This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, Sydney, 23 August, 1866.

CHA. TOMPSON, Clerk of Legislative Assembly.

# New South Wales.



ANNO TRICESIMO

# VICTORIÆ REGINÆ.

No.

An Act to provide for the Registration of Brands.

HEREAS it is expedient to provide for the Registration of Preamble. Brands used in branding Horses and Cattle Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly 5 of New South Wales in Parliament assembled and by the authority of the same as follows:-

1. The following terms in inverted commas shall for the purposes Interpretation. of this Act bear the meanings set against them respectively unless the context otherwise indicate-

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"Horse"—Any horse mare gelding colt filly ass or mule.
"Cattle"—Any bull cow ox heifer steer or calf.
"Register"—The Register Book containing a list of the brands of horses or cattle registered with the Registrar of Brands. "Proprietor"—The registered proprietor of any brand.

"Brand"—The impression of any letter sign or character

branded on any horse or cattle.

"Brand Directory"—The list of the brands of horses or cattle compiled by the Registrar of Brands and published by the Government Printer whether in the shape of a Brand

Directory or of quarterly lists in the Gazette.
"Residence"—The residence house homestead or head station

of any proprietor. "Run"—Any run station farm freehold or leasehold where horses or cattle are kept or depastured.

"Fees" 13—

"Fees"—Any fees rates or charges which any person may be liable to pay under this Act or the Regulations made in pursuance thereof.

"Justice"—Any Justice of the Peace.
"Drover"—Any person other than the owner of any horses or cattle driving or in the possession or charge of the same.

2. The Registrar General shall be Registrar of Brands and shall Registrar General to possess the powers and perform the duties belonging to such office Brands for the whole Colony And the Governor with the advice of the his deputies. 10 Executive Council may from time to time appoint one or more Deputy Registrars whose acts under the direction of the Registrar of Brands

shall have the same force and effect as if done by him. 3. The Registrar of Brands shall keep two registers one for the Registers to be kept. registration of the brands of horses and another for the registration 15 of the brands of cattle and all brands registered with him shall be respectively entered therein with the names and addresses of their proprietors and such books shall be named and known respectively as the "Horse Register" and "Cattle Register" for the Colony and shall be ruled marked and divided in the forms of Schedules hereto annexed 20 marked A and B respectively.

4. The owner of any run or of more runs than one if such runs Only one brand to be are contiguous to each other shall use only one and the same brand used by same proprietor under for horses and one and the same brand for cattle respectively on such penalty. run or runs But the owner of more runs than one where such 25 runs are not contiguous to each other may use one and the same brand for the horses and one and the same brand for the cattle on

each and every of such runs and the owner of any run offending against the provisions of this section shall upon conviction for every such offence in a summary way forfeit and pay any sum not exceeding

30 twenty pounds.

5. The brand for horses shall be not less than two inches in Size of brand. length and for cattle not less than three inches in length and where a brand shall consist of more letters signs or characters than one such letters signs or characters shall be not less than an inch apart 35 from each other And any person failing to comply with any of the requirements of this section shall on conviction for every such offence in a summary way forfeit and pay any sum not exceeding ten pounds Provided always that no numeral shall be considered as a brand or a Numeral not to be part of a brand.

40 6. All horses and cattle shall be branded upon the portions of Mode of branding. the body indicated by Schedules C and D hereto annexed and each succeeding brand other than upon the same portion of the body shall be in the order therein stated Provided that every succeeding brand on the same portion shall be lower than and not less than an inch 45 apart from the immediately preceding brand and horses and cattle shall be deemed to be branded with the particular brand which shall appear to be the last in order upon such horses and cattle according to the order hereinbefore prescribed And any person failing to comply with any of the requirements of this section shall on con-50 viction in a summary way for every such offence forfeit and pay any

sum not exceeding fifty pounds.

7. Every person who shall use or intend to use a brand shall Brands to be register the same with the Registrar of Brands And any one who registered. shall use or attempt direct or permit to be used a brand not so regis-55 tered or who shall have in his possession any instrument commonly used for the making of any brand with intent to use the same shall on conviction for every such offence in a summary way forfeit and pay any sum not exceeding fifty pounds.

8. Every person intending to register his brand shall for- Mode of registration. ward to the Registrar of Brands an application in the form of the Schedule annexed hereto marked E along with the authorized fees for the registration thereof And in every case where more than one 5 person has not made an application to register a similar brand such Registrar shall cause the name and residence of the applicant and a description of his brand to be notified at least three times in the Gazette And if within two months from the date of the first notification of such brand no objection be made by any other person on 10 account of his owning a similar brand to that notified as aforesaid the brand so notified shall be deemed to be the brand of such applicant and shall be registered accordingly Provided that in cases where two or more applications as aforesaid by different persons are made to register similar brands or where applications are made by 15 persons to register brands similar to brands already registered such applicants shall receive notice thereof from such Registrar by registered letters addressed to them and on receipt of such notices such applicants shall arrange a modification of their brands so as to distinguish them from each other or (as the case may be) from brands 20 already registered and shall within three months after the date of the receipt by them of such notice in like manner by registered letter communicate to such Registrar the modifications made by them and upon the receipt by such Registrar of such communications he shall register their respective brands so modified by them And when no 25 such modifications shall have been communicated to such Registrar within the time hereinbefore specified or when the brands so communicated are not so modified as to distinguish them from one another and from all brands applied to be registered or that may be already registered he may make such additions to or alterations of such brands 30 as he may deem necessary so to distinguish them and shall give such applicants notice of such additions or alterations by registered letter addressed to them And the brands so notified to such applicants shall be and be deemed to be their respective brands and shall there-

upon be registered accordingly.

9. Every application for the registration of any brand shall be order of registration. numbered and entered by the Registrar of Brands in the order in which it is received and such Registrar shall send to the person making such application a certificate of application in the form of Schedule F hereto annexed And upon every such brand being duly registered as 40 aforesaid such Registrar shall transmit to the proprietor thereof a certificate of registration in the form of the Schedule hereto annexed

marked G.

10. At the end of each quarter of the year the Registrar of Quarterly returns of Brands shall prepare an alphabetical list in the form of Schedule H brands to be published.

45 hereto annexed of the brands and of the names and residences of their respective proprietors thus registered during the preceding quarter as aforesaid and shall publish the same in the Gazette.

11. Immediately after the thirty-first day of December in each Annual return of year the Registrar of Brands shall compile and publish a Brand brands.

50 Directory for the Colony containing a correct and complete list of all brands and of the names and residences of their respective proprietors so registered by him up to that date in the form of Schedule H hereto annexed.

12. When any brand which has been registered under this Act Mode of transferring 55 is intended to be transferred the registered proprietor thereof and the brands. intended transferree shall execute a joint memorandum in the form of Schedule I hereto annexed and on the receipt of such memorandum duly executed as aforesaid and the authorized fees for such intended transfer the Registrar of Brands shall cancel the existing registration

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of such brand by the transferror and register the same in the name of the transferree and shall issue a certificate to him in the form of Schedule G hereto annexed and such transferree shall thereupon be and be held to be the registered proprietor of such brand And any 5 person other than the proprietor thereof using any registered brand before the transfer of the same shall have been registered as hereinbefore provided or otherwise neglecting or refusing to comply with any of the provisions of this section shall on conviction for every such offence in a summary way be liable in a penalty not exceeding fifty 10 pounds.

13. On the trial of any person charged with horse or cattle Entry of brand stealing it shall be competent for the Attorney General or other officer prima facie evi of ownership. prosecuting on behalf of the Crown to give evidence that the brands

appearing upon the animals alleged to have been stolen are the brands 15 of the person charged on the information to be the owner or of some person through whom such alleged owner claims and such evidence may if in the opinion of the jury the other circumstances proved at the trial warrant such course be taken into their consideration in

determining the question of ownership.

14. Every poundkeeper shall keep copies of the latest edition of Poundkeepers to the brand directory and of the Gazettes containing the alphabetical keep brandirectory. lists of the brands and the names and residences of the proprietors thereof and shall on the receipt of a fee of one shilling permit a search in such brand directory and Gazettes at all reasonable hours And 25 every poundkeeper who shall fail to comply with any of the requirements of this section shall on conviction in a summary way for every such offence incur a penalty not exceeding five pounds.

15. When any cattle or horses are impounded the poundkeeper Notice of impoundshall forthwith send notice thereof to the proprietor of the brand ing to be sent to

30 which shall appear last in order on such cattle or horses And every poundkeeper who shall neglect or delay to send any such notice shall on conviction in a summary way for every such offence be liable to a

penalty not exceeding ten pounds.

16. After the expiration of three months from the time of the Owners of cattle to 35 coming of this Act into operation it shall be the duty of every person give drover a statedelivering horses or cattle to any person to be driven to any place to livered to him. give to such person at the time of such delivery a statement signed by him and setting forth the date and place of delivery the number and description of the horses or cattle so delivered and the place to 40 which they are to be driven and every person who shall fail to comply with this section shall be liable on conviction before any two Justices in a summary way to a penalty not exceeding twenty pounds.

17. After the expiration of three months from the time of Penalty enforced on the coming of this Act into operation if any person found driving drover for driving the cattle or horses from one place to another shall not produce to any having such state-constable who may ask for such production a statement such as is ment in possession. directed to be given by the last preceding section comprising all the cattle then in his possession he may be apprehended by such constable and taken before any Justice of the Peace And if on inquiry by any 50 Justice in a summary way it shall be proved to the satisfaction of such Justice that such person had such cattle or horses in his possession and did not produce such statement as aforesaid to order and adjudge that such person shall pay a penalty not exceeding twenty pounds Provided that this section shall not apply to any person

55 driving cattle who shall have in his possession a certificate signed by any two Justices of the Peace and setting forth that such person is known to them to be a person of good repute.

18. All cattle or horses found in possession of any person Cattle in possession apprehended under the last preceding section may be placed in the of persons not having such state-public ment to be placed in nearest pound.

public pound nearest to the place of apprehension to be there kept until ordered to be delivered up to some person claiming them as owner or otherwise by any two Justices of the Peace.

19. Nothing herein contained shall affect any mortgage or Not to affect mort-5 other security under the Act eleventh Victoria number four or any gages under 11 Vict.

subsequent Act for amending or continuing the same.

20. Any Registrar of Brands Deputy Registrar or other person False entry to be

who shall knowingly and unlawfully insert or cause or permit to be in-deemed a misde-meanor. serted any false entry of any matter relating to any brand in any 10 register certificate brand directory or list of brands or in any extract from any register certificate brand directory or list of brands or delivery note or who shall forge or alter or shall offer utter dispose of or put off knowing the same to be forged or altered with intent to defraud any such register certificate directory or list or any extract or 15 entry therefrom or that which purports to be such an extract or entry

or delivery note or who shall wilfully and unlawfully destroy deface injure or alter or cause to be destroyed defaced injured or altered any such brand register certificate directory list extract entry or delivery note or any part thereof with such intent or who shall knowingly and 20 wilfully use the brand of any proprietor without his authority with such

intent or who shall knowingly and wilfully disfigure alter or deface any registered brand branded upon any cattle or horses with such intent shall on conviction for every such offence be deemed guilty of a misdemeanor and being convicted thereof shall be liable at the discretion of 25 the Court to imprisonment with or without hard labor for any period

not exceeding three years.

21. All fees and moneys payable under this Act shall be Fees-how disposed according to the scale fixed by Schedule K hereto annexed and shall be of.

paid to the Registrar of Brands who shall pay the same to the Colonial 30 Treasurer and all such fees and moneys shall be carried over to the Consolidated Revenue Fund and a separate account (to be called the "Registration of Brands' Account") shall be kept in the books of the Treasury of all such fees and moneys and also of all moneys paid therefrom under and for the purposes of this Act.

22. The Colonial Treasurer may by virtue of warrants of the Payment of expenses Governor to be issued under his hand pay out of the Consolidated under this Act. Revenue Fund such sums of money to be specified in such warrants as may be necessary for the purposes of this Act Provided that no payment so made out of the Consolidated Revenue Fund shall exceed 40 the amount to the credit of the Registration of Brands Account

beyond the sum of one thousand pounds.

23. Where by any of the provisions of this Act it may be services of Notices, necessary to give any notice or send any document to any person &c. such notice or document may be communicated or sent to such person 45 either by registered letter or delivered to him personally or left at his usual place of abode or business.

24. Every penalty for any offence against this Act and any fees Recovery of made payable hereby shall be recovered in a summary way before two renalties. Justices of the Peace who may hear and determine the matter and the 50 penalty inflicted by such Justices shall be levied by distress and sale of the offenders goods and chattels and in failure of distress shall be enforced in manner provided by the Act eleventh and twelfth Victoria chapter forty-three as adopted by the fourteenth Victoria number forty-

three and any Acts amending the same And all fines levied or paid Disposal of fines. 55 under this Act shall go and be distributed after deduction of the expenses and costs incurred one half thereof to the informer or prosecutor and the other half to the Colonial Treasurer Sydney to be by him carried over to the Consolidated Revenue Fund and credited to the Registration of Brands Account.

25. This Act shall commence and come into operation on and commencement after the first day of January one thousand eight hundred and sixty-and short title. seven and may be cited for all purposes as the "Registration of Brands Act of 1866."

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### SCHEDULES.

### SCHEDULE A. Horse Brand Register.

of ation.	Date.	Brand.	Former Brand.	Appl	icant.	Date of publica-	Amount of Regis-	Remarks.	
No. of Application.	Date.	Diana.	Brand.	Name.	Address.	tion in Gazette.	tration Fee.	Ivolitai KS.	
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#### SCHEDULE B.

#### CATTLE BRAND REGISTER.

15	No. of Application.	Date.	Brand.	Former Brand.	1 17/10/2	Address.	Date of publica- tion in Gazette.	Amount of Regis- tration Fee.	Remarks.
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#### SCHEDULE C.

Position and order of Brands on Horses.

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## SCHEDULE D.

Position and order of Brands on Cattle.

30 Portion I.—Embracing the near rump hip and thigh. the off rump hip and thigh. the near back and ribs. II.-" the off back and ribs. ,, " the near shoulder. " the off shoulder. 35 " VII. the near loin. the off loin. ,, VIII.

SCHEDULE E.

#### Registration of Brands. SCHEDULE E. REGISTRATION OF BRANDS ACT OF 1866. Application to register Brand. 186 5 To the Registrar of Brands, Sydney. enclose the authorized fees for the registration of the brand belonging to as mentioned in the Schedule of particulars given below and have to request that you will register such brand accordingly. Applicant. Schedule referred to above. No. of Cattle and Horses owned by Brand to be Former Brand. Applicant. 15 registered. Amount of Fees. Cattle. Address. Applicant Horses. Cattle. Horses. Name. £ s. d. do hereby solemnly declare that the several matters and things contained 20 in the above application are true to the best of my knowledge and belief. (Applicant or Superintendent.) this Declared before me at 186 day of J.P. SCHEDULE F. 25 186 . Sydney, REGISTRATION OF BRANDS ACT OF 1866. Certificate of Application. for the registration received by me 30 This is to certify that an application dated the this day of the brand mentioned on the margin hereof with the sum of £ as the and numbered as above from authorized fees for the registration thereof in terms of the provisions of the above-named Act. Registrar of Brands. SCHEDULE G. 35 186 . Sydney, REGISTRATION OF BRANDS ACT OF 1866. Certificate of Registration. No. 40 This is to certify that the brand mentioned on the margin hereof this day duly in terms of the registered as the brand of provisions of the above-named Act. Registrar of Brands. SCHEDULE H. LIST FOR GAZETTE AND BRAND DIRECTORY. 45 PROPRIETOR. BRAND. FORMER BRAND. Name. Address.

SCHEDULE I.

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Legislative Assembly Chamber, Sydney, 23 August, 1866.

CHA. TOMPSON. Clerk of Legislative Assembly.

# Rew South Wales.



ANNO TRICESIMO

# VICTORIÆ REGINÆ.

## No.

(As amended in Committee of the Whole Council.)

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"Horse"—Any horse mare gelding colt filly ass or mule.
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"Proprietor"—The registered proprietor of any brand.

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"Brand Directory"—The list of the brands of horses or cattle compiled by the Registrar of Brands and published by the Government Printer whether in the shape of a Brand

Directory or of quarterly lists in the Gazette.
"Residence"—The residence house homestead or head station

of any proprietor. "Run"—Any run station farm freehold or leasehold where horses or cattle are kept or depastured. "Fees"

NOTE. The words to be omitted are ruled through; the words to be inserted are printed in black letter.

"Fees"—Any fees rates or charges which any person may be liable to pay under this Act or the Regulations made in pursuance thereof.

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who shall fail to comply with this section shall be liable on conviction before any two Justices in a summary way to a penalty not exceeding

twenty pounds.

17. After the expiration of three months from the time of the Penalty enforced on drover for driving 45 coming of this Act into operation if any person other than the owner cattle without found driving cattle or horses from one place to another shall not proment in possession. duce to any constable who may ask for such production a statement such as is directed to be given by the last preceding section comprising all the cattle then in his possession he may be apprehended by such

50 constable and taken before any Justice of the Peace And if on inquiry by any Justice in a summary way it shall be proved to the satisfaction of such Justice that such person had such cattle or horses in his possession and did not produce such statement as aforesaid to order and adjudge that such person shall pay a penalty not exceeding twenty 55 pounds Provided that this section shall not apply to any person

driving cattle who shall have in his possession a certificate signed by any two Justices of the Peace and setting forth that such person is known to them to be a person of good repute.

18. All cattle or horses found in possession of any person of persons not apprehended under the last preceding section may be placed in the having such statement to be placed in public public nearest pound.

public pound nearest to the place of apprehension to be there kept until ordered to be delivered up to some person claiming them as owner or otherwise by any two Justices of the Peace.

19. Nothing herein contained shall affect any mortgage or Not to affect mort-5 other security under the Act eleventh Victoria number four or any gages under 11 Vict.

subsequent Act for amending or continuing the same.

20. Any Registrar of Brands Deputy Registrar or other person False entry to be who shall knowingly and unlawfully insert or cause or permit to be in-deemed meanor. serted any false entry of any matter relating to any brand in any

10 register certificate brand directory or list of brands or in any extract from any register certificate brand directory or list of brands or delivery note or who shall forge or alter or shall offer utter dispose of or put off knowing the same to be forged or altered with intent to defraud any such register certificate directory or list or any extract or

15 entry therefrom or that which purports to be such an extract or entry or delivery note or who shall wilfully and unlawfully destroy deface injure or alter or cause to be destroyed defaced injured or altered any such brand register certificate directory list extract entry or delivery note or any part thereof with such intent or who shall knowingly and

20 wilfully use the brand of any proprietor without his authority with such intent or who shall knowingly and wilfully disfigure alter or deface any registered brand branded upon any cattle or horses with such intent shall on conviction for every such offence be deemed guilty of a misdemeanor and being convicted thereof shall be liable at the discretion of 25 the Court to imprisonment with or without hard labor for any period

not exceeding three years. 21. All fees and moneys payable under this Act shall be Fees-how disposed according to the scale fixed by Schedule K hereto annexed and shall be of.

paid to the Registrar of Brands who shall pay the same to the Colonial 30 Treasurer and all such fees and moneys shall be carried over to the Consolidated Revenue Fund and a separate account (to be called the "Registration of Brands' Account") shall be kept in the books of the Treasury of all such fees and moneys and also of all moneys paid there-

from under and for the purposes of this Act.

22. The Colonial Treasurer may by virtue of warrants of the Payment of expenses Governor to be issued under his hand pay out of the Consolidated under this Act. Revenue Fund such sums of money to be specified in such warrants as may be necessary for the purposes of this Act Provided that no payment so made out of the Consolidated Revenue Fund shall exceed 40 the amount to the credit of the Registration of Brands Account

beyond the sum of one thousand pounds.

23. Where by any of the provisions of this Act it may be services of Notices, necessary to give any notice or send any document to any person &c. such notice or document may be communicated or sent to such person 45 either by registered letter or delivered to him personally or left at his

usual place of abode or business.

24. Every penalty for any offence against this Act and any fees Recovery of made payable hereby shall be recovered in a summary way before two penalties. Justices of the Peace who may hear and determine the matter and the

50 penalty inflicted by such Justices shall be levied by distress and sale of the offenders goods and chattels and in failure of distress shall be enforced in manner provided by the Act eleventh and twelfth Victoria chapter forty-three as adopted by the fourteenth Victoria number fortythree and any Acts amending the same And all fines levied or paid Disposal of fines.

55 under this Act shall go and be distributed after deduction of the expenses and costs incurred one half thereof to the informer or prosecutor and the other half to the Colonial Treasurer Sydney to be by him carried over to the Consolidated Revenue Fund and credited to the Registration of Brands Account.

25.

25. This Act shall commence and come into operation on and Commencement after the first day of January one thousand eight hundred and sixty-and short title. seven and may be cited for all purposes as the "Registration of Brands Act of 1866."

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### SCHEDULES.

# SCHEDULE A. Horse Brand Register.

10	No. of Application.	Date.	Brand.	Former Brand.	Appl Name.	Address.	Date of publica- tion in Gazette.	Amount of Regis- tration Fee.	Remarks.
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#### SCHEDULE B.

### CATTLE BRAND REGISTER.

15	No. of Application.	Date.	Brand.	Former Brand.	 Address.	Date of publication in Gazette.	Amount of Registration Fee.	Remarks.

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#### SCHEDULE C.

Position and order of Brands on Horses.

Portion I.—Embracing the near shoulder.

"II.— " the off shoulder.

"III.— " the near rump hip and thigh.

"IV.— " the near ribs and saddle.

"VI.— " the off ribs and saddle.

SCHEDULE D.

Position and order of Brands on Cattle.

30 Portion I.—Embracing the near rump hip and thigh. the off rump hip and thigh. the near back and ribs. " the off back and ribs. " the near shoulder. " ,, 35 the off shoulder. VII.the near loin. ,, " VIII.the off loin.

SCHEDULE E.

#### Registration of Brands. SCHEDULE E. REGISTRATION OF BRANDS ACT OF 1866. Application to register Brand. 186 5 To the Registrar of Brands, Sydney. Sir, enclose the authorized fees for the registration of the brand belonging to as mentioned in the Schedule of particulars given below and have to request that you will register such brand accordingly. Applicant. Schedule referred to above. No. of Cattle and Brand to be Applicant. Former Brand. registered. Amount Horses owned by of Fees. Cattle. Name. Address. Applicant Horses. £ do hereby solemnly declare that the several matters and things contained 20 in the above application are true to the best of my knowledge and belief. (Applicant or Superintendent.) Declared before me at this 186 day of J.P. SCHEDULE F. 25 186 . Sydney, REGISTRATION OF BRANDS ACT OF 1866. Certificate of Application. for the registration received by me 30 This is to certify that an application dated the of the brand mentioned on the margin hereof this day with the sum of £ as the and numbered as above from authorized fees for the registration thereof in terms of the provisions of the above-named Act. Registrar of Brands. SCHEDULE G. 35 Sydney, 186 . REGISTRATION OF BRANDS ACT OF 1866. Certificate of Registration. No. 40 This is to certify that the brand mentioned on the margin hereof this day duly in terms of the registered as the brand of provisions of the above-named Act. Registrar of Brands. SCHEDULE H. LIST FOR GAZETTE AND BRAND DIRECTORY. 45 PROPRIETOR. FORMER BRAND. BRAND. Address. Name.

SCHEDULE I.

#### Registration of Brands. SCHEDULE I. being the registered proprietor Horson. being the registered proprietor Horson do hereby request that you will make the necessary transfer Cattle. of such brand in your Registers and enclose herewith the sum of pounds as the authorized fees for such transfer. MEMORANDUM OF TRANSFER. 5 To the Registrar of Brands I (or We) 10 to Transferree. SCHEDULE J. 186 15 REGISTRATION OF BRANDS ACT OF 1866. Delivery Note. This is to certify that I have here this day delivered into the charge of mentioned in the Schedule below for the as my Bailee the at by him to 20 purpose of their being Owner. Schedule referred to above. ROUTE. DESTINATION. HORSES OR CATTLE. BRANDS AND MARKS. NUMBER. Owner. Witness. 25 SCHEDULE K. SCALE OF FEES AND RATES. For registering any brand including the cost of advertising such brand in the Gazette for two consecutive issues and for publishing the same in the Brand Directory for the Colony as follows namely: The proprietor of 1 animal and not exceeding 20 10 1 20 100 0 10 10 100 20 ,, 500 35 ,, 50 20 1,000 ... 500 100 ... 3,000 ... 50 1,000 200 ... 100 40 6,000 ... 3,000 1 10 400 ... 6,000 ... 200 4,000 1 15 ,, 600 ... 400 6,000 and upwards 45 0 600 Note.—Rates for registration &c. of horses in larger figures. 1 0 ... For every search in any Register of Brands For the transfer of any brand one-half of the above rates respectively according to the scale mentioned. 50 For any extract from the Brand Directory Gazette or Brand Register for the first one hundred words or portion thereof ... ... ... For every additional one hundred words or portion 6 For notice of similarity of brand or of distinguishing brand fixed upon by the ... ... Registrar by post

This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, Sydney, 23 August, 1866.

CHA. TOMPSON, Clerk of Legislative Assembly.

## Dew South Wales.



#### ANNO TRICESIMO

## VICTORIÆ REGINÆ.

## No.

(As amended [on Re-Committal] in Committee of the Whole Council.) An Act to provide for the Registration of Brands.

HEREAS it is expedient to provide for the Registration of Preamble. Brands used in branding Horses and Cattle Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly 5 of New South Wales in Parliament assembled and by the authority of the same as follows:-

1. The following terms in inverted commas shall for the purposes Interpretation. of this Act bear the meanings set against them respectively unless the context otherwise indicate-

"Horse"—Any horse mare gelding colt filly ass or mule.
"Cattle"—Any bull cow ox heifer steer or calf.
"Register"—The Register Book containing a list of the brands

of horses or cattle registered with the Registrar of Brands. "Proprietor"—The registered proprietor of any brand. "Brand"—The impression of any letter sign or character

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branded on any horse or cattle.
"Brand Directory"—The list of the brands of horses or cattle compiled by the Registrar of Brands and published by the Government Printer whether in the shape of a Brand Directory or of quarterly lists in the Gazette.

"Residence"—The residence house homestead or head station of any proprietor.

"Run"—Any run station farm freehold or leasehold where horses or cattle are kept or depastured.

25 "Fees"—Any fees rates or charges which any person may be liable to pay under this Act or the Regulations made in pursuance thereof.

"Justice"—Any Justice of the Peace.

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"Drover"

"Drover"—Any person other than the owner of any horses or cattle driving or in the possession or charge of the same.

2. The Registrar General shall be Registrar of Brands and shall Registrar General to possess the powers and perform the duties belonging to such office Brands— 5 for the whole Colony And the Governor with the advice of the his deputies. Executive Council may from time to time appoint one or more Deputy Registrars whose acts under the direction of the Registrar of Brands shall have the same force and effect as if done by him.

3. The Registrar of Brands shall keep two registers one for the Registers to be kept. 10 registration of the brands of horses and another for the registration of the brands of cattle and all brands registered with him shall be respectively entered therein with the names and addresses of their proprietors and such books shall be named and known respectively as the "Horse Register" and "Cattle Register" for the Colony and shall be 15 ruled marked and divided in the forms of Schedules hereto annexed

marked A and B respectively.

4. The owner of any run or of more runs than one if such runs Only one brand to be are contiguous to each other shall use only one and the same brand prietor under for horses and one and the same brand for cattle respectively on such penalty. 20 run or runs But the owner of more runs than one where such runs are not contiguous to each other may use one and the same brand for the horses and one and the same brand for the cattle on each and every of such runs and the owner of any run offending against the provisions of this section shall upon conviction for every such offence in a summary way forfeit and pay any sum not exceeding 25 twenty pounds Provided that if there shall be cattle or horses of more than one person upon the same run a distinguishing brand may be used thereon and registered in addition to the brand of the owner of the run.

5. The brand for horses shall be not less than two inches in Size of brand. length and for cattle not less than three inches in length and where a 30 brand shall consist of more letters signs or characters than one such letters signs or characters shall be not less than an inch apart from each other And any person failing to comply with any of the requirements of this section shall on conviction for every such offence in a summary way forfeit and pay any sum not exceeding ten pounds

35 Provided always that no numeral shall be considered as a brand or a that Numeral not to be it shall not be incumbent upon any person to register any numeral as a brand. a brand or part of a brand Provided also that any person using a sign or character other than letters or numerals as a brand or part of a brand shall defray the expense of procuring a type or block for the purpose of

40 advertising.

6. All horses and cattle shall be branded upon the portions of Mode of branding. the body indicated by Schedules C and D hereto annexed and each succeeding brand other than upon the same portion of the body shall be in the order therein stated Provided that every succeeding brand 45 on the same portion shall so far as may be practicable be lower than and not less than an inch apart from the immediately preceding brand and horses and cattle shall be deemed to be branded with the particular brand which shall appear to be the last in order upon such horses and cattle according to the order hereinbefore prescribed And any person 50 failing to comply with any of the requirements of this section shall on conviction in a summary way for every such offence forfeit and pay any sum not exceeding fifty pounds.

7. Every person who shall use or intend to use a brand shall Brands to be register the same with the Registrar of Brands And any one who registered. 55 shall three months after the date of this Act coming into operation use or attempt direct or permit to be used a brand not so registered or who shall have in his possession any instrument commonly used for the making of any brand with intent to use the same shall on conviction for every such offence in a summary way forfeit and pay 60 any sum not exceeding fifty pounds.

8. Every person intending to register his brand shall for- Mode of registration. ward to the Registrar of Brands an application in the form of the Schedule annexed hereto marked E along with the authorized fees for the registration thereof And in every case where more than one 5 person has not made an application to register a similar brand such Registrar shall cause the name and residence of the applicant and a description of his brand to be notified at least three times in the Gazette And if within two months from the date of the first notifi-cation of such brand no objection be made by any other person on 10 account of his owning a similar brand to that notified as aforesaid the brand so notified shall be deemed to be the brand of such applicant and shall be registered accordingly Provided that in cases where two or more applications as aforesaid by different persons are made to register similar brands or where applications are made by 15 persons to register brands similar to brands already registered such applicants shall receive notice thereof from such Registrar by registered letters addressed to them and on receipt of such notices such applicants shall arrange a modification of their brands so as to distinguish them from each other or (as the case may be) from brands 20 already registered and shall within three months after the date of the receipt by them of such notice in like manner by registered letter communicate to such Registrar the modifications made by them and upon the receipt by such Registrar of such communications he shall after such notice register their respective brands so modified by them 25 And when no such modifications shall have been communicated to such Registrar within the time hereinbefore specified or when the brands so communicated are not so modified as to distinguish them from one another and from all brands applied to be registered or that may be already registered he may make such additions to or altera-30 tions of such brands as he may deem necessary so to distinguish them and shall give such applicants notice of such additions or alterations

by registered letter addressed to them And the brands so notified to such applicants shall be and be deemed to be their respective brands and shall thereupen after such notice be registered accordingly.

9. Every application for the registration of any brand shall be order of registration. numbered and entered by the Registrar of Brands in the order in which it is received and such Registrar shall send to the person making such application a certificate of application in the form of Schedule F hereto annexed And upon every such brand being duly registered as 40 aforesaid such Registrar shall transmit to the proprietor thereof a certificate of registration in the form of the Schedule hereto annexed

marked G.

10. At the end of each quarter of the year the Registrar of Quarterly returns of Brands shall prepare an alphabetical list in the form of Schedule H brands to be published. 45 hereto annexed of the brands and of the names and residences of their respective proprietors thus registered during the preceding quarter as aforesaid and shall publish the same in the Gazette.

11. Immediately after the thirty-first day of December in each Annual return of year the Registrar of Brands shall compile and publish a Brand brands. 50 Directory for the Colony containing a correct and complete list of all brands and of the names and residences of their respective proprietors so registered by him up to that date in the form of Schedule H hereto annexed.

12. When any brand which has been registered under this Act Mode of transferring 55 is intended to be transferred the registered proprietor thereof and the brands. intended transferree shall execute a joint memorandum in the form of Schedule I hereto annexed and on the receipt of such memorandum duly executed as aforesaid and the authorized fees for such intended transfer the Registrar of Brands shall cancel the existing registration

of such brand by the transferror and register the same in the name of the transferree and shall issue a certificate to him in the form of Schedule G hereto annexed and such transferree shall thereupon be and be held to be the registered proprietor of such brand And any 5 person other than the proprietor thereof using any registered brand before the transfer of the same shall have been registered as hereinbefore provided or otherwise neglecting or refusing to comply with any of the provisions of this section shall on conviction for every such offence in a summary way be liable in a penalty not exceeding fifty 10 pounds.

13. On the trial of any person charged with horse or cattle Entry of brand stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima facte even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney General or other officer prima factor even stealing it shall be competent for the Attorney Genera prosecuting on behalf of the Crown to give evidence that the brands

appearing upon the animals alleged to have been stolen are the brands 15 of the person charged on the information to be the owner or of some person through whom such alleged owner claims and such evidence may if in the opinion of the jury the other circumstances proved at the trial warrant such course be taken into their consideration in determining the question of ownership.

14. Every poundkeeper shall keep copies of the latest edition of Poundkeepers to the brand directory and of the Gazettes containing the alphabetical keep brand directory. lists of the brands and the names and residences of the proprietors thereof and shall on the receipt of a fee of one shilling permit a search in such brand directory and Gazettes at all reasonable hours And

25 every poundkeeper who shall fail to comply with any of the requirements of this section shall on conviction in a summary way for every such offence incur a penalty not exceeding five pounds.

15. When any cattle or horses are impounded the poundkeeper Notice of impoundshall forthwith send notice thereof to the proprietor of the brand ing to be sent to owner of brand. 30 which shall appear last in order on such cattle or horses And every poundkeeper who shall neglect or delay to send any such notice shall on conviction in a summary way for every such offence be liable to a

penalty not exceeding ten pounds.

16. After the expiration of three months from the time of the Owners of cattle to 35 coming of this Act into operation it shall be the duty of every person give drover a statedelivering horses or cattle to any person drover to be driven to any livered to him. place to give to such person drover at the time of such delivery a statement signed by him and setting forth the date and place of delivery the number and description of the horses or cattle so delivered and 40 the place to which they are to be driven as per Schedule J hereto and every person who shall fail to comply with this section shall be liable on conviction before any two Justices in a summary way to a penalty

not exceeding twenty pounds. 17. After the expiration of three months from the time of the Penalty enforced on 45 coming of this Act into operation if any person drover not being the cattle without

owner found driving cattle or horses from one place to another shall not produce to any constable who may ask for such production a statement having such statement in possession. such as is directed to be given by the last preceding section comprising all the cattle then in his possession he may be apprehended by such 50 constable and taken before any Justice of the Peace And if on inquiry

by any Justice in a summary way it shall be proved to the satisfaction of such Justice that such person drover had such cattle or horses in his possession and did not produce such statement as aforesaid to order and adjudge that such person drover shall pay a penalty not exceeding

55 twenty pounds and any person purchasing or receiving from a drover any cattle or horses not described in such statement of delivery as aforesaid shall pay a penalty not exceeding fifty pounds Provided that this section shall not apply to any person-driving cattle drover who shall have in his possession a certificate signed by any two Justices of the

60 Peace and setting forth that such person is known to them to be a person of good repute.

18. All cattle or horses found in possession of any person Cattle in possession apprehended under the last preceding section may be placed in the of persons not having such state-public pound nearest to the place of apprehension to be there kept ment to be placed in until ordered to be delivered up to some person claiming them as nearest pound. 5 owner or otherwise by any two Justices of the Peace.

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from under and for the purposes of this Act.

22. The Colonial Treasurer may by virtue of warrants of the Payment of expenses Governor to be issued under his hand pay out of the Consolidated under this Act

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23. Where by any of the provisions of this Act it may be services of Notices, 45 necessary to give any notice or send any document to any person &c. such notice or document may be communicated or sent to such person either by registered letter or delivered to him personally or left at his

usual place of abode or business.

24. Every penalty for any offence against this Act and any fees Recovery of 50 made payable hereby shall be recovered in a summary way before two penalties. Justices of the Peace who may hear and determine the matter and the penalty inflicted by such Justices shall be levied by distress and sale of the offenders goods and chattels and in failure of distress shall be enforced in manner provided by the Act eleventh and twelfth Victoria

55 chapter forty-three as adopted by the fourteenth Victoria number fortythree and any Acts amending the same And all fines levied or paid Disposal of fines. under this Act shall go and be distributed after deduction of the expenses and costs incurred one half thereof to the informer or prosecutor and the other half to the Colonial Treasurer Sydney to be by him carried over to the Consolidated Revenue Fund and credited to the Registration of Brands Account.

25. This Act shall commence and come into operation on and commencement after the first day of January one thousand eight hundred and sixty-and short title. seven and may be cited for all purposes as the "Registration of Brands Act of 1866."

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#### SCHEDULES.

# SCHEDULE A. Horse Brand Register.

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#### SCHEDULE B.

#### CATTLE BRAND REGISTER.

.5	No. of Application.	Date.	Brand.	Former Brand.	Address.	Date of publication in Gazette.	Amount of Regis- tration Fee.	Remarks.	

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## SCHEDULE C.

Position and order of Brands on Horses.

Portion I.—Embracing the near shoulder.

"" III.— "" the off shoulder.

"" IV.— "" the near rump hip and thigh.

"" V.— "" the near ribs and saddle.

"" VI.— "" the off ribs and saddle.

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#### SCHEDULE D.

Position and order of Brands on Cattle.

30 Portion I.—Embracing the near rump hip and thigh. II. the off rump hip and thigh. III.the near back and ribs. the off back and ribs. ,, ,, the near shoulder. ,, 35 the off shoulder. VII. the near loin. VIII. the off loin.

SCHEDULE E.

#### SCHEDULE E.

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30	For registering any brand the Gazette for two con Brand Directory for th The proprietor of	nsecutive issues and ne Colony as follows 1 animal and not es	for publishing the s	h brand in same in the }	£ s, d.
	"	1 20 10	100	}	0 10 0
35	"	10	500	}	0 15 0
	"	500 ,,	1,000	}	1 0 0
	"	50 " 1,000 "	3,000	}	1 5 0
40	"	3,000 ",	6,000	}	1 10 0
	"	<b>200</b> ,,	<b>400</b> 6,000	}	1 15 0
45	" "	6,000 and upwards	600	}	2 0 0
	For every search in any For the transfer of any bran	Register of Bran	ds bove rates respective		0 1 0
50	to the scale mentioned For any extract from the I first one hundred word	l. Brand Directory <i>G</i> Is or portion thereof	azette or Brand Reg		0 1 0
55	For every additional one has For notice of similarity of Registrar by post	brand or of disting	uishing brand fixed	upon by the	0 0 6

## REGISTRATION OF BRANDS BILL.

SCHEDULE of the Amendments made by the Legislative Council in the Bill intituled "An Act to provide for the Registration of Brands," returned to the Legislative Assembly with Message of 12th September, 1866.

R. O'CONNOR, Clerk of the Parliaments.

Page 2, clause 4, line 26. After "pounds" add "Provided that if there shall be "cattle or horses of more than one person upon the same run a distin-"guishing brand may be used thereon and registered in addition to the "brand of the owner of the run" clause 5, line 36. Omit "that no numeral shall be considered as a brand or a"

insert "that it shall not be incumbent upon any person to register any

numerals as a brand or"

line 38. After "brand" add "Provided also that any person using "a sign or character other than letters or numerals as a brand or part "of a brand shall defray the expense of procuring a type or block for "the purpose of advertising"

clause 6, line 46. After "shall" insert "so far as may be practicable"

clause 7, line 56. After "shall" insert "three months after the date of this Act coming into operation"

Page 3, clause 8, line 23. After "shall" insert "after such notice"

line 34. Omit "thereupon" insert "after such notice"

Page 4, clause 16, line 36. Omit "person" insert "drover" line 37. Omit "person" insert "drover" "

", line 40. After "driven" insert "as per Schedule J hereto" clause 17, line 45. Omit "person" insert "drover not being the owner"

line 52. Omit "person" insert "drover" line 54. Omit "person" insert "drover"

line 55. After "pounds" insert "and any person purchasing or "receiving from a drover any cattle or horses not described in such "statement of delivery as aforesaid shall pay a penalty not exceeding " fifty pounds"

line 58. Omit "person driving cattle" insert "drover"

Page 8, Schedule K. After line 47 insert new line: -

"For every search in any Register of Brands...... 0 1 0"

This Public Bill originated in the Legislative Assembly, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, Sydney, 23 August, 1866.

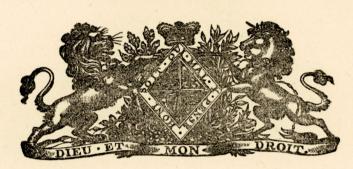
CHA. TOMPSON, Clerk of Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

Legislative Council Chamber, Sydney, 12th September, 1866.

R. O'CONNOR, Clerk of the Parliaments.

# New Louth Wales.



## ANNO TRICESIMO

# VICTORIÆ REGINÆ.

## No.

An Act to provide for the Registration of Brands.

WHEREAS it is expedient to provide for the Registration of Preamble. Brands used in branding Horses and Cattle Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly 5 of New South Wales in Parliament assembled and by the authority

of the same as follows:-1. The following terms in inverted commas shall for the purposes Interpretation. of this Act bear the meanings set against them respectively unless the context otherwise indicate-

10

"Horse"—Any horse mare gelding colt filly ass or mule.
"Cattle"—Any bull cow ox heifer steer or calf.
"Register"—The Register Book containing a list of the brands

of horses or cattle registered with the Registrar of Brands.
"Proprietor"—The registered proprietor of any brand.
"Brand"—The impression of any letter sign or character 15

branded on any horse or cattle.

"Brand Directory"—The list of the brands of horses or cattle compiled by the Registrar of Brands and published by the Government Printer whether in the shape of a Brand Directory or of quarterly lists in the Gazette.

"Residence"—The residence house homestead or head station

of any proprietor. "Run"-Any run station farm freehold or leasehold where horses or cattle are kept or depastured.

"Fees"—Any fees rates or charges which any person may be liable to pay under this Act or the Regulations made in pursuance thereof.

"Justice"—Any Justice of the Peace.

20

25

"Drover"

"Drover"—Any person other than the owner of any horses or cattle driving or in the possession or charge of the same.

2. The Registrar General shall be Registrar of Brands and shall Registrar General to possess the powers and perform the duties belonging to such office Brands— 5 for the whole Colony And the Governor with the advice of the his deputies. Executive Council may from time to time appoint one or more Deputy Registrars whose acts under the direction of the Registrar of Brands

shall have the same force and effect as if done by him.

3. The Registrar of Brands shall keep two registers one for the Registers to be kept. 10 registration of the brands of horses and another for the registration of the brands of cattle and all brands registered with him shall be respectively entered therein with the names and addresses of their proprietors and such books shall be named and known respectively as the "Horse Register" and "Cattle Register" for the Colony and shall be 15 ruled marked and divided in the forms of Schedules hereto annexed

marked A and B respectively.

4. The owner of any run or of more runs than one if such runs Only one brand to be are contiguous to each other shall use only one and the same brand prietor under for horses and one and the same brand for cattle respectively on such penalty. 20 run or runs But the owner of more runs than one where such runs are not contiguous to each other may use one and the same brand for the horses and one and the same brand for the cattle on each and every of such runs and the owner of any run offending against the provisions of this section shall upon conviction for every 25 such offence in a summary way forfeit and pay any sum not exceeding twenty pounds Provided that if there shall be cattle or horses of more than one person upon the same run a distinguishing brand may be used

thereon and registered in addition to the brand of the owner of the run. 5. The brand for horses shall be not less than two inches in Size of brand.

30 length and for cattle not less than three inches in length and where a brand shall consist of more letters signs or characters than one such letters signs or characters shall be not less than an inch apart from each other And any person failing to comply with any of the requirements of this section shall on conviction for every such offence

35 in a summary way forfeit and pay any sum not exceeding ten pounds Provided always that no numeral shall be considered as a brand or a that Not necessary to Provided always that no numeral shall not be incumbent upon any person to register any numeral as register numeral numeral as register numeral num a brand or part of a brand Provided also that any person using a sign or character other than letters or numerals as a brand or part of a brand 40 shall defray the expense of procuring a type or block for the purpose of

6. All horses and cattle shall be branded upon the portions of Mode of branding. the body indicated by Schedules C and D hereto annexed and each succeeding brand other than upon the same portion of the body shall 45 be in the order therein stated Provided that every succeeding brand on the same portion shall so far as may be practicable be lower than and not less than an inch apart from the immediately preceding brand and horses and cattle shall be deemed to be branded with the particular brand which shall appear to be the last in order upon such horses and 50 cattle according to the order hereinbefore prescribed And any person failing to comply with any of the requirements of this section shall on conviction in a summary way for every such offence forfeit and pay any sum not exceeding fifty pounds.

7. Every person who shall use or intend to use a brand shall Brands to be 55 register the same with the Registrar of Brands And any one who registered. shall three months after the date of this Act coming into operation use or attempt direct or permit to be used a brand not so registered or who shall have in his possession any instrument commonly used for the making of any brand with intent to use the same shall on 60 conviction for every such offence in a summary way forfeit and pay

any sum not exceeding fifty pounds.

8. Every person intending to register his brand shall for-Mode of registration. ward to the Registrar of Brands an application in the form of the Schedule annexed hereto marked E along with the authorized fees for the registration thereof And in every case where more than one 5 person has not made an application to register a similar brand such Registrar shall cause the name and residence of the applicant and a description of his brand to be notified at least three times in the Gazette And if within two months from the date of the first notification of such brand no objection be made by any other person on 10 account of his owning a similar brand to that notified as aforesaid the brand so notified shall be deemed to be the brand of such applicant and shall be registered accordingly Provided that in cases where two or more applications as aforesaid by different persons are made to register similar brands or where applications are made by 15 persons to register brands similar to brands already registered such applicants shall receive notice thereof from such Registrar by registered letters addressed to them and on receipt of such notices such applicants shall arrange a modification of their brands so as to distinguish them from each other or (as the case may be) from brands 20 already registered and shall within three months after the date of the receipt by them of such notice in like manner by registered letter communicate to such Registrar the modifications made by them and upon the receipt by such Registrar of such communications he shall after such notice register their respective brands so modified by them 25 And when no such modifications shall have been communicated to such Registrar within the time hereinbefore specified or when the brands so communicated are not so modified as to distinguish them from one another and from all brands applied to be registered or that may be already registered he may make such additions to or altera-30 tions of such brands as he may deem necessary so to distinguish them and shall give such applicants notice of such additions or alterations by registered letter addressed to them And the brands so notified to such applicants shall be and be deemed to be their respective brands

and shall thereupon after such notice be registered accordingly. 35 9. Every application for the registration of any brand shall be order of registration. numbered and entered by the Registrar of Brands in the order in which it is received and such Registrar shall send to the person making such application a certificate of application in the form of Schedule F hereto annexed And upon every such brand being duly registered as 40 aforesaid such Registrar shall transmit to the proprietor thereof a certificate of registration in the form of the Schedule hereto annexed

marked G.

10. At the end of each quarter of the year the Registrar of Quarterly returns of Brands shall prepare an alphabetical list in the form of Schedule H brands to be published. 45 hereto annexed of the brands and of the names and residences of their respective proprietors thus registered during the preceding quarter as aforesaid and shall publish the same in the *Gazette*.

11. Immediately after the thirty-first day of December in each Annual return of year the Registrar of Brands shall compile and publish a Brand brands. 50 Directory for the Colony containing a correct and complete list of all brands and of the names and residences of their respective proprietors so registered by him up to that date in the form of Schedule H hereto annexed.

12. When any brand which has been registered under this Act Mode of transferring 55 is intended to be transferred the registered proprietor thereof and the brands. intended transferree shall execute a joint memorandum in the form of Schedule I hereto annexed and on the receipt of such memorandum duly executed as aforesaid and the authorized fees for such intended transfer the Registrar of Brands shall cancel the existing registration

of such brand by the transferror and register the same in the name of the transferree and shall issue a certificate to him in the form of Schedule G hereto annexed and such transferree shall thereupon be and be held to be the registered proprietor of such brand And any 5 person other than the proprietor thereof using any registered brand before the transfer of the same shall have been registered as hereinbefore provided or otherwise neglecting or refusing to comply with any of the provisions of this section shall on conviction for every such offence in a summary way be liable in a penalty not exceeding fifty

10 pounds. 13. On the trial of any person charged with horse or cattle Entry of brand stealing it shall be competent for the Attorney General or other officer prima facie evide of ownership. prosecuting on behalf of the Crown to give evidence that the brands appearing upon the animals alleged to have been stolen are the brands 15 of the person charged on the information to be the owner or of some person through whom such alleged owner claims and such evidence may if in the opinion of the jury the other circumstances proved at the trial warrant such course be taken into their consideration in

determining the question of ownership.

14. Every poundkeeper shall keep copies of the latest edition of Poundkeepers to the brand directory and of the Gazettes containing the alphabetical directory. lists of the brands and the names and residences of the proprietors thereof and shall on the receipt of a fee of one shilling permit a search in such brand directory and Gazettes at all reasonable hours And 25 every poundkeeper who shall fail to comply with any of the requirements of this section shall on conviction in a summary way for every

such offence incur a penalty not exceeding five pounds. 15. When any cattle or horses are impounded the poundkeeper Notice of impoundshall forthwith send notice thereof to the proprietor of the brand ing to be sent to owner of brand.

30 which shall appear last in order on such cattle or horses And every

poundkeeper who shall neglect or delay to send any such notice shall on conviction in a summary way for every such offence be liable to a

penalty not exceeding ten pounds. 16. After the expiration of three months from the time of the Owners of cattle to 35 coming of this Act into operation it shall be the duty of every person give drover a statement of cattle dedelivering horses or cattle to any person drover to be driven to any livered to him. place to give to such person drover at the time of such delivery a statement signed by him and setting forth the date and place of delivery the number and description of the horses or cattle so delivered and 40 the place to which they are to be driven as per Schedule J hereto and every person who shall fail to comply with this section shall be liable on conviction before any two Justices in a summary way to a penalty

not exceeding twenty pounds.

person of good repute.

17. After the expiration of three months from the time of the Penalty enforced on drover for driving the cattle without owner found driving cattle or horses from one place to another shall not having such stateproduce to any constable who may ask for such production a statement ment in possession. such as is directed to be given by the last preceding section comprising all the cattle then in his possession he may be apprehended by such 50 constable and taken before any Justice of the Peace And if on inquiry by any Justice in a summary way it shall be proved to the satisfaction of such Justice that such person drover had such cattle or horses in his possession and did not produce such statement as aforesaid to order and adjudge that such person drover shall pay a penalty not exceeding 55 twenty pounds and any person purchasing or receiving from a drover any cattle or horses not described in such statement of delivery as aforesaid shall pay a penalty not exceeding fifty pounds Provided that this section shall not apply to any person-driving eattle drover who shall have in his possession a certificate signed by any two Justices of the 60 Peace and setting forth that such person is known to them to be a

18. All cattle or horses found in possession of any person Cattle in possession apprehended under the last preceding section may be placed in the having such state-public pound nearest to the place of apprehension to be there kept ment to be placed in until ordered to be delivered up to some person claiming them as to owner or otherwise by any two Justices of the Peace.

19. Nothing herein contained shall affect any mortgage or Not to affect mortother security under the Act eleventh Victoria number four or any gages under 11 Vict.

subsequent Act for amending or continuing the same.

20. Any Registrar of Brands Deputy Registrar or other person False entry to be 10 who shall knowingly and unlawfully insert or cause or permit to be inmeanor. serted any false entry of any matter relating to any brand in any register certificate brand directory or list of brands or in any extract from any register certificate brand directory or list of brands or

delivery note or who shall forge or alter or shall offer utter dispose 15 of or put off knowing the same to be forged or altered with intent to defraud any such register certificate directory or list or any extract or entry therefrom or that which purports to be such an extract or entry or delivery note or who shall wilfully and unlawfully destroy deface injure or alter or cause to be destroyed defaced injured or altered any

20 such brand register certificate directory list extract entry or delivery note or any part thereof with such intent or who shall knowingly and wilfully use the brand of any proprietor without his authority with such intent or who shall knowingly and wilfully disfigure alter or deface any registered brand branded upon any cattle or horses with such intent shall

25 on conviction for every such offence be deemed guilty of a misdemeanor and being convicted thereof shall be liable at the discretion of the Court to imprisonment with or without hard labor for any period not exceeding three years.

21. All fees and moneys payable under this Act shall be Fees-how disposed

30 according to the scale fixed by Schedule K hereto annexed and shall be of. paid to the Registrar of Brands who shall pay the same to the Colonial Treasurer and all such fees and moneys shall be carried over to the Consolidated Revenue Fund and a separate account (to be called the "Registration of Brands' Account") shall be kept in the books of the 35 Treasury of all such fees and moneys and also of all moneys paid there-

from under and for the purposes of this Act.

22. The Colonial Treasurer may by virtue of warrants of the Payment of expenses
Governor to be issued under his hand pay out of the Consolidated under this Act. Revenue Fund such sums of money to be specified in such warrants

40 as may be necessary for the purposes of this Act Provided that no payment so made out of the Consolidated Revenue Fund shall exceed the amount to the credit of the Registration of Brands Account beyond the sum of one thousand pounds.

23. Where by any of the provisions of this Act it may be services of Notices,

45 necessary to give any notice or send any document to any person such notice or document may be communicated or sent to such person either by registered letter or delivered to him personally or left at his usual place of abode or business.

24. Every penalty for any offence against this Act and any fees Recovery of 50 made payable hereby shall be recovered in a summary way before two penalties. Justices of the Peace who may hear and determine the matter and the penalty inflicted by such Justices shall be levied by distress and sale of the offenders goods and chattels and in failure of distress shall be enforced in manner provided by the Act eleventh and twelfth Victoria

55 chapter forty-three as adopted by the fourteenth Victoria number fortythree and any Acts amending the same And all fines levied or paid Disposal of fines. under this Act shall go and be distributed after deduction of the expenses and costs incurred one half thereof to the informer or prosecutor and the other half to the Colonial Treasurer Sydney to be by him carried over to the Consolidated Revenue Fund and credited to the Registration of Brands Account.

25. This Act shall commence and come into operation on and commencement after the first day of January one thousand eight hundred and sixty-and short title. seven and may be cited for all purposes as the "Registration of Brands Act of 1866."

5

## SCHEDULES.

# SCHEDULE A. Horse Brand Register.

	of of	Date.	Brand.	Former	Applicant.		Date of publica-	Amount of		
Application.	Date.		Brand.	Name.	Address.	tion in	Registration Fee.	Remarks.		
						4-17	The state of	- 24.		
		-								
					P					

## SCHEDULE B.

## CATTLE BRAND REGISTER.

5	No. of Application.	Date.	. Brand.	Former Brand.	Applicant.		Date of publica-	Amount			
					Name,	Address.	tion in	Regis- tration Fee.	Remarks.		
		reads.									
							7.				

20

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#### SCHEDULE C.

Position and order of Brands on Horses.

Portion I.—Embracing the near shoulder.

"II.— " the off shoulder.

"III.— " the near rump hip and thigh.

"IV.— " the off rump hip and thigh.

"V.— " the near ribs and saddle.

"VI.— " the off ribs and saddle.

SCHEDULE D.

Position and order of Brands on Cattle.

30 Portion I.—Embracing the near rump hip and thigh. the off rump hip and thigh. the near back and ribs. Ш.— " IV.the off back and ribs. the near shoulder. " VI.-35 the off shoulder. " VII. the near loin. " VIII. the off loin.

SCHEDULE E.

## SCHEDULE E.

REGISTRATION OF BRANDS ACT OF 1866.

Application to register Brand.

	To the Reg	gistrar of Brands			1	186 .
	Sir,	Syd	dney.			
0	as men	nclose the author ationed in the Sci gister such brand	hedule of parti	the registration of culars given below	the brand have	e to reques
	No.		Schedule referr	red to above.	A	Applicant.
5	Brand to be registered.	Former Brand.	A	pplicant.	No. of Cattle and Horses	Amount
	Horses. Cattle.	Horses. Cattle.	Name.	Address.	owned by Applicant.	of Fees.
						£ s. d.
	I	do hereby solen	nnly declare th	at the several mat	tows and thing	a contained
)	in the above app	lication are true	to the best of	my knowledge and	belief.	
	Declared before	me at	this	(Applica	nt or Superin	tendent.)
	day of	186 .		J.P.		
			SCHEDUI	CE F.		
		REGISTR	ATION OF BRA	Sydney NDS ACT OF 1866		186 .
			Vertificate of A			
,	THIS is to certify	that an applicat	No.		C 41-	
-	of the brand men and numbered as	ntioned on the mabove from	nargin hereof	this day with the sums of the provisions	m of f	registration ived by me as the
					Registrar of	
			SCHEDUI	LE G.	,	
		Protomp	AMION OF PRO	Sydney,		186 .
			Vertificate of R	NDS ACT OF 1866.		
n	Narra ia to contifu		No.			
r	egistered as the	brand of above-named Act		the margin hereof		s day duly erms of the
					Registrar of	Brands.
		LIST FOR (	SCHEDUL GAZETTE AND	E H. Brand Director	v.	
					RIETOR.	
	Brand.	FORMER B	SRAND.			
	BRAND.	FORMER B	BRAND.	Name.	Addre	ess.
	Brand.	FORMER E	BRAND.	Name.	Addre	ess.

SCHEDULE I.

#### Registration of Brands. SCHEDULE I. MEMORANDUM OF TRANSFER. 5 To the Registrar of Brands the Registrar of Brands I (or We) the brand mentioned on the margin hereof having transferred the same to do hereby request that you will make the necessary transfer Cattle. of such brand in your Registers and enclose herewith the sum of being the registered proprietor of pounds as the authorized fees for such transfer. 10 Proprietor. Transferree. SCHEDULE J. 186 . 15 REGISTRATION OF BRANDS ACT OF 1866. Delivery Note. This is to certify that I have here this day delivered into the charge of mentioned in the Schedule below for the as my Bailee the at 20 purpose of their being by him to Owner. Schedule referred to above. ROUTE. DESTINATION. HORSES OR CATTLE. BRANDS AND MARKS. NUMBER. Owner. Witness. SCHEDULE K. SCALE OF FEES AND RATES. £ s. d. For registering any brand including the cost of advertising such brand in the Gazette for two consecutive issues and for publishing the same in the Brand Directory for the Colony as follows namely :-30 The proprietor of 1 animal and not exceeding 20 5 10 1 20 " ,, 100 0 10 20 10 ,, 500 100 0 15 35 " 50 20 " 1,000 ... 500 100 50 1,000 3,000 ... ... 200 ... 100 40 " 3,000 6,000 ... ... 400 ... 200 ,, 6,000 ... 4.000 ... 600 ... 400 6,000 and upwards 0 45 600 Note.—Rates for registration &c. of horses in larger figures. For every search in any Register of Brands 1 0 For the transfer of any brand one-half of the above rates respectively according to the scale mentioned. For any extract from the Brand Directory Gazette or Brand Register for the first one hundred words or portion thereof ... ... ... every additional one hundred words or portion ... ... 6 For every additional one hundred words or portion For notice of similarity of brand or of distinguishing brand fixed upon by the ... 55 Registrar by post ... ... ...

## New South Wales.



ANNO TRICESIMO

# VICTORIÆ REGINÆ.

## No. XII.

An Act to provide for the Registration of Brands. [Assented to, 5th October, 1866.]

THEREAS it is expedient to provide for the Registration of Preamble. Brands used in branding Horses and Cattle Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:-

1. The following terms in inverted commas shall for the purposes Interpretation. of this Act bear the meanings set against them respectively unless the context otherwise indicate-

"Horse"—Any horse mare gelding colt filly ass or mule.
"Cattle"—Any bull cow ox heifer steer or calf.
"Register"—The Register Book containing a list of the brands of horses or cattle registered with the Registrar of Brands.

"Proprietor"—The registered proprietor of any brand.
"Brand"—The impression of any letter sign or character

branded on any horse or cattle.
"Brand Directory"—The list of the brands of horses or cattle compiled by the Registrar of Brands and published by the Government Printer whether in the shape of a Brand Directory or of quarterly lists in the *Gazette*. "Residence"—The residence house homestead or head station

of any proprietor.
"Run"—Any run station farm freehold or leasehold where

horses or cattle are kept or depastured.

"Fees"—Any fees rates or charges which any person may be liable to pay under this Act or the Regulations made in pursuance thereof.

"Justice"—Any Justice of the Peace.

"Drover"

"Drover"—Any person other than the owner of any horses or cattle driving or in the possession or charge of the same.

Registrar General to be Registrar of Brands his deputies.

2. The Registrar General shall be Registrar of Brands and shall possess the powers and perform the duties belonging to such office for the whole Colony And the Governor with the advice of the Executive Council may from time to time appoint one or more Deputy Registrars whose acts under the direction of the Registrar of Brands

shall have the same force and effect as if done by him.

Registers to be kept.

3. The Registrar of Brands shall keep two registers one for the registration of the brands of horses and another for the registration of the brands of cattle and all brands registered with him shall be respectively entered therein with the names and addresses of their proprietors and such books shall be named and known respectively as the 'Horse Register" and "Cattle Register" for the Colony and shall be ruled marked and divided in the forms of Schedules hereto annexed

marked A and B respectively.

Only one brand to be used by same proprietor under penalty.

4. The owner of any run or of more runs than one if such runs are contiguous to each other shall use only one and the same brand for horses and one and the same brand for cattle respectively on such run or runs But the owner of more runs than one where such runs are not contiguous to each other may use one and the same brand for the horses and one and the same brand for the cattle on each and every of such runs and the owner of any run offending against the provisions of this section shall upon conviction for every such offence in a summary way forfeit and pay any sum not exceeding twenty pounds Provided that if there shall be cattle or horses of more than one person upon the same run a distinguishing brand may be used thereon and registered in addition to the brand of the owner of the run.

Size of brand.

5. The brand for horses shall be not less than two inches in length and for cattle not less than three inches in length and where a brand shall consist of more letters signs or characters than one such letters signs or characters shall be not less than an inch apart from each other And any person failing to comply with any of the requirements of this section shall on conviction for every such offence in a summary way forfeit and pay any sum not exceeding ten pounds Provided always that it shall not be incumbent upon any person to register any numerals as a brand or part of a brand Provided also that any person using a sign or character other than letters or numerals as a brand or part of a brand shall defray the expense of procuring a type or block for the purpose of advertising.

Not necessary to register numeral as a brand.

Mode of branding.

6. All horses and cattle shall be branded upon the portions of the body indicated by Schedules C and D hereto annexed and each succeeding brand other than upon the same portion of the body shall be in the order therein stated Provided that every succeeding brand on the same portion shall be lower than and not less than an inch apart from the immediately preceding brand and horses and cattle shall be deemed to be branded with the particular brand which shall appear to be the last in order upon such horses and cattle according to the order hereinbefore prescribed And any person failing to comply with any of the requirements of this section shall on conviction in a summary way for every such offence forfeit and pay any sum not exceeding fifty pounds.

7. Every person who shall use or intend to use a brand shall register the same with the Registrar of Brands And any one who shall three months after the date of this Act coming into operation use or attempt direct or permit to be used a brand not so registered or who shall have in his possession any instrument commonly used for the making of any brand with intent to use the same shall on

conviction for every such offence in a summary way forfeit and pay any sum not exceeding fifty pounds.

Brands to be registered.

8. Every person intending to register his brand shall for- Mode of registration. ward to the Registrar of Brands an application in the form of the Schedule annexed hereto marked E along with the authorized fees for the registration thereof And in every case where more than one person has not made an application to register a similar brand such Registrar shall cause the name and residence of the applicant and a description of his brand to be notified at least three times in the Gazette And if within two months from the date of the first notification of such brand no objection be made by any other person on account of his owning a similar brand to that notified as aforesaid the brand so notified shall be deemed to be the brand of such applicant and shall be registered accordingly Provided that in cases where two or more applications as aforesaid by different persons are made to register similar brands or where applications are made by persons to register brands similar to brands already registered such applicants shall receive notice thereof from such Registrar by registered letters addressed to them and on receipt of such notices such applicants shall arrange a modification of their brands so as to distinguish them from each other or (as the case may be) from brands already registered and shall within three months after the date of the receipt by them of such notice in like manner by registered letter communicate to such Registrar the modifications made by them and upon the receipt by such Registrar of such communications he shall after such notice register their respective brands so modified by them And when no such modifications shall have been communicated to such Registrar within the time hereinbefore specified or when the brands so communicated are not so modified as to distinguish them from one another and from all brands applied to be registered or that may be already registered he may make such additions to or alterations of such brands as he may deem necessary so to distinguish them and shall give such applicants notice of such additions or alterations by registered letter addressed to them And the brands so notified to such applicants shall be and be deemed to be their respective brands and shall after such notice be registered accordingly.

9. Every application for the registration of any brand shall be order of registration. numbered and entered by the Registrar of Brands in the order in which it is received and such Registrar shall send to the person making such application a certificate of application in the form of Schedule F hereto annexed And upon every such brand being duly registered as aforesaid such Registrar shall transmit to the proprietor thereof a certificate of registration in the form of the Schedule hereto annexed

marked G.

10. At the end of each quarter of the year the Registrar of Quarterly returns of Brands shall prepare an alphabetical list in the form of Schedule H lished. hereto annexed of the brands and of the names and residences of their respective proprietors thus registered during the preceding quarter as aforesaid and shall publish the same in the Gazette.

11. Immediately after the thirty-first day of December in each Annual return of year the Registrar of Brands shall compile and publish a Brand brands. Directory for the Colony containing a correct and complete list of all brands and of the names and residences of their respective proprietors so registered by him up to that date in the form of Schedule H hereto annexed.

12. When any brand which has been registered under this Act Mode of transferring is intended to be transferred the registered proprietor thereof and the brands. intended transferree shall execute a joint memorandum in the form of Schedule I hereto annexed and on the receipt of such memorandum duly executed as aforesaid and the authorized fees for such intended transfer the Registrar of Brands shall cancel the existing registration

of such brand by the transferror and register the same in the name of the transferree and shall issue a certificate to him in the form of Schedule G hereto annexed and such transferree shall thereupon be and be held to be the registered proprietor of such brand And any person other than the proprietor thereof using any registered brand before the transfer of the same shall have been registered as herein-before provided or otherwise neglecting or refusing to comply with any of the provisions of this section shall on conviction for every such offence in a summary way be liable in a penalty not exceeding fifty pounds.

Entry of brand prima facie evidence of ownership.

13. On the trial of any person charged with horse or cattle stealing it shall be competent for the Attorney General or other officer prosecuting on behalf of the Crown to give evidence that the brands appearing upon the animals alleged to have been stolen are the brands of the person charged on the information to be the owner or of some person through whom such alleged owner claims and such evidence may if in the opinion of the jury the other circumstances proved at the trial warrant such course be taken into their consideration in determining the question of ownership.

Poundkeepers to keep brand directory. 14. Every poundkeeper shall keep copies of the latest edition of the brand directory and of the Gazettes containing the alphabetical lists of the brands and the names and residences of the proprietors thereof and shall on the receipt of a fee of one shilling permit a search in such brand directory and Gazettes at all reasonable hours. And every poundkeeper who shall fail to comply with any of the requirements of this section shall on conviction in a summary way for every such offence incur a penalty not exceeding five pounds.

Notice of impounding to be sent to owner of brand.

15. When any cattle or horses are impounded the poundkeeper shall forthwith send notice thereof to the proprietor of the brand which shall appear last in order on such cattle or horses. And every poundkeeper who shall neglect or delay to send any such notice shall on conviction in a summary way for every such offence be liable to a penalty not exceeding ten pounds.

Owners of cattle to give drover a statement of cattle delivered to him.

16. After the expiration of three months from the time of the coming of this Act into operation it shall be the duty of every person delivering horses or cattle to any drover to be driven to any place to give to such drover at the time of such delivery a statement signed by him and setting forth the date and place of delivery the number and description of the horses or cattle so delivered and the place to which they are to be driven as per Schedule J hereto and every person who shall fail to comply with this section shall be liable on conviction before any two Justices in a summary way to a penalty not exceeding twenty pounds.

Penalty enforced on drover for driving cattle without having such statement in possession.

17. After the expiration of three months from the time of the coming of this Act into operation if any drover found driving cattle or horses from one place to another shall not produce to any constable who may ask for such production a statement such as is directed to be given by the last preceding section comprising all the cattle then in his possession he may be apprehended by such constable and taken before any Justice of the Peace And if on inquiry by any Justice in a summary way it shall be proved to the satisfaction of such Justice that such drover had such cattle or horses in his possession and did not produce such statement as aforesaid to order and adjudge that such drover shall pay a penalty not exceeding twenty pounds and any person purchasing or receiving from a drover any cattle or horses not described in such statement of delivery as aforesaid shall pay a penalty not exceeding fifty pounds Provided that this section shall not apply to any drover who shall have in his possession a certificate signed by any two Justices of the Peace and setting forth that such person is known to them to a be person of good repute.

18.

18. All cattle or horses found in possession of any person Cattle in possession apprehended under the last preceding section may be placed in the of persons not public pound nearest to the place of apprehension to be there kept ment to be placed in until ordered to be delivered up to some person claiming them as nearest pound.

Owner or otherwise by any two Justices of the Peace.

19. Nothing herein contained shall affect any mortgage or Not to affect mortother security under the Act eleventh Victoria number four or any gages under 11 Vict.

subsequent Act for amending or continuing the same.

20. Any Registrar of Brands Deputy Registrar or other person False entry to be who shall knowingly and unlawfully insert or cause or permit to be indeed a misdemeanor. serted any false entry of any matter relating to any brand in any register certificate brand directory or list of brands or in any extract from any register certificate brand directory or list of brands or delivery note or who shall forge or alter or shall offer utter dispose of or put off knowing the same to be forged or altered with intent to defraud any such register certificate directory or list or any extract or entry therefrom or that which purports to be such an extract or entry or delivery note or who shall wilfully and unlawfully destroy deface injure or alter or cause to be destroyed defaced injured or altered any such brand register certificate directory list extract entry or delivery note or any part thereof with such intent or who shall knowingly and wilfully use the brand of any proprietor without his authority with such intent or who shall knowingly and wilfully disfigure alter or deface any registered brand branded upon any cattle or horses with such intent shall on conviction for every such offence be deemed guilty of a misdemeanor and being convicted thereof shall be liable at the discretion of the Court to imprisonment with or without hard labor for any period not exceeding three years.

21. All fees and moneys payable under this Act shall be Fees-how disposed according to the scale fixed by Schedule K hereto annexed and shall be of. paid to the Registrar of Brands who shall pay the same to the Colonial Treasurer and all such fees and moneys shall be carried over to the Consolidated Revenue Fund and a separate account (to be called the "Registration of Brands' Account") shall be kept in the books of the Treasury of all such fees and moneys and also of all moneys paid there-

from under and for the purposes of this Act.

22. The Colonial Treasurer may by virtue of warrants of the Payment of expenses
Governor to be issued under his hand pay out of the Consolidated under this Act. Revenue Fund such sums of money to be specified in such warrants as may be necessary for the purposes of this Act Provided that no payment so made out of the Consolidated Revenue Fund shall exceed the amount to the credit of the Registration of Brands Account beyond the sum of one thousand pounds.

23. Where by any of the provisions of this Act it may be services of Notices, necessary to give any notice or send any document to any person &c. such notice or document may be communicated or sent to such person either by registered letter or delivered to him personally or left at his

usual place of abode or business.

24. Every penalty for any offence against this Act and any fees Recovery of made payable hereby shall be recovered in a summary way before two penalties Justices of the Peace who may hear and determine the matter and the penalty inflicted by such Justices shall be levied by distress and sale of the offenders goods and chattels and in failure of distress shall be enforced in manner provided by the Act eleventh and twelfth Victoria chapter forty-three as adopted by the fourteenth Victoria number fortythree and any Acts amending the same And all fines levied or paid Disposal of fines. under this Act shall go and be distributed after deduction of the expenses and costs incurred one half thereof to the informer or prosecutor and the other half to the Colonial Treasurer Sydney to be by him carried over to the Consolidated Revenue Fund and credited to the Registration of Brands Account.

Commencement and short title.

25. This Act shall commence and come into operation on and after the first day of January one thousand eight hundred and sixty-seven and may be cited for all purposes as the "Registration of Brands Act of 1866."

## SCHEDULES.

## SCHEDULE A.

HORSE BRAND REGISTER.

No. of Application.	Date.	Brand.	Former Brand.	Applicant.		Date of publica-	Amount of Regis-	Remarks.	
				Name.	Address.	tion in Gazette.	tration Fee.	Itomarks.	
	a. In also				3				
			•						

#### SCHEDULE B.

CATTLE BRAND REGISTER.

of ation.	Date.	Brand.	Former Brand.	Applicant.		Date of publica-	Amount of Regis-	Remarks.	
No. of Application.				Name.	Address.	tion in Gazette.	tration Fee.		
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## SCHEDULE C.

Position and order of Brands on Horses.

Portion I.—Embracing the near shoulder.

" II.— " the off shoulder.

" III.— " the near rump hip and thigh.

" IV.— " the off rump hip and thigh.

" V.— " the near ribs and saddle.

" VI.— " the off ribs and saddle.

#### SCHEDULE D.

Position and order of Brands on Cattle.

Portion I.—Embracing the near rump hip and thigh.

"II.— " the off rump hip and thigh.

"III.— " the near back and ribs.

"IV.— " the off back and ribs.

"V.— " the near shoulder.

"VII.— " the off shoulder.

"VIII.— " the near loin.

"VIII.— " the off loin.

#### SCHEDULE E.

REGISTRATION OF BRANDS ACT OF 1866. Application to register Brand.

186

To the Registrar of Brands, Sydney.

Sir,

enclose the authorized fees for the registration of the brand belonging to as mentioned in the Schedule of particulars given below and have to request that you will register such brand accordingly.

Applicant.

Schedule referred to above.

Brand to be registered.		Former	Brand.	App	No. of Cattle and Horses	Amount of Fees.	
Horses.	Cattle.	Horses.	Cattle.	Name.	Address.	owned by Applicant.	or rees.
	-	304.			N 22		£ s. d.

I do hereby solemnly declare that the several matters and things contained in the above application are true to the best of my knowledge and belief.

(Applicant or Superintendent.)

Declared before me at day of

186

this

J.P.

#### SCHEDULE F.

Sydney,

186

REGISTRATION OF BRANDS ACT OF 1866.

Certificate of Application.

This is to certify that an application dated the of the brand mentioned on the margin hereof and numbered as above from

this day with the sum of £

for the registration Horses. received by me

as the authorized fees for the registration thereof in terms of the provisions of the above-named Act. Cattle.

Registrar of Brands.

#### SCHEDULE G.

Sydney,

186

REGISTRATION OF BRANDS ACT OF 1866.

Certificate of Registration.

No.

This is to certify that the brand mentioned on the margin hereof registered as the brand of provisions of the above-named Act.

this day duly in terms of the

Registrar of Brands.

#### SCHEDULE H.

LIST FOR GAZETTE AND BRAND DIRECTORY.

Brand.	FORMER BRAND.	Proprietor.				
		Name.	Address.			
Ten ala						
	2,000					

Horse

Cattle

#### Registration of Brands. SCHEDULE I. 186 MEMORANDUM OF TRANSFER. To the Registrar of Brands being the registered proprietor I (or We) the brand mentioned on the margin hereof having transferred the same to do hereby request that you will make the necessary transfer ir Registers and enclose herewith the sum of of such brand in your Registers and pounds as the authorized fees for such transfer. Proprietor. Transferree. SCHEDULE J. 186 REGISTRATION OF BRANDS ACT OF 1866. Delivery Note. This is to certify that I have here this day delivered into the charge of mentioned in the Schedule below for the as my Bailee the by him to at purpose of their being Owner. Schedule referred to above. ROUTE. DESTINATION. Horses or Cattle. Brands and Marks. NUMBER. Owner. Witness. SCHEDULE K. SCALE OF FEES AND RATES. For registering any brand including the cost of advertising such brand in the Gazette for two consecutive issues and for publishing the same in the Brand Directory for the Colony as follows namely:— The proprietor of 1 animal and not exceeding 20 5 0 10 100 $\frac{1}{20}$ ••• 0 10 ,, " 10 100 **20** 500 ,, ,, 0 15 " 50 ... 1,000 ... 20 ••• ,, ,, 500 " 100 ... 50 ,, ,, 3,000 ... 1,000 ,, 5 **200** ... 6,000 ... 100 ,, 3,000 1 10 400 ... 200 ,, 6,000 ... ,, 1 15 400 600 ... 6,000 and upwards 0 :, 600 Note.—Rates for registration &c. of horses in larger figures. For every search in any Register of Brands ... 0 1 0 For the transfer of any brand one-half of the above rates respectively according to the scale mentioned. For any extract from the Brand Directory Gazette or Brand Register for the first one hundred words or portion thereof ... ... ... For every additional one hundred words or portion ... ... 0 6 For notice of similarity of brand or of distinguishing brand fixed upon by the 1 0 Registrar by post ••• ...,