

No. VI.

AN ORDINANCE to authorize and regulate the Impounding of Cattle. [16th September, 1847.]

IMPOUNDING.

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

Preamble.

I.—POUNDS AND POUNDKEEPERS.

1. It shall be lawful for His Excellency the Governor, when and as often as he may deem necessary, and at such places and for such districts as may appear convenient, to erect and maintain and to authorize any private person to erect and maintain or to appoint any suitable premises already elected, adjoining to some public highway, to be established and maintained as public pounds for the purposes of this Ordinance, and for the greater convenience of resort to such pounds, from time to time to cause any such pound to be removed to and erected at any other place.

Power to Governor to establish public pounds.

2. It shall also be lawful for the Governor to appoint fit and proper persons to be the keepers of any such pounds at such salaries as to him may appear reasonable, and from time to time to displace and remove the keeper of any such pound and to appoint a fit and proper person in his place.

And to appoint poundkeepers.

3. Every such poundkeeper shall from time to time give security for good behaviour in his office by bond by himself and such sureties in such form and in such reasonable sum or sums respectively as His Excellency the Governor may think fit to require.

He shall give security.

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Notice in Govern-
ment *Gazette* proof
of appointment.

4. A notification of the appointment or removal of any public pound or poundkeeper as the case may be shall be inserted in the *Government Gazette*, signed by the Colonial Secretary in ordinary form, and such notification shall be taken to be sufficient evidence that such pound or poundkeeper hath been legally appointed or removed as in the said notification shall be contained.

Power to Governor
to advance funds
for the building of
Pounds.

5. It shall also be lawful for the Governor to advance and issue such sums as may be necessary for erecting and maintaining any such pounds as aforesaid.

Pounds to be securely
fenced and divided.

6. Every such pound shall be properly fenced and enclosed and adapted as far as may be for keeping cattle infected with any contagious disease separate and apart from those in health, and if any poundkeeper shall not keep up and maintain the said enclosures in proper repair, or shall knowingly keep or permit to be kept any cattle infected with disease in the same enclosure with cattle not so infected, or shall not keep the said pound clean or in good order, or the cattle which from time to time shall be impounded therein supplied with sufficient wholesome food and water, every such poundkeeper shall upon conviction of any such neglect forfeit and pay a sum not exceeding five pounds nor less than one pound.

II.—POUND FEES, DAMAGES, AND CHARGES.

Pound fees and
charges.

7. The fees to be taken and charged by any poundkeeper as and for pound fees, and the price to be charged and paid for the sustenance of cattle committed to any such pound, shall be those specified in Schedule A hereunto annexed: Provided always that it shall be lawful for the Governor, by notification in the *Government Gazette*, from time to time to increase reduce or otherwise vary the said fees and charges as occasion may require.

Justices to assess
rates of ordinary
damages.

8. It shall be lawful for the Justices of any district in which any such pound shall be established, at any meeting for the purpose of which notice shall have been given, or the major part of them, to estimate and assess reasonable rates for the general or ordinary damages which shall and may be demanded in a summary way by the owner of any lands, without proof of special damage, for the trespass of any cattle thereon, which rates shall be proportioned according to the respective descriptions and value of the crops growing upon the lands trespassed upon, and also to the respective descriptions and nature of the cattle trespassing, and to frame a table of such rates as near as may be according to the form in the Schedule B hereunto annexed.

And to fix other fees.

9. It shall also be lawful for such Justices, at any such meeting as aforesaid, to specify all such reasonable fees as shall be taken and charged by any poundkeeper for any matter or thing required to be done by him under and by virtue of this Ordinance and not herein specially provided for: Provided always that such rates and fees shall be subject to the alteration or disallowance of the Governor, and after being so altered or allowed, and after such alteration or allowance shall have been notified in the *Government Gazette*, shall and may be lawfully taken demanded and recovered respectively as aforesaid.

Pound fees and
charges may be
received by pound-
keeper.

10. It shall be lawful for the keeper of any public pound to demand and receive as pound fees and charges for the cattle of the several descriptions which shall be impounded therein, the several and respective sums which may from time to time be appointed in manner herein provided, and if the owner of any cattle impounded shall release the same upon payment to the keeper of the said pound of the sum of money for which the said cattle were impounded, the said poundkeeper shall pay the same to the party who impounded such cattle on his demand thereof; and if such poundkeeper shall fail so to do, he shall

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on conviction forfeit and pay for such his default the penalty of five pounds.

11. It shall also be lawful for any such keeper to demand have and receive for the impounding of any cattle, and for feeding and maintaining the same whilst impounded, and for giving notice thereof to the owner, and for all other matters and things which are by this Ordinance required to be done by him, all such fees and charges as shall at any time be authorized to be taken and charged as herein provided. Such fees and charges so to be taken as aforesaid shall be duly and faithfully accounted for and paid over by such poundkeeper once in every quarter of a year, or on or before the first days of January April July and October respectively, to the Colonial Treasurer, to be applied to the public uses of the Colony and support of the Government thereof: Provided always it shall be lawful for the Governor from time to time to appoint and declare that such fees and charges or any or what proportion thereof shall go to and be applied by any such poundkeeper as aforesaid in full payment or on account of salary and remuneration.

And other fees.

12. If any poundkeeper shall demand or take any greater sum for the impounding of any cattle, or for doing any act matter or thing, than such poundkeeper shall be so authorized to demand or take, or shall fail duly to account and pay as aforesaid, every such poundkeeper shall forfeit and pay for every such offence a sum not exceeding five pounds nor less than one pound.

Penalty for taking fees not authorized.

III.—THE IMPOUNDING OF CATTLE.

13. It shall be lawful for any person, or the agent, bailiff, or servant of any person upon whose land enclosed by a fence and within any such district as aforesaid any cattle the owner whereof shall be known to him may be found trespassing, to impound and detain the same in any convenient place upon his lands if he shall think fit so to do, provided that he shall within twenty-four hours of such impounding give or cause to be given to the owner of the said cattle the like notice as is hereinafter required to be given to the keeper of any public pound by any person sending cattle thereto, and provided also that he shall feed and maintain the same cattle whilst so impounded, and shall not keep them so impounded longer than three whole days of twenty-four hours each, but shall, at the expiration of such three days, if not sooner released, upon payment of his lawful charges, drive or cause the same to be driven to the nearest public pound, and lodged therein in manner hereinafter mentioned: Provided also that any person impounding cattle on his own land as aforesaid, or his agent, bailiff, or servant, shall not be entitled to demand or receive any compensation for damage done by the said cattle save and except for such damage as was done before their first-mentioned impounding, or any fee or charge for such impounding except such as shall by law be chargeable by the keeper of the nearest public pound for feeding and maintaining.

Cattle trespassing may be impounded on his own ground by the owner of the land trespassed upon.

14. It shall also be lawful for any person, or the agent, bailiff, or servant of any person upon whose land so enclosed and being within any such district as aforesaid any cattle shall be found trespassing, to drive or lodge or cause the same to be driven or lodged in the public pound nearest to the said land, and the person impounding any such cattle shall specify in writing to the keeper of the said pound the number and kinds of the cattle impounded and the name of the owner, if he be known, or supposed owner, or that he is wholly unknown, the place where the said cattle were trespassing, and the amount of damages claimed for the trespass.

Or be taken to the pound.

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Penalty for otherwise
impounding.

15. If any owner or occupier of land, or his agent, bailiff, or servant, shall impound any cattle in any pound or place not authorized by this Ordinance, or in any manner contrary to the directions and provisions thereof, every person so offending shall upon conviction forfeit and pay for every such offence a fine not exceeding ten pounds.

Notice to be given to
owner of cattle
impounded.

16. If any impounded cattle shall not be followed to the pound or claimed by the owner thereof or by some one on his behalf within twenty-four hours after the same shall have been impounded, the keeper of the said pound shall, as soon as possible after the expiration of the twenty-four hours, send notice in writing to the said owner, if he be known to him and shall reside within five miles of the said pound, or to his agent or bailiff if the said owner shall reside at a greater distance and have a known agent or bailiff residing within five miles, which notice shall contain the same particulars as are required to be given to the poundkeeper by the person impounding the same, and also shall contain notice of the time and place where the said cattle will be sold if not sooner released from the said pound by the owner or some one on his behalf, and also the sum of money for which the same were impounded; and the said notice shall within the distance aforesaid be delivered personally to the said owner, agent, or bailiff, or left for him at his usual place of abode. And if the said owner, agent, or bailiff be known, and reside at a greater distance than five miles from the said pound, then the said poundkeeper shall send the like notice, addressed to the owner, agent, or bailiff, by post, as soon as possible after the expiration of twenty-four hours from the time of impounding; and if neither owner, nor agent, nor bailiff be known to the said poundkeeper, then he shall cause the like notice to be posted at the nearest church, post office, or police station, and the notice in the Schedule marked E hereunto annexed to be inserted in the *Government Gazette* which shall be published next after the expiration of the said twenty-four hours, and in which it shall be possible to cause the same to be inserted: Provided always that when the cattle impounded under the provisions of this Ordinance shall consist of sheep goats swine or calves and be not more than two in number, it shall not be necessary to give any other notice of such impounding than by affixing a notice thereof on the pound in manner herein directed.

If not released, cattle
to be sold.

17. If any impounded cattle shall not be released from the said pound by the owner thereof or by some one on his behalf within seven days after notice shall have been given to the said owner, his agent or bailiff, by delivering the same to him personally, or by leaving the same at his usual place of abode, or within twenty-one days after the notice shall have been despatched through the post or inserted in the *Government Gazette*, as the case may require, which periods of seven days and twenty-one days respectively shall be reckoned exclusive of the day upon which the said notice shall have been delivered or despatched or inserted, it shall be lawful for the said poundkeeper to apply to any Justice of the Peace, not being a party interested in the said matter, for an order for the sale of the said cattle; and the poundkeeper shall at the time of such application produce and show to the said Justice the pound-book kept by him as by this Ordinance directed, or an extract of so much thereof as may apply to the case, and also such other proofs by the oath of the said poundkeeper or others as the said Justice may require, that such poundkeeper has complied with the terms and provisions of this Ordinance; and thereupon such Justice shall and may, if he be satisfied that such terms and conditions have been complied with, make an order under his hand authorizing the sale of such cattle, or otherwise shall direct such acts to be done as shall have been

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been omitted, and in the meantime shall suspend the order for the said sale until a future day to be appointed anew by him and until the said terms shall have been complied with, the notice of which suspension and future time of sale shall be given by the said poundkeeper to the owner, his agent or bailiff, personally or at his usual place of abode, or through the general post, or by insertion in the Government *Gazette*, as the case may require, and in the same manner respectively as herein provided for giving the original notice of impounding: Provided always that when any such delay and suspension of sale shall be necessary in consequence of the neglect of the said poundkeeper, the costs of all further proceedings and notice, as well as of the future feeding and maintaining of the said cattle, shall be borne by the said poundkeeper.

18. All sales of impounded cattle shall take place on the tenth day after the same shall have been impounded in all cases where notice of impounding shall have been affixed as aforesaid or given to the owner, or his agent or bailiff, by delivering the same to him personally or by leaving the same at his usual place of abode, and in all other cases on the twenty-fourth day after such notice shall have been despatched through the post or inserted in the Government *Gazette* or affixed as aforesaid, unless the said tenth or twenty-fourth day as the case may be shall happen to be Sunday or Christmas Day or Good Friday, and then on the following day, and unless the sale be suspended by order of a competent judge.

19. All such sales shall take place at the public pound where the said cattle shall have been impounded and shall commence at the hour of noon, and not more than ten head of sheep or goats or five pigs shall be put up in any one lot, and not more than one horse or one head of any other cattle; and neither the person who impounded the said cattle, nor the keeper of the said pound, nor his surety, nor the Justice who made the order for the sale, shall, either personally or by any other, purchase the said cattle nor any part thereof, upon pain that every person offending therein shall forfeit and pay for every such purchase contrary to the true intent and meaning hereof the sum of five pounds over and above restitution of the animals so purchased.

20. All impounded cattle directed to be sold under the provisions of this Ordinance shall and may be sold by the poundkeeper by public auction to the highest bidder, notwithstanding that he shall not have taken out a license as an auctioneer.

21. It shall be lawful for every such poundkeeper to receive the price of any impounded cattle so to be sold as aforesaid and to apply the same first in the payment of all lawful fees and charges due to himself, secondly in the payment of the sum due to the party at whose instance the same were impounded, and the residue he shall pay over to the owner of the cattle sold, where he is known, or to his known agent or bailiff, upon the same being demanded; and if the owner of the cattle shall be unknown, and have no known agent or bailiff, the said poundkeeper shall, within one calendar month after the sale, pay the amount into the hands of the Colonial Treasurer, in trust for the party entitled thereto, and the receipt of the said Treasurer shall be the legal discharge of the said poundkeeper for the amount named therein. In case no claim to the same shall be duly made within two years next after the said money shall have been so paid into the hands of the Colonial Treasurer, it shall be lawful for the Governor by warrant under his hand to direct the same to be applied to the public uses of the Colony and to the support of the Government thereof.

22. Provided always that if the proceeds of any cattle impounded by any person, or his agent or bailiff, for trespassing or doing damage upon

Time of sale.

Place of sale.

How to be sold.

Proceeds of sale how to be applied.

If proceeds of sale insufficient to satisfy

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damages &c., owners of cattle to pay difference.

upon the lands of such person, and sold under the authority of this Ordinance, shall be insufficient to satisfy the lawful fees and charges of the poundkeeper respecting the same, the residue of such fees and charges shall be paid to the said poundkeeper by the proprietor of the said cattle if known.

Instead of impounding cattle, party aggrieved may make complaint to Justices.

23. For the purpose of avoiding as far as may be the impounding of cattle: Be it enacted that where any cattle shall be found so trespassing or doing damage within any such district as aforesaid, and the rate of damage for the said trespass shall have been estimated and assessed by the Justices and allowed by the Governor as aforesaid, it shall be lawful for the person entitled to such rate or damage to take drive or send such cattle to their owner, or his known agent or bailiff, and he is hereby required to pay the same as and for a satisfaction of the said damages and trespass; and if the owner of such cattle or some person in his behalf shall not pay the amount of such fixed rate of damage upon the same being demanded, it shall be lawful for the party aggrieved by such trespass, instead of impounding the cattle, to make his complaint to the Resident Magistrate or any two Justices of the Peace, and such Magistrate or Justices shall summon before him the owner of any cattle so having trespassed, or if he be absent, his known agent or bailiff, and it shall be lawful for such Magistrate or Justices at the time appointed by such summons for the appearance of the party complained against, whether he appear or not, upon proof of the service of such summons, summarily to inquire into and examine and hear and determine the matter of such complaint, and upon satisfactory proof of such trespass, and of the neglect and refusal of the party complained against to pay the fixed rate of damage, to issue his or their warrant to levy the same, together with such costs as to the said Magistrate or Justices shall appear fair and reasonable.

Or may waive assessed damages and proceed for special damage.

24. Provided always and be it further enacted that nothing herein contained shall extend or be construed to prevent the owner of any land trespassed upon and being within any such district as aforesaid from waiving the ordinary damages to be estimated assessed and allowed as herein provided, and claiming in any competent Court full satisfaction for any special damage sustained by him in consequence of any trespass; but if the plaintiff in any such suit or action shall not after waiving the ordinary damages recover more than the amount of such ordinary damages, then he shall not be entitled to or receive the costs of such suit or action from the defendant in the same, but such defendant shall be entitled to and receive from the plaintiff the costs incurred by the said defendant; and if the plaintiff in any such suit or action become nonsuit, or discontinue his said suit or action, or a judgment be given against him therein, the defendant shall be entitled to and receive double costs from such plaintiff.

Penalty for rescuing cattle from pound &c.

25. If any person shall rescue any cattle which shall have been lawfully seized for the purpose of being impounded, or shall break down injure or destroy any pound legally constructed, whether any cattle shall be impounded therein or not, or shall commit any pound breach or rescue, whereby any cattle of any description shall escape or be enlarged from any such pound, every such person shall be deemed guilty of a misdemeanour, and upon conviction of such offence before any competent Court shall be liable to suffer fine and imprisonment with or without hard labour at the discretion of the Court before whom such offender shall be tried and convicted.

Power to Justices to determine causes of action arising out of the impounding of cattle.

26. Provided always and be it enacted that it shall be lawful for any two Justices of the Peace not interested in the matter in dispute to take cognizance of and decide in a summary way all causes of action arising out of the impounding of cattle for trespass, wherein neither the

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the party impounding nor the party whose cattle shall be impounded claims any greater amount of damages than twenty pounds.

27. If the party whose cattle shall be impounded shall take out a summons in prosecution of his suit, and shall enter into security to the satisfaction of such Justices to prosecute his suit, it shall be lawful for the said Justices to direct the poundkeeper in whose custody the cattle shall be to liberate the same, and thereupon the poundkeeper upon payment to him of his lawful fees and charges due in respect of such cattle shall liberate the same in like manner as if the said cattle had been replevied.

And to order cattle to be liberated.

28. Upon hearing the parties and upon examination of the merits of the case it shall be lawful for such Justices to make such order as to damages and costs to be paid by either party, and as to the detention or delivery of the cattle, and as to the sale thereof or any part thereof in case of the non-payment of the amount of damage found to be due by them, or of any costs payable by the owner of them, as shall be just, and to enforce the payment of such damages and costs in a summary way.

And to enforce their orders in a summary way.

IV.—DUTIES, ETC., OF POUNDKEEPERS.

29. The keeper of every public pound shall have and preserve at or near to the said pound a copy of this Ordinance, and also a pound-book ruled and divided into columns as near as may be in the form in Schedule C hereunto annexed, and he shall enter into the said pound-book in a legible handwriting the particulars of all cattle lodged in the said pound, specifying the day and hour as near as may be when and the cause for which the same were respectively impounded and by whom they were sent, the time and mode of giving notice of the said impounding as by this Ordinance required, and also when and in what manner the same were released and by whose order and to whom delivered, the particulars of sales and of the proceeds thereof and by whose order the same were made, and the said entries shall be made at the time the said acts were respectively done or as soon after as possible, but not after any dispute concerning such entry shall have arisen.

Poundkeepers to keep pound-book &c.

30. A copy of this Ordinance and of the said pound-book shall at all reasonable times be produced by the said poundkeeper to and be open for the inspection of any person desiring to see the same upon payment to the said poundkeeper of the sum of sixpence for every such inspection, and the said poundkeeper shall grant extracts (signed by himself) from the said pound-book upon payment of one shilling for every such extract not exceeding one hundred words, and for every subsequent number of words not exceeding one hundred, sixpence, and shall preserve and keep for not less than twelve calendar months all orders made by Justices concerning any cattle impounded.

And to produce same for inspection.

31. If any poundkeeper shall neglect or refuse to produce a copy of this Ordinance or of the said pound-book for the inspection of any person desirous to see the same, upon his lawful fee for the same being first paid or offered to be paid, or shall neglect to make any lawful entry therein, he shall forfeit and pay for every such default a sum not exceeding twenty shillings; and if any poundkeeper shall wilfully delay making any entry, or shall knowingly make any false entry in the said pound-book, or shall wrongfully erase or destroy any entry previously made therein, he shall forfeit and pay for every such offence the sum of ten pounds.

Penalty for default.

32. The keeper of every such pound shall erect and maintain in some conspicuous part of the said pound a board having painted thereon, in legible black characters on a white ground, a table of all such lawful

Keeper to erect painted table of fees &c.

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fees and charges as he may be hereby authorized to demand have and receive, together with all rates of ordinary damages as estimated assessed and allowed as herein provided.

Penalty for default.]

33. Every such keeper as aforesaid who shall fail to erect the said board and to keep and maintain the same in proper repair after it has been erected, or to make any lawful alteration therein which may afterwards become necessary within a reasonable time after the said alterations ought to be made, or shall knowingly paint or cause to be painted any false statement thereon, shall forfeit and pay for every day that such board shall not be erected, except during such reasonable time as the same shall be taken down for alteration or repair, and for every day that such board shall not be maintained in proper repair or lawful alterations be not made after a reasonable time for making the same respectively shall have elapsed as aforesaid, the sum of two shillings and sixpence, and for every day he shall knowingly suffer any false statement to remain on the board, the sum of five shillings.

And to be responsible for the safe keeping of cattle, and their delivery to owner.

34. The keeper of every such pound shall receive and detain in his custody any cattle lodged in such pound, and shall be responsible to the owner thereof for every loss and damage sustained by the wilful act or the neglect of such poundkeeper or his servants but not otherwise. And the said poundkeeper shall and may detain all cattle so impounded until the same shall be replevied in due course of law, or until the sum for which the same were impounded, with his lawful fees and charges, shall be paid or tendered or secured to be paid in the manner herein provided, or until he shall receive the written order of the person impounding such cattle to deliver the same, together with his lawful fees and charges; and upon such payment as aforesaid being tendered or paid or secured as hereinafter provided, or such order being received from the person impounding, together with his fees and charges as aforesaid, the said poundkeeper shall immediately deliver such cattle to the owner thereof, or his agent, bailiff, or servant, or other person duly authorized by such owner to receive the same.

Penalty for default.

35. Every poundkeeper who shall fail to deliver such cattle as hereinbefore required and directed, shall forfeit and pay for every such offence a sum of not less than forty shillings nor more than five pounds:

Form of security.

36. The security hereinbefore mentioned shall be an undertaking in writing and shall be in the form and to the effect mentioned in Schedule D hereunto annexed, and shall be signed by the owner of such impounded cattle, his agent or bailiff; and every agent or bailiff who shall sign such note whereby such cattle shall be released from pound shall be deemed the authorized agent of his employer without any further proof being required thereof; and every such security or undertaking shall be paid at all events at the time and place thereinbefore mentioned without any further notice or demand for such purpose, and upon failure of such payment the amount or sum secured by such undertaking shall and may be recovered in a summary way before any Justice of the Peace upon the production of such undertaking or security before such Justice and the oath of the poundkeeper that the same is still due and unsatisfied.

Keeper to post on pound description of cattle impounded.

37. The keeper of every such pound, whenever and so often as any cattle shall be impounded therein for trespass, shall post a written notice on the gate or some other conspicuous part of the said pound setting forth a description of such cattle, and such notice shall remain so posted until the said cattle shall have been claimed or otherwise disposed of by due course of law.

Penalty for default.

38. Every such keeper who shall neglect to post such notice as aforesaid shall for every such neglect forfeit and pay a fine of forty shillings.

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V.—MISCELLANEOUS PROVISIONS.

39. All fines and penalties to be imposed under the authority of this Ordinance shall be recoverable in a summary way.

Fines &c. to be recoverable in a summary way.

40. A judgment of conviction duly made under the authority hereof shall and may be pleaded in bar of any suit action or information which shall be commenced instituted or prosecuted for such and the same cause or offence in any Court whatsoever.

Conviction may be pleaded in bar.

41. Provided always and be it enacted that nothing herein contained shall be held to interfere with or prevent the operation of "The Cattle Trespass Ordinance," Session VII., No. 17.

Provisions of this Ordinance not to interfere with provisions of 'Cattle Trespass Ordinance.' Interpretation—Cattle.

42. And be it further enacted that in the construction of this Ordinance the word "Cattle" shall be deemed and taken to mean and to include horses mares fillies asses mules bulls cows oxen heifers steers calves deer rams ewes sheep lambs goats and swine, and shall be deemed and taken to mean and include and apply to any one animal of the said several kinds; and that when any word or words is or are used denoting the singular number or the masculine gender only, yet the same shall be understood to include and apply to several persons as well as to one person, and to females as well as to males.

43. For the purposes of this Ordinance the word "Governor" shall be taken to include the Lieutenant-Governor or the Officer Administering the Government for the time being.

Interpretation—Governor.

SCHEDULES.

SCHEDULE A.

POUNDAGE FEES.

	s.	d.
For each entire horse above the age of twelve months	2	6
Mare, gelding, colt, filly, foal, mule, ass, goat, and pig	1	0
Bull above the age of twelve months	2	6
Ox, cow, steer, heifer, or calf—For the first ten	0	6
For the next ten	0	4
For the next thirty	0	3
For all others above fifty	0	2
Ram above the age of nine months	1	0
Ewe, wether, or lamb—For the first twenty	0	2
For the next thirty	0	1½
For the next fifty	0	1
For all others above one hundred	0	0½

The above fees to be paid for each day, or part of a day, during which the animal is kept in pound.

CHARGES FOR FOOD.

	s.	d.
For every horse, mare, gelding, mule, ass, colt, filly, or foal	1	0
Bull, cow, ox, steer, or heifer	0	6
Calf under six months	0	2
Sheep or lamb	0	1
Goat	0	2
Boar, sow, or other pig	0	6

The above charges to be paid for each day or part of a day during which the animal is supplied with food and water by the poundkeeper; but the owner may supply food and water, in which case these charges are not to be made.

SCHEDULE B.

Impounding.

SCHEDULE B.

TABLE OF RATES TO BE CHARGED FOR TRESPASS OF CATTLE IN THE DISTRICT OF

Description of Cattle, &c., Trespassing.	In any Paddock of Grass, After-grass, or Stubble, enclosed by a fence.			In any Garden, Uncut Meadow, Growing Crop of any kind, enclosed by a fence.		
	£	s.	d.	£	s.	d.
For every horse, mare, geld- ing, filly, ass, mule, bull, cow, or calf						
For every ram, ewe, sheep, or lamb						
For every pig						
For every Goat						

Fixed by the Justices assembled at _____, the _____ day of _____
Allowed by His Excellency the Governor.

By Order.

Colonial Secretary.

SCHEDULE C.

FORM OF POUNDKEEPER'S BOOK.

Date.	Time.	Particulars of Cattle Impounded.	Brands Mark.	Owner.	By whom Impound- ed.	For what cause Im- pounded.	Time and mode of giving Notice.	How dis- posed of.	Time when Released or Sold.	Particu- lars of Release or Sale.

SCHEDULE D.

FORM OF SECURITY OF UNDERTAKING.

I, A.B., of [*describing residence of owner of cattle impounded*] hereby promise to pay, within thirty days from the date hereof, to C.D. [*the poundkeeper*], at [*naming either the pound or place of residence of the poundkeeper as may be required*], the sum of £ [*specifying the full amount of poundage as well as fees and charges therein*], without any deduction whatever. And in default thereof I consent that the said sum, together with the costs necessarily incurred by the said default, shall be levied by distress and sale of my goods and effects wheresoever found.

Dated at _____, this _____ day of _____, one thousand eight hundred and _____

(Signed) _____ A.B.
Or for A.B., _____ C.D.,
Agent of the said A.B.

SCHEDULE E.

FORM OF ADVERTISEMENT IN THE GOVERNMENT "GAZETTE."

IMPOUNDED at [*Here state the place, and kind of cattle, and where and how branded*].
If not claimed, to be sold on _____

A.B., Poundkeeper.

[*Where there is no brand, the animals are to be shortly described by stating age, colour, and any particular mark.*]