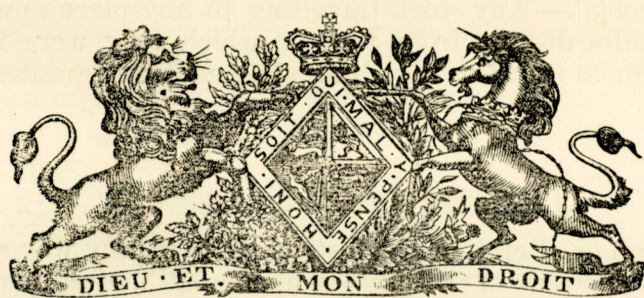


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 10 April, 1878. }*

*STEPHEN W. JONES,
Clerk of Legislative Assembly.*

New South Wales.



ANNO QUADRAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. .

An Act to amend the " Diseases in Sheep Act of 1866" and the
" Diseases in Sheep Act Amendment Act of 1876 " to
regulate the driving of Stock and to protect the Reserves
for Travelling Stock from trespass.

WHEREAS it is expedient to amend the " Diseases in Sheep Act Preamble.
of 1866" and the " Diseases in Sheep Act Amendment Act of
1876 " to regulate the driving of stock and to protect the reserves for
travelling stock from trespass Be it therefore enacted by the Queen's
5 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 :—

I.—PRELIMINARY.

1. This Act may be cited as the " Diseases in Sheep Acts Short title &c. of
10 Amendment Act of 1878" and shall be construed together with the Act.
" Diseases in Sheep Act of 1866 " hereinafter termed the Principal Act
in connection with the Acts sixteenth Victoria number one and twenty-
second Victoria number twenty-two made and passed for shortening
Acts of the Legislature.

15 2. The fifth twelfth forty-first forty-second seventy-second and
seventy-fourth sections and the Schedule L of the Principal Act and the
" Diseases in Sheep Act Amendment Act of 1876 " are hereby repealed. Repeal of sections 5
12 41 42 72 and 74
and Schedule L of
Principal Act and
Sheep Act of 1876.

Diseases in Sheep Acts Amendment.

3. In the construction of this Act the following words within Definition of terms.
inverted commas shall have the meanings and include the persons or
things set against them respectively unless inconsistent with the
context—

- 5 “Cattle”—Any bull cow ox heifer steer or calf.
“Drover”—Any person in charge of any travelling stock.
“Horse”—Any horse mare gelding colt filly foal ass or mule.
“Occupier”—The owner of any run or his superintendent or
any person in the authorized charge of any run.
10 “Owner”—Any proprietor whether jointly or in severalty super-
intendent consignee or person in possession or charge of any
stock.
“Run”—Any land road place or premises.
“Stock”—Any horses cattle or sheep.
15 “Travelling Stock”—Any stock travelling to any place upwards
of forty miles distant from that on which they were when
their permit to travel or travelling statement was granted.

II.—SHEEP DISTRICTS.

4. No division or alteration of a district shall in any way affect Alterations not to
20 the appointment or powers of Inspectors appointed under this Act affect Inspectors.
But Inspectors shall in all such cases be and be deemed to be duly
appointed to such districts or portions of districts as the Minister shall
notify in the *Gazette* And any Inspector may by direction of the Inspectors may act in
Minister do duty in any district in the Colony. any district.

III.—ELECTION AND DUTIES OF DIRECTORS.

5. Any person shall be qualified to vote at the election of Qualifications of
Directors and to be elected a director who is at the time of such electors and can-
election the owner of more than five hundred sheep *bonâ fide* kept didates.
and depastured on any run within the district for which such election
30 is held or who shall be the *bonâ fide* superintendent of any run so
situated then depasturing not less than five thousand sheep and shall
hold the written authority of the proprietor of such run to act for him at
such election Provided that if the qualification of any person claiming Proviso.
to be an elector or that of any candidate be challenged on any ground
35 other than that relating to the ownership or number of any sheep or
the locality of any run the chairman presiding at such meeting may
require such person to make a solemn declaration as to the validity of
his qualification and upon so proving the same he shall be entitled to
vote or to be elected as the case may be.
40 6. Alphabetical lists of the owners of sheep in the several sheep Electoral lists to be
districts together with the names of the runs held by such owners and prepared.
the number of sheep on each of such runs shall between the thirty-
first day of January and the fourteenth day of February in each year
be prepared by the Sheep Inspectors for such districts from the returns
45 of sheep made by the said owners to the several Clerks of Petty Sessions
who shall examine and certify to the correctness of such lists and
when so certified they shall be held and deemed to be the electoral
lists of owners eligible to vote at the election of directors in the
several sheep districts and shall lie on the table at such elections for
50 reference by any elector or candidate And all questions arising at the
election as to the ownership or number of sheep owned or depastured
or the locality of any run shall be settled by reference to such lists.

Diseases in Sheep Acts Amendment.

7. Where any sheep are jointly owned by two or more persons such persons shall be entitled to no more votes either jointly or severally than if the said sheep were owned by one individual And where sheep are running together in one flock or in one paddock they shall be held to belong to one and the same owner.

Joint owners to vote as one owner.

8. The voting at all elections of Directors as aforesaid shall be cumulative and the number of votes to be given by an owner or superintendent shall be according to the scale contained in the First Schedule hereto.

Voting to be cumulative.

9. A quorum of Directors in any district present at a meeting specially called for that purpose of which not less than fourteen days notice shall have been given in some newspaper circulating in the district shall nominate some fit person as Inspector for such district But the Governor may decline to confirm such nomination if the person nominated does not possess the qualifications prescribed by the regulations which may be issued by the Governor in that behalf or if an Inspector shall not in the opinion of the Minister be required for such district.

Directors to nominate Inspector in accordance with regulations.

10. Whenever the Minister may consider that the services of one Inspector are sufficient for two or more districts the Directors shall meet in their respective districts upon a day to be fixed by the Minister by notice in the *Gazette* and having nominated one or more persons for the office of Inspector they shall forthwith transmit such nominations with the result of the voting at their respective meetings to the Minister And the person who shall be found to have received the greatest number of votes shall be held to be duly nominated for the appointment subject to the confirmation of the Governor as aforesaid But if there be an equal number of votes for two or more candidates the nomination shall be made by the Minister from such candidates.

If one Inspector be sufficient for two or more districts Directors to nominate accordingly.

11. The Minister may where necessary on the absence resignation removal on leave or death of an Inspector appoint some fit person to act temporarily as Inspector until the return of such Inspector or the appointment of another as hereinbefore provided.

The Minister may appoint acting inspector.

IV.—TRAVELLING STOCK.

1.—*Sheep.*

12. The provisions of the principal Act relating to quarantine and to the coast district shall not apply to clean travelling sheep while being carried by railway if such sheep did not start from the coast district nor were stopped in an infected place Provided that all sheep found to be infected in a railway truck or at a railway station shall at once be removed to a quarantine ground or other proper place and dealt with as provided by this Act.

Quarantine and coast provisions not to apply to clean sheep while being carried by rail.

13. Every owner of travelling sheep which are not legibly branded with the letter T (in addition to an owner's recorded brand) shall for every such sheep so unbranded be liable to a penalty not exceeding one penny Provided that it shall not be necessary to brand with such letter any clean sheep intended to be driven from any one run to any other run not more than forty miles distant belonging to the same owner nor clean sheep which are intended to be taken on to a neighbouring run or to a pound.

Travelling sheep to be branded with the letter T.

Exceptions.

14. The following regulations with respect to travelling sheep shall apply and be in force in such sheep districts as the Governor may at any time declare by notice in the *Gazette* :—

Regulations for travelling sheep in certain districts.

(1.) Every owner intending to travel three hundred or more sheep from any run shall before leaving the Sheep district in which such run is situated forward to the Inspector of the District

Travelling sheep to obtain permit from Inspector.

District

Diseases in Sheep Acts Amendment.

- District a statement in writing of the number description brands and marks of the said sheep and of their intended route and destination and shall obtain from the Inspector a permit containing the particulars set forth in the Second Schedule hereto to travel the said sheep as hereinafter provided to their destination by the route specified in such permit And every owner introducing sheep from any of the adjoining Colonies shall in like manner obtain a permit to travel as aforesaid from the Inspector for the district into which such sheep shall first pass on crossing the Border—
- 5 (2.) If at any time within four months from the date of the arrival of any sheep at a destination to which they shall have travelled under a permit previously granted as aforesaid it is intended to remove any of the said sheep from such destination to any other their owner shall obtain from the Inspector for the district in which such sheep shall then be a renewed permit for every second or subsequent removal for which the owner shall pay to the said Inspector a travelling charge at the rate of two pence per one hundred sheep per mile for the distance between the two destinations—
- 10 (3.) If any travelling sheep be brought back to the run from which they started to travel or to any run in the same district the owner of such sheep shall pay to the Inspector for such district the travelling charges fixed by the next preceding regulation for the whole distance such sheep shall have travelled from the time they started as aforesaid until they were brought back to either of such runs Provided that this sub-section shall not apply to fat sheep sent *bonâ fide* to and returning unsold from market.
- 15 (4.) All moneys received by Inspectors for travelling charges or otherwise under these regulations or for penalties shall be paid by them into the "Sheep Account" at the Treasury and shall be used for the purposes of this and the Principal Act.
- 20
- 25
- 30
- Sheep starting from a previous destination to pay travelling charge.
- Sheep returning to the same District to pay charge for whole distance.
- Proviso.
- Moneys collected under regulations to be paid into the "Sheep Account."

2.—Horses Cattle and Sheep.

- 35 15. Every drover in charge of any travelling sheep and every drover in charge of any travelling horses or cattle shall be provided at the time of his departure with a "travelling statement" containing the particulars set forth in the Third Schedule hereto signed by the owner of such sheep horses or cattle in the presence of a subscribing
- 40 witness And every drover shall produce such statement or a permit as hereinbefore provided upon demand to any Inspector of Stock Police constable or Justice or to the occupier of any run through which or along the boundary-road of which such travelling stock may be proceeding.
- 45 16. All travelling stock shall be taken by the drover thereof by an ordinary direct public road to the place of destination mentioned in the permit or travelling statement as the case may be for such stock And unless *bonâ fide* prevented by rain or a flood such stock if the same be sheep shall be moved six miles and if horses or
- 50 cattle ten miles at least in one and the same direction every successive period of twenty-four hours Provided that if any travelling stock be sold on the road or if from any sufficient cause the route mentioned in any such travelling statement or permit cannot be followed the drover may with the approval (to be endorsed upon the statement) of any Director or Inspector of Stock change such route or destination
- 55 Provided also that any travelling sheep may (with the sanction of an Inspector
- Certain drovers to carry a "travelling statement."
- Drovers to produce statement or permit.
- Stock to travel certain distances and by direct route.
- Proviso.
- Proviso.

Diseases in Sheep Acts Amendment.

Inspector or Director) be kept for any period not exceeding forty-eight hours on any reserve for travelling stock for the purpose of branding such sheep or for carrying out any other necessary provision of this or any other Act.

5 17. Whenever a drover intends to take his travelling stock along any road which may intersect or form the boundary of any run containing not less than two hundred acres and not separated from such road by a sufficient fence he shall give the occupier of such run not less than twelve nor more than forty-eight hours notice of such
10 intention by leaving the same at the homestead or head station of such run. Provided always that such notice shall not be necessary
within thirty miles of the sea-coast nor in the case of horses or cattle *bonâ fide* used for saddle or draught nor in that of fat sheep nor fat
cattle travelling to a specified market for sale nor in that of sheep
15 while being carried in a conveyance nor while travelling in the coast scab district.

Drovers to give notice to owners of runs on the route.

Proviso.

18. If the drover of any travelling stock before or at the time of giving such notice shall have any reason to suspect or believe that any of such stock are infected with any disease he shall give
20 the notice in the manner required by the last section in writing and shall in such notice state with what particular disease he suspects or believes such stock to be so infected. And such notice shall in the case last-mentioned be so delivered at the homestead or head station of every such run whatever may be the extent thereof and whether such
25 run be or not sufficiently fenced from the line of road along which such travelling stock are intended to be taken. And every precaution shall be adopted by the drover in such case to prevent contact between his travelling stock and any stock then being on any such run. Provided always that travelling stock when so suspected or believed to be infected
30 with any disease shall be permitted to travel only during the hours of daylight.

Written notices to be given if stock are suspected of disease.

19. No person shall drive take or depasture any stock unless they be *bonâ fide* travelling stock upon any Crown lands reserved for travelling stock. And no person shall drive take or depasture any
35 stock other than stock in transit to the railway upon reserves set apart for the accommodation of the railway stock traffic. And any stock driven taken or depastured contrary to this Act or any Regulation made hereunder or any stock found upon a reserve for travelling stock—such stock not being *bonâ fide* travelling stock nor stock
40 belonging to the occupier of the run on which such reserve is situated—may be impounded by any Inspector of Stock or Justice or other person authorized by the Minister in that behalf and may thereupon be dealt with as in the case of stock impounded for trespass upon lands in the lawful possession of any occupier.

None but *bonâ fide* travelling stock to be depastured on Reserves.

45 20. No carcasses of travelling stock shall be left more than twelve hours undestroyed on or within half a mile of any road.

Carcasses not to be left undestroyed near roads.

21. The Governor may make Regulations for carrying into effect the several provisions of this Act and for reserves for travelling stock. All such Regulations shall on being published in the *Gazette*
50 have the full force of law. And copies of the same shall without unnecessary delay be laid before Parliament if at the time in Session otherwise within one month after the commencement of its then next Session.

Governor may make Regulations for travelling stock.

22. Every person offending against any of the provisions of
55 this Act or of any regulation made under its authority with respect to travelling stock shall on conviction for every such offence be liable to a penalty not exceeding twenty-five pounds. Provided that any person offending against section eighteen of this Act on conviction thereof shall be liable to a penalty not exceeding fifty pounds.

Penalty for breach of travelling regulations not exceeding £25.

Proviso.

V.—

Diseases in Sheep Acts Amendment.

V.—INTRODUCED SHEEP.

23. The Governor may set apart a piece of ground at any place to be a quarantine for introduced sheep.

Quarantines may be proclaimed on the Borders for introduced sheep.

24. If in the opinion of the Minister there be any reason to suspect that Introduced sheep are infected or likely to be infected they shall forthwith be placed and remain in quarantine for such length of time and shall undergo such dressing and disinfecting as shall be prescribed by regulations made under this Act And any person who shall take or assist in taking any introduced sheep in or out of quarantine contrary to this Act or any Regulations hereunder or who shall offend against any of the provisions thereof shall on conviction for every such offence be liable to a penalty not exceeding one hundred pounds and not less than five pounds or be liable to be imprisoned for any term not exceeding six months.

Suspected sheep may be quarantined and dressed.

25. If any introduced sheep placed in quarantine as hereinbefore provided shall be kept or dressed or disinfected while in quarantine at the public expense the owner of such sheep shall pay to the Inspector of the district such fees for any such services as shall be fixed by the Governor But if the owner of such sheep shall himself have borne the expense no fees shall be required or payable.

If sheep be kept at public expense owner to pay fees.

VI.—IMPORTED SHEEP.

26. Besides the quarantine stations which may be established under the Principal Act for the reception of imported sheep it shall be lawful for the Governor to set apart such pieces of ground at or near any seaport as may be considered necessary for special quarantines where Imported sheep may be safely kept and dressed at their owners expense But such sheep shall in every case be kept and dressed under the direction and to the satisfaction of the Chief Inspector.

Special quarantines may be established and imported sheep kept at owner's expense.

27. The Governor may from time to time appoint the fees to be charged for the sustenance and dressing of imported sheep while in quarantine.

Quarantine charges to be fixed by the Governor.

28. Notwithstanding the provisions contained in the Principal Act the duration of the quarantine for imported sheep shall hereafter be twenty-one days Provided that this section shall not apply to sheep from places other than the Australian and New Zealand Colonies.

Quarantine for imported sheep to be reduced to 21 days.

29. Notwithstanding anything contained in the "Sheep Act of 1866" the Governor may from time to time by proclamation in the *Gazette* suspend for any period not exceeding six months such of the provisions of the said or this Act relating to the introduction of imported sheep from neighbouring Colonies as will admit of fat sheep arriving by sea from any Colony in which disease is not known nor suspected to exist being taken direct to the Abattoirs on Glebe Island in Port Jackson for slaughter under such Regulations as may be set forth in the said Proclamation.

Provisions relating to imported sheep may be so far suspended where sheep are to be slaughtered.

VII.—COASTWISE AND COAST DISTRICT SHEEP.

30. The Governor may by Proclamation in the *Gazette* suspend all or any of the provisions of sections fifty-five and fifty-eight of the Principal Act for any period not exceeding twelve months.

Provisions relating to coastwise and coast sheep may be suspended.

VIII.—SHEEP BRANDS AND MARKS.

31. All sheep above the age of six months shall be branded and kept legibly branded by the owner thereof with an "owner's brand" which shall have been duly recorded as hereinafter provided.

All sheep over six months to bear a recorded brand.

Diseases in Sheep Acts Amendment.

32. Only one fire brand and one paint or tar "owner's brand" and one owner's ear-mark shall be allotted to each sheepowner for every run held by him and if two or more adjoin they shall be deemed one run. But sheepowners may use any number of distinctive marks to denote the age or class of their sheep provided that such distinctive marks shall not be on the same ear as the owner's recorded ear-mark.

Brands allotted to each owner.

33. Each District Inspector shall keep a book in the form directed by the Chief Inspector to be called the "Sheep Brands and Marks Record" for the entry of all "owner's brands" and marks allotted by him and also of all distinctive marks as aforesaid which any sheepowner may desire to record.

Inspector to keep a record of brands and marks.

34. Every sheep-owner requiring an "owner's brand" or mark shall transmit to the Inspector for the district an application in the form given in the Fourth Schedule hereto together with the fee for recording and publishing the same according to the scale given in the Sixth Schedule hereto. And if such brand or mark shall not be the same or similar or easily convertible into any other brand or mark already recorded in the same district the Inspector shall record the brand or mark so applied for as the "owner's brand" or mark of the said applicant and shall deliver or transmit to him a certificate to that effect. But if there be any objection to the allotment of the brand or mark applied for the Inspector shall forthwith intimate the same to the applicant and suggest to him a modification thereof. And if within twenty-one days of the date of such intimation the Inspector shall not receive from such applicant an acceptance of the said modification or some other modification of the brand or mark so applied for which shall not be objectionable as aforesaid the Inspector shall record the brand or mark as modified by himself and the same shall be the "owner's brand" or mark of such applicant accordingly.

Application and allotment of brands and marks.

If brand or mark be objectionable Inspector will suggest modification.

35. The Inspector if so required by any sheep-owner who shall have recorded an "owner's brand" or mark shall together with such brand or mark also record the distinctive marks used by such owner to denote the age or class of or any other particular respecting his sheep.

Inspector if required by owner may also record distinctive marks.

36. If it shall be found that any brands or marks liable to any of the objections hereinbefore mentioned have been allotted in the same district or in different districts but in the same locality the Chief Inspector shall allot such modifications to the owners of the said brands or marks as shall render them dissimilar. And such owners shall on receiving notice to that effect from the Chief Inspector adopt and use such modifications of their brands or marks accordingly.

The Chief Inspector may modify recorded brands or marks found to be objectionable.

37. If the proprietor of any such recorded brand or mark desires to transfer the right thereof to any other person he shall join with such person in a memorandum of transfer in the form given in the Fifth Schedule hereto and shall deliver or transmit the same together with the fee for recording the same mentioned in the Sixth Schedule hereto to the Inspector who shall make the necessary entries in his record and deliver or transmit to such person a certificate of such transfer.

Mode of transfer of sheep brands or marks.

38. Every firebrand shall be imprinted on the face or horn and every pitch tar or paint brand on the shoulder ribs back or rump of the sheep. And all such brands and all distinctive ear and other marks on sheep shall be branded and made thereon as the Governor may from time to time direct by any Regulations made in that behalf.

How sheep brands and marks are to be applied and marked.

39. For the purposes of this Act or any Regulations issued hereunder proof that the recorded brand or mark of any owner is branded or marked upon any sheep and that such brand or mark is recorded in the district in which such sheep then are and is the only recorded brand or mark imprinted or marked thereon shall be *prima facie* evidence of the ownership of such sheep.

Brands and marks in certain cases to be *prima facie* evidence.

Diseases in Sheep Acts Amendment.

40. Every person found guilty of any of the following acts relating to the branding or marking of any sheep shall on conviction for every offence be liable to a penalty not exceeding one hundred pounds namely—
- 5 (1.) Wilfully or negligently branding or marking with his own recorded brand or mark any sheep of which he is not the owner or wilfully or negligently permitting any such sheep to be branded or marked with his recorded brand or mark— Misbranding.
- 10 (2.) Wilfully destroying defacing or altering any brand or ear or other mark on sheep or permitting or being privy to the destruction defacement or alteration thereof— Destroying defacing or altering brands or marks.
- (3.) Cutting off more than one-fourth of the ear— Ear-cropping.
- (4.) Using on any sheep the brand or mark of any other person without his authority— Using brand or mark without owners authority.
- 15 (5.) Using any unrecorded brand or mark on any sheep— Using an unrecorded brand or mark.
- (6.) Or in any other way offending against any other of the provisions of this Act connected with the branding or marking of sheep—
- And the fact of any such sheep being on the run of such person for two months without his having given notice to the rightful owner of such sheep or to the officer in charge of the nearest police station or to the nearest Inspector of such misbranding defacing altering cutting or marking Or the fact that any sheep bearing any such brand or mark as aforesaid had been claimed or dealt with by any person as his property shall be *prima facie* evidence of such person having committed a breach of this section. Proof of offence.

IX.—MISCELLANEOUS.

41. Every owner possessed of fifty or more sheep shall give the occupants who are possessed of fifty or more sheep and whose runs approach at any point within ten miles of the run occupied by such owner not more than five clear days nor less than twenty-four hours notice in writing delivered personally or sent by registered letter through the post of any muster intended to be made by such owner on his run for the purpose of shearing branding marking or weaning any sheep and such owner shall permit the said occupants or their employees to attend at any such muster Provided that any such owner may with the consent in writing of any such occupant omit such notice and any owner or other person failing to comply with any of the provisions of this section shall on conviction for every such offence incur a penalty not exceeding fifty pounds. Owners mustering sheep in certain cases to give notice to neighbours.
42. Every owner not liable to contribute as provided by the Principal Act who shall keep sheep and every salesman and dealer in sheep and every butcher shall on or before the fourteenth day of January in each year register his run and premises and the number of sheep at the time on such run or premises (if any) in the register book of the Inspector for the district. Non-contributing owners butchers and others to register their premises and sheep.
43. Every person who shall commit a breach of any of the provisions of this Act or of any Regulations issued hereunder for which a penalty is not specially provided shall on conviction for every such offence be liable in a penalty not exceeding ten pounds. General penalty.

X.—CONTRIBUTIONS AND EXPENSES.

44. Notwithstanding anything in the Principal Act to the contrary all contributions fees penalties and other moneys receivable thereunder or under this Act shall be paid to the Colonial Treasurer or such other person as he may authorize to receive the same and shall be Contributions to be paid into the Trust Fund.

Diseases in Sheep Acts Amendment.

be paid into the Trust Fund and carried to the credit of a special account to be called the "Sheep Account" together with any balance which may at the passing of this Act be at the credit of the present Sheep Account at the Treasury.

5 45. The Colonial Treasurer shall under warrant of the Govern- Expenses to be paid
ment pay out of the Sheep Account hereinbefore described (or in the under warrant of the
event of such account being inadequate out of such moneys as may Governor.
be appropriated by Parliament for the purposes of this Act) all claims
which may arise hereunder and all necessary expenses which may be
10 incurred in carrying out this Act Provided that all payments under Proviso as to loans
such special appropriations shall be recouped to the Consolidated from Consolidated
Revenue when there is a sufficient balance to the credit of the said Revenue.
Sheep Account.

XI.—LEGAL PROCEDURE.

15 46. Notwithstanding anything contained in the Principal Act Expenses but no
no informer or prosecutor shall hereafter be entitled to receive any moiety of penalty to
moiety of any penalty recovered under this Act but the whole penalty be paid to informer
shall be paid to the Colonial Treasurer to be placed to the credit of or prosecutor.
the "Sheep Account" at the Treasury And in every case where a
20 conviction is obtained the Justices may adjudge the defendant to pay
to the prosecutor all necessary expenses incurred in carrying through
the prosecution.

SCHEDULES.

THE FIRST SCHEDULE.

25 SCALE of votes which owners or superintendents of sheep stations shall under the above-
named Act be entitled to record at elections of Sheep Directors according to the
number of sheep on such stations.
Over 500 and under 10,000 sheep shall entitle an owner to ... 1 vote
30 " 10,000 " 20,000 " " owner or superintendent to 2 votes
 " 20,000 " 30,000 " " " " 3 "
 30,000 and over " " " " " 4 "

THE SECOND SCHEDULE.

Permit to Travel.

35 THIS is to certify that the sheep more particularly described to in the Schedule below
are hereby permitted to travel to their destination by the route specified in the said
Schedule.

SCHEDULE REFERRED TO ABOVE.

40	Number.	Description.	Brands and Marks.	Name and address of owner and of person in charge.	From what District and Run.	Route permitted to Travel.	Consignee and Destination.

Diseases in Sheep Acts Amendment.

THE THIRD SCHEDULE.

Travelling Statement.

I of do solemnly declare that I am the owner (or "the superintendent of Mr. the owner") of the travelling stock more particularly described in the Schedule below And I further declare that the said stock are this day to be taken by me (or "by as my Drover") from (state the name of place or run) and are intended to be driven by me (or "him") to being their destination (state the name of place or run) by the following route which is an ordinary (or "the direct") route viz. :—

10 SCHEDULE REFERRED TO.

Number of Stock.	Description of Stock.	Sex.	Marks.	How and where branded.	Diseased or Sound.

15 Signed at this day of 187 . Owner (or "Superintendent").
Witness

THE FOURTH SCHEDULE.

Application to Record a Sheep Brand or Mark.

To
20 Inspector of Sheep. 18 .
I (or we) have to request that you will record the brand and mark on the margin hereof as the sheep brand and mark to be used on station of of which is the post town and that you will also enter in your record that the age of the sheep on the station is denoted by and the class by
25 Owner (or Superintendent.)
Witness—

THE FIFTH SCHEDULE.

Memorandum of Transfer of Brand or Mark.

To
30 Inspector of Stock. 18 .
I (or we) being the recorded proprietor of the sheep brand and mark on the margin hereof having transferred the same to of do hereby request that you will make the necessary transfer to of such brand and mark in your record accordingly.
35 Transferror.
Witness— Transferree.

THE SIXTH SCHEDULE.

Scale of Fees for Recording Sheep Brands and Marks.

						s.	d.
	For 1 sheep and not exceeding 100 sheep ...	...	...	...	...	2	6
40	100 " " 500 " ...	...	...	...	...	5	0
	500 " " 1000 " ...	...	...	...	...	7	6
	And for every additional 1000 sheep ...	...	...	...	...	1	0
	For every ear-mark or other "owner's mark" ...	...	...	...	...	5	0
	For every distinctive brand or mark ...	...	...	...	...	1	0
45	For the transfer of any brand or mark half the above rates for recording the same.	...	...	...	...
	For the publication of every brand or mark in the Gazette ...	...	...	...	...	1	0

DISEASES IN SHEEP ACTS AMENDMENT BILL.

SCHEDULE of the Amendments referred to in Message of 2nd May, 1878.

- Page 2, clause 3, line 13. *Omit line 13 insert “ ‘Run’—Any portion of land containing not less than two thousand acres whereon stock are depastured ”*
- „ „ clause 3, line 16. *After “ sheep ” omit remainder of clause.*
- „ 4, „ 14. *Omit sub-section 3.*
- „ „ 15, line 40. *Omit “ or ” insert “ and ”*
- „ „ 16, line 46. *Omit “ an ordinary direct public road ” insert “ the most direct road ordinarily used for the purpose of travelling stock ”*
- „ 5, clause 17, lines 6 and 7. *Omit “ containing not less than two hundred acres and ”*
- „ clause 17, line 13. *Omit “ fat sheep nor ”*
- „ „ 21, lines 48 and 49. *After “ for ” insert “ the protection and management of ”*
- „ 7, clause 34, line 12. *Omit “ requiring ” insert “ using ”*
- „ 8, „ 41, line 30. *Omit “ approach at any point within ten miles of ” insert “ adjoin ”*
- „ 9, clause 46, lines 15 and 16. *Before “ notwithstanding ” insert “ all offences against this Act may be heard and determined in a summary way by any two Justices and ”*
- „ clause 46, line 17. *After “ Act ” insert “ or this Act ”*
-

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, 10 April, 1878. }*

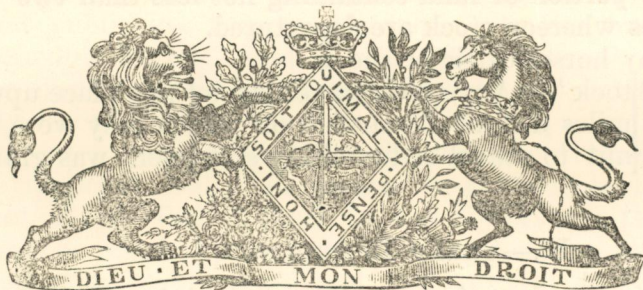
STEPHEN W. JONES,
Clerk of Legislative Assembly.

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

*Legislative Council Chamber,
Sydney, 2nd May, 1878. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO QUADRAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. .

An Act to amend the "Diseases in Sheep Act of 1866" and the "Diseases in Sheep Act Amendment Act of 1876" to regulate the driving of Stock and to protect the Reserves for Travelling Stock from trespass.

WHEREAS it is expedient to amend the "Diseases in Sheep Act of 1866" and the "Diseases in Sheep Act Amendment Act of 1876" to regulate the driving of stock and to protect the reserves for travelling stock from trespass 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:—

I.—PRELIMINARY.

1. This Act may be cited as the "Diseases in Sheep Acts Amendment Act of 1878" and shall be construed together with the "Diseases in Sheep Act of 1866" hereinafter termed the Principal Act in connection with the Acts sixteenth Victoria number one and twenty-second Victoria number twenty-two made and passed for shortening Acts of the Legislature.
2. The fifth twelfth forty-first forty-second seventy-second and seventy-fourth sections and the Schedule L of the Principal Act and the "Diseases in Sheep Act Amendment Act of 1876" are hereby repealed.
- 55—A

Preamble.

Short title &c. of Act.

Repeal of sections 5 12 41 42 72 and 74 and Schedule L of Principal Act and Sheep Act of 1876.

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

Diseases in Sheep Acts Amendment.

3. In the construction of this Act the following words within Definition of terms.
inverted commas shall have the meanings and include the persons or
things set against them respectively unless inconsistent with the
context—

- 5 “Cattle”—Any bull cow ox heifer steer or calf.
“Drover”—Any person in charge of any travelling stock.
“Horse”—Any horse mare gelding colt filly foal ass or mule.
“Occupier”—The owner of any run or his superintendent or
any person in the authorized charge of any run.
10 “Owner”—Any proprietor whether jointly or in severalty super-
intendent consignee or person in possession or charge of any
stock.
“Run”—Any land road place or premises.
“Run”—Any portion of land containing not less than two thou-
15 sand acres whereon stock are depastured.
“Stock”—Any horses cattle or sheep.
“Travelling Stock”—Any stock travelling to any place upwards
of forty miles distant from that on which they were when
their permit to travel or travelling statement was granted.

20 II.—SHEEP DISTRICTS.

4. No division or alteration of a district shall in any way affect Alterations not to
the appointment or powers of Inspectors appointed under this Act affect Inspectors.
But Inspectors shall in all such cases be and be deemed to be duly
appointed to such districts or portions of districts as the Minister shall
25 notify in the *Gazette* And any Inspector may by direction of the Inspectors may act in
Minister do duty in any district in the Colony. any district.

III.—ELECTION AND DUTIES OF DIRECTORS.

5. Any person shall be qualified to vote at the election of Qualifications of
Directors and to be elected a director who is at the time of such electors and can-
30 election the owner of more than five hundred sheep *bonâ fide* kept didates.
and depastured on any run within the district for which such election
is held or who shall be the *bonâ fide* superintendent of any run so
situated then depasturing not less than five thousand sheep and shall
hold the written authority of the proprietor of such run to act for him at
35 such election Provided that if the qualification of any person claiming Proviso.
to be an elector or that of any candidate be challenged on any ground
other than that relating to the ownership or number of any sheep or
the locality of any run the chairman presiding at such meeting may
require such person to make a solemn declaration as to the validity of
40 his qualification and upon so proving the same he shall be entitled to
vote or to be elected as the case may be.
6. Alphabetical lists of the owners of sheep in the several sheep Electoral lists to be
districts together with the names of the runs held by such owners and prepared.
the number of sheep on each of such runs shall between the thirty-
45 first day of January and the fourteenth day of February in each year
be prepared by the Sheep Inspectors for such districts from the returns
of sheep made by the said owners to the several Clerks of Petty Sessions
who shall examine and certify to the correctness of such lists and
when so certified they shall be held and deemed to be the electoral
50 lists of owners eligible to vote at the election of directors in the
several sheep districts and shall lie on the table at such elections for
reference by any elector or candidate And all questions arising at the
election as to the ownership or number of sheep owned or depastured
or the locality of any run shall be settled by reference to such lists.

Diseases in Sheep Acts Amendment.

7. Where any sheep are jointly owned by two or more persons such persons shall be entitled to no more votes either jointly or severally than if the said sheep were owned by one individual And where sheep are running together in one flock or in one paddock they shall be held to belong to one and the same owner.

Joint owners to vote as one owner.

8. The voting at all elections of Directors as aforesaid shall be cumulative and the number of votes to be given by an owner or superintendent shall be according to the scale contained in the First Schedule hereto.

Voting to be cumulative.

9. A quorum of Directors in any district present at a meeting specially called for that purpose of which not less than fourteen days notice shall have been given in some newspaper circulating in the district shall nominate some fit person as Inspector for such district But the Governor may decline to confirm such nomination if the person nominated does not possess the qualifications prescribed by the regulations which may be issued by the Governor in that behalf or if an Inspector shall not in the opinion of the Minister be required for such district.

Directors to nominate Inspector in accordance with regulations.

10. Whenever the Minister may consider that the services of one Inspector are sufficient for two or more districts the Directors shall meet in their respective districts upon a day to be fixed by the Minister by notice in the *Gazette* and having nominated one or more persons for the office of Inspector they shall forthwith transmit such nominations with the result of the voting at their respective meetings to the Minister And the person who shall be found to have received the greatest number of votes shall be held to be duly nominated for the appointment subject to the confirmation of the Governor as aforesaid But if there be an equal number of votes for two or more candidates the nomination shall be made by the Minister from such candidates.

If one Inspector be sufficient for two or more districts Directors to nominate accordingly.

11. The Minister may where necessary on the absence resignation removal on leave or death of an Inspector appoint some fit person to act temporarily as Inspector until the return of such Inspector or the appointment of another as hereinbefore provided.

The Minister may appoint acting inspector.

IV.—TRAVELLING STOCK.

1.—*Sheep.*

12. The provisions of the principal Act relating to quarantine and to the coast district shall not apply to clean travelling sheep while being carried by railway if such sheep did not start from the coast district nor were stopped in an infected place Provided that all sheep found to be infected in a railway truck or at a railway station shall at once be removed to a quarantine ground or other proper place and dealt with as provided by this Act.

Quarantine and coast provisions not to apply to clean sheep while being carried by rail.

13. Every owner of travelling sheep which are not legibly branded with the letter T (in addition to an owner's recorded brand) shall for every such sheep so unbranded be liable to a penalty not exceeding one penny Provided that it shall not be necessary to brand with such letter any clean sheep intended to be driven from any one run to any other run not more than forty miles distant belonging to the same owner nor clean sheep which are intended to be taken on to a neighbouring run or to a pound.

Travelling sheep to be branded with the letter T.

Exceptions.

14. The following regulations with respect to travelling sheep shall apply and be in force in such sheep districts as the Governor may at any time declare by notice in the *Gazette* :—

Regulations for travelling sheep in certain districts.

(1.) Every owner intending to travel three hundred or more sheep from any run shall before leaving the Sheep district in which such run is situated forward to the Inspector of the District

Travelling sheep to obtain permit from Inspector.

District

Diseases in Sheep Acts Amendment.

- District a statement in writing of the number description brands and marks of the said sheep and of their intended route and destination and shall obtain from the Inspector a permit containing the particulars set forth in the Second Schedule hereto to travel the said sheep as hereinafter provided to their destination by the route specified in such permit And every owner introducing sheep from any of the adjoining Colonies shall in like manner obtain a permit to travel as aforesaid from the Inspector for the district into which such sheep shall first pass on crossing the Border—
- 5 (2.) If at any time within four months from the date of the arrival of any sheep at a destination to which they shall have travelled under a permit previously granted as aforesaid it is intended to remove any of the said sheep from such destination to any other their owner shall obtain from the Inspector for the district in which such sheep shall then be a renewed permit for every second or subsequent removal for which the owner shall pay to the said Inspector a travelling charge at the rate of two pence per one hundred sheep per mile for the distance between the two destinations—
- 10 (3.) If any travelling sheep be brought back to the run from which they started to travel or to any run in the same district the owner of such sheep shall pay to the Inspector for such district the travelling charges fixed by the next preceding regulation for the whole distance such sheep shall have travelled from the time they started as aforesaid until they were brought back to either of such runs Provided that this sub-section shall not apply to fat sheep sent *bonâ fide* to and returning unsold from market.
- 15 (4. 3.) All moneys received by Inspectors for travelling charges or otherwise under these regulations or for penalties shall be paid by them into the "Sheep Account" at the Treasury and shall be used for the purposes of this and the Principal Act.
- 20 Sheep starting from a previous destination to pay travelling charge.
- 25 Sheep returning to the same District to pay charge for whole distance.
- 30 Provided.
- 35 Moneys collected under regulations to be paid into the "Sheep Account."

2.—Horses Cattle and Sheep.

- 35 15. Every drover in charge of any travelling sheep and every drover in charge of any travelling horses or cattle shall be provided at the time of his departure with a "travelling statement" containing the particulars set forth in the Third Schedule hereto signed by the owner of such sheep horses or cattle in the presence of a subscribing
- 40 witness And every drover shall produce such statement or and a permit as hereinbefore provided upon demand to any Inspector of Stock Police constable or Justice or to the occupier of any run through which or along the boundary-road of which such travelling stock may be proceeding.
- 45 16. All travelling stock shall be taken by the drover thereof by an ordinary direct public road the most direct road ordinarily used for the purpose of travelling stock to the place of destination mentioned in the permit or travelling statement as the case may be for such stock And unless *bonâ fide* prevented by rain or a flood such
- 50 stock if the same be sheep shall be moved six miles and if horses or cattle ten miles at least in one and the same direction every successive period of twenty-four hours Provided that if any travelling stock be sold on the road or if from any sufficient cause the route mentioned in any such travelling statement or permit cannot be followed the
- 55 drover may with the approval (to be endorsed upon the statement) of any Director or Inspector of Stock change such route or destination Provided also that any travelling sheep may (with the sanction of an Inspector
- Certain drovers to carry a "travelling statement."
- Drovers to produce statement or permit.
- Stock to travel certain distances and by direct route.
- Provido.
- Provido.

Diseases in Sheep Acts Amendment.

Inspector or Director) be kept for any period not exceeding forty-eight hours on any reserve for travelling stock for the purpose of branding such sheep or for carrying out any other necessary provision of this or any other Act.

5 17. Whenever a drover intends to take his travelling stock along any road which may intersect or form the boundary of any run ~~containing not less than two hundred acres and not separated from such~~ Drovers to give notice to owners of runs on the route. road by a sufficient fence he shall give the occupier of such run not less than twelve nor more than forty-eight hours notice of such
10 intention by leaving the same at the homestead or head station of such run. Provided always that such notice shall not be necessary Proviso. within thirty miles of the sea-coast nor in the case of horses or cattle *bonâ fide* used for saddle or draught nor in that of ~~fat sheep nor fat~~ cattle travelling to a specified market for sale nor in that of sheep
15 while being carried in a conveyance nor while travelling in the coast scab district.

18. If the drover of any travelling stock before or at the Written notices to be given if stock are suspected of disease. time of giving such notice shall have any reason to suspect or believe that any of such stock are infected with any disease he shall give
20 the notice in the manner required by the last section in writing and shall in such notice state with what particular disease he suspects or believes such stock to be so infected. And such notice shall in the case last-mentioned be so delivered at the homestead or head station of every such run whatever may be the extent thereof and whether such
25 run be or not sufficiently fenced from the line of road along which such travelling stock are intended to be taken. And every precaution shall be adopted by the drover in such case to prevent contact between his travelling stock and any stock then being on any such run. Provided always that travelling stock when so suspected or believed to be infected
30 with any disease shall be permitted to travel only during the hours of daylight.

19. No person shall drive take or depasture any stock unless None but bonâ fide travelling stock to be depastured on Reserves. they be *bonâ fide* travelling stock upon any Crown lands reserved for travelling stock. And no person shall drive take or depasture any
35 stock other than stock in transit to the railway upon reserves set apart for the accommodation of the railway stock traffic. And any stock driven taken or depastured contrary to this Act or any Regulation made hereunder or any stock found upon a reserve for travelling stock—such stock not being *bonâ fide* travelling stock nor stock
40 belonging to the occupier of the run on which such reserve is situated—may be impounded by any Inspector of Stock or Justice or other person authorized by the Minister in that behalf and may thereupon be dealt with as in the case of stock impounded for trespass upon lands in the lawful possession of any occupier.

45 20. No carcasses of travelling stock shall be left more than twelve hours undestroyed on or within half a mile of any road. Carcasses not to be left undestroyed near roads.

21. The Governor may make Regulations for carrying into effect the several provisions of this Act and for the **protection and management** of reserves for travelling stock. All such Regulations
50 shall on being published in the *Gazette* have the full force of law. And copies of the same shall without unnecessary delay be laid before Parliament if at the time in Session otherwise within one month after the commencement of its then next Session. Governor may Regulations for travelling stock

22. Every person offending against any of the provisions of Penalty for breach of travelling regulations not exceeding £25. this Act or of any regulation made under its authority with respect to travelling stock shall on conviction for every such offence be
55 liable to a penalty not exceeding twenty-five pounds. Provided that Proviso. any person offending against section eighteen of this Act on conviction thereof shall be liable to a penalty not exceeding fifty pounds.

V.—

Diseases in Sheep Acts Amendment.

V.—INTRODUCED SHEEP.

23. The Governor may set apart a piece of ground at any place to be a quarantine for introduced sheep.

Quarantines may be proclaimed on the Borders for introduced sheep.

24. If in the opinion of the Minister there be any reason to suspect that Introduced sheep are infected or likely to be infected they shall forthwith be placed and remain in quarantine for such length of time and shall undergo such dressing and disinfecting as shall be prescribed by regulations made under this Act And any person who shall take or assist in taking any introduced sheep in or out of quarantine contrary to this Act or any Regulations hereunder or who shall offend against any of the provisions thereof shall on conviction for every such offence be liable to a penalty not exceeding one hundred pounds and not less than five pounds or be liable to be imprisoned for any term not exceeding six months.

Suspected sheep may be quarantined and dressed.

25. If any introduced sheep placed in quarantine as hereinbefore provided shall be kept or dressed or disinfected while in quarantine at the public expense the owner of such sheep shall pay to the Inspector of the district such fees for any such services as shall be fixed by the Governor But if the owner of such sheep shall himself have borne the expense no fees shall be required or payable.

If sheep be kept at public expense owner to pay fees.

VI.—IMPORTED SHEEP.

26. Besides the quarantine stations which may be established under the Principal Act for the reception of imported sheep it shall be lawful for the Governor to set apart such pieces of ground at or near any seaport as may be considered necessary for special quarantines where Imported sheep may be safely kept and dressed at their owners expense But such sheep shall in every case be kept and dressed under the direction and to the satisfaction of the Chief Inspector.

Special quarantines may be established and imported sheep kept at owner's expense.

27. The Governor may from time to time appoint the fees to be charged for the sustenance and dressing of imported sheep while in quarantine.

Quarantine charges to be fixed by the Governor.

28. Notwithstanding the provisions contained in the Principal Act the duration of the quarantine for imported sheep shall hereafter be twenty-one days Provided that this section shall not apply to sheep from places other than the Australian and New Zealand Colonies.

Quarantine for imported sheep to be reduced to 21 days.

29. Notwithstanding anything contained in the "Sheep Act of 1866" the Governor may from time to time by proclamation in the *Gazette* suspend for any period not exceeding six months such of the provisions of the said or this Act relating to the introduction of imported sheep from neighbouring Colonies as will admit of fat sheep arriving by sea from any Colony in which disease is not known nor suspected to exist being taken direct to the Abattoirs on Glebe Island in Port Jackson for slaughter under such Regulations as may be set forth in the said Proclamation.

Provisions relating to imported sheep may be so far suspended where sheep are to be slaughtered.

VII.—COASTWISE AND COAST DISTRICT SHEEP.

30. The Governor may by Proclamation in the *Gazette* suspend all or any of the provisions of sections fifty-five and fifty-eight of the Principal Act for any period not exceeding twelve months.

Provisions relating to coastwise and coast sheep may be suspended.

VIII.—SHEEP BRANDS AND MARKS.

31. All sheep above the age of six months shall be branded and kept legibly branded by the owner thereof with an "owner's brand" which shall have been duly recorded as hereinafter provided.

All sheep over six months to bear a recorded brand.

Diseases in Sheep Acts Amendment.

32. Only one fire brand and one paint or tar "owner's brand" and one owner's ear-mark shall be allotted to each sheepowner for every run held by him and if two or more adjoin they shall be deemed one run. But sheepowners may use any number of distinctive marks to denote the age or class of their sheep provided that such distinctive marks shall not be on the same ear as the owner's recorded ear-mark.

Brands allotted to each owner.

33. Each District Inspector shall keep a book in the form directed by the Chief Inspector to be called the "Sheep Brands and Marks Record" for the entry of all "owner's brands" and marks allotted by him and also of all distinctive marks as aforesaid which any sheepowner may desire to record.

Inspector to keep a record of brands and marks.

34. Every sheep-owner requiring using an "owner's brand" or mark shall transmit to the Inspector for the district an application in the form given in the Fourth Schedule hereto together with the fee for recording and publishing the same according to the scale given in the Sixth Schedule hereto. And if such brand or mark shall not be the same or similar or easily convertible into any other brand or mark already recorded in the same district the Inspector shall record the brand or mark so applied for as the "owner's brand" or mark of the said applicant and shall deliver or transmit to him a certificate to that effect. But if there be any objection to the allotment of the brand or mark applied for the Inspector shall forthwith intimate the same to the applicant and suggest to him a modification thereof. And if within twenty-one days of the date of such intimation the Inspector shall not receive from such applicant an acceptance of the said modification or some other modification of the brand or mark so applied for which shall not be objectionable as aforesaid the Inspector shall record the brand or mark as modified by himself and the same shall be the "owner's brand" or mark of such applicant accordingly.

Application and allotment of brands and marks.

If brand or mark be objectionable Inspector will suggest modification.

35. The Inspector if so required by any sheep-owner who shall have recorded an "owner's brand" or mark shall together with such brand or mark also record the distinctive marks used by such owner to denote the age or class of or any other particular respecting his sheep.

Inspector if required by owner may also record distinctive marks.

36. If it shall be found that any brands or marks liable to any of the objections hereinbefore mentioned have been allotted in the same district or in different districts but in the same locality the Chief Inspector shall allot such modifications to the owners of the said brands or marks as shall render them dissimilar. And such owners shall on receiving notice to that effect from the Chief Inspector adopt and use such modifications of their brands or marks accordingly.

The Chief Inspector may modify recorded brands or marks found to be objectionable.

37. If the proprietor of any such recorded brand or mark desires to transfer the right thereof to any other person he shall join with such person in a memorandum of transfer in the form given in the Fifth Schedule hereto and shall deliver or transmit the same together with the fee for recording the same mentioned in the Sixth Schedule hereto to the Inspector who shall make the necessary entries in his record and deliver or transmit to such person a certificate of such transfer.

Mode of transfer of sheep brands or marks.

38. Every firebrand shall be imprinted on the face or horn and every pitch tar or paint brand on the shoulder ribs back or rump of the sheep. And all such brands and all distinctive ear and other marks on sheep shall be branded and made thereon as the Governor may from time to time direct by any Regulations made in that behalf.

How sheep brands and marks are to be applied and marked.

39. For the purposes of this Act or any Regulations issued hereunder proof that the recorded brand or mark of any owner is branded or marked upon any sheep and that such brand or mark is recorded in the district in which such sheep then are and is the only recorded brand or mark imprinted or marked thereon shall be *prima facie* evidence of the ownership of such sheep.

Brands and marks in certain cases to be *prima facie* evidence.

Diseases in Sheep Acts Amendment.

40. Every person found guilty of any of the following acts relating to the branding or marking of any sheep shall on conviction for every offence be liable to a penalty not exceeding one hundred pounds namely—

Penalties for offences relating to sheep brands or marks.

- 5 (1.) Wilfully or negligently branding or marking with his own recorded brand or mark any sheep of which he is not the owner or wilfully or negligently permitting any such sheep to be branded or marked with his recorded brand or mark— Misbranding.
- 10 (2.) Wilfully destroying defacing or altering any brand or ear or other mark on sheep or permitting or being privy to the destruction defacement or alteration thereof— Destroying defacing or altering brands or marks.
- (3.) Cutting off more than one-fourth of the ear— Ear-cropping.
- (4.) Using on any sheep the brand or mark of any other person without his authority— Using brand or mark without owners authority.
- 15 (5.) Using any unrecorded brand or mark on any sheep— Using an unrecorded brand or mark.
- (6.) Or in any other way offending against any other of the provisions of this Act connected with the branding or marking of sheep—

And the fact of any such sheep being on the run of such person for two months without his having given notice to the rightful owner of such sheep or to the officer in charge of the nearest police station or to the nearest Inspector of such misbranding defacing altering cutting or marking Or the fact that any sheep bearing any such brand or mark as aforesaid had been claimed or dealt with by any person as his property shall be *primâ facie* evidence of such person having committed a breach of this section.

Proof of offence.

IX.—MISCELLANEOUS.

41. Every owner possessed of fifty or more sheep shall give the occupants who are possessed of fifty or more sheep and whose runs approach at any point within ten miles of adjoin the run occupied by such owner not more than five clear days nor less than twenty-four hours notice in writing delivered personally or sent by registered letter through the post of any muster intended to be made by such owner on his run for the purpose of shearing branding marking or weaning any sheep and such owner shall permit the said occupants or their employees to attend at any such muster Provided that any such owner may with the consent in writing of any such occupant omit such notice and any owner or other person failing to comply with any of the provisions of this section shall on conviction for every such offence incur a penalty not exceeding fifty pounds.

Owners mustering sheep in certain cases to give notice to neighbours.

42. Every owner not liable to contribute as provided by the Principal Act who shall keep sheep and every salesman and dealer in sheep and every butcher shall on or before the fourteenth day of January in each year register his run and premises and the number of sheep at the time on such run or premises (if any) in the register book of the Inspector for the district.

Non-contributing owners butchers and others to register their premises and sheep.

43. Every person who shall commit a breach of any of the provisions of this Act or of any Regulations issued hereunder for which a penalty is not specially provided shall on conviction for every such offence be liable in a penalty not exceeding ten pounds.

General penalty.

X.—CONTRIBUTIONS AND EXPENSES.

44. Notwithstanding anything in the Principal Act to the contrary all contributions fees penalties and other moneys receivable thereunder or under this Act shall be paid to the Colonial Treasurer or such other person as he may authorize to receive the same and shall be

Contributions to be paid into the Trust Fund.

Diseases in Sheep Acts Amendment.

be paid into the Trust Fund and carried to the credit of a special account to be called the "Sheep Account" together with any balance which may at the passing of this Act be at the credit of the present Sheep Account at the Treasury.

- 5 45. The Colonial Treasurer shall under warrant of the Govern- Expenses to be paid
ment pay out of the Sheep Account hereinbefore described (or in the under warrant of the
event of such account being inadequate out of such moneys as may Governor.
be appropriated by Parliament for the purposes of this Act) all claims
which may arise hereunder and all necessary expenses which may be
10 incurred in carrying out this Act Provided that all payments under Proviso as to loans
such special appropriations shall be recouped to the Consolidated from Consolidated
Revenue when there is a sufficient balance to the credit of the said Revenue.
Sheep Account.

XI.—LEGAL PROCEDURE.

- 15 46. All offences against this Act may be heard and determined Expenses but no
in a summary way by any two Justices and notwithstanding anything moiety of penalty to
contained in the Principal Act or this Act no informer or prosecutor be paid to informer
shall hereafter be entitled to receive any moiety of any penalty recovered or prosecutor.
20 Treasurer to be placed to the credit of the "Sheep Account" at the
Treasury And in every case where a conviction is obtained the
Justices may adjudge the defendant to pay to the prosecutor all
necessary expenses incurred in carrying through the prosecution.

SCHEDULES.

25 THE FIRST SCHEDULE.

SCALE of votes which owners or superintendents of sheep stations shall under the above-named Act be entitled to record at elections of Sheep Directors according to the number of sheep on such stations.

Over	500 and under 10,000	sheep shall entitle an owner to ...	1 vote
30	" 10,000	" 20,000	" owner or superintendent to 2 votes
"	" 20,000	" 30,000	" " 3 "
"	30,000 and over	" " " "	" 4 "

THE SECOND SCHEDULE.

Permit to Travel.

- 35 THIS is to certify that the sheep more particularly described to in the Schedule below are hereby permitted to travel to their destination by the route specified in the said Schedule.

SCHEDULE REFERRED TO ABOVE.

40 Number.	Description.	Brands and Marks.	Name and address of owner and of person in charge.	From what District and Run.	Route permitted to Travel.	Consignee and Destination.

187

Inspector.

Diseases in Sheep Acts Amendment.

THE THIRD SCHEDULE.

Travelling Statement.

I of do solemnly declare that I am the owner (or "the superintendent of Mr. the owner") of the travelling stock more particularly described in the Schedule below And I further declare that the said stock are this day to be taken by me (or "by as my Drover") from (state the name of place or run) and are intended to be driven by me (or "him") to being their destination (state the name of place or run) by the following route which is an ordinary (or "the direct") route viz. :—

10 SCHEDULE REFERRED TO.

Number of Stock.	Description of Stock.	Sex.	Marks.	How and where branded.	Diseased or Sound.

Owner (or "Superintendent").

15 Signed at this day of 187 .
Witness

THE FOURTH SCHEDULE.

Application to Record a Sheep Brand or Mark.

To Inspector of Sheep. 18 .
I (or we) have to request that you will record the brand and mark on the margin hereof as the sheep brand and mark to be used on station of of which is the post town and that you will also enter in your record that the age of the sheep on the station is denoted by and the class by .

25 Owner (or Superintendent.)
Witness—

THE FIFTH SCHEDULE.

Memorandum of Transfer of Brand or Mark.

To Inspector of Stock. 18 .
30 I (or we) being the recorded proprietor of the sheep brand and mark on the margin hereof having transferred the same to of do hereby request that you will make the necessary transfer to of such brand and mark in your record accordingly.

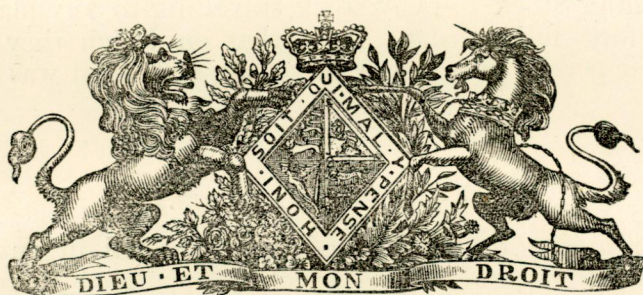
35 Transferror.
Witness— Transferee.

THE SIXTH SCHEDULE.

Scale of Fees for Recording Sheep Brands and Marks.

				s.	d.
	For 1 sheep and not exceeding 100 sheep ...	...	...	2	6
40	100 " " 500 " ...	...	...	5	0
	500 " " 1000 " ...	...	...	7	6
	And for every additional 1000 sheep ...	...	...	1	0
	For every ear-mark or other "owner's mark" ...	...	...	5	0
	For every distinctive brand or mark ...	...	...	1	0
45	For the transfer of any brand or mark half the above rates for recording the same.	...	...
	For the publication of every brand or mark in the Gazette ...	...	...	1	0

New South Wales.



ANNO QUADRAGESIMO PRIMO

VICTORIÆ REGINÆ.

No. XIX.

An Act to amend the "Diseases in Sheep Act of 1866" and the "Diseases in Sheep Act Amendment Act of 1876" to regulate the driving of Stock and to protect the Reserves for Travelling Stock from trespass. [Assented to, 16th May, 1878.]

WHEREAS it is expedient to amend the "Diseases in Sheep Act of 1866" and the "Diseases in Sheep Act Amendment Act of 1876" to regulate the driving of stock and to protect the reserves for travelling stock from trespass 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:—

I.—PRELIMINARY.

1. This Act may be cited as the "Diseases in Sheep Acts Amendment Act of 1878" and shall be construed together with the "Diseases in Sheep Act of 1866" hereinafter termed the Principal Act in connection with the Acts sixteenth Victoria number one and twenty-second Victoria number twenty-two made and passed for shortening Acts of the Legislature.

2. The fifth twelfth forty-first forty-second seventy-second and seventy-fourth sections and the Schedule L of the Principal Act and the "Diseases in Sheep Act Amendment Act of 1876" are hereby repealed.

Repeal of sections 5
12 41 42 72 and 74
and Schedule L of
Principal Act and
Sheep Act of 1876.

3.

Diseases in Sheep Acts Amendment.

Definition of terms.

3. In the construction of this Act the following words within inverted commas shall have the meanings and include the persons or things set against them respectively unless inconsistent with the context—

- “Cattle”—Any bull cow ox heifer steer or calf.
- “Drover”—Any person in charge of any travelling stock.
- “Horse”—Any horse mare gelding colt filly foal ass or mule.
- “Occupier”—The owner of any run or his superintendent or any person in the authorized charge of any run.
- “Owner”—Any proprietor whether jointly or in severalty superintendent consignee or person in possession or charge of any stock.
- “Run”—Any land road place or premises.
- “Stock”—Any horses cattle or sheep.
- “Travelling Stock”—Any stock travelling to any place upwards of forty miles distant from that on which they were when their permit to travel or travelling statement was granted.

II.—SHEEP DISTRICTS.

Alterations not to affect Inspectors.

4. No division or alteration of a district shall in any way affect the appointment or powers of Inspectors appointed under this Act But Inspectors shall in all such cases be and be deemed to be duly appointed to such districts or portions of districts as the Minister shall notify in the *Gazette* And any Inspector may by direction of the Minister do duty in any district in the Colony.

Inspectors may act in any district.

III.—ELECTION AND DUTIES OF DIRECTORS.

Qualifications of electors and candidates.

5. Any person shall be qualified to vote at the election of Directors and to be elected a director who is at the time of such election the owner of more than five hundred sheep *bond fide* kept and depastured on any run within the district for which such election is held or who shall be the *bond fide* superintendent of any run so situated then depasturing not less than five thousand sheep and shall hold the written authority of the proprietor of such run to act for him at such election Provided that if the qualification of any person claiming to be an elector or that of any candidate be challenged on any ground other than that relating to the ownership or number of any sheep or the locality of any run the chairman presiding at such meeting may require such person to make a solemn declaration as to the validity of his qualification and upon so proving the same he shall be entitled to vote or to be elected as the case may be.

Proviso.

Electoral lists to be prepared.

6. Alphabetical lists of the owners of sheep in the several sheep districts together with the names of the runs held by such owners and the number of sheep on each of such runs shall between the thirty-first day of January and the fourteenth day of February in each year be prepared by the Sheep Inspectors for such districts from the returns of sheep made by the said owners to the several Clerks of Petty Sessions who shall examine and certify to the correctness of such lists and when so certified they shall be held and deemed to be the electoral lists of owners eligible to vote at the election of directors in the several sheep districts and shall lie on the table at such elections for reference by any elector or candidate And all questions arising at the election as to the ownership or number of sheep owned or depastured or the locality of any run shall be settled by reference to such lists.

Diseases in Sheep Acts Amendment.

7. Where any sheep are jointly owned by two or more persons such persons shall be entitled to no more votes either jointly or severally than if the said sheep were owned by one individual And where sheep are running together in one flock or in one paddock they shall be held to belong to one and the same owner. Joint owners to vote as one owner.

8. The voting at all elections of Directors as aforesaid shall be cumulative and the number of votes to be given by an owner or superintendent shall be according to the scale contained in the First Schedule hereto. Voting to be cumulative.

9. A quorum of Directors in any district present at a meeting specially called for that purpose of which not less than fourteen days notice shall have been given in some newspaper circulating in the district shall nominate some fit person as Inspector for such district But the Governor may decline to confirm such nomination if the person nominated does not possess the qualifications prescribed by the regulations which may be issued by the Governor in that behalf or if an Inspector shall not in the opinion of the Minister be required for such district. Directors to nominate Inspector in accordance with regulations.

10. Whenever the Minister may consider that the services of one Inspector are sufficient for two or more districts the Directors shall meet in their respective districts upon a day to be fixed by the Minister by notice in the *Gazette* and having nominated one or more persons for the office of Inspector they shall forthwith transmit such nominations with the result of the voting at their respective meetings to the Minister And the person who shall be found to have received the greatest number of votes shall be held to be duly nominated for the appointment subject to the confirmation of the Governor as aforesaid But if there be an equal number of votes for two or more candidates the nomination shall be made by the Minister from such candidates. If one Inspector be sufficient for two or more districts Directors to nominate accordingly.

11. The Minister may where necessary on the absence resignation removal on leave or death of an Inspector appoint some fit person to act temporarily as Inspector until the return of such Inspector or the appointment of another as hereinbefore provided. The Minister may appoint acting inspector.

IV.—TRAVELLING STOCK.

1.—*Sheep.*

12. The provisions of the principal Act relating to quarantine and to the coast district shall not apply to clean travelling sheep while being carried by railway if such sheep did not start from the coast district nor were stopped in an infected place Provided that all sheep found to be infected in a railway truck or at a railway station shall at once be removed to a quarantine ground or other proper place and dealt with as provided by this Act. Quarantine and coast provisions not to apply to clean sheep while being carried by rail.

13. Every owner of travelling sheep which are not legibly branded with the letter T (in addition to an owner's recorded brand) shall for every such sheep so unbranded be liable to a penalty not exceeding one penny Provided that it shall not be necessary to brand with such letter any clean sheep intended to be driven from any one run to any other run not more than forty miles distant belonging to the same owner nor clean sheep which are intended to be taken on to a neighbouring run or to a pound. Travelling sheep to be branded with the letter T. Exceptions.

14. The following regulations with respect to travelling sheep shall apply and be in force in such sheep districts as the Governor may at any time declare by notice in the *Gazette* :— Regulations for travelling sheep in certain districts.

- (1.) Every owner intending to travel three hundred or more sheep from any run shall before leaving the Sheep district in which such run is situated forward to the Inspector of the District

Diseases in Sheep Acts Amendment.

District a statement in writing of the number description brands and marks of the said sheep and of their intended route and destination and shall obtain from the Inspector a permit containing the particulars set forth in the Second Schedule hereto to travel the said sheep as hereinafter provided to their destination by the route specified in such permit And every owner introducing sheep from any of the adjoining Colonies shall in like manner obtain a permit to travel as aforesaid from the Inspector for the district into which such sheep shall first pass on crossing the Border—

Sheep starting from a previous destination to pay travelling charge.

- (2.) If at any time within four months from the date of the arrival of any sheep at a destination to which they shall have travelled under a permit previously granted as aforesaid it is intended to remove any of the said sheep from such destination to any other their owner shall obtain from the Inspector for the district in which such sheep shall then be a renewed permit for every second or subsequent removal for which the owner shall pay to the said Inspector a travelling charge at the rate of two pence per one hundred sheep per mile for the distance between the two destinations—

Sheep returning to the same District to pay charge for whole distance.

- (3.) If any travelling sheep be brought back to the run from which they started to travel or to any run in the same district the owner of such sheep shall pay to the Inspector for such district the travelling charges fixed by the next preceding regulation for the whole distance such sheep shall have travelled from the time they started as aforesaid until they were brought back to either of such runs Provided that this sub-section shall not apply to fat sheep sent *bonâ fide* to and returning unsold from market.

Proviso.

Moneys collected under regulations to be paid into the "Sheep Account."

- (4.) All moneys received by Inspectors for travelling charges or otherwise under these regulations or for penalties shall be paid by them into the "Sheep Account" at the Treasury and shall be used for the purposes of this and the Principal Act.

2.—Horses Cattle and Sheep.

Certain drovers to carry a "travelling statement."

15. Every drover in charge of any travelling sheep and every drover in charge of any travelling horses or cattle shall be provided at the time of his departure with a "travelling statement" containing the particulars set forth in the Third Schedule hereto signed by the owner of such sheep horses or cattle in the presence of a subscribing witness And every drover shall produce such statement and a permit as hereinbefore provided upon demand to any Inspector of Stock Police constable or Justice or to the occupier of any run through which or along the boundary-road of which such travelling stock may be proceeding.

Drovers to produce statement or permit.

Stock to travel certain distances and by direct route.

16. All travelling stock shall be taken by the drover thereof by any direct road ordinarily used for the purpose of travelling stock to the place of destination mentioned in the permit or travelling statement as the case may be for such stock And unless *bonâ fide* prevented by rain or a flood such stock if the same be sheep shall be moved six miles and if horses or cattle ten miles at least in one and the same direction every successive period of twenty-four hours Provided that if any travelling stock be sold on the road or if from any sufficient cause the route mentioned in any such travelling statement or permit cannot be followed the drover may with the approval (to be endorsed upon the statement) of any Director or Inspector of Stock change

Proviso.

Diseases in Sheep Acts Amendment.

change such route or destination. Provided also that any travelling sheep may (with the sanction of an Inspector or Director) be kept for any period not exceeding forty-eight hours on any reserve for travelling stock for the purpose of branding such sheep or for carrying out any other necessary provision of this or any other Act. Proviso.

17. Whenever a drover intends to take his travelling stock along any road which may intersect or form the boundary of any run containing not less than two hundred acres and not separated from such road by a sufficient fence he shall give the occupier of such run not less than twelve nor more than forty-eight hours notice of such intention by leaving the same at the homestead or head station of such run. Provided always that such notice shall not be necessary within thirty miles of the sea-coast nor in the case of horses or cattle *bonâ fide* used for saddle or draught nor in that of fat cattle travelling to a specified market for sale nor in that of sheep while being carried in a conveyance nor while travelling in the coast scab district. Drovers to give notice to owners of runs on the route.

18. If the drover of any travelling stock before or at the time of giving such notice shall have any reason to suspect or believe that any of such stock are infected with any disease he shall give the notice in the manner required by the last section in writing and shall in such notice state with what particular disease he suspects or believes such stock to be so infected. And such notice shall in the case last-mentioned be so delivered at the homestead or head station of every such run whatever may be the extent thereof and whether such run be or not sufficiently fenced from the line of road along which such travelling stock are intended to be taken. And every precaution shall be adopted by the drover in such case to prevent contact between his travelling stock and any stock then being on any such run. Provided always that travelling stock when so suspected or believed to be infected with any disease shall be permitted to travel only during the hours of daylight. Proviso. Written notices to be given if stock are suspected of disease.

19. No person shall drive take or depasture any stock unless they be *bonâ fide* travelling stock upon any Crown lands reserved for travelling stock. And no person shall drive take or depasture any stock other than stock in transit to the railway upon reserves set apart for the accommodation of the railway stock traffic. And any stock driven taken or depastured contrary to this Act or any Regulation made hereunder or any stock found upon a reserve for travelling stock—such stock not being *bonâ fide* travelling stock nor stock belonging to the occupier of the run on which such reserve is situated—may be impounded by any Inspector of Stock or Justice or other person authorized by the Minister in that behalf and may thereupon be dealt with as in the case of stock impounded for trespass upon lands in the lawful possession of any occupier. None but bonâ fide travelling stock to be depastured on Reserves.

20. No carcasses of travelling stock shall be left more than twelve hours undestroyed on or within half a mile of any road. Carcasses not to be left undestroyed near roads.

21. The Governor may make Regulations for carrying into effect the several provisions of this Act and for the protection and management of reserves for travelling stock. All such Regulations shall on being published in the *Gazette* have the full force of law. And copies of the same shall without unnecessary delay be laid before Parliament if at the time in Session otherwise within one month after the commencement of its then next Session. Governor may make Regulations for travelling stock.

22. Every person offending against any of the provisions of this Act or of any regulation made under its authority with respect to travelling stock shall on conviction for every such offence be liable to a penalty not exceeding twenty-five pounds. Provided that any person offending against section eighteen of this Act on conviction thereof shall be liable to a penalty not exceeding fifty pounds. Penalty for breach of travelling regulations not exceeding £25. Proviso.

Diseases in Sheep Acts Amendment.

V.—INTRODUCED SHEEP.

Quarantines may be proclaimed on the Borders for introduced sheep.

Suspected sheep may be quarantined and dressed.

If sheep be kept at public expense owner to pay fees.

23. The Governor may set apart a piece of ground at any place to be a quarantine for introduced sheep.

24. If in the opinion of the Minister there be any reason to suspect that Introduced sheep are infected or likely to be infected they shall forthwith be placed and remain in quarantine for such length of time and shall undergo such dressing and disinfecting as shall be prescribed by regulations made under this Act And any person who shall take or assist in taking any introduced sheep in or out of quarantine contrary to this Act or any Regulations hereunder or who shall offend against any of the provisions thereof shall on conviction for every such offence be liable to a penalty not exceeding one hundred pounds and not less than five pounds or be liable to be imprisoned for any term not exceeding six months.

25. If any introduced sheep placed in quarantine as hereinbefore provided shall be kept or dressed or disinfected while in quarantine at the public expense the owner of such sheep shall pay to the Inspector of the district such fees for any such services as shall be fixed by the Governor But if the owner of such sheep shall himself have borne the expense no fees shall be required or payable.

VI.—IMPORTED SHEEP.

Special quarantines may be established and imported sheep kept at owner's expense.

Quarantine charges to be fixed by the Governor.

Quarantine for imported sheep to be reduced to 21 days.

Provisions relating to imported sheep may be so far suspended where sheep are to be slaughtered.

26. Besides the quarantine stations which may be established under the Principal Act for the reception of imported sheep it shall be lawful for the Governor to set apart such pieces of ground at or near any seaport as may be considered necessary for special quarantines where Imported sheep may be safely kept and dressed at their owners expense But such sheep shall in every case be kept and dressed under the direction and to the satisfaction of the Chief Inspector.

27. The Governor may from time to time appoint the fees to be charged for the sustenance and dressing of imported sheep while in quarantine.

28. Notwithstanding the provisions contained in the Principal Act the duration of the quarantine for imported sheep shall hereafter be twenty-one days Provided that this section shall not apply to sheep from places other than the Australian and New Zealand Colonies.

29. Notwithstanding anything contained in the "Sheep Act of 1866" the Governor may from time to time by proclamation in the *Gazette* suspend for any period not exceeding six months such of the provisions of the said or this Act relating to the introduction of imported sheep from neighbouring Colonies as will admit of fat sheep arriving by sea from any Colony in which disease is not known nor suspected to exist being taken direct to the Abattoirs on Glebe Island in Port Jackson for slaughter under such Regulations as may be set forth in the said Proclamation.

VII.—COASTWISE AND COAST DISTRICT SHEEP.

Provisions relating to coastwise and coast sheep may be suspended.

30. The Governor may by Proclamation in the *Gazette* suspend all or any of the provisions of sections fifty-five and fifty-eight of the Principal Act for any period not exceeding twelve months.

VIII.—SHEEP BRANDS AND MARKS.

All sheep over six months to bear a recorded brand.

31. All sheep above the age of six months shall be branded and kept legibly branded by the owner thereof with an "owner's brand" which shall have been duly recorded as hereinafter provided.

Diseases in Sheep Acts Amendment.

32. Only one fire brand and one paint or tar "owner's brand" and one owner's ear-mark shall be allotted to each sheepowner for every run held by him and if two or more adjoin they shall be deemed one run. But sheepowners may use any number of distinctive marks to denote the age or class of their sheep provided that such distinctive marks shall not be on the same ear as the owner's recorded ear-mark.

Brands allotted to each owner.

33. Each District Inspector shall keep a book in the form directed by the Chief Inspector to be called the "Sheep Brands and Marks Record" for the entry of all "owner's brands" and marks allotted by him and also of all distinctive marks as aforesaid which any sheepowner may desire to record.

Inspector to keep a record of brands and marks.

34. Every sheep-owner using an "owner's brand" or mark shall transmit to the Inspector for the district an application in the form given in the Fourth Schedule hereto together with the fee for recording and publishing the same according to the scale given in the Sixth Schedule hereto. And if such brand or mark shall not be the same or similar or easily convertible into any other brand or mark already recorded in the same district the Inspector shall record the brand or mark so applied for as the "owner's brand" or mark of the said applicant and shall deliver or transmit to him a certificate to that effect. But if there be any objection to the allotment of the brand or mark applied for the Inspector shall forthwith intimate the same to the applicant and suggest to him a modification thereof. And if within twenty-one days of the date of such intimation the Inspector shall not receive from such applicant an acceptance of the said modification or some other modification of the brand or mark so applied for which shall not be objectionable as aforesaid the Inspector shall record the brand or mark as modified by himself and the same shall be the "owner's brand" or mark of such applicant accordingly.

Application and allotment of brands and marks.

If brand or mark be objectionable Inspector will suggest modification.

35. The Inspector if so required by any sheep-owner who shall have recorded an "owner's brand" or mark shall together with such brand or mark also record the distinctive marks used by such owner to denote the age or class of or any other particular respecting his sheep.

Inspector if required by owner may also record distinctive marks.

36. If it shall be found that any brands or marks liable to any of the objections hereinbefore mentioned have been allotted in the same district or in different districts but in the same locality the Chief Inspector shall allot such modifications to the owners of the said brands or marks as shall render them dissimilar. And such owners shall on receiving notice to that effect from the Chief Inspector adopt and use such modifications of their brands or marks accordingly.

The Chief Inspector may modify recorded brands or marks found to be objectionable.

37. If the proprietor of any such recorded brand or mark desires to transfer the right thereof to any other person he shall join with such person in a memorandum of transfer in the form given in the Fifth Schedule hereto and shall deliver or transmit the same together with the fee for recording the same mentioned in the Sixth Schedule hereto to the Inspector who shall make the necessary entries in his record and deliver or transmit to such person a certificate of such transfer.

Mode of transfer of sheep brands or marks.

38. Every firebrand shall be imprinted on the face or horn and every pitch tar or paint brand on the shoulder ribs back or rump of the sheep. And all such brands and all distinctive ear and other marks on sheep shall be branded and made thereon as the Governor may from time to time direct by any Regulations made in that behalf.

How sheep brands and marks are to be applied and marked.

39. For the purposes of this Act or any Regulations issued hereunder proof that the recorded brand or mark of any owner is branded or marked upon any sheep and that such brand or mark is recorded in the district in which such sheep then are and is the only recorded brand or mark imprinted or marked thereon shall be *prima facie* evidence of the ownership of such sheep.

Brands and marks in certain cases to be *prima facie* evidence.

Diseases in Sheep Acts Amendment.

Penalties for offences relating to sheep brands or marks.

40. Every person found guilty of any of the following acts relating to the branding or marking of any sheep shall on conviction for every offence be liable to a penalty not exceeding one hundred pounds namely—

Misbranding.

(1.) Wilfully or negligently branding or marking with his own recorded brand or mark any sheep of which he is not the owner or wilfully or negligently permitting any such sheep to be branded or marked with his recorded brand or mark—

Destroying defacing or altering brands or marks.

(2.) Wilfully destroying defacing or altering any brand or ear or other mark on sheep or permitting or being privy to the destruction defacement or alteration thereof—

Ear-cropping.

(3.) Cutting off more than one-fourth of the ear—

Using brand or mark without owners authority.

(4.) Using on any sheep the brand or mark of any other person without his authority—

Using an unrecorded brand or mark.

(5.) Using any unrecorded brand or mark on any sheep—

(6.) Or in any other way offending against any other of the provisions of this Act connected with the branding or marking of sheep—

Proof of offence.

And the fact of any such sheep being on the run of such person for two months without his having given notice to the rightful owner of such sheep or to the officer in charge of the nearest police station or to the nearest Inspector of such misbranding defacing altering cutting or marking Or the fact that any sheep bearing any such brand or mark as aforesaid had been claimed or dealt with by any person as his property shall be *prima facie* evidence of such person having committed a breach of this section.

IX.—MISCELLANEOUS.

Owners mustering sheep in certain cases to give notice to neighbours.

41. Every owner possessed of fifty or more sheep shall give the occupants who are possessed of fifty or more sheep and whose runs adjoin the run occupied by such owner not more than five clear days nor less than twenty-four hours notice in writing delivered personally or sent by registered letter through the post of any muster intended to be made by such owner on his run for the purpose of shearing branding marking or weaning any sheep and such owner shall permit the said occupants or their employees to attend at any such muster Provided that any such owner may with the consent in writing of any such occupant omit such notice and any owner or other person failing to comply with any of the provisions of this section shall on conviction for every such offence incur a penalty not exceeding fifty pounds.

Non-contributing owners butchers and others to register their premises and sheep.

42. Every owner not liable to contribute as provided by the Principal Act who shall keep sheep and every salesman and dealer in sheep and every butcher shall on or before the fourteenth day of January in each year register his run and premises and the number of sheep at the time on such run or premises (if any) in the register book of the Inspector for the district.

General penalty.

43. Every person who shall commit a breach of any of the provisions of this Act or of any Regulations issued hereunder for which a penalty is not specially provided shall on conviction for every such offence be liable in a penalty not exceeding ten pounds.

X.—CONTRIBUTIONS AND EXPENSES.

Contributions to be paid into the Trust Fund.

44. Notwithstanding anything in the Principal Act to the contrary all contributions fees penalties and other moneys receivable thereunder or under this Act shall be paid to the Colonial Treasurer or such other person as he may authorize to receive the same and shall be

Diseases in Sheep Acts Amendment.

THE THIRD SCHEDULE.

Travelling Statement.

I of do solemnly declare that I am the owner (or "the superintendent of Mr. the owner") of the travelling stock more particularly described in the Schedule below And I further declare that the said stock are this day to be taken by me (or "by as my Drover") from (state the name of place or run) and are intended to be driven by me (or "him") to being their destination (state the name of place or run) by the following route which is an ordinary (or "the direct") route viz. :—

SCHEDULE REFERRED TO.

Number of Stock.	Description of Stock.	Sex.	Marks.	How and where branded.	Diseased or Sound.

Owner (or "Superintendent").

Signed at this day of 187 .
Witness

THE FOURTH SCHEDULE.

Application to Record a Sheep Brand or Mark.

To Inspector of Sheep. 18 .
I (or we) have to request that you will record the brand and mark on the margin hereof as the sheep brand and mark to be used on station of of which is the post town and that you will also enter in your record that the age of the sheep on the station is denoted by and the class by
Owner (or Superintendent.)
Witness—

THE FIFTH SCHEDULE.

Memorandum of Transfer of Brand or Mark.

To Inspector of Stock. 18 .
I (or we) being the recorded proprietor of the sheep brand and mark on the margin hereof having transferred the same to of do hereby request that you will make the necessary transfer to of such brand and mark in your record accordingly.
Witness—
Transferor.
Transferree.

THE SIXTH SCHEDULE.

Scale of Fees for Recording Sheep Brands and Marks.

	s.	d.
For 1 sheep and not exceeding 100 sheep ...	2	6
100 " " 500 " ...	5	0
500 " " 1000 " ...	7	6
And for every additional 1000 sheep ...	1	0
For every ear-mark or other "owner's mark" ...	5	0
For every distinctive brand or mark ...	1	0
For the transfer of any brand or mark half the above rates for recording the same.		
For the publication of every brand or mark in the Gazette ...	1	0