

AN ACT to regulate the Erection and Maintenance of Dividing  
Fences. [23rd September, 1881.]

FENCING.  
—

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

1. The Short Title of this Act is “The Fencing Act, 1881.”

Short Title.

It shall not come into force until the first day of January, in the  
year one thousand eight hundred and eighty-two.

2. In this Act, if not inconsistent with the context,—

Interpretation.

“To repair” includes to trim, keep, and maintain a live fence,  
or ditch, or part thereof:

“Alienate” and “alienation” respectively include a limited  
disposal by lease or license, as well as an absolute disposal  
by sale or otherwise:

“Owner” includes a tenant in fee-simple, a tenant in tail,  
a tenant for life, and a tenant for any term of years not  
being less than ten years, subject to the enactments  
hereof, and the trustee of any owner as herein defined who  
is under any legal disability, but shall not include a mort-  
gagee not in possession:

“Occupier” includes any person who is in the actual occu-  
pation of or entitled as owner to occupy any land alienated  
from the Crown:

“Dividing fence” means a fence separating the lands of  
different occupiers:

- “ Road ” or “ street ” includes any public highway, by-way, cross-way, or public place, whether it be a carriage-way, horse-way, or footway :
- “ Crown lands ” include all lands vested in the Crown of whatever description :
- “ Native lands ” means lands in the colony which are owned by the aboriginal natives thereof according to their customs and ways, and which are not held under Crown grant :
- “ Native reserves ” means all reserves, whether of Native lands or Crown lands, made for the use or benefit of aboriginal natives :
- “ Public reserves ” means all reserves of Crown lands made for any purpose of public use or benefit :
- “ Crown tenant ” means an occupier of Crown lands other than land held on deferred payments and agricultural leaseholds, and includes occupiers of public reserves and Native reserves :
- “ European ” includes all persons other than those of the Native race :
- “ Notice ” means a notice in writing or in print, or partly in writing and partly in print, and may be served upon any person either personally or by leaving the same with some adult inmate at his usual residence or place of business, or, if such person or occupier shall be absent from the colony, then by delivering the same to or leaving the same at the residence of his known agent in the same manner :

If there shall be no such agent resident in the colony, or if such first-mentioned person is not known or cannot be found, or any land is unoccupied, then it shall be sufficient to insert such notice at least three consecutive times in some newspaper circulating in the district.

The burden of proving the due service or publication of every such notice shall rest with the giver of the notice.

**3.** Except as hereinafter provided this Act shall not apply to any Native lands, except such as, having passed through the Native Land Court, are held under memorial of ownership or certificate of title issued by the said Court, and are occupied by Europeans.

The Governor from time to time, whenever he shall think fit, by Order in Council, may declare that this Act shall apply to all the lands within a district to be defined in such order, and this Act shall apply accordingly.

**4.** This Act shall not apply to any unalienated Crown lands, or public reserves, nor shall the Crown, the Governor, any Land Board, nor any public officer appointed by the Governor or by the Governor in Council for the administration, management, or control of the Crown lands, or public reserves, or who may by virtue of his office, however styled, have any such management or control, be liable under the authority of this Act to make any contribution towards the construction or repairing of any dividing fence between the land of any occupier and any Crown lands.

Act not to apply to all Native lands.

Act not to apply to unalienated Crown lands.

5. The provisions of this Act shall apply to all persons being selectors of land on deferred payments or agricultural leaseholders, as if such persons held the land so selected by them as freehold, and the said persons shall be liable in respect of the fencing of such land in the same manner as freeholders of land are liable hereunder.

Act to apply to selectors of land on deferred payments or agricultural leaseholders.

6. Crown tenants shall be liable in respect of the fencing of the land in their occupation in the same manner as freeholders are liable hereunder, with the exception following, that is to say,—

Crown tenant may pay interest on half cost of erection of fence.

Where any fence is constructed under the provisions of this Act dividing any lands held by any person as Crown tenant from any adjoining lands, it shall be at the option of such Crown tenant, instead of paying half the cost of such fence, to pay to the person who erected such fence, or other person entitled thereto, interest on the said half cost, at the rate of fifteen per centum per annum for each year of his term of occupation, and proportionally for part of any year of such term.

#### CONSTRUCTION AND MAINTENANCE OF FENCES.

7. A fence of any of the kinds mentioned and described in Schedule A to this Act shall be a sufficient fence within the meaning of this Act.

What deemed a sufficient fence.

8. Where a sufficient fence has already been erected under the provisions of any enactment hereby repealed, it shall not be necessary that any such fence should, until its re-erection, be made a sufficient fence within the meaning of this Act.

Existing fences preserved.

9. The occupiers of adjoining lands not divided by a sufficient fence shall be liable to join in or contribute to the construction of a dividing fence between such lands in equal proportions, and notwithstanding that such dividing fence shall not extend along the whole boundary line.

Adjoining occupiers to share cost of fencing.

But no occupier shall be liable to contribute to any fence which is not, as far as practicable, continuous throughout its length.

10. Any person desiring to compel any other person to contribute to the construction of a dividing fence under the provisions of this Act may serve on such person a notice to fence, which shall be in the form in the Schedule B hereto, and shall specify the boundary to be fenced, and contain a proposal for fencing the same, and shall specify the kind of fence proposed to be constructed.

Notice to fence to be given.

If any person shall erect any fence without giving notice as aforesaid, the occupier or owner, as the case may be, of such adjoining land shall not be liable to pay any portion of the value of such fence.

11. If any person upon whom a notice to fence is served shall object to the kind of fence specified in such notice, and shall desire to erect a sufficient fence of a different kind, he may, within twenty-eight days of receiving such notice, signify such objection and desire in writing to the giver thereof; and thereupon (unless the parties can agree upon the kind of fence to be erected) the question of the description of fence which shall be erected, and the cost thereof, shall be determined by a Resident Magistrate in the manner provided by section thirty-two of this Act.

Objections to proposed fence.

12. If the occupiers of adjoining lands shall have served each other with notices to fence, and in such notices the descriptions of the

Provision in cases where fencing notices vary.

kind of fence which the respective givers thereof desire to be erected shall vary, then (unless the parties can agree upon the kind of fence to be erected) the question of the kind of fence which shall be erected, and the cost thereof, shall be determined by a Resident Magistrate in the manner provided by section thirty-two of this Act.

If parties cannot agree, fence may be made.

**13.** If, within two months when the land to be fenced is open land, and within six months when the land is covered with standing bush, after the service of a notice to fence, the giver and receiver thereof do not enter into an agreement as to the nature of the fence to be made and the cost thereof and the mode and time of making the same, and if the receiver thereof shall not serve on the giver thereof an objection to the kind of fence specified in manner provided by section eleven of this Act, then the person giving the notice to fence may proceed to erect a fence sufficient within the meaning of this Act.

If default made by one party, other may fence and recover.

**14.** If either party shall neglect or fail for the space of two months to perform his part of any such agreement which may be so made, the other party may thereupon, or at any time within six months thereafter, make a fence of the kind or description so agreed upon, and may immediately thereupon or at any time thereafter recover from the defaulting party one-half of the actual cost of making such fence.

Contribution thereto to be made.

**15.** The occupier of the adjoining land to whom a notice to fence shall have been given, or, when such half cost has not been previously paid, any person who, during the continuance of a dividing fence, shall go into occupation of such adjoining land, shall be liable for and shall pay to the person who constructed the fence, or his assigns, one-half of the original value of such dividing fence, within one month after a demand made upon him for the purpose by due notice.

Where adjoining lands are Crown lands or Native lands.

**16.** When a fence is erected on any land, and the lands adjoining thereto are at the time of the erection of such fence excepted from the application of this Act, then the occupier thereafter of such adjoining lands shall, not later than one calendar month after the time of his becoming the occupier, after a demand made upon him by notice given, pay to the person who has erected the fence, one-half of the then value of such fence: Provided that the sum so to be paid shall not exceed the maximum price to be paid by any person in respect of an efficient fence.

As to erection of fences not in Schedule A.

**17.** If any person shall desire to put up a dividing fence of a description different from any fence mentioned in Schedule A, he shall give the required notice, as hereinbefore provided, to the parties whom he wishes to join in the making of such fence; and if the said parties shall not, within two months of the delivery of the aforesaid notice, object in writing to the erection of such fence, then such person first mentioned may proceed to erect such fence accordingly, and such fence shall be deemed to be a sufficient fence under this Act.

Such persons shall be entitled to recover from the occupiers of the adjoining lands a contribution towards the cost of erecting such fence, not exceeding in amount the maximum price allowed by this Act as the half cost of erecting a sufficient fence hereunder.

Maximum price for half-cost of fencing.

**18.** The maximum price to be paid in respect of one-half of the actual cost of erecting any sufficient fence shall not exceed twenty

shillings per chain, exclusive of any extra cost for clearing bush along the line of such fence.

But in the case of a fence erected in any borough of the description mentioned in Schedule A numbered three, the maximum price mentioned above shall not exceed thirty-five shillings per chain in respect of one-half of the cost:

Provided always that no greater sum shall be charged for the erection of any fence than the absolute half of the cost of such fence.

**19.** Where any fence is required to be erected on land covered with standing bush, and the required notices as hereinbefore provided have been given, the person erecting such fence shall be entitled to clear the bush for a width not exceeding six feet on each side along the entire length of such fence, and may fell any tree standing in the immediate line of any such fence; and the cost of such clearing shall be added to the cost of the erection of such fence, and be apportioned accordingly.

Bush may be cleared on just line of fence.

**20.** When a river, creek, natural watercourse, or rocky or impracticable land, forms the boundary of contiguous lands, the occupiers of such contiguous lands may agree upon a line of fence on either side of such river, creek, or natural watercourse, and, in the event of their not making any such agreement, either party may apply to the Resident Magistrate of the district, who may appoint one or more persons to inspect the proposed line of fencing and who shall determine whether any fence is necessary, and decide the line of fence to be erected, and whether any and what compensation in the shape of an annual payment shall be paid to either of the parties occupying such contiguous lands in consideration of loss of occupation of land.

Where river, &c., natural boundary, power to agree on line of fence.

The occupation of lands on either side of such line of fence shall not be deemed adverse possession, and shall not affect the title to or possession of any such lands, save for the purposes of this Act.

**21.** The occupier of any land may, in making a ditch-and-bank fence dividing his land from the land thereto adjoining, make a ditch on such adjoining land (Crown lands inclusive), and use the soil taken therefrom towards the making of a bank, or he may make the ditch on his own land and place the bank on such adjoining land.

Half of dividing fence may be on adjoining land.

But no ditch or bank shall be made upon any such adjoining land in any case where a hedge of live thorns, gorse, or other live hedge may have been planted and kept in good thriving condition thereon so as to disturb or injure such hedge, without the consent of the occupier of such land first obtained.

Where a dividing fence is made of posts and rails, or wire, or palings, the posts of such fence shall, as near as may be, be placed on the boundary line.

Posts to be on boundary line.

**22.** If the occupier of any land bounded by a road shall have erected a fence on the common boundary of his land and such road, and any other person shall adopt any means by which such fence shall be rendered of beneficial use to himself, and shall avail himself of such fence, such person shall be liable to pay to the person who erected such fence, or to the occupier of the land whereon such fence is erected, interest on half the then value of such fence, at the rate of ten per centum per annum for so long as he shall continue

Person using fence on further side of road liable to pay interest on half cost.

to avail himself of such fence; and shall also, as long as aforesaid, be further liable for half the cost of the repairs of such fence.

Gorse not to be planted without consent of neighbours.

**23.** No person shall plant gorse, sweetbriar, bramble, or blackberry upon or alongside any boundary line or dividing fence without the consent of the occupiers of the adjoining lands; and no person shall plant as aforesaid upon any fence bounding or abutting upon any public reserve, or Crown lands, without the consent first obtained of the proper authority having control over such reserve or Crown lands; and any person who shall contravene the provisions of this section shall be liable, for every such offence, to a penalty not exceeding twenty pounds; and the occupier of the adjoining land as aforesaid shall be entitled to take up and destroy such gorse, sweetbriar, bramble, or blackberry fence, and to recover in any Court of competent jurisdiction the cost of such work from the person who shall have so contravened the provisions of this section.

Power to construct a fence on road to protect live fence.

**24.** If the occupier of any land bounded by a road desire to plant a live fence on the common boundary of his land and such road, and for that purpose to construct a fence upon such road until such live fence shall have grown up, he may at any time, with the consent of the Road Board or Council having control of such road and on conditions to be prescribed by it, proceed to construct a fence on such road, so that no part of such fence be more than five feet distant from the nearest point on the boundary of his land, and that the width of such road available for traffic after the construction of such fence be in no place where the same is reduced by the construction of such fence less than thirty-three feet.

And if such occupier forthwith after the construction of such fence proceed to plant a live fence on the boundary of his land and such road, constantly with all proper diligence keeping, maintaining, and protecting from injury such live fence, he may maintain on such road the fence so constructed for such time not exceeding six years, or such longer time as the Road Board or Council having the control of such road may in writing allow, until such live fence becomes a sufficient fence within the meaning of this Act.

#### REPAIRS OF FENCES.

Adjoining occupiers to keep dividing fences in repair.

**25.** When any dividing fence, or part thereof, made or to be made shall be out of repair or become insufficient, the occupiers of land on either side thereof shall be liable to the cost of repairing such fence in equal proportions.

Procedure to compel contribution to the repair of dividing fences.

**26.** The occupier of any land separated from any adjoining land by a dividing fence may serve a notice upon the occupier of such adjoining land requiring him to assist in repairing such fence, or part thereof, and, if such occupier shall refuse or neglect for the space of one week after the service of such notice to assist in repairing such fence, such first-mentioned occupier may repair such fence, and demand and recover of and from such other occupier half the cost of repairing the same.

Contribution where fence destroyed by accident.

**27.** If any dividing fence or any portion thereof is destroyed by accident, the occupier of land on either side may immediately repair the same without any notice, and shall be entitled to recover half the expense of so doing from the occupier of the adjoining land.

**28.** In case any dividing fence is destroyed by fire, or by the falling of any tree or trees, the occupier through whose neglect (if any) such fire shall have originated or have caused injury to the fence, or such tree or trees shall have fallen, or by whose stock such fence shall have been damaged, shall be the party bound to repair the entire of the fence so damaged as aforesaid.

Exception where accident results from neglect.

**29.** Nothing herein shall be deemed to take away or interfere with the right of any person to sue for and recover compensation for or in respect of any damage or injury to any fence occasioned by the reckless or negligent use of fire.

Liability for reckless use of fire.

#### MISCELLANEOUS.

**30.** In any case where a person shall elect or be liable to pay interest on the half cost of a dividing fence, the person entitled to such interest shall have the same remedy for the recovery thereof as he would have for the recovery of the half cost of such fence.

Interest recoverable.

**31.** All moneys recoverable under this Act in respect of the construction or repairing of any fence, by any person serving any notice to fence or repair, may be recovered from any person liable to contribute to the cost of constructing or repairing such fence who is served with notice to fence or repair, or from any person who may come in and defend under the provisions of this Act any proceedings consequent on such notice.

From whom moneys recoverable under this Act may be recovered.

All moneys recoverable under this Act by any person served with any notice to fence or repair may be recovered from the person serving the same, or from any person liable to contribute to the construction or repair of such fence.

**32.** Any Resident Magistrate may hear and determine all matters or questions arising between owners or occupiers of property liable to the provisions of this Act, notwithstanding that the decision of any such matter or question shall be beyond the ordinary jurisdiction of such Resident Magistrate, in so far as relates to,—

Jurisdiction of Resident Magistrates in matters arising under Act.

- (1.) Hearing and taking evidence and making any order as to the erection or repair of dividing fences, and making any order as to the removal of dividing fences if not erected on the proper boundary between adjoining lands :
- (2.) Deciding upon the description or kind of fence to be erected or maintained, or that in the opinion of the Court ought to be erected or maintained, in accordance with this Act :
- (3.) Determining the date, time, and manner in which such fence should be erected, and by whom it should be erected or repaired :
- (4.) Determining the expense of erecting or repairing any such fence, and the proportion of such expense to be borne and paid by any person :
- (5.) Awarding that the costs incident to such hearing and determination shall be borne by the party against whom the decision shall be given, or shall be divided between the parties.

**33.** All proceedings before any Resident Magistrate upon or in respect of any of the matters in the last preceding section, or of any

How proceedings to be enforced.

combination or modification thereof, shall and may be taken and conducted, and any order may be enforced and acted upon, in like manner as the proceedings and orders of such Courts are taken, conducted, and enforced in their summary jurisdiction under "The Justices of the Peace Act, 1866," or any other Act for the time being in force relating to such Courts.

Act not to interfere with agreements.

**34.** Nothing in this Act contained shall be deemed or taken to affect any covenant, contract, or agreement made, or hereafter to be made, relative to fencing, between landlord and tenant, or between occupiers of adjoining land, or between any other persons whomsoever.

Fences on Crown lands to be provided with gates or openings, &c.

**35.** Where any person shall have erected, or shall hereafter erect, any fence upon any Crown lands, the Commissioner of Crown Lands of the district may direct such person to make such gates at such places in such fence as he may deem necessary for the public convenience of the district.

If such person shall not comply with such direction within one calendar month after the receipt thereof, he shall be liable to a penalty not exceeding twenty pounds, and such Commissioner may forthwith have such gates made at the expense of the person so failing to do so; and any person wilfully leaving such gates open shall be liable to a penalty not exceeding forty shillings.

Persons constructing fences can enter upon contiguous lands where not orchards, gardens, &c.

**36.** Any person constructing or repairing a fence under this Act, his agents and servants, may, if there be no available access thereto over their own land, with or without horses, cattle, carts, or carriages, at all reasonable times during such construction or repairing, enter upon any portion of the contiguous lands and do thereon such acts, matters, and things as are necessary or reasonably required to carry into effect the construction or repairing of such fence:

Provided always that nothing herein contained shall authorize the entry, for the purpose aforesaid, upon any land in crop, or upon any garden, orchard, plantation, shrubbery, or pleasure ground, without the consent of the owner thereof; or shall authorize any person to cut down, lop, or injure any fruit, exotic, or ornamental tree or shrub without the special sanction of the aforesaid owner.

When garden, orchard, crop, &c., damaged, owner entitled to compensation.

**37.** Every owner or occupier of any land who shall incur or suffer any loss or damage by any act or thing done by any person wilfully acting contrary to the provisions of the last foregoing section shall be entitled to compensation for the same.

Method of recovering compensation.

**38.** Upon the application of any person claiming such compensation as aforesaid, any Resident Magistrate may summon the person complained of to appear before him, at a time and place to be named in the summons, and upon the appearance of the parties, or, in the absence of either of them, upon proof of the service of the summons, the said Resident Magistrate shall hear the question and determine the amount of compensation, and for that purpose may examine the said parties or either of them and their witnesses upon oath; and the costs of every such inquiry shall be at the discretion of the said Resident Magistrate, and he shall settle the amount thereof.

Compensation may be recovered summarily.

Every sum awarded by way of compensation or of costs shall be recoverable in a summary manner.

Power of landlord to come in and

**39.** Any person may come in and defend any proceeding under this Act against any tenant of such person in consequence of which



such person may ultimately incur any liability, and any defence which the person originally proceeded against might set up shall be available to the person so coming in to defend.

defend proceedings against his tenant under this Act.

40. If the Council of any county in which the whole of "The Counties Act, 1876," is in operation, or the Board of any road district within a county in which the whole of such Act is not in operation, shall, by resolution, request the Governor to suspend the operation of this Act within such county or road district, the Governor shall, by Proclamation, suspend this Act accordingly.

Act may be suspended by Proclamation, and afterwards re-enforced.

In like manner, if such Council or Road Board shall, by resolution, request the Governor to again bring this Act into operation within such county or road district, the Governor shall, by Proclamation, bring this Act into operation accordingly.

41. Wherever, and during the time the operation of this Act is suspended, the laws relating to fencing in the county or Road Board in which such suspension takes place in force at the time this Act comes into operation shall become, be, and remain in force during such suspension.

During suspension, local ordinances to be enforced.

42. An Act passed by the Superintendent and Provincial Council of Auckland, intituled "The Fencing Acts Suspension Act, 1874," shall apply to this Act in like manner as though this Act had been specified in the said Suspension Act instead of "The Fencing Act, 1855," and "The Fencing Act 1855 Amendment Act, 1874."

The Auckland Provincial Act, "The Fencing Acts Suspension Act, 1874," to apply to this Act.

43. The several enactments enumerated in the Schedule C hereto annexed are hereby repealed.

Repeals.

## SCHEDULES.

Schedules.

### SCHEDULE A.

#### DESCRIPTION OF SUFFICIENT FENCE.

1. A post-and-rail fence, at least 4 feet in height, of substantial material, firmly erected, with no greater distance between the rails or between the rails and the ground than 9 inches, and the posts not more than 9 feet asunder.

2. A substantial upright paling, at least 4 feet in height, with no greater distance between the palings than 4 inches.

3. Any paling fence, 4 feet 3 inches high, with posts and two rails, and having split or sawn timber placed perpendicularly, and well nailed to both rails, there being not more than 4 inches of opening between each perpendicular piece of timber.

4. A substantial wire fence, having not less than seven wires tightly stretched, or six wires with a top rail, with posts of durable wood or iron, well and substantially erected, the posts or standards to be not more than 9 feet apart, top wire not to be less than 4 feet from the surface of the ground; and the wires to be not lighter than No. 8 in iron or No. 12 in steel. The space between each of the three bottom wires, or the bottom wire and the ground, not to exceed 6 inches. A bank may be substituted for the lower wires, provided always that such bank be well formed, and made up to within 3 inches of the lower wire; provided also that a wooden rail may be substituted for the top wire.

5. A stone wall not less than 4 feet in height, exclusive of the coping, and not less than 2 feet 6 inches in width at base.

6. A bank or wall of substantial materials, at the least 4 feet 6 inches in height, of which the slope is not more than 1 foot from the perpendicular.

7. A close and sufficient live fence, at least 4 feet in height, proof against cattle; such fences to be kept properly trimmed.

8. A combination of the above kind of fences, at least 4 feet in height.

9. A ditch not less than 3 feet in width and 2 in depth, with a bank and wires not less than 3 feet 6 inches in height, the wires to be tightly strained, with not more than 8 inches between the wires, and 6 inches between the bottom wire and the bank, and the standards or binding wires to be not more than 9 feet apart.

10. A double sod wall not less than 33 inches wide at the bottom, and 18 inches at the top: the sod work to be not less than 26 inches above the level of the ground, with a ditch on each side not less than 9 inches below the level of the ground, and three wires above the wall tightly strained; the total height of the fence to be not less than 39 inches above the level of the ground.

11. A sod wall not less than 16 inches above the level of the ground, with four wires above the wall, with a ditch on each side not less than 9 inches below the level of the ground; the total height of the fence to be not less than 39 inches above the level of the ground.

12. An American chock-and-log fence, not less than four logs, and not less than 4 feet 6 inches from the surface of the ground.

13. A stub fence, not less than double chock and logs, and sound timber firmly studded in, not less than 4 feet 6 inches above the surface of the ground.

14. A fence of butts of fern trees, erected perpendicularly, and stuck not less than 2 feet 6 inches in the ground, not less than 4 feet 6 inches above the surface of the ground, nor more than 5 inches apart.

15. For swampy land a ditch, not less than 6 feet wide and 2 feet deep, with bank not less than 3 feet high, with posts not less than 4 feet high from the surface of the ground, and more than 9 feet apart, with not less than two rails or three wires, or with one rail and two wires, or posts and four rails, or posts and seven wires, with ditch, as already described, and no bank, the posts being not less than 4 feet 6 inches high from the surface of the ground, nor more than 9 feet apart where rails are used, nor more than 8 feet apart where wires are used, the posts being inserted into the ground not less than 2 feet.

16. Any other description of fence mutually agreed upon by the persons interested.

17. A fence made in any other way equal in efficiency to any of the above-mentioned fences.

*Not to be erected within Towns.*

18. A ditch, not less than 3 feet broad, with a bank or any fence or combination of the above sorts of fences on either side thereof, the top of which shall be at least 5 feet 6 inches from the bottom of the ditch and 3 feet 6 inches above the level of the ground, and where the slope of the bank on the ditch side thereof is not more than 1 in 3 and the slope of the ditch on the bank side not more than 1 in 2.

19. A bank or dyke, not less than 4 feet 6 inches high, substantially formed, with turf on both sides, on a base not less than 3 feet 6 inches broad, and having a ditch not less than 3 feet wide and 2 feet deep on each side of such bank.

SCHEDULE B.

NOTICE TO MAKE FENCE.

To \_\_\_\_\_, occupier [or owner, or lessee, or agent, as the case may be]  
of \_\_\_\_\_ [describing adjoining land].

TAKE NOTICE that I desire that a boundary or dividing fence between [describing the lands] be made immediately (on or before the \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_), and that such fence shall be a [describe the fence].

Dated the \_\_\_\_\_ day of \_\_\_\_\_, 18 \_\_\_\_\_.

A. B.,

Occupier [or owner, or lessee, or agent] of, &c.

SCHEDULE C.

SCHEDULE OF ACTS AND ORDINANCES REPEALED.

(1.) *Ordinance of the Governor and Legislative Council of New Zealand.*  
Sess. VIII., 1847, No. 8.—An Ordinance to encourage the Fencing of Land.

(3.) *Acts of the Province of Auckland.*

Sess. II., 1855, No. 5.—An Act to make Provision relative to Fencing Land in the Province of Auckland.

Sess. XXIX., No. 23.—The Fencing Act 1855 Amendment Act, 1874.

(4.) *Ordinances of the Province of Taranaki.*

Sess. VIII., No. 3.—The Furze Ordinance, 1859.

Sess. XVI., No. 4.—The Furze Ordinance, 1868.

Sess. XXIV., No. 2.—The Fencing Ordinance, 1875.

Sess. XXIV., No. 5.—The Furze Ordinance 1868 Amendment Ordinance, 1875.

(5.) *Acts of the Province of Hawke's Bay.*

Sess. XXI., No. 2.—The Fencing Act, 1874.

Sess. XXII., No. 2.—The Provincial Fencing Laws Empowering Act 1874 Adoption Act, 1875.

(6.) *Acts of the Province of Wellington.*

Sess. XV., No. 10.—The Fencing Act, 1867.

Sess. XXII., No. 9.—The Fencing Act, 1872.

(7.) *Acts of the Province of Nelson.*

Sess. VIII., No. 2.—The Nelson Gorse Hedges Act, 1861.

Sess. IX., No. 6.—The Fencing Act, 1862.

Sess. X., No. 3.—The Pastoral Districts Fencing Act, 1863.

Sess. XIV., 1866, No. 2.—An Act to repeal the Fencing Act, 1862, so far as relates to Districts constituted under the Pastoral Districts Fencing Act, 1863.

(8.) *Acts of the Province of Marlborough.*

Sess. VII., No. 2.—The Marlborough Fencing Act, 1863.

Sess. XV., No. 2.—The Fencing Act Amendment Act, 1866.

(9.) *Ordinances of the Province of Canterbury.*

Sess. XIV., 1861, No. 3.—The Gorse Ordinance, Session XIV., No. 3.

Sess. XXXVII., No. 8.—The Canterbury Fencing Ordinance, 1872.

(10.) *Ordinance of the Province of Westland.*

Sess. III., No. 1.—The Fencing Ordinance, 1875.

(11.) *Ordinance of the Province of Otago.*

Sess. XXX., No. 366.—The Fencing Ordinance, 1872.

(12.) *Ordinance of the Province of Southland.*

Sess. XII., No. 73.—The Fencing Ordinance, 1866.

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