

## No. XVI.

CATTLE TRESPASS.

AN ORDINANCE to provide for the Summary Recovery of Compensation for Damage done by Cattle Trespassing. [14th March, 1842.]

Preamble.

WHEREAS serious injury is caused by cattle wandering over or breaking into cultivated or enclosed grounds, and it is expedient to provide an easy and speedy remedy for the same:

BE IT ENACTED by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof, as follows:—

Damages to be recovered in a summary way.

1. Whenever any cattle shall trespass upon the land of any person which shall be substantially fenced, and shall do any damage thereon, it shall be lawful for the Police Magistrate of the district, or for any two Justices of the Peace having jurisdiction therein, upon the application of the person suffering such damage, to hear and determine the case in a summary way, and on being satisfied by the oath of a credible witness as to the amount of such damage, to award to the party sustaining the same any sum not exceeding twenty pounds by way of compensation for the same.

Penalty for cattle wandering in public streets.

2. If any cattle shall be found wandering at large in any street or public place within the limits of any town or village which shall be proclaimed by His Excellency the Governor to come within the operation of this Ordinance, the owner thereof shall forfeit and pay for every head of cattle so wandering any sum not exceeding five shillings, to be recovered in a summary way.

Interpretation of clause.

3. For the purpose of this Ordinance the word "Cattle" shall be taken to include horned or neat cattle, horses, sheep, goats, and swine.

Commencement of Ordinance.

4. This Ordinance shall come into operation on the twenty-fifth day of April, one thousand eight hundred and forty-two.

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