

## IMPOUNDING AMENDMENT BILL.

### MEMORANDUM.

SECTION 17 of the Impounding Act, 1908, provides that cattle trespassing on the public roads may be impounded. It makes no provision, however, authorising or obliging the person seizing the cattle to deliver them up before impounding, on payment of the driving rate and other expenses. In the case of cattle trespassing on private land it is otherwise, under section 28. The Bill makes the law the same in both cases.

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No. 40—3.

Hon. Mr. McGowan.

## IMPOUNDING AMENDMENT.

### ANALYSIS.

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| Title.   |  |  |
| 1. Short Title.  |  | 3. Section 17 of the Impounding Act amended. |
| 2. Cattle to be delivered up on payment of expenses before impounding. |  | 4. Section 18 of the Impounding Act amended. |

### A BILL INTITULED

AN ACT to amend the Impounding Act, 1908.

Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Impounding Amendment Act, 1908. Short Title.

2. Section seventeen of the Impounding Act, 1908, *hereinafter called the principal Act*, is hereby amended by adding thereto the following subsection:— Cattle to be delivered up on payment of expenses before impounding.

“(5.) Whenever any cattle have been seized by any person for the purpose of impounding them in accordance with this section, if the owner of the cattle or any person on his behalf, before the cattle have been actually impounded, pays or tenders to the person in whose possession they are the ~~sum of one shilling~~ charges for leading or driving cattle to pound as provided in Part II of the Second Schedule of the Principal Act ~~for every mile or fraction of a mile for which the cattle have been led or driven since they were seized~~, together with the amount of any expenses incurred as provided for in this section *seventeen of the principal Act*, the person in whose possession the cattle are shall forthwith deliver them up to the owner or to the person so paying or tendering on his behalf; but no such delivery shall exempt any person from any penalty to which he would have been liable if the cattle had been impounded in pursuance of this section.”

#### *New clauses.*

3. Section seventeen of the principal Act, is hereby amended by inserting at the commencement of the section the words “Any poundkeeper or,” and before the word “constable” wherever it occurs the words “any poundkeeper or.” Section 17 of the Impounding Act amended.

4. Section eighteen of the principal Act, is hereby amended by inserting at the commencement of the section the words “Any poundkeeper or.” Section 18 of the Impounding Act amended.