Pew South Wilales.

ANNO SEXAGESIMO QUARTO VICTORIÆ REGINÆ.

Act No. 17, 1900.

An Act to consolidate the Acts regulating Public Wateringplaces and protecting certain Reserves from [trespass. [Assented to, 22nd September, 1900.]

DE it 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 "Public Watering-places Act, short title, 1900."

2. The Acts mentioned in the First Schedule hereto are, to the Repeal. extent therein expressed, hereby repealed.

3. (1) All persons appointed under the Acts hereby repealed, Persons appointed and holding office at the time of the passing of this Act, shall continue ^{under repealed Acts.} in office as if this Act had been in force when they were appointed and they had been appointed thereunder.

(2) All proclamations, notifications, and regulations made Proclamations and under the Acts hereby repealed and being in force at the time of the regulations under repealed Acts.

passing

Public Watering-places.

passing of this Act shall continue in force as if they had been made under this Act; and references in such proclamations, notifications, and regulations to any of the provisions of the Acts hereby repealed shall be construed as references to the corresponding provisions of this Act.

Interpretation.

57 Vic. No. 31, s. 2.

4. In this Act, unless the context or subject-matter otherwise 48 Vic. No. 16, s. 2. indicates or requires,-

- "Reserves" means places declared to be travelling stock and camping reserves.
- "Public watering-places" means reserves declared to be public watering-places under this Act.
- "Inspector" means an inspector under this Act.
- "Justice" means justice of the peace.
- "Stock" means any camel, dromedary, horse, mare, gelding, colt, filly, ass, mule, bull, cow, ox, heifer, steer, calf, ram, ewe, wether or lamb, goat or pig.
- "Travelling statement" means any statement required by the Registration of Brands Act of 1866, and the Diseases in Sheep Act Amendment Act of 1878, or any Act amending the same.
- "Permit" means any permit required by the Sheep Diseases Act of 1866, the Diseases in Sheep Act Amendment Act of 1878, or any Act amending the same.
- "Travelling stock" means any stock the driver of which is required to be provided with a permit or travelling statement.

5. The Governor may by notification in the Gazette make and revoke reserves for the purpose of establishing public watering-places and for the accommodation and agistment of travelling stock, but such reserves shall not be withdrawn from pastoral lease except by a special notification to that effect.

6. The Governor may appoint inspectors and overseers for the purposes of this Act, and such inspectors and overseers may exercise the powers hereby conferred upon them in any part of New South Wales, and shall be, ex officio, inspectors of stock.

7. The Minister may construct tanks, dams, or other works for storing or providing water adjacent to any roads or upon any reserves or public watering-places.

8. The Minister may appoint caretakers and place them in charge of such tanks, dams, other works for storing water, or public watering-places, and such caretakers shall supply water to travelling stock at the rates prescribed by regulation for that purpose.

9. The Governor may let by auction, tender, or otherwise for a term not exceeding five years any such tanks, dams, other works for storing water, or public watering-places upon such terms as he deems expedient, and the lessees shall supply water to the persons and stock at the rates prescribed by regulations in that behalf.

Power to make reserves. 48 Vic. No. 16, s. 3.

Power to appoint inspectors and overseers. Ibid. s. 4.

Power to construct tanks and dams. Ibid. s. 5.

The Minister may appoint caretakers. Ibid. s. 7.

Governor may lease tanks and dams. Ibid. s. 6.

10.

Public Watering-places.

10. The Governor may place any public watering-place for any Governor may period not exceeding three years under the control of trustees who appoint trustees. shall supply water to travelling stock, and to all persons who require the same upon the terms prescribed by regulations in that behalf.

11. (1) Any person duly authorised by the Minister may Power to impound impound in the nearest pound any stock found trespassing upon any stock trespassing on public watering-place or reserve, and may charge in respect of such reserves. stock the damages mentioned in the Second Schedule hereto, *Itid. s. 9.* together with the driving and other fees imposed by the Impounding Act, 1898.

(2) Any owner or person having charge of stock who wilful trespass. wilfully allows the same to trespass upon any public watering-place or *Ibid.* reserve may be prosecuted by any person duly authorised by the Minister, and upon conviction shall be liable for the first offence to a penalty not exceeding five pounds, and for any subsequent offence to a penalty not exceeding twenty pounds.

Trespass a second time by stock belonging to the same owner Definition. shall be deemed to be a wilful trespass.

12. Any person who obstructs travelling stock in the lawful Obstruction of use of any public watering-place, or in the use of any pasture or water travelling stock. To which such stock are entitled under this Act, or any regulation Toid. s. 10. under this or any other Act, shall be liable to a penalty not exceeding twenty pounds.

13. Every owner or person in charge of stock shall, when he owner of stock to requires to use any dam, tank, well, public watering-place or reserve, produce permit or produce and show to the lessee, caretaker, or person in charge thereof, *Ibid. s. 11.* on demand, his proper permit or travelling statement, and on failure to do so shall be liable to a penalty not exceeding five pounds.

14. Any person who wilfully—

- (a) destroys or injures any public dam, tank, or any structure or Penalty for injuring other work connected therewith in any public watering- dams or tanks. place; or *Ibid.* 8. 12.
- (b) destroys or injures any part thereof, or any machinery used in connection therewith; or
- (c) pollutes, diverts, or interferes with any water flowing into or in any such dam, tank, or well,

shall be liable to be fined by any two justices any sum not exceeding one hundred pounds, or to be imprisoned for any term not exceeding six months.

15. Any lessee, caretaker, or trustee who refuses, or neglects to Offences by lessees, comply with the regulations under this Act shall be liable to a penalty $\overset{\&c.}{Ibid. s. 13.}$ not exceeding ten pounds for every such breach of such regulations.

16. The Governor may make regulations for the purpose of Governor may make carrying out this Act, and of regulating the management, maintenance, regulations. and control of such dams, wells, tanks, public watering-places, and *Ibid. s.* 14.

reserves,

Public Watering-places.

reserves, and may impose any penalty not exceeding two pounds for the breach of any such regulations. All such regulations on being published in the Gazette shall have the 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 next session.

17. All penalties for any breach of this Act or of any regulations 48 Vic. No. 16, s. 16, hereunder, and all charges, expenses, and sums due and payable under this Act or such regulations, may be recovered in a summary way before any two justices by any inspector, overseer, lessee, caretaker, trustee, or person authorised by the Minister in that behalf.

> 18. Any person aggrieved by any penalty imposed upon him under this Act, or by the decision of any justices under or concerning the provisions of this Act, may appeal from the same.

SCHEDULES.

FIRST SCHEDULE.

Reference to Act.	Title or short title.	Extent of repeal.			
48 Vic. No. 16 57 Vic. No. 31	Public Watering-places Act of 1884 An Act to further amend the Impounding Act of 1865 and the Acts amending the same, and to amend the Public Watering- places Act of 1884.	The whole. The unrepealed portion			

Section 11.

SECOND SCHEDULE.

Damages to be charged for trespass.

Description of animals trespassing.									Damages.
For every came									Threepence.
For every hors			ding, c	olt, filly	, ass,	mule,	bull, cow,		
heifer, stee									Threepence.
For every ram,		sheep, o	or lamb						One half-penny.
For every goat									Sixpence.
For every pig									Sixpence.

[3d.]

By Authority : WILLIAM APPLEGATE GULLICK, Government Printer, Sydney, 1900.

Penalties.

Appeal. Ibid. s. 15.

Section 2.

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

Legislative Council Chamber, Sydney, 6th September, 1900. JOHN J. CALVERT, Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO QUARTO VICTORIÆ REGINÆ.

Act No. 17, 1900.

An Act to consolidate the Acts regulating Public Wateringplaces and protecting certain Reserves from trespass. [Assented to, 22nd September, 1900.]

BE it 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 "Public Watering-places Act, short title. 1900."

2. The Acts mentioned in the First Schedule hereto are, to the Repeal. extent therein expressed, hereby repealed.

3. (1) All persons appointed under the Acts hereby repealed, Persons appointed and holding office at the time of the passing of this Act, shall continue under repealed Acts. in office as if this Act had been in force when they were appointed and they had been appointed thereunder.

(2) All proclamations, notifications, and regulations made Proclamations and under the Acts hereby repealed and being in force at the time of the regulations under passing

Public Watering-places.

passing of this Act shall continue in force as if they had been made under this Act; and references in such proclamations, notifications, and regulations to any of the provisions of the Acts hereby repealed shall be construed as references to the corresponding provisions of this Act.

4. In this Act, unless the context or subject-matter otherwise 48 Vic. No. 16, s. 2. indicates or requires,-

- "Reserves" means places declared to be travelling stock and camping reserves.
- "Public watering-places" means reserves declared to be public watering-places under this Act.
- "Inspector" means an inspector under this Act.

"Justice" means justice of the peace.

- "Stock" means any camel, dromedary, horse, mare, gelding, colt, filly, ass, mule, bull, cow, ox, heifer, steer, calf, ram, ewe, wether or lamb, goat or pig.
- "Travelling statement" means any statement required by the Registration of Brands Act of 1866, and the Diseases in Sheep Act Amendment Act of 1878, or any Act amending the same.
- "Permit" means any permit required by the Sheep Diseases Act of 1866, the Diseases in Sheep Act Amendment Act of 1878, or any Act amending the same.

"Travelling stock" means any stock the driver of which is required to be provided with a permit or travelling statement.

5. The Governor may by notification in the Gazette make and revoke reserves for the purpose of establishing public watering-places and for the accommodation and agistment of travelling stock, but such reserves shall not be withdrawn from pastoral lease except by a special notification to that effect.

6. The Governor may appoint inspectors and overseers for the purposes of this Act, and such inspectors and overseers may exercise the powers hereby conferred upon them in any part of New South Wales, and shall be, ex officio, inspectors of stock.

7. The Minister may construct tanks, dams, or other works for storing or providing water adjacent to any roads or upon any reserves or public watering-places.

8. The Minister may appoint caretakers and place them in charge of such tanks, dams, other works for storing water, or public watering-places, and such caretakers shall supply water to travelling stock at the rates prescribed by regulation for that purpose.

9. The Governor may let by auction, tender, or otherwise for a term not exceeding five years any such tanks, dams, other works for storing water, or public watering-places upon such terms as he deems expedient, and the lessees shall supply water to the persons and stock at the rates prescribed by regulations in that behalf.

10.

48 Vic. No. 16, s. 3.

Power to appoint inspectors and overseers. Ibid. s. 4.

Power to construct tanks and dams. Ibid. s. 5.

The Minister may appoint caretakers. Ibid. s. 7.

Governor may lease tanks and dams. Ibid. s. 6.

Interpretation.

57 Vic. No. 31, s. 2.

Power to make reserves.

Public Watering-places.

10. The Governor may place any public watering-place for any Governor may period not exceeding three years under the control of trustees who appoint trustees. shall supply water to travelling stock, and to all persons who require 48 Vic. No. 16. s. 8. the same upon the terms prescribed by regulations in that behalf.

11. (1) Any person duly authorised by the Minister may Power to impound impound in the nearest pound any stock found trespassing upon any stock trespassing on public watering-place or reserve, and may charge in respect of such reserves. stock the damages mentioned in the Second Schedule hereto, Itid. s. 9. together with the driving and other fees imposed by the Impounding Act. 1898.

(2) Any owner or person having charge of stock who wilful trespass. wilfully allows the same to trespass upon any public watering-place or Ibid. reserve may be prosecuted by any person duly authorised by the Minister, and upon conviction shall be liable for the first offence to a penalty not exceeding five pounds, and for any subsequent offence to a penalty not exceeding twenty pounds.

Trespass a second time by stock belonging to the same owner Definition. shall be deemed to be a wilful trespass.

12. Any person who obstructs travelling stock in the lawful Obstruction of use of any public watering-place, or in the use of any pasture or water travelling stock. to which such stock are entitled under this Act, or any regulation Ibid. s 10. under this or any other Act, shall be liable to a penalty not exceeding twenty pounds.

13. Every owner or person in charge of stock shall, when he Owner of stock to requires to use any dam, tank, well, public watering-place or reserve, produce permit or travelling statement. produce and show to the lessee, caretaker, or person in charge thereof, *Ibid. s.* 11. on demand, his proper permit or travelling statement, and on failure to do so shall be liable to a penalty not exceeding five pounds.

14. Any person who wilfully-

- (a) destroys or injures any public dam, tank, or any structure or Penalty for injuring other work connected therewith in any public watering- dams or tanks. Ibid. s. 12. place; or
- (b) destroys or injures any part thereof, or any machinery used in connection therewith; or
- (c) pollutes, diverts, or interferes with any water flowing into or in any such dam, tank, or well,

shall be liable to be fined by any two justices any sum not exceeding one hundred pounds, or to be imprisoned for any term not exceeding six months.

15. Any lessee, caretaker, or trustee who refuses, or neglects to Offences by lessees, comply with the regulations under this Act shall be liable to a penalty &c. Ibid. s. 13. not exceeding ten pounds for every such breach of such regulations.

16. The Governor may make regulations for the purpose of Governor may make carrying out this Act, and of regulating the management, maintenance, regulations. and control of such dams, wells, tanks, public watering-places, and Tbid. s. 14.

reserves.

Public Watering-places.

reserves, and may impose any penalty not exceeding two pounds for the breach of any such regulations. All such regulations on being published in the Gazette shall have the 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 next session.

17. All penalties for any breach of this Act or of any regulations 48 Vic. No. 16, s. 16. hereunder, and all charges, expenses, and sums due and payable under this Act or such regulations, may be recovered in a summary way before any two justices by any inspector, overseer, lessee, caretaker, trustee, or person authorised by the Minister in that behalf.

18. Any person aggrieved by any penalty imposed upon him under this Act, or by the decision of any justices under or concerning the provisions of this Act, may appeal from the same.

SCHEDULES.

FIRST SCHEDULE.

Reference to Act.	Title or short title.	Extent of repeal.
48 Vie. No. 16 57 Vie. No. 31	Public Watering-places Act of 1884 An Act to further amend the Impounding Act of 1865 and the Acts amending the same, and to amend the Public Watering- places Act of 1884.	

Section 11.

· Vie Sie

SECOND SCHEDULE.

Damages to be charged for trespass.

Description of animals treat		Damages.	
For every camel or dromedary			Threepence.
For every horse, mare, gelding, colt, f	lly, ass, mule	e, bull, cow, ox,	
heifer, steer, or calf			Threepence.
For every ram, ewe, sheep, or lamb			One half-penny.
For every goat			Sixpence.
For every pig			Sixpence.

In the name and on the behalf of Her Majesty I assent to this Act.

BEAUCHAMP, Governor.

1.1.1

Government House, Sydney, 22nd September, 1900.

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Appeal. Ibid. s. 15.

Penalties.

S cotion 2.

Memo. and Certificate to accompany the Public Watering-places Bill.

THIS Bill consolidates the whole or parts of two Acts:-

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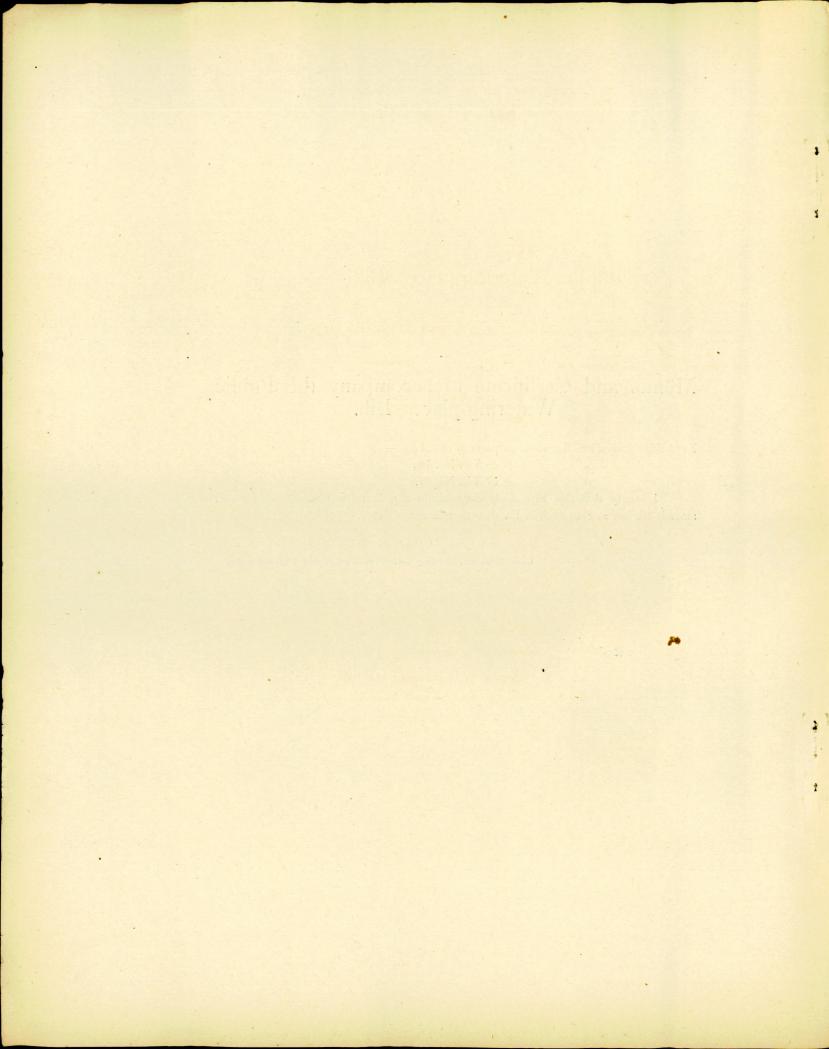
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48 Vic. No. 16;

57 Vic. No. 31.

I certify that this Bill solely consolidates and in no way alters, adds to, or amends the law as contained in the Acts therein consolidated.

> CHAS. G. HEYDON, Commissioner for the Consolidation of the Statute Law.



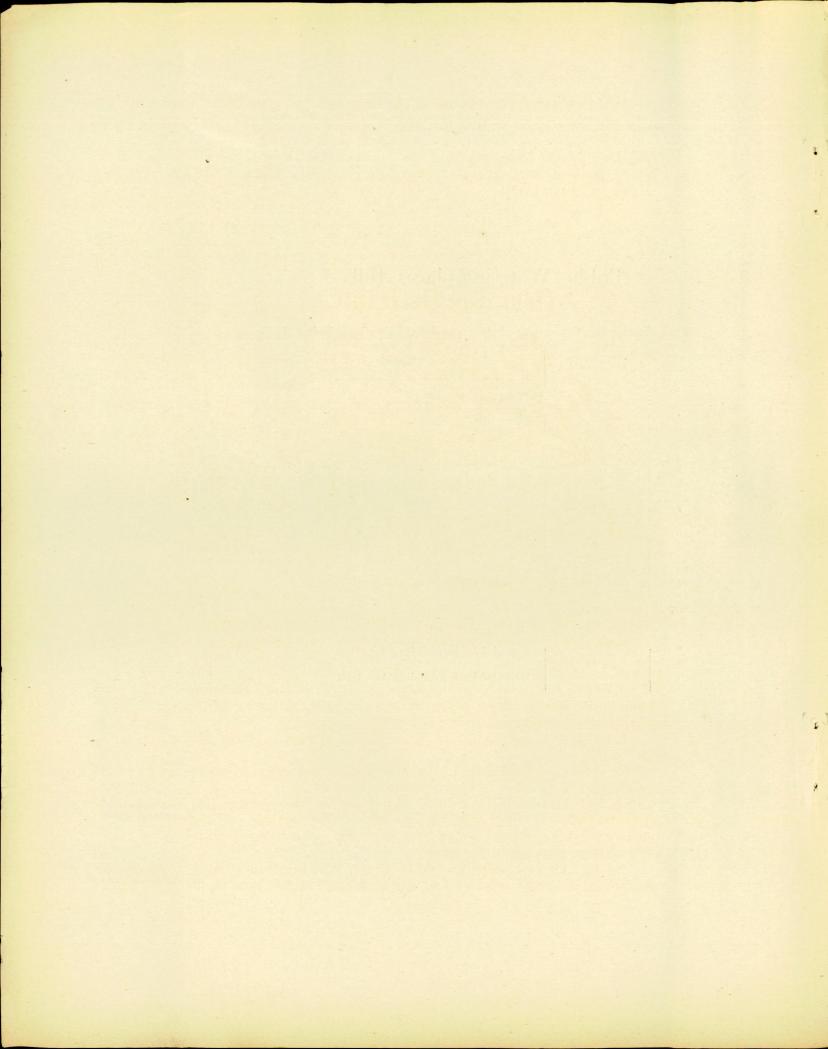
Public Watering-places Bill.

TABLE showing how the sections of Acts consolidated have been dealt with.

Section of Repealed Acts.	Section of Consolidated Act.	Remarks.						
48 VICTORIA NO. 16.								
$ \begin{array}{r} 1 \\ 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 13 \\ 14 \\ 15 \\ 16 \\ \end{array} $	$\begin{array}{c} & & & & \\ & & & & \\ & & & & \\ & & & & $	Short title.						
		57 VICTORIA NO. 31.						
$\begin{array}{c}1\\2\\3\end{array}$	4 	Repealed by Impounding Act, 1898. Repealed by Impounding Act, 1898.						

1

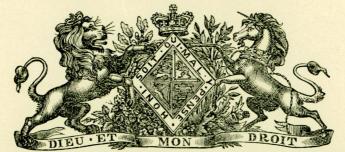
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This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council Chamber, Sydney, 30th August, 1900. JOHN J. CALVERT, Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO QUARTO VICTORIÆ REGINÆ.

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Act No. , 1900.

An Act to consolidate the Acts regulating Public Wateringplaces and protecting certain Reserves from trespass.

D E it 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 "Public Watering-places Act, Short title. 1900."

2. The Acts mentioned in the First Schedule hereto are, to the Repeal. extent therein expressed, hereby repealed.

3. (1) All persons appointed under the Acts hereby repealed, Persons appointed and holding office at the time of the passing of this Act, shall continue ^{under repealed Acts.} in office as if this Act had been in force when they were appointed and they had been appointed thereunder.

(2) All proclamations, notifications, and regulations made Proclamations and under the Acts hereby repealed and being in force at the time of the regulations under passing

Public Watering-places.

passing of this Act shall continue in force as if they had been made under this Act; and references in such proclamations, notifications, and regulations to any of the provisions of the Acts hereby repealed shall be construed as references to the corresponding provisions of this Act.

4. In this Act, unless the context or subject-matter otherwise Interpretation. indicates or requires,— 48 Vic. No. 16, s. 2.

- "Reserves" means places declared to be travelling stock and ⁵⁷ Vic. No. 31, s. 2. camping reserves.
- "Public watering-places" means reserves declared to be public watering-places under this Act.
- "Inspector" means an inspector under this Act.
- "Justice" means justice of the peace.
- "Stock" means any camel, dromedary, horse, mare, gelding, colt, filly, ass, mule, bull, cow, ox, heifer, steer, calf, ram, ewe, wether or lamb, goat or pig.
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- "Travelling stock" means any stock the driver of which is required to be provided with a permit or travelling statement.

5. The Governor may by notification in the Gazette make and Power to make revoke reserves for the purpose of establishing public watering-places reserves. and for the accommodation and agistment of travelling stock, but ⁴⁸ Vic. No. 16, s. 3. such reserves shall not be withdrawn from pastoral lease except by a special notification to that effect.

6. The Governor may appoint inspectors and overseers for the Power to appoint purposes of this Act, and such inspectors and overseers may exercise inspectors and overseers. the powers hereby conferred upon them in any part of New South *Ibid. s. 4.* Wales, and shall be, ex officio, inspectors of stock.

7. The Minister may construct tanks, dams, or other works for Power to construct storing or providing water adjacent to any roads or upon any reserves tanks and dams. Ibid. s. 5.

8. The Minister may appoint caretakers and place them in The Minister may charge of such tanks, dams, other works for storing water, or public appoint caretakers. watering-places, and such caretakers shall supply water to travelling ^{Ibid. s. 7.} stock at the rates prescribed by regulation for that purpose.

9. The Governor may let by auction, tender, or otherwise for a Governor may lease term not exceeding five years any such tanks, dams, other works for tanks and dams. storing water, or public watering-places upon such terms as he deems *Ibid. s. 6.* expedient, and the lessees shall supply water to the persons and stock at the rates prescribed by regulations in that behalf.

Public Watering-places.

10. The Governor may place any public watering-place for any Governor may period not exceeding three years under the control of trustees who appoint trustees. shall supply water to travelling stock, and to all persons who require the same upon the terms prescribed by regulations in that behalf.

11. (1) Any person duly authorised by the Minister may Power to implued impound in the nearest pound any stock found trespassing upon any stock trespassing on public watering-place or reserve, and may charge in respect of such reserves. stock the damages mentioned in the Second Schedule hereto, *Itid. s. 9.* together with the driving and other fees imposed by the Impounding Act, 1898.

(2) Any owner or person having charge of stock who wilful trespass. wilfully allows the same to trespass upon any public watering-place or *Ibid*. reserve may be prosecuted by any person duly authorised by the Minister, and upon conviction shall be liable for the first offence to a penalty not exceeding five pounds, and for any subsequent offence to a penalty not exceeding twenty pounds.

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12. Any person who obstructs travelling stock in the lawful Obstruction of use of any public watering-place, or in the use of any pasture or water travelling stock. To which such stock are entitled under this Act, or any regulation to under this or any other Act, shall be liable to a penalty not exceeding twenty pounds.

13. Every owner or person in charge of stock shall, when he Owner of stock to requires to use any dam, tank, well, public watering-place or reserve, produce permit or produce and show to the lessee, caretaker, or person in charge thereof, *Ibid. s. 11.* on demand, his proper permit or travelling statement, and on failure to do so shall be liable to a penalty not exceeding five pounds.

14. Any person who wilfully-

- (a) destroys or injures any public dam, tank, or any structure or Penalty for injuring other work connected therewith in any public watering- dams or tanks. place; or *Ibid. 8. 12.*
- (b) destroys or injures any part thereof, or any machinery used in connection therewith; or
- (c) pollutes, diverts, or interferes with any water flowing into or in any such dam, tank, or well,

shall be liable to be fined by any two justices any sum not exceeding one hundred pounds, or to be imprisoned for any term not exceeding six months.

15. Any lessee, caretaker, or trustee who refuses, or neglects to Offences by lessees, comply with the regulations under this Act shall be liable to a penalty $\overset{\&c.}{Ibid. s. 13.}$ not exceeding ten pounds for every such breach of such regulations.

16. The Governor may make regulations for the purpose of Governor may make carrying out this Act, and of regulating the management, maintenance, regulations. and control of such dams, wells, tanks, public watering-places, and *Tbid.* s. 14.

reserves,

Public Watering-places.

reserves, and may impose any penalty not exceeding two pounds for the breach of any such regulations. All such regulations on being published in the Gazette shall have the 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 next session.

17. All penalties for any breach of this Act or of any regulations Penalties. hereunder, and all charges, expenses, and sums due and payable under 48 vic. No. 16, s. 16. this Act or such regulations, may be recovered in a summary way before any two justices by any inspector, overseer, lessee, caretaker, trustee, or person authorised by the Minister in that behalf.

18. Any person aggrieved by any penalty imposed upon him Appeal. under this Act, or by the decision of any justices under or concerning *Ibid. s. 15.* the provisions of this Act, may appeal from the same.

SCHEDULES.

FIRST SCHEDULE.

Reference to Act.Tale or short titly.Extent of repeal.48 Vic. No. 16 ...Public Watering-places Act of 1884 ...The whole.57 Vic. No. 31 ...An Act to further amend the Impounding
Act of 1865 and the Acts amending the
same, and to amend the Public Watering-
places Act of 1884.The unrepealed portion.

SECOND SCHEDULE.

Damages to be charged for trespass.

Damages. Description of animals trespassing. For every camel or dromedary Threepence. For every horse, mare, gelding, colt, filly, ass, mule, bull, cow, ox, heifer, steer, or calf Threepence. ... One half-penny. For every ram, ewe, sheep, or lamb Sixpence. For every goat Sixpence. For every pig

Sydney : William Applegate Gallick, Government Printer.-1900.

[6d

Section 2.

Section 11.

Memo. and Certificate to accompany the Public Watering-places Bill.

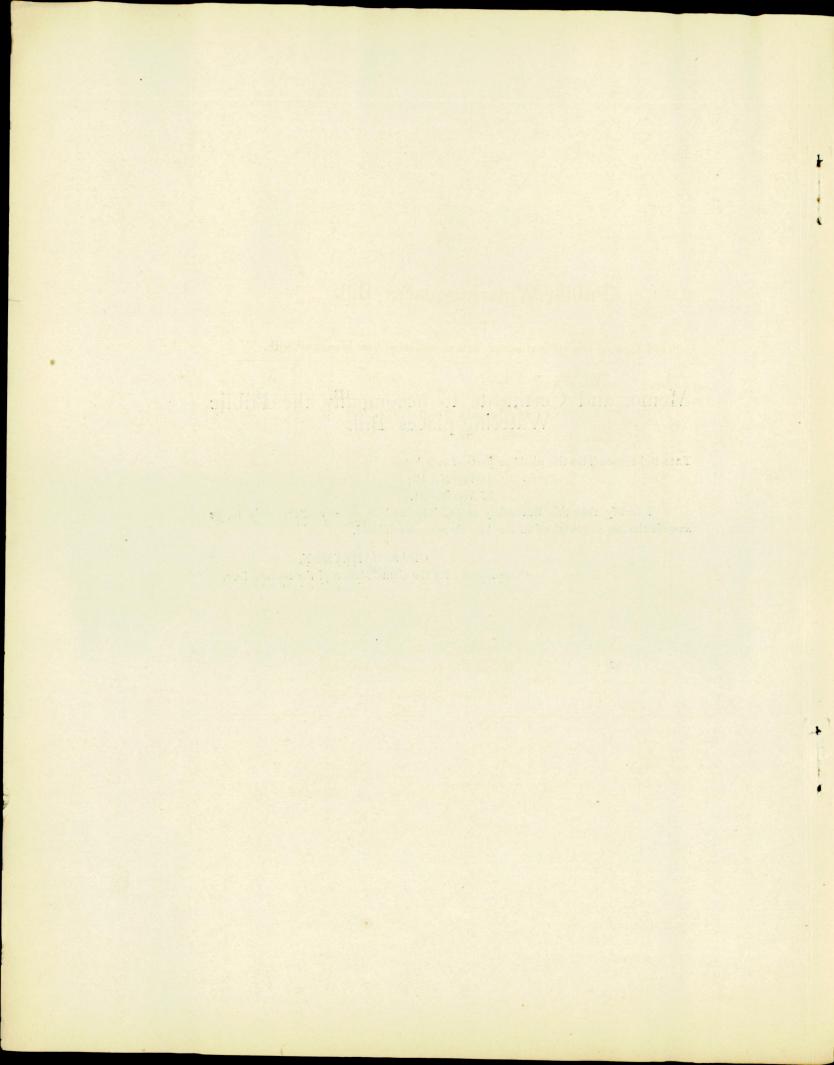
57 Vic. No. 31.

I certify that this Bill solely consolidates and in no way alters, adds to, or amends the law as contained in the Acts therein consolidated.

> CHAS. G. HEYDON, Commissioner for the Consolidation of the Statute Law.

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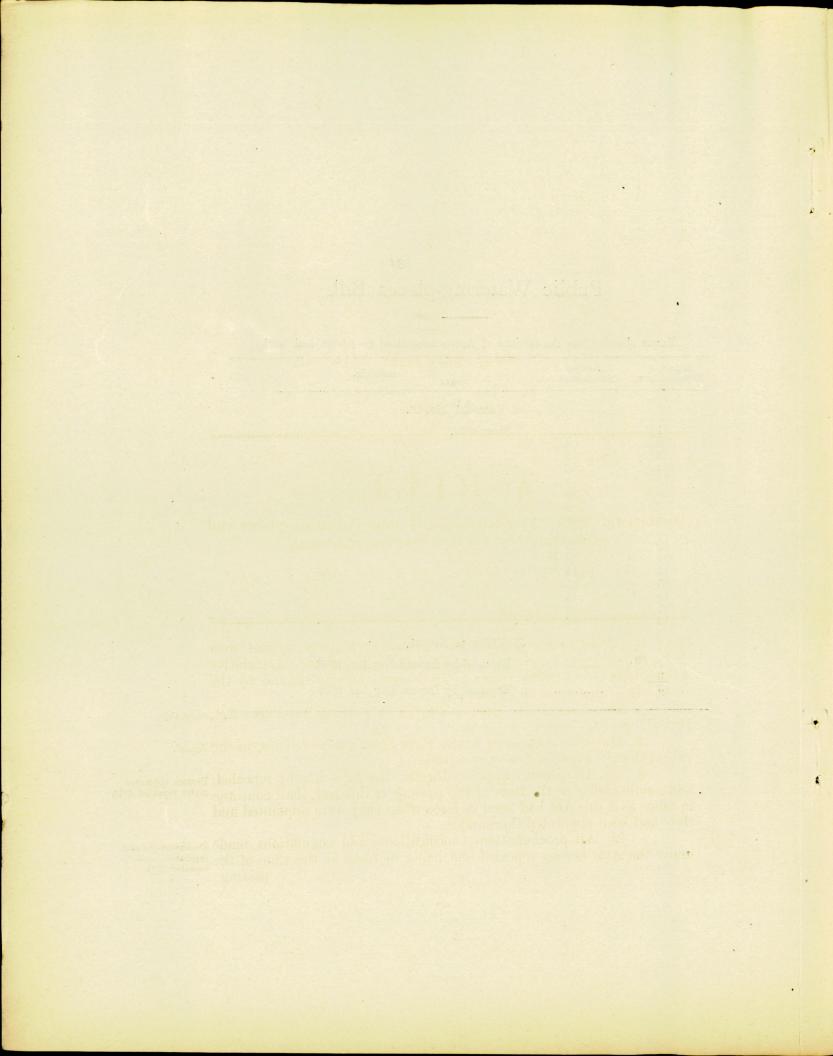
Public Watering-places Bill.

No.

1

Section of Repealed Acts.								
48 VICTORIA No. 16.								
$ \begin{array}{r} 1 \\ 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 13 \\ 14 \\ 15 \\ 16 \\ \end{array} $	$ \begin{array}{c} $	Short title.						
		57 VICTORIA NO. 31.						
$1 \\ 2 \\ 3$	 4	Repealed by Impounding Act, 1898. Repealed by Impounding Act, 1898.						

TABLE showing how the sections of Acts consolidated have been dealt with.



Legislatibe Council.

No. , 1900.

A BILL

To consolidate the Acts regulating Public Watering-places and protecting certain Reserves from trespass.

[MR. F. B. SUTTOR; -23 August, 1900.]

D E it 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 "Public Watering-places Act, Short title. 1900."

2. The Acts mentioned in the First Schedule hereto are, to the Repeal. extent therein expressed, hereby repealed.

3. (1) All persons appointed under the Acts hereby repealed, Persons appointed and holding office at the time of the passing of this Act, shall continue under repealed Acts. in office as if this Act had been in force when they were appointed and they had been appointed thereunder.

(2) All proclamations, notifications, and regulations made Proclamations and under the Acts hereby repealed and being in force at the time of the regulations under passing passing of this Act shall continue in force as if they had been made under this Act; and references in such proclamations, notifications, and regulations to any of the provisions of the Acts hereby repealed shall be construed as references to the corresponding provisions of this Act.

4. In this Act, unless the context or subject-matter otherwise 48 Vic. No. 16, s. 2. indicates or requires,-57 Vic. No. 31, s. 2.

- "Reserves" means places declared to be travelling stock and camping reserves.
- "Public watering-places" means reserves declared to be public watering-places under this Act.

"Inspector" means an inspector under this Act.

"Justice" means justice of the peace.

"Stock" means any camel, dromedary, horse, mare, gelding, colt, filly, ass, mule, bull, cow, ox, heifer, steer, calf, ram, ewe, wether or lamb, goat or pig.

"Travelling statement" means any statement required by the Registration of Brands Act of 1866, and the Diseases in Sheep Act Amendment Act of 1878, or any Act amending the same.

"Permit" means any permit required by the Sheep Diseases Act of 1866, the Diseases in Sheep Act Amendment Act of 1878, or any Act amending the same.

"Travelling stock" means any stock the driver of which is required to be provided with a permit or travelling statement.

5. The Governor may by notification in the Gazette make and revoke reserves for the purpose of establishing public watering-places and for the accommodation and agistment of travelling stock, but such reserves shall not be withdrawn from pastoral lease except by a special notification to that effect.

6. The Governor may appoint inspectors and overseers for the purposes of this Act, and such inspectors and overseers may exercise the powers hereby conferred upon them in any part of New South Wales, and shall be, ex officio, inspectors of stock.

7. The Minister may construct tanks, dams, or other works for storing or providing water adjacent to any roads or upon any reserves or public watering-places.

8. The Minister may appoint caretakers and place them in charge of such tanks, dams, other works for storing water, or public watering-places, and such caretakers shall supply water to travelling stock at the rates prescribed by regulation for that purpose.

9. The Governor may let by auction, tender, or otherwise for a term not exceeding five years any such tanks, dams, other works for storing water, or public watering-places upon such terms as he deems expedient, and the lessees shall supply water to the persons and stock at the rates prescribed by regulations in that behalf.

48 Vic. No. 16, s. 3.

Power to make reserves.

Power to appoint inspectors and overseers. Ibid. s. 4.

Power to construct tanks and dams. Ibid. s. 5.

The Minister may appoint caretakers. Ibid. s. 7.

Governor may lease tanks and dams. Ibid. s. 6.

Interpretation.

10.

10. The Governor may place any public watering-place for any Governor may period not exceeding three years under the control of trustees who appoint trustees. shall supply water to travelling stock, and to all persons who require the same upon the terms prescribed by regulations in that behalf.

11. (1) Any person duly authorised by the Minister may Power to impound impound in the nearest pound any stock found trespassing upon any stock trespassing on public watering-place or reserve, and may charge in respect of such reserves. stock the damages mentioned in the Second Schedule hereto, *Ilid. s. 9.* together with the driving and other fees imposed by the Impounding Act, 1898.

(2) Any owner or person having charge of stock who wilful trespass. wilfully allows the same to trespass upon any public watering-place or *Ibid*. reserve may be prosecuted by any person duly authorised by the Minister, and upon conviction shall be liable for the first offence to a penalty not exceeding five pounds, and for any subsequent offence to a penalty not exceeding twenty pounds.

Trespass a second time by stock belonging to the same owner Definition. shall be deemed to be a wilful trespass.

12. Any person who obstructs travelling stock in the lawful Obstruction of use of any public watering-place, or in the use of any pasture or water travelling stock. to which such stock are entitled under this Act, or any regulation Ibid. = 10. under this or any other Act, shall be liable to a penalty not exceeding twenty pounds.

13. Every owner or person in charge of stock shall, when he Owner of stock to produce permit or requires to use any dam, tank, well, public watering-place or reserve, travelling statement. produce and show to the lessee, caretaker, or person in charge thereof, *Ibid. s.* 11. on demand, his proper permit or travelling statement, and on failure to do so shall be liable to a penalty not exceeding five pounds.

14. Any person who wilfully-

- (a) destroys or injures any public dam, tank, or any structure or Penalty for injuring other work connected therewith in any public watering-dams or tanks. place; or
- (b) destroys or injures any part thereof, or any machinery used in connection therewith ; or
- (c) pollutes, diverts, or interferes with any water flowing into or in any such dam, tank, or well,

shall be liable to be fined by any two justices any sum not exceeding one hundred pounds, or to be imprisoned for any term not exceeding six months.

15. Any lessee, caretaker, or trustee who refuses, or neglects to Offences by lessees, comply with the regulations under this Act shall be liable to a penalty &c. *Ibid.* s. 13.

16. The Governor may make regulations for the purpose of Governor may make carrying out this Act, and of regulating the management, maintenance, regulations. and control of such dams, wells, tanks, public watering-places, and *Thid*, s, 14.

reserves,

reserves, and may impose any penalty not exceeding two pounds for the breach of any such regulations. All such regulations on being published in the Gazette shall have the 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 next session.

17. All penalties for any breach of this Act or of any regulations 48 Vic. No. 16, s. 16. hereunder, and all charges, expenses, and sums due and payable under this Act or such regulations, may be recovered in a summary way before any two justices by any inspector, overseer, lessee, caretaker, trustee, or person authorised by the Minister in that behalf.

> 18. Any person aggrieved by any penalty imposed upon him under this Act, or by the decision of any justices under or concerning the provisions of this Act, may appeal from the same.

SCHEDULES.

FIRST SCHEDULE.

Reference to Act.	Title or short title.	Extent of repeal.				
48 Vic. No. 16 57 Vic. No. 31	Public Watering-places Act of 1884 An Act to further amend the Impounding Act of 1865 and the Acts amending the same, and to amend the Public Watering- places Act of 1884.	The unrepealed portion.				

Section 11.

SECOND SCHEDULE.

Damages to be charged for trespass.

Description of animals trespassing.								Damages.
For every came	l or drom	edary						Threepence.
For every hors	e, mare,	gelding, o				bull, cow,		
heifer, stee	r, or calf							Threepence.
For every ram,	ewe, shee	p, or lamb						One half-penny.
For every goat								Sixpence.
For every pig		`						Sixpence.

[6d.]

Sydney : William Applegate Gullick, Government Printer .- 1900.

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Penalties.

Appeal. Ibid. s. 15.

Section 2.