Every such Registrar shall register within his district, on being thereunto requested, and in a book to be by him in that behalf provided and kept, the brands used, or to be used, in and for the branding of cattle depasturing or being in such district.

Sales of cattle to be registered on request of buyer or seller.

5. Every such Registrar shall, in a book to be by him in that behalf provided and kept, register all sales of cattle depasturing or being in such district, and the imprint of the brands (if any) upon the cattle at the time of such sale, on being thereunto requested by the buyer or seller of the cattle so sold.

Owners of cattle to register their brands now in use.

6. The owner of branded cattle depasturing or being within such district shall, within a time to be in that behalf limited by such Superintendent, cause the brands with which such cattle shall have been branded to be registered by the Registrar of Brands for such district.

No brand but a registered one to be used in branding cattle.

7. No brand shall be used within any such district, in or for the purpose of branding cattle therein, except such brand shall have been previously registered by the Registrar of Brands for such district as the brand of the person so using the same.

Registrar to transmit to every other Registrar copy of brands registered by him.

8. Every such Registrar shall transmit, during the first week in every month, unto every other such Registrar of Brands within the Province, a copy of the registration of every brand so registered by him during the month immediately preceding the first day of such week.

Registrars not to register after a time limited any brand

9. For the purpose of preventing disputes as to the ownership of cattle, no such Registrar shall, from and after the said time

to be so limited by the said Superintendent as aforesaid, register any brand for the branding of cattle, whether such brand shall or shall not have been previously used for such purpose, if the imprint of such brand cannot, in the opinion of such Registrar, be readily and easily distinguished from the imprint of any other brand previously registered for such purpose by the said Registrar, and by such other Registrars as aforesaid.

closely resembling any other one previously registered.

10. The owner of unbranded cattle, depasturing or being within such district, shall cause the same to be distinctly and permanently branded with the registered brand (and none other) of the said owner, registered in such district in manner aforesaid, if such unbranded cattle shall be above the age of nine months, or if the Registrar of Brands for such district shall give notice in writing to the said owner that such cattle are, in the opinion of the said Registrar, above the age of nine months.

All cattle to be branded if above the age of nine months, or if the Registrar shall give notice in writing that they are in his opinion of that age.

11. Any person who shall offend against any of the enactments hereinbefore contained shall forfeit and pay, for every such offence, any sum of money not exceeding ten pounds sterling.

Penalty not exceeding £10 for offending against any of the preceding enactments.

12. If any person shall alter, deface, obliterate, or in any way affect the brand upon any cattle within the said Province, for the purpose of preventing the said brand from being readily and distinctly recognized at any future time, he shall be liable for such offence, upon conviction thereof before any Court empowered to hear and determine offences in a summary way, to be imprisoned, with or without hard labour, for any term not exceeding one year.

Persons altering or defacing brands liable to imprisonment for any term not exceeding one year.

13. All penalties for offences against the enactments of this Act may be sued for and recovered by any person who will sue for the same within six months from the commission of every such offence; and the money so to be recovered shall, after payment of the costs and expenses attending the recovery thereof, be paid and apportioned as follows, (that is to say)—one moiety thereof shall be paid to the person so suing, and the other moiety thereof shall be paid into the public Treasury of the said Province, for the purpose of being appropriated to the public service of such Province, by the Local Legislature thereof.

Penalties to be recovered before a Justice of the Peace, one moiety whereof is to be paid to the party suing, and the other moiety to be paid into the Provincial Treasury.

14. In the construction of this Bill, the term "Cattle" shall mean one or more bulls, cows, oxen, heifers, steers, or calves; and the term "Owner" shall mean the person resident in the said Province, and possessed in severalty or jointly, or in common; or, in the event of the persons so possessed in severalty, or the whole of the persons so possessed jointly, or in common, not being within such Province, the person or persons agisting any such cattle as hereinbefore mentioned, or otherwise having charge thereof.

Definition of words "Cattle" and "Owner."

15. This Act shall take effect and be in force within the said Province from and after the first day of the month of May, one thousand eight hundred and fifty-six.

Act to come in force from and after the 1st of May, 1856.

Short title.

16. The short title of this Act shall be "*The Cattle Branding Act, 1856.*"

T. H. BARTLEY,
Speaker.

*Passed the Provincial Council
this Eighth day of April,
One thousand eight hundred
and Fifty-six.*

STEPHEN E. HUGHES,
Clerk of Auckland Provincial Council.

*On this Ninth day of April, One
thousand eight hundred and Fifty-six,
I assent to this Act on behalf of the
Governor.*

J. LOGAN CAMPBELL,
Superintendent.