

No. XIV.

AN ORDINANCE to amend an Ordinance to provide for the Summary Recovery of Compensation for Damages done by Cattle Trespassing.

CATTLE TRESPASS  
AMENDMENT.  
—

[11th July, 1844.]

WHEREAS by an Ordinance enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof (Session II., No. 16), intituled "*An Ordinance to provide for the Summary Recovery of Compensation for Damages done by Cattle Trespassing,*" it is enacted that "Whenever any cattle shall trespass upon

Preamble reciting  
clause 2 of Cattle  
Trespass Ordinance.

*Cattle Trespass Amendment.*

upon the land of any person which shall be substantially fenced, and shall do any damage thereon, it shall be lawful for the Police Magistrate of the district, or for any two Justices of the Peace having jurisdiction therein, upon application of the person suffering such damage, to hear and determine the case in a summary way, and on being satisfied by the oath of a credible witness as to the amount of such damage, to award to the party sustaining the same any such sum not exceeding twenty pounds by way of compensation for the same."

Extended to case of  
cattle trespassing on  
land whether fenced  
or not.

1. And whereas it is expedient to extend the provisions of the said Ordinance to the case of cattle found trespassing upon any land, whether the same shall be substantially fenced or not: BE IT THEREFORE ENACTED by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof, as follows:—Whenever any cattle shall trespass upon the land of any person and shall do any damage thereon, it shall be lawful for the Police Magistrate of the district, or for any two Justices of the Peace having jurisdiction therein, upon application of the person suffering such damage, to hear and determine the case in a summary way, and on being satisfied by the oath or solemn affirmation as the case may require of two witnesses competent from practical knowledge or otherwise to estimate the same as to the amount of such damage, to award to the party sustaining the same any sum not exceeding twenty pounds by way of compensation for the same.

Interpretation clause.

2. For the purpose of this Ordinance and of the said recited Ordinance, the word "Cattle" shall be taken to include horned or neat cattle horses mules asses sheep goats and swine.

Commencement.

3. This Ordinance shall come into operation on the first day of October, one thousand eight hundred and forty-four.