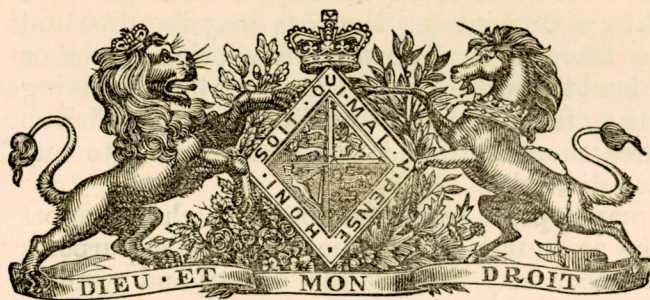


This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

*Legislative Assembly Chamber,
Sydney, 27 October, 1882.* }

STEPHEN W. JONES,
Clerk of Legislative Assembly.

New South Wales.



ANNO QUADRAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. .

An Act for the regulation of Public Watering-places and the protection of certain Reserves from trespass and for other purposes.

WHEREAS it is expedient to regulate public Watering-places and ^{Preamble.} to protect Travelling Stock and other reserves and certain unoccupied and other Crown Lands from trespass and to make better provision in respect of the driving of travelling stock Be it therefore
5 enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. This Act may be cited as the "Watering-places and Reserves" ^{Short title.}
10 Act of 1882."

2. The interpretation of the expression "Travelling stock" con- ^{Repeal.} tained in the third section of the "Diseases in Sheep Acts Amendment Act of 1878" and the seventeenth section of that Act are hereby repealed and the interpretation of that expression hereinafter given
15 and the ninth section of this Act shall be substituted respectively in lieu of the interpretation and the said seventeenth section contained

Watering-places and Reserves.

in the said Act and as well for the purpose of that as of this Act
But this repeal shall be without prejudice to anything already done
or commenced under the first-mentioned Act.

3. In this Act the word Drover means any person in possession or charge of travelling stock The word Governor means the Governor with the advice of the Executive Council. The word Minister means the Minister charged with the administration of this Act The word Occupier includes the owner and the superintendent overseer or agent of such owner The expression Public Watering-place means any portion of land notified in the *Gazette* as a public watering-place (whether there be any surface water thereon at date of notification or not) together with all works buildings fences and other appurtenances thereto The word Road means any driftway reserve or road on which stock may lawfully be driven The word Stock includes horses cattle and sheep The expression Travelling Stock means and includes any stock the drover of which is required by law to be provided with a permit or travelling statement (as the case may require) and any stock belonging to a traveller or teamster while being driven or taken out of the limits of land the property of their owner but excluding all stock (unless belonging to teamsters and travellers) taken or driven oftener than once in three months to the same holding or to any holding in the same sheep district.

Interpretation of terms.

4. The Governor may appoint from time to time such inspectors overseers and other officers as he may deem necessary for the purposes of this Act Every such officer may exercise the powers and perform the duties devolving on or assigned to him in any part of the Colony.

Inspectors of tanks and wells and other officers.

5. Every such inspector and overseer shall be *ex-officio* an inspector of stock for the purposes of this Act and shall possess all the privileges and powers in regard to travelling stock or public watering-places or travelling stock reserves possessed by inspectors of stock under this or any other Act.

Inspectors and overseers of public tanks to be *ex-officio* inspectors of stock.

6. Tanks wells dams and other works for storing or providing water may be constructed on roads on travelling stock reserves and on public watering-places and such watering-places may be put to the uses and managed in any of the ways following that is to say:—

How public watering-places may be used and managed.

(I.) Any public watering-place may be let by public tender or otherwise for a term not exceeding five years and the lease shall contain such covenants and conditions as to the Minister shall seem fit and the rate at which the lessee shall supply water to travelling stock shall be fixed from time to time by regulations.

Public watering-places may be let.

(II.) Public watering-places may be placed in charge of caretakers who may be authorized to supply water to such persons and at such charges as may from time to time be prescribed by regulations.

Public watering-places may be placed in charge of caretakers.

(III.) Any public watering-place may be placed for any period not exceeding three years under the management of trustees (to be nominated by the Minister) and such trustees shall supply water to the persons under the rules in the manner at the charges and under the conditions as to keeping the works in repair and disposing of the surplus revenue (if any) prescribed by regulations.

Public watering-places may be placed in charge of trustees.

7. Whenever a drover intends to take or drive stock along a road intersecting or forming the boundary of any holding containing not less than six hundred and forty acres and not belonging to the owner of such stock and not separated from the road by a sufficient fence within the meaning of the law relating to Impounding such drover shall leave at or transmit by registered letter through the post addressed to the homestead head station or residence of the occupier of

Drovers to give notice to occupiers in certain cases.

Watering-places and Reserves.

of such holding (as the case may be) notice of such intention And such notice shall be given by the drover not less than twelve nor more than ninety-six hours before he reaches that portion of the road which bounds or intersects such holding and shall state particularly
 5 the road by which and the time within twelve hours when such stock will reach the said portion of road No notice shall be necessary in the case of horses or cattle *bonâ fide* used for saddle or draught or in that of stock carried in any vehicle or by railway or in that of mobs of cattle not exceeding one hundred head or in flocks of sheep of three
 10 hundred or less Every drover who fails to comply with the requirements of this section shall for every such offence incur a penalty not exceeding ten pounds.

8. Stock trespassing upon any public watering-place or on any reserve or made for the purpose of this Act may be impounded in
 15 the nearest pound by any person duly authorized in that behalf by the Minister having the charge control or management of any such public watering-place or reserve and the owner or drover of any stock wilfully allowing the same to trespass upon any such watering-place or reserve may be prosecuted by any such person and on conviction shall for the
 20 first offence be liable to a penalty not exceeding five pounds for the second offence to a penalty not exceeding ten pounds and for the third or any subsequent offence to a penalty not exceeding twenty pounds.

Stock trespassing on a reserve &c. may be impounded or their owner prosecuted.

9. If any person obstructs travelling stock or their drover
 25 in the lawful use of any public watering-place or interferes with or injures any works on any public watering-place or obstructs travelling stock in the lawful use of any pasture or water to which such stock are entitled under this or any other Act or fails to produce when required by the lessee or caretaker of a public watering-place the proper permit or travelling statement as the case may require for
 30 stock or fails in any other respect to comply with any of the provisions of this Act or any regulation made thereunder every such person shall for every such offence for which no other penalty is hereinbefore imposed be liable to a penalty not exceeding twenty pounds.

Penalty for obstructing stock trespassing &c.

10. If any person wilfully destroys or injures any public dam
 35 tank or well or any structure or other work connected therewith in any public watering-place or wilfully destroys or injures any embankment dam weir sluice channel or cutting or any other work connected with or used in or on any such watering-place or any machinery whatever used in the construction or maintenance thereof or wilfully pollutes
 40 diverts or unlawfully interferes with any water in or flowing into any such dam tank or well such person shall be guilty of a misdemeanour and be liable to be fined in any sum not exceeding one hundred pounds or to be imprisoned with or without hard labour for any term not exceeding two years.

Penalty for certain misdemeanours.

11. The Governor may make regulations for carrying out the
 45 objects of this Act in respect of the supervision protection and management of public watering-places and reserves and of such other matters and things as may be necessary in the administration of this Act And all such regulations shall on being published in the *Gazette*
 50 have the full force of law and copies thereof shall be laid before Parliament forthwith if then sitting and if not within one month after the commencement of the then next Session.

Regulations.

12. All penalties for any breach of this Act or of any regulation
 55 made thereunder and all charges expenses and sums due and payable thereunder may be recovered in a summary way before any two or more Justices of the Peace by any inspector lessee or caretaker or by any person authorized by the Minister in that behalf.

Penalties &c. how recovered.

