

Act No. 27, 1901.

An Act to consolidate the Acts relating to Diseases in Cattle and Sheep, to Imported Stock, to the Registration of Brands, and to the Exportation of Cattle. [30th October, 1901.]

Stock.

**B**E it enacted by the King'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 :—

PART I.

PRELIMINARY.

1. This Act may be cited as the "Stock Act, 1901," and is Short title. divided into Parts and Divisions, as follows :—

PART I.—PRELIMINARY—*ss.* 1-2.

PART II.—PREVENTING THE EXTENSION OF INFLUENZA OR CATARRH IN SHEEP—*ss.* 3-17.

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2. (1) The Acts mentioned in the First Schedule hereto are, to the extent therein expressed, hereby repealed. Repeals and savings. First Schedule.

(2) All persons appointed or elected under any of the Acts hereby repealed and holding office at the time of the passing of this Act shall be deemed to have been appointed or elected hereunder. Appointments.

(3) All regulations made under the authority of any of the Acts hereby repealed and being in force at the time of the passing of this Act shall be deemed to have been made under the authority of this Act. Regulations.

(4) All districts proclaimed under any Act hereby repealed shall be deemed to have been proclaimed under this Act. Districts.

(5) All fees fixed or appointed by the Governor under any Act hereby repealed, and remaining so fixed or appointed at the passing of this Act, shall be deemed to have been fixed and appointed under this Act. Fees.

(6) All days fixed under any Act hereby repealed for meetings for the election of directors, and all polling-places, notified under any such Act at which the votes of persons entitled to vote at any such election may be taken, shall be deemed to have been fixed and notified respectively under this Act. Days for election.

(7) All proclamations and notifications made, and all sanctions given, under any Act hereby repealed, the operation of which is not exhausted at the passing of this Act, shall be deemed to have been made and given under the corresponding provisions of this Act, and shall have and take effect accordingly. Proclamations, notifications, and sanctions.

(8) Every piece of ground set apart under any Act hereby repealed as a quarantine ground or station or for purposes of quarantine, and which, at the passing of this Act, remains so set apart shall be deemed to have been so set apart under this Act. Quarantine grounds.

(9) Where by any proclamation made under any of the Acts hereby repealed any of the provisions of any of the said Acts have been suspended, the corresponding provisions of this Act shall be suspended for the period of suspension which at the time of the passing of this Act remains unexpired. Suspension of provisions of Acts repealed.

(10) (a) All moneys standing to the credit of any account established or kept under any of the Acts hereby repealed shall, on the passing of this Act, be transferred to the corresponding accounts mentioned in this Act. Application of moneys.

(b) All moneys hereafter received under the provisions of any of the Acts hereby repealed, which would have been paid into any account established or kept under any of the said Acts, shall be paid into the corresponding accounts mentioned in this Act, and such last-mentioned accounts shall be subject and appropriated to the payment of all lawful claims to which the said first-mentioned accounts would have been subject or might have been appropriated.

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Electoral lists.

(11) All electoral lists prepared and certified under the Act forty-one Victoria number nineteen shall be deemed to have been prepared and certified hereunder.

## PART II.

## PREVENTING THE EXTENSION OF INFLUENZA OR CATARRH IN SHEEP.

Interpretation.

17 Vic. No. 27, ss. 2 and 20.

3. In this Part, unless the context or subject-matter otherwise indicates or requires,—

“infected sheep” means all sheep which are infected with the disease called influenza or catarrh, or which have been infected as aforesaid or mixed with sheep infected as aforesaid, at any time within three months.

“justice” means justice of the peace.

“owner” includes proprietor, lessee, overseer, superintendent, and person in possession or charge;

“public road” includes any road or way used uninterruptedly by the public for not less than six years without any opposition from the proprietor of the land, or over which sheep, cattle, horses, or drays have been usually and commonly driven by the inhabitants of New South Wales;

“sheep” means rams, ewes, wethers, and lambs.

Infected sheep not to be kept near a public road or near the boundary lines of a run.

*Ibid.* s. 2.

4. Every person who turns out, keeps, depastures, drives, or conducts, or permits or suffers to be turned out, kept, depastured, driven, or conducted any infected sheep within a quarter of a mile of any public road, or within a quarter of a mile of the boundary line of the land upon which infected sheep are kept or depastured, shall, for every such offence, be liable to a penalty not exceeding fifty pounds.

Infected sheep not to be driven, &c., on a public road or upon land not occupied by the owners of them.

*Ibid.* s. 3.

5. (1) Every person who knowingly drives or conducts, or permits or suffers to be driven or conducted, or wilfully abandons, or sets at large any infected sheep upon or along any public road, or upon, over, or across any land whatever not being in the actual occupation of such person, shall be guilty of a misdemeanour, and being convicted thereof shall be liable to be imprisoned for any term not exceeding twelve months.

(2) Any justice on oath made before him that any infected sheep are so driven or conducted, or have been so abandoned or set at large as aforesaid, may issue a warrant for the apprehension of the person actually driving or conducting such sheep, and for the seizure of such sheep, or for the seizure of such sheep alone in the event of their being abandoned or set at large as aforesaid.

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(3) Any two justices may, after taking evidence respecting the condition of such sheep, direct them to be immediately destroyed if such justices are then of opinion that such sheep are infected sheep.

6. (1) The owner of any sheep shall within ten days after the first appearance of the disease called the influenza or catarrh in or upon any of such sheep, cause to be delivered to the clerk of petty sessions of the police district in which such infected sheep are kept or depastured, a notice in writing signed by such owner to the effect that the disease called the influenza or catarrh has broken out and appeared amongst the sheep of such owner, and such notice shall likewise contain the name of the owner of such infected sheep, of the station or place where the same are depastured or kept, and of the person managing or superintending such station or place.

Notice of appearance of disease to be given to clerks of petty sessions.  
17 Vic. No. 27, s. 7.

(2) Every such clerk of petty sessions shall cause a true copy of such notice to be affixed in some conspicuous place on the outside of the police office of such police district, there to remain for one month from the day of the receipt of such notice, and the original of such notice shall be kept by the said clerk in the said police office for purposes of reference.

Who shall affix copy of notice outside police office.

(3) Every owner as aforesaid shall likewise cause to be delivered within the time specified as aforesaid to the owner of sheep kept or depasturing upon any land adjoining that upon which such infected sheep are kept or depastured, a written notice to the effect that the disease aforesaid has appeared amongst such sheep, and shall affix the like notice in distinct legible characters not less than one inch in length at each point of entrance of any public road which intersects the land upon which such infected sheep are kept or depastured.

Notice to be given also to adjoining sheep-owners.  
And public notice to be affixed where roads intersect land.

(4) Every owner of sheep which are or become infected as aforesaid who neglects or refuses to cause such notices as aforesaid, or either of them, to be delivered as aforesaid, or neglects, omits, or refuses to affix such notice in some conspicuous place as aforesaid shall for every such offence be liable to a penalty not exceeding fifty pounds.

Penalty.

7. (1) If it appears to any justice either from information on oath made before him or any other justice by any owner of sheep, or by any constable, or upon the view of such justice, that there is reasonable cause to believe that any infected sheep are turned out, kept, depastured, driven, or conducted contrary to the provisions of this Part, such justice may issue a warrant under his hand in the form A contained in the Second Schedule hereto or to the like effect, to some fit and proper person to be named in such warrant, authorising him to examine such sheep, and if necessary to cause the same to be driven to the nearest pen where the same are ordinarily kept, or to some other convenient place for examination.

Suspected sheep may be examined on warrant from a justice.  
Second Schedule, Form A.  
Ibid. s. 6.

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Penalty.

(2) Every owner of such sheep who refuses to allow such person to enter on any lands of such owner or to allow such sheep to be examined, or refuses or neglects when so required to cause them to be driven to the nearest pen or to some other convenient place for examination, shall for every such offence be liable to a penalty of not less than five pounds nor more than one hundred pounds.

Stray sheep may be destroyed if infected.  
17 Vic. No. 27, s. 8.

8. The owner of any sheep which are running or depasturing upon any lands belonging to the Crown, or upon any private land, or the servant of such owner may seize and destroy all infected sheep that are running loose without a shepherd, or that are found in or approaching to any of the flocks of sheep of such owner.

Removal of sheep after disease has disappeared.  
*Ibid.* s. 9.

9. (1) It shall not be lawful to remove any sheep which have been infected with the disease called the influenza or catarrh from their accustomed run or station until the expiration of three months from the time when the said disease shall have entirely disappeared from such sheep, nor after the expiration of such period of three months until the expiration of a further period of three months without a permit in the form B contained in the Second Schedule hereto or to the like effect.

Second Schedule,  
Form B.

Permit.

(2) Any justice may grant such permit upon the oath of the owner of such sheep and of one or more credible witness or witnesses that such sheep have not been infected with the said disease within three months then next preceding.

Duration of permit.

(3) Such permit shall be of effect and remain in force for one week and no longer.

Penalty for removing sheep that have been diseased without a permit.

(4) If any owner of sheep which have been infected as aforesaid removes the same off their accustomed run or station at any time within three months after the disappearance of any such disease as aforesaid with or without a permit, or within six months after the disappearance of any such disease without such permit as aforesaid, he shall for every such offence be liable to a penalty of not less than five pounds nor more than fifty pounds.

Casting carcasses of diseased sheep into streams or waterholes.

*Ibid.* s. 10.

10. Every person who casts or causes to be cast into any stream or waterhole the carcass of any sheep which at the time of its death was an infected sheep, shall for every such sheep so cast as aforesaid be liable to a penalty of not less than one pound nor more than five pounds.

Slaughtering or exposing for sale infected sheep.

*Ibid.* s. 11.

11. (1) Every person who has in his possession for the purpose of slaughter for sale, or slaughters or causes to be slaughtered for sale, any sheep infected with the disease called influenza or catarrh, or exposes the carcass or any part thereof in any public shop, stall, market, or other place, shall for every such offence be liable to a penalty of not less than one pound nor more than twenty pounds.

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(2) The convicting justices may direct that the flesh of all such infected sheep so slaughtered as aforesaid shall be seized, condemned, and destroyed in such manner as they may think fit. Flesh of diseased sheep may be seized and destroyed.

12. Every person who removes or carries away the wool or skin of any infected sheep otherwise than in bags or bales securely packed and sewed up, shall for every such offence be liable to a penalty not exceeding fifty pounds. Wool or skins of infected sheep not to be removed except in bags or bales. 17 Vic. No. 27, s. 12.

13. No information shall be laid or brought under the provisions of this Part unless within three months after the commission of the offence complained of, nor for any second or subsequent offence until the expiration of fourteen clear days from the date of the previous conviction. Limitation of prosecutions. Ibid. s. 15.

14. (1) Every person who wilfully obstructs or impedes any person acting under the authority of this Part, or of any warrant, order, or direction made or issued in pursuance thereof, shall be liable to a penalty not exceeding one hundred pounds. Penalty for obstruction. Ibid. s. 16.

(2) Every person so offending may, if necessary, be apprehended and detained in custody by any person acting under the authority of this Part or any other person who may be called to his assistance until such offender can be conveniently taken before some justice who is hereby authorised upon complaint upon oath by any person to take cognizance thereof, and to act summarily in the premises.

15. (1) Any justice may summon any person to appear before him as a witness in any matter in which such justice has jurisdiction under this Part, at a time and place mentioned in such summons. Power to summon witnesses. Ibid. s. 17.

(2) Every person so summoned who without reasonable excuse refuses or neglects to appear at the time and place appointed for that purpose, or to produce any documents, or appearing refuses to be sworn or examined on oath or give evidence, shall be liable to a penalty of not less than ten pounds and not more than one hundred pounds.

16. All penalties and forfeitures incurred under the provisions of this Part may be sued for and recovered by any owner or by any person in charge of sheep or by any constable. Penalties may be sued for by owner, person in charge, or constable. Ibid. s. 18.

17. All sheep required by this Part to be destroyed shall be entirely consumed by fire. Destruction of sheep. Ibid. s. 20.

## PART III.

## DISEASES IN SHEEP.

DIVISION 1.—*Interpretation.*

Interpretation.

30 Vic. No. 16, s. 2.

41 Vic. No. 19, s. 3.

18. In this Part of this Act, unless the context or subject-matter otherwise indicates or requires,—

“brand” means a firebrand on the nose or face in letters or figures not less than one inch in length, or a brand made with pitch, tar, or paint, in letters or figures not less than three inches in length, on the ribs, back, shoulder, or rump of any sheep;

“cattle” means any bull, cow, ox, heifer, steer, or calf;

“chief inspector” means the chief inspector of sheep appointed under the Act thirtieth Victoria number sixteen, or who may be appointed under this Act;

“clean sheep” means sheep which have never been infected sheep, or sheep which have been infected sheep, and for which their owner has received from an inspector a clean certificate in the form A contained in the Third Schedule hereto;

Third Schedule,  
Form A.

“coast district sheep” means any sheep kept or depastured in the coast scab district, or which have been removed inland therefrom within six months;

“destroy” means to entirely consume by fire, or to bury at a depth of not less than three feet under ground, or having previously consumed by fire the wool and skin, to boil down the remainder of the carcass;

“disease” means the disease in sheep known as the scab;

“district” means any sheep district proclaimed under this Act, or the Act thirtieth Victoria number sixteen;

“director” means any sheep director during his term of office duly elected by the owners or appointed by the Minister, and any person authorised by this Part to act as a director by virtue of his office;

“dressing” means any dipping, dressing, spotting, rubbing, or applying of a medicament used as a cure for scab;

“drover” means any person in charge of any travelling stock;

“flock” means any number of sheep in one lot or in the charge of one person;

“horse” means any horse, mare, gelding, colt, filly, foal, ass, or mule;

“infected



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- “infected sheep” means any sheep suffering from or affected with scab—or any sheep which have formed part of a flock containing any sheep so suffering from or affected with scab—or any sheep which have been in direct or indirect contact with, or have been on or carried over the same ground, or have been kept in the same yard as such infected sheep within the next preceding six months, or which have been dressed or dipped within the same period with medicaments commonly used for the cure of scab—and all infected sheep within any of such definitions until declared clean ;
- “infected run” means any run on which any infected sheep have been within the next preceding six months, and such run until declared clean by the certificate of an inspector ;
- “imported sheep” means any sheep brought into any town, port, or place in New South Wales by any sea-going or coasting vessel, or by any lighter or boat from such vessel, and all such sheep for six months after they are so imported ;
- “inspector” means the chief inspector or any inspector of sheep authorised by this Part to act as inspector ;
- “introduced sheep” means any sheep introduced into New South Wales from any adjoining state in any other way than by sea, and all such sheep for six months after they are so introduced ;
- “justice” means any justice of the peace ;
- “market value of sheep” means the value of sheep calculated as upon a sale with delivery on the run where such sheep are when ordered to be destroyed ;
- “occupier” includes the owner of any run, or his superintendent, or any person in the authorised charge of any run ;
- “owner” includes any proprietor, whether jointly or in severalty, superintendent, consignee, or person in possession or charge of any stock ;
- “proprietor” includes any lessee, licensee, occupant, overseer, superintendent, or person in possession or charge of any land ;
- “road” includes any proclaimed road, or any road or way dedicated to the public, or which has been ordinarily used for three years at least by the public ;
- “run” includes any land, road, place, or premises ;
- “sheep” means any ram, ewe, wether, or lamb, or any carcass, skin, wool, horn, hoof, or other portion of a sheep ;
- “stock” means any horses, cattle, or sheep ;
- “this Part,” in addition to the enactments herein contained, includes any regulations or proclamations made under this Part ;

“travelling

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“travelling sheep” means any sheep whilst being driven or carried by land or water, or which have within one month next preceding been so driven or carried, along or over any place whatsoever other than the run on which they are ordinarily depastured;

“travelling stock” means 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.

DIVISION 2.—*Sheep districts.*

Proclamation of districts.  
80 Vic. No. 16, s. 3.

19. New South Wales shall be divided into conveniently sized sheep districts, to be defined by proclamation by the Governor from time to time.

DIVISION 3.—*Election and powers of directors.*

Number of directors.  
*Ibid.* s. 4.

20. (1) In each district there shall be elected annually in manner hereinafter directed five directors who shall be the board of directors of such district and remain in office until the next annual election of directors.

Appointment of directors by the Minister.

(2) If a lesser number than five directors are elected, or if no election has taken place, or if such election is in any respect invalid, the Minister may appoint as many persons as the case may require, nominated by the chief inspector to be directors, and all such persons shall, on the publication of such appointment in the Gazette, be directors as fully to all intents and purposes as if duly elected hereunder.

Qualifications of electors and candidates.  
41 Vic. No. 19, s. 5.  
46 Vic. No. 5, s. 2.

21. (1) Every person shall be qualified to vote at an 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, bona fide kept and depastured on any run within the district for which such election is held, or who is the bona fide superintendent of any run so situated then depasturing not less than five thousand sheep, and holds the written authority of the proprietor of such run to act for him at such election.

Challenging electors or candidates.

(2) If the qualification of any person claiming to be an elector, or if any candidate is 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 the meeting for making such election may require such person or candidate to make a solemn declaration as to the validity of his qualification, and upon so proving his qualification such person or candidate shall be entitled to vote, or to be elected, as the case may be.

Nomination of candidates.

(3) No candidate shall be eligible for election unless he has been nominated in writing by two persons qualified to vote, and the nomination

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nomination paper with the candidate's consent thereto has been placed in the hands of the returning officer at least fourteen days before the day of election.

**22.** (1) No owner or superintendent of infected sheep shall be competent to vote at any election of directors, or to be elected a director, or having been so elected to hold office. Disqualifications of electors and directors. 30 Vic. No. 16, s. 6.

(2) An owner and his superintendent shall not hold office as directors on the same board.

**23.** (1) Alphabetical lists of the owners of sheep in the several 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 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. Electoral lists. 41 Vic. No. 19, s. 6.

(2) Such lists, when so certified, shall be the electoral lists of owners eligible to vote at the election of directors in the several districts, and shall lie on the table at such elections for reference by any elector or candidate.

(3) All questions arising at any such 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.

**24.** (1) 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. Joint owners to vote as one owner. Ibid. s. 7.

(2) Where sheep are running together in one flock, or in one paddock, they shall be held to belong to one and the same owner.

**25.** The voting at all elections of directors 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 Fourth Schedule hereto. Voting to be cumulative. Ibid. s. 8. Fourth Schedule.

**26.** (1) At some convenient place, and upon some day in the month of February to be fixed by the Minister of which due notice shall be given by publication in the Gazette, any five or more bona fide owners and superintendents duly qualified as aforesaid shall meet and shall choose from among their number then present a chairman to conduct the business of the meeting and to act as returning officer. Election of directors—time and place—returning officer. 30 Vic. No. 16, s. 7. 46 Vic. No. 5, s. 2.

(2) Owners and superintendents duly qualified to vote as aforesaid shall give in to the returning officer before four o'clock on the afternoon of the same day their voting-papers, each containing the names of five persons qualified as aforesaid, after which time no voting-paper shall be received by such returning officer. Voting.

(3) The returning officer shall thereupon ascertain the five persons who have received the greatest number of votes, and shall at some hour not later than six o'clock on the same day, unless any objections to the qualification of any elector or candidate shall have been taken, declare such persons to be duly elected. Declaration of result of election. (4)

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- Casting vote. (4) In case of an equality of votes given for any two or more persons the returning officer may give a casting vote.
- Inspection of voting-papers. (5) All such voting-papers shall lie open for the inspection of the electors for one hour, during which time all objections as aforesaid shall be lodged.
- Objections. (6) All such objections made to any voting-paper and all questions as to the qualifications of candidates and electors and all other matters necessary to be decided before the declaration of the result of the election shall be decided by the returning officer, and such decision shall be final and conclusive.
- Two or more polling-places may be notified. (7) The Minister may from time to time notify in the Gazette one or more polling-places in a sheep district at which the votes of persons entitled to vote at the election of directors may be taken in addition to the polling-place at which the returning officer for the district presides.
- Returning officer. (8) In the case of a new district or in any emergency the Minister may appoint the returning officer, and in that of existing districts the chairman of the out-going board of sheep directors shall be the returning officer.
- Deputy returning officer. (9) The returning officer shall for each of such additional polling-places appoint a deputy returning officer who shall conduct the election at such additional polling-places as provided by this Part, and forward the voting-papers with a statement thereof in due course to the returning officer, who shall as soon as practicable, on a day and hour to be fixed, announce the result of the election and publish the same in the Gazette.
- Determination of disputes. (10) In all cases of doubt or dispute the decision of the returning officer or deputy returning officer as the case may be shall be final and conclusive.
- If only five persons nominated. (11) In the event of only five persons being nominated the returning officer shall forthwith declare the said persons to be duly elected.
- Vacancies in the board of directors. 30 Vic. No. 16, s. 8. 46 Vic. No. 5, s. 2. **27.** (1) Every vacancy in a board of directors caused by death, resignation, absence of more than six months from the district, or otherwise, shall be filled up by the board at a special meeting, of which not less than ten days' notice shall be given to members of the board.
- (2) If any vacancy is not filled up at such meeting, the Minister may appoint some person nominated by the chief inspector to fill such vacancy.
- (3) No vacancy shall affect the powers and proceedings of the board provided that there is a quorum as hereinafter prescribed.
- (4) The directors so elected or appointed shall hold office for such period only as the persons in whose absence, default, or stead they have been elected or appointed would have held office.

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**28.** The chief inspector shall by virtue of his office be a director in and for each district proclaimed under this Part as fully to all intents and purposes as if duly elected thereunder. Chief inspector to be a director ex officio. 30 Vic. No. 16, s. 9.

**29.** (1) At any meeting of directors two directors shall form a quorum. Two directors to form a quorum, and directors to elect a chairman. *Ibid.* s. 10.

(2) At the first meeting after their election the directors shall elect some one of themselves to be chairman of the board, who shall continue in office until the expiration of his term of office as director, and in the event of no such chairman being elected or of such chairman's absence from any such meeting the directors then present shall choose one of themselves to be acting chairman.

(3) All questions and other matters brought before any such meeting shall be determined by a majority of votes.

(4) In case of an equality of votes when more than two directors are present, but not otherwise, such chairman or acting chairman shall have a casting vote.

**30.** (1) All meetings of directors shall be called by a director or the chief inspector by notice in writing, either left at the residence of each director or transmitted to him by registered letter. Mode of calling and recording meetings. *Ibid.* s. 11.

(2) Every such meeting shall be held at or near the place where the circumstances which have occasioned it took place, and may be adjourned from time to time as the directors deem necessary.

(3) A record of the proceedings at every such meeting shall be made in a book which shall be kept for that purpose, and shall be called the directors' minute-book.

(4) The minutes of all such proceedings shall be signed by the chairman or acting chairman, and shall be conclusive evidence that such proceedings were duly held and taken under the provisions of this Part.

**31.** (1) In every district where disease exists the directors shall meet at least once in every month to receive and consider the inspector's report on the state of the district. Times fixed for meetings of directors *Ibid.* s. 14.

(2) When a district is free from disease the directors thereof shall meet at least once a year.

*DIVISION 4.—Appointment of inspectors.*

**32.** The chief inspector shall be appointed by the Governor and shall exercise the powers and duties of his office throughout New South Wales, and, subject to the Minister, shall have the control and supervision of the inspectors. Appointment of chief inspector. *Ibid.* s. 18.

**33.** The Governor may appoint as inspectors competent persons to be nominated by the directors and approved by the Governor, and the directors or chief inspector may suspend, and the Minister may dismiss or remove any inspector. Appointment, suspension, and dismissal of inspectors. *Ibid.* s. 19

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Directors to nominate  
inspector in accord-  
ance with regulations.  
41 Vic. No. 19, s. 9.

**34.** (1) A quorum of directors in any district present at a meeting specially called for that purpose, of which not less than fourteen days' notice has been given in some newspaper circulating in the district, shall nominate some fit person as inspector for such district.

(2) 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 is not in the opinion of the Minister required for such district.

If one inspector be  
sufficient for two or  
more districts  
directors to nominate  
accordingly.  
*Ibid.* s. 10.

**35.** (1) Whenever the Minister considers 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.

(2) The person who is 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.

(3) If there be an equal number of votes for two or more candidates the nomination shall be made by the Minister from such candidates.

Alteration of districts  
not to affect  
inspectors.  
*Ibid.* s. 4.

**36.** (1) No division or alteration of a district shall in any way affect the appointment or powers of inspectors appointed under this Act.

(2) 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.

(3) Any inspector may, by direction of the Minister, do duty in any district.

The Minister may  
appoint acting  
inspector.  
*Ibid.* s. 11.

**37.** 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.

Directors to be  
inspectors ex officio.  
30 Vic. No. 16, s. 13.  
Fifth Schedule.

**38.** Every director shall be, ex officio, an inspector of sheep, but without remuneration other than that directed in certain cases under the Fifth Schedule hereto.

DIVISION 5.—*Duties of directors.*

Director receiving  
information of the  
outbreak of disease  
to visit the locality.  
*Ibid.* s. 15.

**39.** On receiving information of the outbreak, or suspected outbreak of disease in any part of a district, the nearest director shall visit the locality in question, and in the absence of an official inspector shall himself act, and take all necessary steps in the capacity of inspector under penalty, in case of failure or neglect, of removal from the board by the Minister.

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**40.** Every director acting as such, or in the capacity of inspector as hereinbefore mentioned, shall be allowed travelling expenses according to the scale fixed by the Fifth Schedule hereto.

Directors to be allowed travelling expenses.  
30 Vic. No. 16, s. 16.  
Fifth Schedule.

**41.** No director shall act as a director or inspector in any matter or thing in which he is personally interested, and no director shall act as a director in any case where he has personally taken action as an inspector or joined with an inspector in directing the destruction of infected sheep under penalty of removal from the board.

When directors are not to act.  
*Ibid.* s. 17.

*DIVISION 6.—Powers and disabilities of inspectors.*

**42.** (1) Every inspector is hereby empowered to enter at any time upon any run in order—

Power of entry, &c., to inspector.  
*Ibid.* s. 20.

- (a) to inspect any sheep;
- (b) to take possession of any sheep in respect of which their owner is committing any breach of this Part, and detain such sheep until the requirements of this Part have been complied with or until such sheep are released by order of the directors on appeal as hereinafter provided;
- (c) to carry out at the expense of the owner of any sheep, when necessary, any of the provisions of this Part with which such owner may fail to comply; and
- (d) to exercise and perform the several powers and duties herein authorised and directed.

(2) Every person who—

- (a) refuses to allow an inspector to enter upon any run in the execution of his duty, or hinders or impedes, or attempts to hinder or impede him therein; or
- (b) refuses or delays when requested to point out to an inspector any sheep, or to disclose whence any sheep have been taken; or
- (c) refuses to produce to the inspector when required the flock or sheep book, or to wash or otherwise disinfect any premises, yard, vehicle, or article found or used with or about any infected sheep to the satisfaction of the inspector; or
- (d) refuses to drive sheep in his charge to any place when required by an inspector, or to assist an inspector in the examination thereof,

shall for every such offence be liable to a penalty not exceeding one hundred pounds.

**43.** (1) Every inspector, when acting under the provisions of this Part relating to introduced or imported sheep, or prosecuting for a breach of any of the provisions of this Part in respect of any such sheep, together with all other persons acting in his assistance, shall

Inspectors in certain cases to have the same powers as officers of customs.  
*Ibid.* s. 21.

possess,

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possess, so far as the same may be applicable to the case, all the powers, rights, privileges, and indemnities possessed by officers of customs or other persons duly authorised in that behalf when engaged in searching for, or seizing or prosecuting for any offence in respect of any uncustomed or prohibited goods.

(2) Every person by force or violence resisting or impeding an inspector or his assistants in the execution of his or their duty with respect to such sheep, shall be liable to a penalty of not less than ten pounds and not more than two hundred pounds, or to imprisonment for any term not exceeding three months.

Inspectors may kill sheep for evidence.  
30 Vic. No. 16, s. 22.

**44.** (1) In any case except in that of imported sheep where the fact of the infection of any sheep as declared by any inspector's notice is disputed by the owner of such sheep such inspector may kill one sheep in each flock which he considers infected, and shall take possession of the skin or any portion thereof, and having marked and caused the owner to mark the portion thus taken, he shall pack up the same securely in the presence of the owner, sealing the package with his own and the owner's seal, and such package shall be produced and opened before any court or board of directors as the case may be whenever the fact of any such infection is in issue.

(2) Every person preventing or impeding or attempting to prevent or impede an inspector in carrying out any provision of this section shall be liable to a penalty not exceeding fifty pounds.

Inspectors may place detained sheep on nearest available Crown lands.  
*Ibid.* s. 23.

**45.** (1) The directors shall at any inspector's request from time to time sanction the occupation of some land being the property of the Crown, and whether the same is then occupied under lease or not as a run, where such inspector may detain any sheep under the provisions of this Part, and where such sheep may be kept and depastured with the greatest safety while so detained.

Compensation to lessee.

(2) The owner of such sheep shall repay and make good to the lessee (if any) of the run on which they are so kept and depastured every loss, damage, or expense he may thereby sustain to be assessed by the directors upon application to them by such lessee.

Penalty.

(3) Every lessee refusing to permit such sheep to be so kept or depastured, or preventing or attempting to prevent them from being so kept or depastured, shall for every such offence be liable to a penalty not exceeding one hundred pounds.

Inspectors may employ assistants.  
*Ibid.* s. 24.

**46.** An inspector may whenever necessary employ any persons to assist him in carrying out the provisions of this Part, and the owner through whose neglect, omission, or other default, or by reason of the infection or removal of or other dealing with whose sheep the expense of such employment has been incurred, shall repay the same to the inspector on demand.



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**47.** (1) No inspector, other than a director acting as such, shall be either directly or indirectly an owner of or dealer in sheep, or shall act as the agent of an owner of or dealer in sheep.

No inspector to be an owner of or dealer in sheep.

30 Vic. No. 16, s. 25.

(2) No inspector shall receive any payment or consideration for the depasturing of any sheep or the performance of any act, matter, or thing directed or authorised by this Part under a penalty not exceeding twenty pounds.

(3) Nothing in this section contained shall prevent any inspector from demanding and receiving any fees and charges so authorised.

**48.** Inspectors shall possess and exercise all the powers, rights, and duties conferred upon owners and constables by Part II of this Act for the purpose of preventing the spread of influenza or catarrh in sheep, and of prosecuting or enforcing any penalty or forfeiture incurred thereunder, and shall, when acting in that behalf, in addition to such powers, rights, and duties, possess and exercise all the powers, authorities, rights, immunities, and duties conferred by this Part which may be applicable to the provisions of Part II of this Act.

Inspectors empowered to enforce Part II of this Act.

*Ibid.* s. 26.

DIVISION 7.—*Infected sheep.**Owners' duties.*

**49.** Every owner of infected sheep, whether such sheep have been declared infected by an inspector or not, is hereby required and directed—

Duties of owner of infected sheep.  
*Ibid.* s. 27.

- (a) to write out, date, sign, affix on some conspicuous place and maintain till his run on which such infected sheep are kept or depastured is declared clean, a notice in distinct legible characters not less than one inch in length at each point of entrance of any road intersecting such run, and at each point where any road commences to form the boundary-line of such run, and also at all other points directed by the inspector stating that disease has broken out thereon;
- (b) to insert a similar notice in the nearest local newspaper for three successive weeks;
- (c) to send a written notice in the form B contained in the Third Schedule hereto to the nearest inspector that his sheep are or are supposed to be infected, containing a correct account of their number, description, brands, or marks, and the places where such sheep are then running;
- (d) to send a similar notice to the nearest resident director;
- (e) to send a similar notice to the proprietors of adjoining runs;
- (f)

Third Schedule, Form B.

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(f) to cause his infected sheep to be carefully shepherded by day and securely yarded at night (and in no case by an aboriginal) till they are destroyed or declared clean ;

(g) to brand all his infected sheep above the age of one month with the initials of his name, or with his known station brand, and also in either case with the letter S three inches in length, such letters or brand being branded with paint of a red colour, and when more flocks than one on the same run are infected to use a distinguishing brand or mark for each flock ;

and in default thereof every such owner shall be liable to a penalty not exceeding twenty pounds for each and every day that he neglects or omits to do the same after the day upon which the obligation in each case first attached to him.

When obligation  
attaches.  
30 Vic. No. 16, s. 28.

**50.** (1) The obligation imposed upon an owner of infected or suspected sheep by the next preceding section to do each and every act, matter, and thing therein enumerated, and his liability in default thereof shall commence and continue to attach to such owner upon the expiration of twenty-four hours from the time when the fact of such infection or suspected infection, as the case may be, came to his knowledge.

(2) In the absence of direct or other satisfactory evidence to fix such owner with such knowledge, proof that any sheep belonging to such owner have been infected for more than one month shall in all cases be conclusive evidence that the fact of such infection had come to such owner's knowledge.

*Quarantine.*

Inspector to  
define quarantine  
boundaries.  
30 Vic. No. 16, s. 29.  
Third Schedule.  
Form C.

**51.** (1) The inspector on being satisfied that any run or part of a run is infected shall define the boundaries of the same and place it in quarantine by giving written notice to the owner thereof in the form C contained in the Third Schedule hereto, and also by posting placards, and by the insertion of a notice in the nearest local paper.

(2) Such quarantine shall extend for one mile at least in every direction beyond the boundaries of such infected run or part of a run, and shall continue and be in force until such run or part of a run has been released therefrom in manner hereinafter mentioned.

(3) All sheep within the said defined boundaries shall also be included and kept in such quarantine until released in like manner.

Penalty for violation  
of quarantine.  
*Ibid.* s. 30.

**52.** (1) Such quarantine shall be binding on all persons whomsoever.

(2) Every person who removes or causes to be removed or assists or is in any way concerned in removing any sheep beyond such quarantine, or who takes or assists or is in any way concerned in taking any other sheep within such quarantine except as hereinafter provided,

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provided, shall for every such offence be liable to a penalty not exceeding one hundred pounds, or to imprisonment for any term not exceeding six months.

(3) Any person may destroy all sheep taken in or out of such quarantine contrary to the provisions of this Part.

53. Notwithstanding anything to the contrary hereinbefore contained, every inspector may with the sanction of the directors— Inspector may move infected sheep back from roads, 30 Vic. No. 16, s. 31.

- (a) remove all infected sheep back for any distance not less than two miles from any road on or near which they are kept or depastured, or to any other ground belonging to or occupied under lease by their owner, where they can be kept with greater safety to other sheep than on the ground where they are so kept or depastured ;
- (b) where necessary in order to obtain sufficient feed or water for any sheep placed in quarantine, extend the boundaries thereof ; extend quarantine for sake of feed or water,
- (c) and with the permission of the proprietor of the run placed in quarantine bring other infected sheep within such quarantine boundaries. bring other infected sheep into quarantine.

54. (1) All runs and sheep placed in quarantine under the provisions of this Part may be released therefrom on the certificate of an inspector that such runs and sheep are clean, and the proprietors or owners thereof may apply for such release to the directors in the form D contained in the Third Schedule hereto. Mode of releasing from quarantine. Ibid. s. 32.

(2) Notwithstanding anything hereinbefore contained, any run or part of a run may be released from quarantine upon the sheep running thereon being declared clean. Third Schedule, Form D.

*Destruction of sheep infected with scab.*

55. (1) On notice being given by an owner as hereinbefore directed, or on reasonable ground of suspicion that any sheep are infected, the nearest director and nearest inspector shall immediately examine such sheep, and if they decide— Diseased sheep and infected sheep in certain cases to be destroyed. Ibid. s. 33.

- (a) that such sheep or any of them are suffering from or actually affected with scab ; or
- (b) that they have within the next preceding three months so suffered or been affected ; or
- (c) that they have at any time during that period formed part of a flock wholly in or part so affected,

such director and inspector shall make a memorandum of the market value of such sheep, and shall serve the owner thereof with a written notice in the form E contained in the Third Schedule hereto to destroy such sheep. Third Schedule, Form E.

(2) Unless an appeal is made by their owner as hereinafter provided against such notice, such sheep shall be destroyed by him within the period therein stated to be computed according to the scale in the Sixth Schedule hereto.

(3) Sixth Schedule.

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(3) Every owner failing to comply with any of the requirements of this section shall incur a penalty not exceeding one hundred pounds.

Mode of service of notice to destroy infected sheep.  
30 Vic. No. 16, s. 34.

**56.** (1) Any such notice to destroy infected sheep shall be held to be duly served upon an owner by being delivered to him personally or left at the head station of the run on which such sheep (not being travelling sheep) shall have been examined as aforesaid.

(2) When the sheep so required to be destroyed are travelling sheep such notice shall be held to be duly served on their owner on being delivered to the person in charge of such sheep.

(3) If such owner appeals to the directors against such notice the giving of a decision by such directors confirmatory of such notice shall be deemed equivalent to the service thereof upon the owner so appealing.

Owner may appeal against destruction.  
*Ibid.* s. 35.  
Third Schedule, Form F.

**57.** (1) Such owner may if he feels aggrieved by such notice to destroy appeal therefrom to the board of directors for the district in the Form F contained in the Third Schedule hereto, and thereupon the directors shall make such order in the matter as to them shall seem proper.

(2) If the said director and inspector have not received such notice of appeal within the time provided in section one hundred and thirty-one such sheep shall be forthwith destroyed by the inspector at such owner's expense.

Application for compensation for sheep destroyed.  
*Ibid.* s. 36.

**58.** If any sheep are destroyed by an owner under the aforesaid notice to destroy, such owner may at any time within two months thereafter lodge with some one of the directors for the district an application for compensation for the loss he has sustained by their destruction.

Investigation of application for compensation.  
*Ibid.* s. 37.

**59.** If after due inquiry by examination of the director and inspector issuing the notice to destroy, and of such other witnesses as the directors may call, such directors are satisfied that the required notices have been given with respect to such sheep, and that such sheep were infected, and have been destroyed in compliance with the provisions of this Part, they shall fix and determine the market value of such sheep supposing they had not been infected when destroyed, and upon so doing such directors shall sign and deliver to the owner thereof a certificate in the Form G contained in the Third Schedule hereto, awarding a sum of money equal to two-thirds of such value as aforesaid as compensation for the destruction of such sheep :

Third Schedule, Form G.

Provided that where any of such sheep have been boiled down, the value of the net proceeds thereof shall also be inquired into by such directors at the hearing of any such application, and fixed and determined by them, and two-thirds of such proceeds shall be deducted from the amount awarded as aforesaid, and the amount remaining after such deduction shall be the amount of compensation to be paid.

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**60.** Upon the presentation or transmission to the Colonial Treasurer of such certificate of award of compensation, and the approval thereof by the Minister, the Colonial Treasurer shall pay the amount therein awarded to the owner or his order from the moneys standing to the credit of the "Sheep account" hereinafter described.

Colonial Treasurer to pay owner amount of compensation. 30 Vic. No. 16, s. 38.

*Dressing infected sheep.*

**61.** (1) Whenever sheep have been declared infected by an inspector, but no notice for their destruction has been served on their owner as hereinbefore provided, such owner shall dress such sheep at such times and with such medicaments as the Chief Inspector may direct, and upon such owner's default the inspector shall dress such sheep at such owner's expense.

Infected sheep not destroyed to be dressed. *Ibid.* s. 39.

(2) Any owner failing to comply with any of the requirements of this section shall be liable to a penalty not exceeding one hundred pounds.

(3) No sheep shall be dressed without having been examined by an inspector, under a penalty not exceeding fifty pounds.

*DIVISION 8.—Travelling sheep.*

**62.** (1) Any owner intending to travel sheep—  
 (a) from any district in which infection exists, or has existed, within a period of twelve months previously; or  
 (b) from a district adjoining any district in which infection exists, or has existed, within a like period; or  
 (c) from any district adjoining any state notified in the Gazette by the Minister as a state in which infection exists shall, before doing so, apply for and obtain a certificate from an inspector in the Form H contained in the Third Schedule hereto.

Travelling sheep starting from infected or suspected district to be certified to be clean. *Ibid.* s. 40.

Third Schedule, Form H.

(2) Such owner shall produce such certificate when required to any owner, proprietor, or inspector.

(3) Any owner intending to travel sheep from any other district shall give the inspector notice of such intention, stating the date of departure, route, and destination of such sheep.

(4) Every owner failing to comply with any requirement of this section shall be liable to a penalty not exceeding fifty pounds.

**63.** (1) Any proprietor may detain and examine travelling sheep approaching, or being upon any part of his run, upon reasonable suspicion of their being infected, and upon his giving the owner of such sheep a written notice to that effect he may detain them until such owner calls in the nearest inspector to examine such sheep and determine whether or not they are infected.

Proprietor may detain and examine travelling sheep, until owner gives inspector notice of detention. *Ibid.* s. 43.

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(2) If such owner prevents such sheep from being detained or examined as aforesaid, or impedes or hinders such proprietor in detaining or examining them, or does not within twenty-four hours after their detention give the nearest inspector written notice thereof by delivering the same to him personally or at his residence, such owner shall for every such offence be liable to a penalty not exceeding one hundred pounds.

Proprietor detaining sheep to guard against the spread of infection.

30 Vic. No. 16, s. 44.

Expense of detaining sheep.

Proprietor detaining sheep without cause to pay loss and expense.

**64.** (1) Any proprietor so detaining any travelling sheep shall, until the arrival of the inspector, either keep such sheep on his own run or make such arrangements as shall prevent the further spread of the infection under a penalty not exceeding one hundred pounds.

(2) If such sheep are declared infected all necessary expenses incurred by such proprietor in the detention and keep of such sheep shall be paid to him by their owner.

(3) If the sheep so detained are found on examination not to be infected, and it is found that such proprietor detaining them had no reasonable grounds for suspecting them to be infected, he shall pay to the owner of such sheep the loss and expense occasioned by such detention.

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

41 Vic. No. 19, s. 12.

**65.** The provisions of this Part 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 Part.

Travelling sheep to be branded with the letter T.

*Ibid.* s. 13.

**66.** 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 :

Exceptions.

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.

Regulations for travelling sheep in certain districts.

*Ibid.* s. 14.

Owner of travelling sheep to obtain permit from inspector.

**67.** The following provisions 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 :—

- (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 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 in the

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the Form I contained in the Third Schedule hereto to travel the said sheep as hereinafter provided to their destination by the route specified in such permit. Third Schedule, Form I.

Every owner introducing such 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 first pass on crossing the border.

(2) If at any time within four months from the date of the arrival of any sheep at a destination to which they 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 then are 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 twopence per one hundred sheep per mile for the distance between the two destinations. Sheep starting from a previous destination to pay travelling charge.

(3) If any travelling sheep are 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 subsection for the whole distance such sheep have travelled from the time they started as aforesaid until they were brought back to either of such runs : Sheep returning to the same district to pay charge for whole distance.

Provided that this subsection shall not apply to fat sheep sent bona fide to and returning unsold from market.

(4) All moneys received by inspectors for travelling charges otherwise under this section, or for penalties, shall be paid by them into the " Sheep Account " at the Treasury, and shall be used for the purposes of this Part. OR Moneys to be paid into Sheep Account.

DIVISION 9.—*Travelling stock.*

68. (1) 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 " in the Form J contained in the Third Schedule hereto, signed by the owner of such sheep, horses, or cattle, in the presence of a subscribing witness. Certain drovers to carry a "travelling statement." 41 Vic. No. 19, s. 15. Third Schedule Form J.

(2) 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.

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Stock to travel  
by direct route.  
41 Vic. No. 19, s. 16.

**69.** (1) 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.

Rate of travel.

(2) Unless bona fide prevented by rain or a flood, such stock, if sheep, shall be moved six miles, and if horses or cattle ten miles, at least, in one and the same direction during every successive period of twenty-four hours.

Change of route.

(3) If any travelling stock are 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 of any director or inspector of stock, change such route or destination. Such approval shall be endorsed upon the travelling statement.

Stopping sheep on  
route.

(4) 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.

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

*Ibid.* s. 17.  
56 Vic. No. 3, s. 2.

**70.** Whenever a drover intends to take his travelling stock along any road which intersects or forms 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 :

Proviso.

Provided that such notice shall not be necessary within thirty miles of the sea-coast, nor in the case of horses or cattle bona fide used for saddle or draught, nor in the case of fat cattle travelling in drafts, not exceeding two hundred in each draft, to a specified market for sale, nor in the case of sheep while being carried in a conveyance, nor while travelling in the coast scab district.

Written notices to  
be given if stock  
are suspected of  
disease.  
41 Vic. No. 19, s. 18.

**71.** (1) If the drover of any travelling stock, before or at the time of giving such notice, has 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 next preceding section in writing, and shall in such notice state with what particular disease he suspects or believes such stock to be so infected.

Delivery of notice.

(2) 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 is or is not sufficiently fenced from the line of road along which such travelling stock are intended to be taken.

Prevention of  
contact.

(3) 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. (4)



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(4) Travelling stock, when so suspected or believed to be infected with any disease, shall be permitted to travel only during the hours of daylight.

**72.** (1) No person shall drive, take, or depasture any stock other than bona fide travelling stock, upon any Crown lands reserved for travelling stock.

(2) 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.

(3) Any stock driven, taken, or depastured contrary to this Part or any regulation made hereunder, or any stock found upon a reserve for travelling stock—such stock not being bona 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 authorised 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.

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

*DIVISION 10.—Introduced sheep.*

**74.** (1) No sheep shall be introduced from any adjacent state at any crossing-place other than those appointed from time to time by proclamation in the Gazette, or specially sanctioned by the directors of the district into which such sheep would pass on first crossing the border.

(2) Any sheep introduced contrary to the provisions of this section shall be seized and disposed of as the Minister shall direct.

**75.** (1) No sheep intended to be introduced into New South Wales shall be examined by an inspector or brought across the boundary from any adjoining State until their owner first produces a certificate from the inspector of that portion of such State contiguous to the crossing place by which such sheep are to be so introduced, stating that such sheep are not infected, and when the said first-mentioned inspector has obtained the said certificate and all other necessary information, he shall examine such sheep and shall determine whether or not they are infected, and upon being satisfied that they are not infected, he shall deliver to their owner a certificate in the Form K contained in the Third Schedule hereto.

(2) Any sheep introduced in violation of the provisions of this section shall be seized and detained by any inspector and disposed of as the Minister may direct.

(3) Every owner, toll-keeper, ferryman, boatman, or other person introducing or attempting to introduce, or aiding, or being concerned

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concerned in the introduction of any sheep contrary to the requirements of this section, shall, on conviction of every such offence, be liable either to imprisonment for any term not exceeding one month or to a penalty not exceeding two hundred pounds.

Introduced sheep to be branded.  
30 Vic. No. 16, s. 47.

**76.** (1) All sheep intended to be introduced shall before crossing the border, in addition to their owner's brand, be legibly branded as follows—

- (a) before passing the boundary-line of Victoria with the letter V;
- (b) before passing the boundary-line of South Australia with the letter A; and
- (c) before passing the boundary-line of Queensland with the letter Q;

and such sheep shall continue to be so branded for a period of six months after they have passed any such boundary.

(2) Every owner failing to comply with any of the requirements of this section shall incur a penalty not exceeding one hundred pounds, and a further penalty of ten pounds for every day that he neglects or delays to brand such sheep after notice from an inspector.

The owner of introduced sheep to obtain a permit to travel.  
*Ibid.* s. 48.  
Third Schedule, Form L.

**77.** (1) Before any sheep shall be allowed to be introduced as aforesaid, their owner shall obtain from the inspector a permit in the Form L contained in the Third Schedule hereto to travel such sheep to their destination by the nearest usual and practicable road, and such sheep shall not, during a period of six months after such introduction, be removed from the place of destination specified in such permit, except by the issue of a fresh permit.

(2) Every owner shall be liable to a penalty of twenty pounds for every day that he travels such sheep, or allows them to be travelled, without such permit, and also to a penalty not exceeding one hundred pounds for every deviation they make from the route laid down in any such permit.

The Governor may suspend sections 74, 75, 76, and 77, and may prohibit introduction of sheep.  
*Ibid.* s. 49.

**78.** The Governor may by proclamation suspend the provisions of any one or more of the four next preceding sections for any period not exceeding six months in respect to sheep introduced or proposed to be introduced from any State in which disease is not known to exist, and may for a like period and in like manner absolutely prohibit the introduction of sheep from any of the adjoining States.

No compensation for sheep destroyed within six months of introduction.  
*Ibid.* s. 50.

**79.** No owner shall obtain any compensation for introduced sheep destroyed under this Part which may be declared infected within six months of their introduction, unless he can prove upon appeal to the directors, to their satisfaction, that such sheep became infected after being introduced.

Apparently clean sheep may be introduced on certain conditions.  
*Ibid.* s. 51.

**80.** Notwithstanding the production of a certificate from the proper officer in a neighbouring State to the effect that any sheep proposed to be introduced into New South Wales are clean, the inspector in New South Wales may, if there are any circumstances which

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which cause him to suspect that the said sheep are infected, refuse to admit such sheep until they have remained for a period of not less than three months at some place within such neighbouring State, to be indicated by such inspector, distant not more than ten miles from the crossing-place by which they are intended to be introduced, and have undergone a course of three dressings, to be prescribed by the chief inspector, and such sheep shall then be introduced if after the expiration of such period they are found upon examination by the inspector to be clean.

**81.** The Governor may set apart a piece of ground at any place to be a quarantine for introduced sheep. Quarantines for introduced sheep. 41 Vic. No. 19, s. 23.

**82.** (1) If in the opinion of the Minister there is 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 Part. Suspected sheep may be quarantined and dressed. *Ibid.* s. 24.

(2) Every person who takes, or assists in taking, any introduced sheep in or out of quarantine contrary to this Part, or any regulation hereunder, or who offends 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 to be imprisoned for any term not exceeding six months.

**83.** If any introduced sheep placed in quarantine as hereinbefore provided are 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 has himself borne the expense, no fees shall be required or payable. If sheep be kept at public expense, owner to pay fees. *Ibid.* s. 25.

**DIVISION 11.—*Imported sheep.***

- 84.** The Governor may—
- (a) set apart a piece of ground near each of the seaports of Sydney, Newcastle, Eden, and Grafton, and at such other seaports as may from time to time be required as a quarantine ground to which all imported sheep (not being sheep brought coast-wise for slaughter) which have been examined by an inspector, and not found to be infected, shall be taken, and where they shall be kept till they are dressed and certified to be clean as hereinafter provided; and The Governor to set apart quarantine grounds. 39 Vic. No. 16, s. 52.
  - (b) set apart at each such seaport a piece of ground as a quarantine ground for the reception and dressing of such imported sheep found to be infected; and
  - (c) set apart such pieces of ground at or near any seaport as may be considered necessary for special quarantines where imported sheep 41 Vic. No. 19, s. 26.

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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.

The necessary yards, &c., to be erected.  
30 Vic. No. 16, s. 53.

**85.** (1) All necessary yards, sheds, and apparatus for dipping such imported sheep may be erected on the quarantine grounds so set apart.

(2) All quarantine grounds shall, together with all erections, fixtures, and appurtenances whatsoever, be under the charge of the inspectors of or nearest to the respective seaports at which they are situated, whose duty it shall be to see that the necessary sustenance is provided for such sheep, and that the dressings hereinafter described are properly applied.

Notice to be given of the importation of sheep.  
*Ibid.* s. 54.  
41 Vic. No. 19, s. 28.

**86.** (1) Notice of the arrival of any such imported sheep shall be given by their owner to the inspector nearest to the port of arrival, and such sheep shall be examined before being landed.

Quarantining of infected sheep.

(2) Such sheep if found infected shall be forthwith removed to the quarantine ground set apart for infected sheep, where they shall be dressed with such medicaments and at such times as the chief inspector shall direct, and shall remain until they are thoroughly cleansed ; and

(a) if such sheep have been imported from any of the Australian States or from New Zealand until a period of twenty-one days has elapsed from the date of their last dressing ; or

(b) if such sheep have been imported from places other than the Australian States or New Zealand until a period of not less than six months has elapsed from the date of their last dressing.

Quarantining of sheep not infected.

(3) Any such imported sheep not found to be infected shall be removed to the quarantine ground set apart for that class of sheep where they shall remain—

(a) if they have been imported from any of the Australian States or from New Zealand for a period of twenty-one days ;

(b) if they have been imported from places other than the Australian States or New Zealand for a period of not less than two months ;

and on being conveyed to such ground they shall be dressed three times at intervals of ten days between each dressing with the medicaments and in the manner directed by the chief inspector.

Third Schedule,  
Form M.

(4) If on the expiration of the said periods respectively such sheep are found clean the inspector shall give to their owner a certificate of cleanness and permit for removal in the Form M contained in the Third Schedule hereto.

Penalty.

(5) Every owner of sheep or master of a vessel failing to comply with or aiding or being concerned in the breach of any requirement of this section shall for every such offence be liable to a penalty not exceeding one hundred pounds.

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**87.** (1) A notice similar to that directed in the next preceding section shall be given by the owner of imported sheep brought coastwise from any one port within New South Wales to any other, and such sheep may be landed at but not removed from the port of arrival previous to inspection, and if such sheep are intended for slaughter at such port, and are found on examination not to be infected, the inspector shall grant the owner of such sheep a permit to that effect in the Form N contained in the Third Schedule hereto :

Sheep for slaughter brought coastwise may be removed on permit without dressing.  
30 Vic. No. 16, s. 55.  
41 Vic. No. 19, s. 30.

Third Schedule, Form N.

Provided, however, that any sheep brought coastwise which may be intended to be removed inland more than five miles from the quarantine ground of the port set apart for sheep not found infected shall be subject to all the provisions affecting imported sheep as set forth in the next preceding section.

Exceptions.

(2) Any person failing to comply with or aiding or concerned in the breach of any provision of this section shall be liable to a penalty not exceeding one hundred pounds.

(3) The Governor may, by proclamation in the Gazette, suspend all or any of the provisions of this section for any period not exceeding twelve months.

**88.** Notwithstanding anything in this Part contained, any sheep arriving at any port in New South Wales for transshipment may be landed and kept for any period not exceeding twenty days at such port and may be shipped therefrom without being subject to the requirements as to dressing hereinbefore provided with respect to imported sheep :

Sheep for transshipment to other colonies may be landed without dressing.  
30 Vic. No. 16, s. 56.

Provided that upon inquiry and examination by an inspector they are not suspected of being infected, or are found not to be infected.

**89.** 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.  
41 Vic. No. 19, s. 27.

**90.** Notwithstanding anything contained in this Part, 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 this Part relating to the introduction of imported sheep from neighbouring States or Colonies as it is necessary to suspend in order that fat sheep arriving by sea from any State or Colony in which disease is not known nor suspected to exist may be 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.  
*Ibid.* s. 29.

DIVISION 12.—*Coast district sheep.*

**91.** The Governor may, by proclamation in the Gazette, define a district to be known as the "coast scab district," and may alter the same from time to time.

Coast scab district to be proclaimed.  
30 Vic. No. 16, s. 57.

**92.** (1) Every owner intending to remove any sheep inland from the coast scab district shall give the nearest inspector three clear days' notice of such intention.

Coast district sheep to be treated as imported previous to removal inland.  
*Ibid.* s. 58.  
41 Vic. No. 19, s. 30.

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Dressing such sheep.	(2) Before removing such sheep such owner shall dress them in the same manner as is hereinbefore provided with respect to imported sheep, and shall obtain such inspector's certificate and sanction for the removal in the Form O contained in the Third Schedule hereto.
Third Schedule, Form O. Penalty.	(3) Any person failing to comply with or aiding or concerned in the breach of any provision of this section shall be liable to a penalty not exceeding one hundred pounds :
Exception.	(4) Provided that sheep which have been treated as imported sheep if removed inland within twenty-eight days after the date of their clean certificate shall not be subject to the provisions of this section.
Suspension of section.	(5) The Governor may, by proclamation in the Gazette, suspend all or any of the provisions of this section for any period not exceeding twelve months.

DIVISION 13.—*Sheep brands and marks.*

All sheep over six months to bear a recorded brand. 41 Vic. No. 19, s. 31.	<b>93.</b> 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 has been duly recorded as hereinafter provided.
Brands allotted to each owner. <i>Ibid.</i> s. 32.	<b>94.</b> 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 runs 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.
Inspector to keep a record of brands and marks. <i>Ibid.</i> s. 33.	<b>95.</b> 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 "owners' brands" and marks allotted by him, and also of all distinctive marks as aforesaid which any sheepowner may desire to record.
Application and allotment of brands and marks. <i>Ibid.</i> s. 34. Third Schedule, Form P. Seventh Schedule.	<b>96.</b> (1) Every sheepowner using an "owner's brand" or mark shall transmit to the inspector for the district an application in the Form P contained in the Third Schedule hereto, together with the fee for recording and publishing the same according to the scale given in the Seventh Schedule hereto. (2) If such brand or mark is not the same as or similar to 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. (3) If there is 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.

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(4) If within twenty-one days of the date of such intimation the inspector does not receive from such applicant an acceptance of the said modification, or some other modification, of the brand or mark so applied for which is not 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.

(5) Every brand or mark recorded under the Diseases in Sheep Acts Amendment Act of 1878, and being so recorded at the time of the passing of this Act, shall be deemed to have been recorded under this Part.

97. The inspector, if so required by any sheepowner who has 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.  
41 Vic. No. 19, s. 35.

98. (1) If it is 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.

The chief inspector may modify recorded brands or marks found to be objectionable.  
*Ibid.* s. 36.

(2) Such owners shall, on receiving notice to that effect from the chief inspector, adopt and use such modifications of their brands or marks accordingly.

99. 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 Q contained in the Third Schedule hereto, and shall deliver or transmit the same, together with the fee for recording the same mentioned in the Seventh 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.  
*Ibid.* s. 37.  
Third Schedule, Form Q.  
Seventh Schedule.

100. Every fire-brand 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 direct by any regulations made in that behalf.

How sheep brands and marks are to be applied and marked.  
*Ibid.* s. 38.

101. For the purposes of this Part 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 evidence of the ownership of such sheep.

Brands and marks in certain cases to be evidence.  
*Ibid.* s. 39.

102. (1) Every person who—

(a) wilfully or negligently brands or marks with his own recorded brand or mark any sheep of which he is not the owner, or wilfully or negligently permits any such sheep to be branded or marked with his recorded brand or mark; or

(b)

Penalties for offences relating to sheep brands or marks.  
*Ibid.* s. 40.  
Misbranding.

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Destroying, defacing, or altering brands or marks.

(b) wilfully destroys, defaces, or alters any brand or ear or other mark on sheep, or permits or is privy to the destruction, defacement, or alteration thereof; or

Ear-cropping.

Using brand or mark without owner's authority.

(c) cuts off more than one-fourth of the ear of any sheep; or  
(d) uses on any sheep the brand or mark of any other person without his authority; or

Using an unrecorded brand or mark.

(e) uses any unrecorded brand or mark on any sheep; or,  
(f) in any other way offends against any other provision of this Part connected with the branding or marking of sheep, shall be liable to a penalty not exceeding one hundred pounds.

Proof of offence.

(2) 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 evidence of such person having committed a breach of this section.

DIVISION 14.—*Contributions and expenses.*

Contribution to be levied to meet the expenses on owners of more than 500 sheep.  
30 Vic. No. 16, s. 78.

**103.** (1) In order to provide a fund for carrying into effect the provisions of this Part, and to defray the expenses connected therewith, an annual contribution at the rate of one pound for every one thousand sheep, or portion of a thousand sheep, belonging to any owner shall be levied from such owner, and paid by him on or before the thirty-first day of May in every year to the Colonial Treasurer, or to such other person as may be authorised on his behalf:

Provided that no contribution shall be payable by any owner whose sheep do not exceed five hundred.

Contribution a preferential charge.

(2) Such contribution shall be an annual preferential charge on all sheep into the possession of whomsoever they may pass:

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(3) The Governor may, by proclamation, reduce or wholly remit any such rate of contribution.

Owners to make annual returns and declarations to nearest clerk of petty sessions.  
*Ibid.* s. 79.

**104.** (1) Every owner of sheep liable to contribute as aforesaid shall on or before the first day of January in each year deliver personally, or transmit by registered letter to the clerk of petty sessions nearest to the run on which such sheep then are (whether they be travelling sheep, or sheep kept or depastured on such owner's run), a return of such sheep accompanied by a declaration made before a justice in the Form R contained in the Third Schedule hereto.

Third Schedule, Form R.

(2) Any owner failing to make such return shall be liable to a penalty not exceeding twenty pounds, and a further penalty of a like amount for every continued failure or neglect after notice by the inspector.



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**105.** (1) If, on or after the first day of May in any year, no return or an insufficient return has been made by any owner in respect of any sheep as aforesaid, the inspector of the district in which such sheep are then kept or depastured shall furnish such clerk of petty sessions with an estimated return of the number of sheep belonging to such owner within such district, or of the number of sheep by which such insufficient return is deficient, as the case may be.

On failure of return by owner, inspector to make estimated return.

30 Vic. No. 16, s. 80.

(2) Every such estimated return shall, unless such owner has appealed therefrom as hereinafter provided, be dealt with in all respects, and shall be as binding upon such owner as if the same had been duly made by him.

**106.** (1) Every clerk of petty sessions, upon the receipt of such returns, shall calculate the amount of contribution due by such owners, and shall in the case of returns duly made by the owners on or before the first day of March in each year, and in the case of all other returns immediately on the receipt thereof, transmit to the Colonial Treasurer, to the Auditor-General, and to the chief inspector of sheep a general return in the Form S contained in the Third Schedule hereto of all the owners making such returns as aforesaid, and of the amounts which they have respectively to contribute.

Clerk of petty sessions to calculate contributions and make general returns to Treasury.

*Ibid.* s. 81.

Third Schedule, Form S.

(2) Such contributions as specified in such general returns shall be due and payable by the owners at the Treasury, except in so far as the same may be affected by any decision on appeal.

**107.** The clerk of petty sessions shall, in the case of returns duly made by the owners, not later than the thirty-first day of March in each year, and in the case of all other returns immediately on their being made to him, give the several owners mentioned in such returns to him notice in the Form T contained in the Third Schedule hereto by registered letter of the amounts of their respective contributions and of the time and place of payment of such contributions.

Clerk of petty sessions to give owners notice of contributions.

*Ibid.* s. 82.

Third Schedule, Form T.

**108.** Any owner considering himself aggrieved by the amount of the contribution or inspector's estimated return so notified to him may appeal therefrom to the directors of his district on giving intimation in writing to that effect to the said clerk of petty sessions and to the inspector of such district at any time within ten days of the date of the receipt of such notice of contribution.

Owner may appeal against such notice.

*Ibid.* s. 83.

**109.** (1) If no notice of appeal has been given within the time so specified as aforesaid, or if such appeal has been decided against the appellant, or if from any cause whatever the owner liable to a contribution does not, on or before the thirtieth day of June, pay the same to the Colonial Treasurer, or other person authorised in that behalf as aforesaid, the Colonial Treasurer shall issue a warrant to the clerk of petty sessions nearest to the residence of such owner directing him and his assistants to levy the amount of such contribution due from such owner, together with an additional sum equal to one-fifth thereof,

Mode of recovery of contribution.

*Ibid.* s. 84.

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thereof, as penalty, by distress and sale of such a number of any sheep belonging to such owner, or of the goods and chattels of such owner, as shall be sufficient to pay such contribution and penalty, and the costs of such warrant, levy, and sale; and such clerk of petty sessions and his assistants are hereby empowered to enforce such warrant by distress and sale if necessary.

Contributions to be paid into the trust fund.

30 Vic. No. 16, s. 78.

41 Vic. No. 19, s. 44.

**110.** All contributions, fees, penalties, and other moneys receivable under this Part shall be paid to the Colonial Treasurer, or such other person as he may authorise to receive the same, and shall be paid into the Trust Fund, and carried to the credit of a special account to be called the "sheep account," and an account shall be kept in the books of the Treasury of all moneys paid out of such fund under the provisions of this Part.

Expenses to be paid under warrant of the Governor.

30 Vic. No. 16, s. 85.

41 Vic. No. 79, s. 45.

**111.** (1) The Colonial Treasurer shall, under warrant of the Governor, pay out of the sheep account hereinbefore described (or in the event of such account being inadequate, out of such moneys as have been appropriated by Parliament for the purposes of the Diseases in Sheep Act of 1866, or the Acts amending the same, or as may be appropriated by Parliament for the purposes of this Part) all claims which may arise under this Part, and all necessary expenses which may be incurred in carrying out this Part.

(2) All payments under such special appropriations shall be recouped to the consolidated revenue when there is a sufficient balance to the credit of the said sheep account.

DIVISION 15.—*Regulations.*

Regulations may be made.

30 Vic. No. 16, s. 77.

41 Vic. No. 19, s. 21.

**112.** (1) The Governor may make any regulations not being inconsistent with the provisions of this Part for carrying out the same in respect of any of the following matters or things, namely:—

- (a) the place of meeting and mode of voting of owners;
- (b) the powers and duties of directors and of inspectors;
- (c) the placing of land and sheep in quarantine, and releasing the same therefrom;
- (d) the destruction of infected straw and fodder;
- (e) the detaining and keeping travelling sheep supposed to be infected, and while being dressed or cleansed, and their destruction where necessary;
- (f) the keeping, dressing, and cleansing of imported sheep;
- (g) the keeping and depasturing within the coast district of sheep brought to market for sale;
- (h) the protection and management of reserves for travelling stock; and
- (i) all other matters of detail necessary for carrying this Part into effect.

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(2) All such regulations shall, on being published in the Gazette, have the force of law, and copies thereof shall be laid before Parliament forthwith, if then sitting, and, if not, then within one month after the commencement of the next session.

Regulations published and laid before Parliament.

DIVISION 16.—*Offences, penalties, and damages.*

**113.** Every person who wilfully communicates or attempts to communicate, or aids or is concerned in communicating any infectious disease to or among any sheep shall be guilty of a misdemeanour, and be liable to imprisonment for any term not exceeding seven years with or without hard labour.

Penalty for wilfully communicating disease.  
30 Vic. No. 16, s. 59.

**114.** (1) Any owner or proprietor may seize and destroy any infected sheep (provided they do not exceed two hundred in number) found straying off their own run without a shepherd or other person in charge of such sheep, and the owner of such sheep shall, if such straying arose from his culpable negligence, be liable to a penalty not exceeding one hundred pounds.

Straggling infected sheep may be destroyed.  
*Ibid.* s. 60.

(2) Such owner or proprietor seizing such sheep shall, within twenty-four hours after such seizure, give notice thereof in writing to the nearest inspector under a penalty not exceeding ten pounds.

Seizure to be notified to inspector.

**115.** Every owner whose sheep (being infected sheep) come in contact or mix with any other sheep, or are put into the yard or driven on to the run occupied by such other sheep, whereby the owner of such other sheep incurs any loss, damage, or expense, shall make good and defray to such last-mentioned owner such loss, damage, or expense to be fixed and determined on application as hereinafter provided by the directors of the district.

Liability of owner whose infected sheep mix with other sheep.  
*Ibid.* s. 61.

**116.** If any person casts any infected sheep into any stream or water, or if the owner of any such sheep leaves the same undestroyed for twenty-four hours on any road or within half a mile thereof, he shall be liable to a penalty not exceeding one hundred pounds.

Penalty for leaving infected carcasses in water on or near roads.  
*Ibid.* s. 62.

**117.** (1) Every person who has in his possession for the purpose of sale, or who slaughters or causes to be slaughtered for sale, or exposes in any public shop, stall, market, or other place any infected sheep, knowing the same to be infected, shall for every such offence be liable to a penalty not exceeding twenty pounds.

Penalty for slaughtering or selling infected sheep.  
*Ibid.* s. 63.

(2) Upon any conviction under this section the Court shall order and direct such infected sheep to be seized and destroyed.

**118.** (1) No wool, skins, or other portion of a sheep shall be introduced or imported into New South Wales otherwise than by sea from any other State which the Governor may by proclamation declare to be infected.

Penalty for introducing infected wool or skins.  
*Ibid.* s. 64.

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(2) All wool, skins, or other portions of a sheep introduced contrary to the provisions of this section may be seized and destroyed, or otherwise disposed of as the Minister shall direct.

(3) Every carrier or other person conveying or being in charge of such wool, skins, or other portions of any sheep as aforesaid shall be liable to a penalty not exceeding twenty pounds.

Penalty for removing infected wool or skins not securely packed.  
30 Vic. No. 16, s. 65.

**119.** (1) Every owner intending to pack or remove any wool, skins, or other portion of any infected sheep shall give the nearest inspector three clear days' notice of such intention.

(2) If such owner fails to give such notice, or removes or carries away otherwise than in bags or bales securely packed and branded "infected" in letters not less than three inches in length, any such wool, skin, or other portion of such sheep (not liable under this Part to be destroyed), he shall be liable to a penalty not exceeding one hundred pounds.

Inspector may detain and examine suspected wool, &c.

(3) Any inspector having just cause for suspecting that any such wool, skin, or other portion of such sheep has been removed, or is intended to be removed, or is being exposed contrary to the provisions of this section, may detain and examine, and may also enter upon any premises and search for and examine any wool, skin, or other portion so suspected of belonging to infected sheep.

Penalty for allowing infected sheep to travel.  
*Ibid.* s. 66.

**120.** (1) Any owner who knowingly permits or connives at the travelling of any infected sheep (except with the sanction of the directors and inspector as hereinbefore provided) shall be guilty of a misdemeanour, and be liable to be imprisoned for any term not exceeding two years.

(2) Such infected sheep, wherever found, shall be destroyed at the owner's expense without compensation.

Penalty for abandoning sheep.  
*Ibid.* s. 67.

**121.** (1) Any owner wilfully leaving or abandoning any sheep on any run without the consent of the proprietor of such run shall be liable to a penalty not exceeding one pound for every sheep so left or abandoned, and such sheep may be destroyed without compensation to the owner thereof.

(2) Any sheep left or abandoned on any road intersecting or forming the boundary line of any run shall be deemed and taken to be left and abandoned on such run.

Penalty for leaving carcasses of travelling sheep undestroyed.  
*Ibid.* s. 68.

**122.** If the carcasses of any travelling sheep are left for more than twenty-four hours undestroyed on or within a mile of any road, the owner thereof shall be liable to a penalty not exceeding one pound for every such carcass so left undestroyed.

Penalty for taking wool or skins inland.  
*Ibid.* s. 69.

**123.** Whosoever conveys inland, without the sanction of the chief inspector, any wool, skin, or other portion of any sheep from any seaport in New South Wales, or from any place in the coast seab district, shall be liable to a penalty not exceeding five pounds.

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**124.** Whosoever brands any sheep with any of the letters S, T, V, A, or Q, or with paint or other ingredient of a red colour, unless to denote that such sheep are respectively infected sheep, travelling sheep, or introduced sheep, as hereinbefore provided, shall be liable to a penalty not exceeding ten pounds.

Distinctive letters or colours not to be used in station brands.  
30 Vic. No. 16, s. 70.

**125.** Every inspector or other person who makes any return or report required or authorised by this Part, or signs any false certificate respecting any sheep, knowing such return, report, or certificate respectively to be false, or forges or alters or utters or puts off any return, report, notice, certificate, permit, brand, or mark, knowing the same to be forged or altered, shall be guilty of a misdemeanour, and shall be liable to imprisonment for any term not exceeding three years.

Penalty for making false report or forging.  
*Ibid.* s. 71.

**126.** Every duly authorised inspector of slaughter-houses shall give to the nearest inspector immediate notice of the fact of any infected sheep having been slaughtered or brought for slaughter, and shall give every information and assistance in tracing and detecting disease, and shall also, in each case, make a written memorandum of the symptoms of such infection, under a penalty not exceeding twenty pounds.

Inspectors of slaughter-houses to report disease.  
*Ibid.* s. 73.

**127.** Every owner who puts sheep on a run on which sheep have not been depastured within the next preceding six months, with the intention of keeping such sheep thereon for any period over two months, shall, within ten days of the arrival of such sheep on such run, give the inspector of the district notice of such arrival under a penalty not exceeding ten pounds:

Owner putting sheep on a run for the first time to give notice to inspector.  
*Ibid.* s. 75.

Provided that when any owner has registered his run, as required by section one hundred and forty-two, such notice may be dispensed with.

**128.** Any person who pulls down, defaces, or otherwise destroys any notice or placard required by this Part to be posted, shall for every such offence be liable to a penalty not exceeding twenty pounds.

Penalty for destroying notices.  
*Ibid.* s. 76.

**129.** 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, for every such offence, be liable to a penalty not exceeding twenty-five pounds:

Penalty for breach of travelling regulations not exceeding £25.  
41 Vic. No. 19, s. 22.

Provided that any person offending against section seventy-one of this Act, shall be liable to a penalty not exceeding fifty pounds.

Proviso.

**130.** Every person who commits a breach of any of the provisions of this Part, or of any regulation issued hereunder for which a penalty is not specially provided, shall, for every such offence, be liable to a penalty not exceeding ten pounds.

General penalty.  
*Ibid.* s. 43.  
30 Vic. No. 16, s. 76.

*DIVISION 17.—Appeals and applications.*

**131.** (1) Any owner feeling himself aggrieved by any notice or decision or refusal to issue any certificate or permit, by an inspector or by a director and inspector, may appeal therefrom in the Form F contained

Owners may appeal to directors on giving notice within certain time.  
*Ibid.* s. 86.

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Third Schedule,  
Form F.

contained in the Third Schedule hereto, to the directors of the district in which the circumstances out of which such appeal arises took place.

Notice of appeal.

(2) In the case of an appeal against the destruction of infected sheep, such appellant shall give notice of such appeal to the inspector and director named therein, and shall lodge such appeal with one of the board of directors of such district within ninety-six hours after the time of the service upon such appellant of the notice to destroy such sheep.

Notice of appeal.

(3) In the case of an appeal against any other notice, decision, or refusal of an inspector, the appellant shall give notice of such appeal to such inspector, and shall lodge the same with one of the said board within three days after the time when such notice has been served on him, or such decision or refusal has been notified to him.

Applications to  
directors.  
30 Vic. No. 16, s. 87.  
Third Schedule,  
Form U.

**132.** Any owner making any application for compensation for the destruction of infected sheep, or any other application authorised under this Act, shall make and lodge the same with the directors of his district in the Form U contained in the Third Schedule hereto, and shall give the inspector of such district concurrent notice thereof.

Power to directors  
to receive and deal  
with appeals and  
applications.  
*Ibid.* s. 88.

**133.** (1) Every board of directors may receive, hear, and determine any appeal or application under this Part, and issue summonses directing any inspector, witness, or other person to attend the hearing of such appeal and application, and receive and examine evidence upon oath.

Time and notice of  
hearing appeals or  
applications.

(2) On any such appeal or application being lodged with a director as hereinbefore provided against the destruction of infected sheep, such director shall appoint some day not earlier than the third nor later than the fifth day after the lodging of such appeal—and in the case of any other appeal or application some day not earlier than the seventh nor later than the fourteenth after the lodging of such appeal or application—and some convenient hour and place for the hearing thereof.

Notice of hearing.

(3) Such director shall give due written notice of such day, hour, and place to the appellant or applicant, and to the other directors of the district, and also to the inspector, and to any witness whose evidence may be required at the hearing, by causing the same to be delivered to them personally, or left at their respective places of abode.

Mode of hearing  
appeals and  
applications and  
forms of decisions.  
*Ibid.* s. 89.

- 134.** (1) Such directors—
- (a) shall hear and determine any such appeal or application as nearly as may be in the manner and form in which appeals are by law conducted at quarter sessions; and
  - (b) shall assess and tax the costs thereof, and the expenses of the witnesses attending the same, as well as the travelling expenses of

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of the directors and inspectors attending the hearing of such appeals and applications, according to the rate in the Fifth Schedule hereto ; and

(c) may inflict any penalty not exceeding twenty pounds for the non-attendance of any witnesses so summoned as aforesaid ; and

(d) shall cause a competent record to be taken of the whole proceedings in the directors' minute-book.

(2) Such decisions on appeals and applications brought before them shall be in the Forms V or W contained in the Third Schedule hereto, as the case may require.

**135.** In hearing an appeal or application relating to the infection or cleanness of any run or sheep, the directors shall visit and examine such run or sheep, and may then and there take evidence, and such appeal or application shall be heard and determined as near as may be to the place where such run or sheep is or are situated.

*DIVISION 18.—Legal procedure.*

**136.** (1) All penalties incurred under this Part for any offences other than such as have hereinbefore been declared misdemeanours, and all awards, costs, losses, and expenses made, adjudged, ordered, or incurred under this Part with respect to which no special mode of recovery or appropriation has been provided in this Part may be recovered at any time within twelve months after the making of such awards, or after the liability or other obligation to pay money or do any other act, matter, or thing first accrued, in a summary way before any two justices, on information by any owner, proprietor, director, or inspector.

(2) Such penalties shall be paid by the clerk of petty sessions to the Colonial Treasurer to be placed to the credit of the sheep account hereinbefore described.

(3) 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.

**137.** In and for the purposes of any prosecution under this Part, any station brand on a sheep shall be evidence of the ownership of such sheep, and any such brand taken in conjunction with the form, colour, or other character thereof, shall be evidence that the sheep bearing such brand is of the description hereinbefore required to be denoted by such brand.

**138.** (1) In all questions as to whether or not any sheep are infected, introduced, imported, or coast district sheep, evidence adduced

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adduced by an inspector to show that such sheep belong to one or other of such classes shall in each case be conclusive unless the owner thereof shall satisfactorily prove the contrary.

(2) The certificate or notice of an inspector shall in every case, for the purposes of this Part, be prima facie evidence of the truth of the matter contained in such certificate or notice.

Where the ownership is uncertain, levy may be made on the sheep for the penalty.  
30 Vic. No. 16, s. 95.

**139.** If it is uncertain who is the owner of any sheep in respect of which any proceedings for the recovery of a penalty have been taken or commenced, the justices before whom any such proceedings have been so taken or commenced, may make an adjudication against the owner of such sheep by their description merely, and may order that such penalty and the costs attending the recovery thereof shall be levied by seizure and sale by auction of such sheep, or of so many of such sheep as may be necessary to satisfy the same :

Provided that no such sale shall take place of any sheep which are required to be destroyed under the provisions of this Part.

Service of summons or notice.  
*Ibid.* s. 96.

**140.** Whenever, by any provision of this Part, any summons, notice, or intimation in writing is directed to be given by an inspector or director to an owner or proprietor or by an owner or proprietor to an inspector or director, or both, and the mode of giving the same is not specifically declared, such summons, notice, or intimation shall be held and taken to have been duly given and served in each case respectively on proof of its having been personally delivered to the person to whom it is addressed, or of its having been left at his usual place of abode, or, in cases of notices or intimations by or at the instance of an owner or proprietor, of its having been sent through the post by registered letter so addressed.

DIVISION 19.—*Miscellaneous.*

Owners mustering sheep in certain cases to give notice to neighbours.  
41 Vic. No. 19, s. 41.

**141.** (1) 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.

(2) Any owner or other person failing to comply with any provision of this section shall, for every such offence, be liable to a penalty not exceeding fifty pounds.



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**142.** Every owner not liable to contribute, as provided by this part, who keeps 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.  
41 Vic. No. 19, s. 42.

## PART IV.

## IMPORTED STOCK.

DIVISION 1.—*Preliminary.*

**143.** In this Part, unless the context or subject-matter otherwise indicates or requires,—

- “attendants on stock” includes persons in charge, or who may have been at any time during the next preceding three months in charge, of imported stock; 35 Vic. No. 6, s. 1.  
48 Vic. No. 12, s. 3.  
60 Vic. No. 1, ss. 2, 3.
- “Australian States” means the States of Queensland, Victoria, South Australia, Western Australia, Tasmania, and the Colony of New Zealand;
- “cattle” means bull, cow, ox, steer, heifer, or calf;
- “destroy” means to slaughter and consume by fire or bury at a depth of not less than four feet under ground, or take to sea and sink;
- “disease” means any infectious or contagious disease in cattle or sheep;
- “fittings” means stall fittings or premises for the keeping or confining of cattle or sheep;
- “fodder” includes hay, straw, litter, grass, green crop, grain, corn, anything commonly used for with or about cattle or sheep, and the manure of any stock;
- “imported stock” means all stock arriving by land or by sea from any place whatsoever;
- “infected stock” means stock suffering from or actually affected with disease, or which have been in direct or indirect contact, or have been on the same vessel with such infected stock during the next preceding three months, or which have been under treatment during such period for the cure of disease;
- “infectious or contagious diseases” means cattle plague, foot and mouth disease, sheep-pox, and any other disease which the Governor, by proclamation in the Gazette, declares to be an infectious or contagious disease for the purposes of this Part;

“inspector”

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“inspector” means the chief inspector, or any other inspector of cattle or sheep, or any person authorised by the Minister to act as such inspector;

“justice” means justice of the peace;

“master” means the captain or master or other person in charge of any vessel;

“owner” includes any owner or consignee, whether joint or sole, superintendent, or person in possession or charge of stock, or any agent of any such owner;

“sheep” means ram, ewe, wether, or lamb;

“stock” means cattle, sheep, goats, swine, dogs, and such other animals as the Governor may, by any proclamation in the Gazette, declare to be subject to the provisions of this Part;

Suspension of sections of this Part.  
48 Vic., No. 12, s. 3.

**144.** The Governor may by proclamation suspend the provisions of any one or more of the sections of this Part for any period not exceeding six months in respect to any stock introduced or proposed to be introduced from any of the Australian States.

Governor may declare State to be infected.  
60 Vic. No. 1, s. 1.

**145.** The Governor may, by proclamation in the Gazette, declare any of the Australian States, or any part or parts of any such State, to be infected as regards any stock within the meaning of this Part, if he is satisfied that in the said State, or part or parts thereof, there has existed at any time during the twelve months next preceding the day of the making of the proclamation any disease in stock which the Governor may by proclamation declare to be a disease for the purposes of this Part. And he may, by proclamation as aforesaid, revoke or vary any declaration made under this section.

DIVISION 2.—*Quarantine stations.*

Quarantine stations.  
35 Vic. No. 6, s. 2.

**146.** The Governor may by proclamation in the Gazette set apart such ground as may be required for one or more quarantine stations on which the necessary sheds and appurtenances may be erected for the purposes of this Part.

DIVISION 3.—*Inspectors.*

Inspectors to have in certain cases the same powers, &c., as customs and health officers.  
*Ibid.* s. 3.

**147.** The inspector and his assistants when acting under the provisions of this Part shall possess, so far as the same may be applicable, all the powers, rights, privileges, and indemnities possessed by officers of customs and health officers under any law for the time being in force.

If owner refuse to carry out orders inspector to take action at his expense.  
*Ibid.* s. 4.

**148.** If the owner of imported stock fails to comply with or carry out any order or direction of the inspector in execution of the power conferred by this Part, the inspector shall take all necessary action at the expense of such owner, and shall recover the same with his costs from such owner in a summary way before two justices.

DIVISION

*Stock.*DIVISION 4.—*Duties of master.*

**149.** (1) The master of any vessel on which there is or has been during the voyage any imported stock shall, immediately on his arrival at any port or place in New South Wales, make a declaration in the Form A contained in the Eighth Schedule hereto, and shall deliver the same on demand to the officer of customs in charge of the said vessel.

Master of ship with imported stock to make declaration.  
35 Vic. No. 6, s. 5.  
Eighth Schedule, Form A.

(2) Such officer shall as expeditiously as possible forward the same, or in the event of refusal by the said master to sign any declaration, notify the fact of such refusal to the nearest inspector, and shall cause the attendants of such imported stock, and their effects to be detained on board until the arrival of the inspector.

Customs officer to forward same to nearest inspector and detain attendants, &c.

**150.** (1) No imported stock nor any fittings on board any vessel importing such stock, nor the effects of any attendant shall be landed until the same have been examined by an inspector, and a permit granted by him for the landing thereof which the owner shall exhibit when required by any inspector or member of the police force.

No stock, &c., to be landed without permit.  
*Ibid.* s. 6.

(2) No fodder put on board any vessel with or for the use of any imported stock shall on any account whatever be landed in New South Wales.

Landing of fodder prohibited.

DIVISION 5.—*Imported stock not infected.*

**151.** (1) Any imported stock not found on arrival to be infected shall be removed to the quarantine station, where they shall remain in quarantine, if cattle, for a period of not less than fourteen days, and if sheep for the period prescribed by Part III of this Act.

Imported stock not infected to be taken to quarantine.  
*Ibid.* s. 7.

(2) If, on the expiration of such periods respectively, such stock are found to be clean, the inspector shall give to the owner thereof a certificate in the Form B contained in the Eighth Schedule hereto.

Eighth Schedule, Form B.

**152.** All fittings used for, with, or about such imported stock, and all effects of the attendants of such stock shall previously to being landed be disinfected as the inspector shall direct.

Fittings effects, &c., to be disinfected.  
*Ibid.* s. 8.

DIVISION 6.—*Infected stock.*

**153.** (1) If any imported stock on arrival, or within a month thereafter, are found on examination by the inspector to be infected he shall immediately report the case to the Minister.

Infected stock to be reported to Minister.  
*Ibid.* s. 9.

(2) If, after careful investigation, the Minister decides that such stock are infected, the inspector shall serve the owner of such stock with a notice in the Form C contained in the Eighth Schedule hereto (by causing the same to be delivered to him personally, or left at his usual place of business or abode) to destroy the same together with all

Notice to destroy to be served on owner.  
Eighth Schedule, Form C.

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all fodder, fittings, and effects infected or likely to be infected by such stock, within forty-eight hours from the time of receipt of such notice, and such stock, fodder, fittings, and effects shall be destroyed accordingly.

The importation of stock from other colonies or countries may be restricted or absolutely prohibited.

35 Vic. No. 16, s. 10.

**154.** Notwithstanding anything herein contained, the Governor may, by proclamation in the Gazette, restrict, or absolutely prohibit, for any specified time, the importation or introduction of any stock, fodder, or fittings, from any other State or from any colony or country in which there is reason to believe any infectious or contagious disease in stock exists.

DIVISION 7.—*Regulations.*

Governor may make regulations.

48 Vic. No. 12, s. 4.

60 Vic. No. 1, s. 4.

**155.** (1) The Governor may make regulations for carrying out the provisions of this Part in respect of any of the following matters or things, namely—

- (a) for defining the powers and duties of inspectors of stock, custom officers, and masters of vessels in regard to imported stock;
- (b) for prescribing all certificates or permits under which imported stock may be admitted into New South Wales;
- (c) for the management and protection of quarantine stations;
- (d) for the inspection and disinfection of all stock, fodder, fittings, and effects on board any ship bringing stock into New South Wales;
- (e) for the disposal of stock, fodder, fittings, or effects found to be infected;
- (f) for the transport of stock, fodder, fittings, or effects to or from quarantine;
- (g) for the disinfection and dressing of stock while in quarantine;
- (h) for prescribing the duration of quarantine, and the release of stock, fodder, or effects therefrom;
- (i) for fixing the fees and expenses chargeable for the inspection, transport, keeping, and disinfecting of stock; and
- (j) in respect of any other matter of detail for more effectually carrying out the provisions of this Part.

(2) The Governor may impose a penalty not exceeding twenty pounds for the breach of any regulation so made.

(3) The Governor may make regulations for providing for the inspection, disinfection, treatment in quarantine, seizure, destruction, and disposal of imported stock, and of carcasses, hides, skins, wool, horns, hoofs, and bones arriving by land or sea from any Australian State in respect of which a declaration under section one hundred and forty-five of this Act is in force, and may in those regulations impose any penalty not exceeding fifty pounds for any breach of the same.

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(4) All such regulations when published in the Gazette shall have the full force of law, and copies thereof shall be laid before Parliament forthwith if then sitting, and if not, then within one month after the commencement of the next session.

**156.** All penalties imposed by regulations made under this Part may be recovered before a police or stipendiary magistrate, or any two justices in petty sessions.

Recovery of penalties imposed by regulations.

60 Vic. No. 1, s. 5.

DIVISION 8.—*Penalties.*

**157.** (1) All imported stock, fodder, fittings, or effects landed contrary to any of the provisions of this Part, or of any proclamation or regulation made hereunder, or taken, or removed from any quarantine station, and any stock wilfully allowed to stray therefrom or unlawfully outside such quarantine station, and any stock, fodder, fittings, or effects dealt with contrary to any of the provisions of this Part may be seized by any person whomsoever, and handed over to an inspector to be disposed of as the Minister may direct.

Stock, &c., illegally landed or removed, from quarantine, may be seized.

35 Vic. No. 6, s. 11.

(2) All stock brought within the quarantine stations hereinbefore mentioned, or straying within the same, shall be taken and deemed to be stock duly placed in such quarantine in terms of this Part, and shall be subject to all the provisions affecting such stock.

(3) Any stock with which any imported stock are knowingly mixed or brought into contact by the owner of such first-mentioned stock shall be held, taken, and deemed to be stock of the class with which they are so mixed or brought in contact, and shall be dealt with accordingly.

**158.** If any person—

- (a) lands or unships or orders or assists to be landed or unshipped any imported stock, fodder, fittings, or effects contrary to the provisions of this Part; or
- (b) knowingly or wilfully receives, purchases, or sells the same after they have been so landed or unshipped contrary to this Part; or
- (c) takes or orders or assists to be taken any stock, fodder, fittings, or effects placed in quarantine as aforesaid out of such quarantine without an inspector's certificate and sanction; or
- (d) without such sanction takes or orders or assists to be taken, any stock, fodder, fittings, or effects into or upon any quarantine; or
- (e) offends against or fails to comply with any of the provisions of this Part with respect to any imported stock, fodder, fittings, or effects; or
- (f) aids, or is concerned in landing the same in or out of quarantine contrary to this Part; or
- (g) knowingly and wilfully has in his possession any imported stock, fodder, fittings, or effects so taken; or

Penalty for landing stock or property or taking them in or out of quarantine contrary to this Part.

*Ibid.* s. 12.

(h)

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- (h) refuses to allow an Inspector to enter on any vessel or premises ; or
- (i) hinders or impedes, or attempts to hinder or impede, an inspector in the execution of his duty ; or
- (j) does not when required give an inspector full information with respect to any imported stock, fodder, fittings, or effects ; or
- (k) does not when required keep or remove or assist in keeping or removing the same,

then every such person shall be liable to imprisonment for any period not exceeding six months, or to a fine not exceeding two hundred pounds.

DIVISION 9.—*Expenses.*

Application of penalties.  
35 Vic. No. 6, s. 15.

**159.** All penalties imposed under this Part, after deduction of the expenses incurred in their recovery, shall be paid by the clerk of petty sessions one-half to the prosecutor or informer and the other to the Colonial Treasurer, to be placed to the credit of the cattle disease fund at the Treasury.

DIVISION 10.—*Evidence.*

Inspector's certificate or notice to be evidence.  
*Ibid.* s. 16.

**160.** In all questions arising under this Part the certificate or notice of an inspector shall in every case for the purposes of this Part be evidence of the truth of the matter contained in such certificate or notice.

## PART V.

## EXPORTATION OF CATTLE.

Cattle inspectors to be appointed at certain ports.  
27 Vic. No. 9, s. 1.

**161.** The Governor may, by proclamation published in the Gazette, appoint inspectors of horned cattle hereinafter styled "cattle inspectors" at and for the several ports of Sydney, Newcastle, and Eden, and such other ports as the Governor may deem expedient.

Declaration by inspectors.  
*Ibid.* s. 2.  
Ninth Schedule.

**162.** Every cattle inspector shall before acting in the duties of his office make and subscribe before a justice of the peace a declaration in the form contained in the Ninth Schedule hereto.

Inspector's residence and disabilities.  
*Ibid.* s. 3.

**163.** Every cattle inspector shall reside within the port at and for which he is appointed, and shall not be a dealer in cattle or an owner thereof.

Inspector's duties.  
*Ibid.* s. 4.

**164.** (1) Every cattle inspector shall on any and every day, except a Sunday, upon receiving a notice signed by the owner (thereby meaning the actual owner or the person in charge) of any horned cattle at or in the

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the immediate neighbourhood of the particular port, such notice being accompanied by the payment in advance to such inspector of a sum of money equal to the amount of a fee of one shilling upon each head of cattle mentioned in such notice, with all convenient expedition proceed carefully and diligently to examine all the cattle so therein mentioned.

(2) Every such inspector shall immediately after such examination, if he finds that all the said cattle are free from disease, but not otherwise, give to such owner a certificate under his hand to that effect, and shall himself, or by some duly authorised agent, see the cattle to which such certificate relates embarked on board the vessel by which they are to be exported, and shall thereupon deliver such certificate to the captain or person in command of such vessel, to be by him handed over to the consignee of such cattle at the port of debarkation.

**165.** Any person, who knowingly puts on board any vessel by which any such cattle so certified to be free from disease are to be exported, or are in course of exportation, any cattle not so certified, shall be guilty of a misdemeanour, and be liable to imprisonment with or without hard labour for any term not exceeding two years.

Punishment for mixing cattle exported.  
27 Vic. No. 9, s. 5.

**166.** (1) The Governor may make regulations as to all matters of detail necessary for carrying this Part into full effect and not herein expressly enacted, including the forms of notices and certificates, and the performance of their duties by cattle inspectors.

Regulations.  
*Ibid.* s. 6.

(2) All such regulations when published in the Gazette shall have the force of law, and copies thereof shall be laid before both Houses of Parliament forthwith if sitting, and if not, then within fourteen days after the commencement of the next session.

**167.** All fees received under this Part of this Act shall be paid over to the Colonial Treasurer, and by him be carried to the Consolidated Revenue Fund.

Fees to be paid to Treasurer.  
*Ibid.* s. 7.

PART VI.

REGISTRATION OF BRANDS OF HORSES AND CATTLE.

DIVISION 1.—*Preliminary.*

**168.** In this Part, unless the context or subject-matter otherwise indicates or requires,—

Interpretation.  
30 Vic. No. 12, s. 1.

“brand” means the impression of any letter, sign, or character branded on any horse or cattle;

36 Vic. No. 18, s. 1.

“brand

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“brand directory” means the list of the brands of horses or cattle compiled by the registrar of brands, and published by the Government Printer, whether in the shape of a brand directory or of quarterly lists in the Gazette ;

“cattle” includes any bull, cow, ox, heifer, steer, calf, Angora goat, or other goat producing hair used in or adapted for the manufacture of cloth or other textile fabrics ;

“drover” means any person other than the owner of any horses or cattle driving or in the possession or charge of the same ;

“fees” means any fees, rates, or charges which any person may be liable to pay under this Part, or the regulations made in pursuance thereof ;

“horse” means any horse, mare, gelding, colt, filly, ass, or mule ;

“justice” means any justice of the peace ;

“proprietor” means the registered proprietor of any brand ;

“register” means the register book containing a list of the brands of horses or cattle registered with the registrar of brands ;

“registrar” means the registrar of brands ;

“residence” means the residence, house, homestead, or head station of any proprietor ;

“run” means any run, station, farm, freehold, or leasehold where horses or cattle are kept or depastured.

Saving section.

**169.** (1) All brands registered under the Registration of Brands Act of 1866, or any Act amending the same, shall be deemed to have been registered under this Part.

(2) Every brand directory compiled and published under the Registration of Brands Act of 1886, or any Act amending the same, and every alphabetical list of brands published in the Gazette under any of the said Acts, shall be deemed to have been compiled and published under this Part.

DIVISION 2.—*Registrar of brands.*

Registrar of brands—  
his deputies.  
30 Vic. No. 12, s. 2.  
37 Vic. No. 17, s. 1.

**170.** (1) The chief inspector of sheep shall be registrar of brands, and shall possess the powers and perform the duties belonging to such office for the whole of New South Wales.

(2) The Governor may appoint one or more deputy registrars, whose acts, under the direction of the registrar of brands, shall have the same force and effect as if done by him.

Registers to be kept.  
30 Vic. No. 12, s. 3.

**171.** (1) The registrar shall keep two registers, one for the registration of the brands of horses and another for the registration of



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of the brands of cattle, and all brands registered with him shall be respectively entered therein, with the names and addresses of their proprietors.

(2) Such books shall be named and known respectively as the "horse register" and "cattle register" for New South Wales, and shall be ruled, marked, and divided in the Forms A and B respectively contained in the Tenth Schedule hereto.

Tenth Schedule,  
Forms A and B.

DIVISION 3.—*Brands.*

**172.** (1) The owner of any run, or of more runs than one if such runs are contiguous to each other, shall use only one and the same brand for horses and one and the same brand for cattle respectively on such run or runs.

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

30 Vic. No. 12. s. 4.

(2) The owners of more runs than one, where such runs are not contiguous to each other, may use one and the same brand for the horses and one and the same brand for the cattle on each and every of such runs.

(3) If there are cattle or horses of more than one person upon the same run a distinguishing brand may be used thereon, and registered in addition to the brand of the owner of the run.

(4) The owner of any run offending against the provisions of this section shall, for every such offence, be liable to a penalty not exceeding twenty pounds.

**173.** (1) The brand for horses shall be not less than two inches in length, and for cattle not less than three inches in length; and where a brand consists of more letters, signs, or characters than one, such letters, signs, or characters shall be not less than an inch apart from each other.

Size of brand.

*Ibid.* s. 5.

(2) It shall not be incumbent upon any person to register any numerals as a brand or part of a brand.

(3) Any person using a sign or character other than letters or numerals as a brand, or part of a brand, shall defray the expense of procuring a type or block for the purpose of advertising.

(4) Any person failing to comply with any requirement of this section shall, for every such offence, be liable to a penalty not exceeding ten pounds.

**174.** (1) All horses and cattle shall be branded upon the portions of the body indicated by the Eleventh and Twelfth Schedules hereto; and each succeeding brand, other than upon the same portion of the body, shall be in the order therein stated.

Mode of branding.

*Ibid.* s. 6.

Eleventh Schedule.

Twelfth Schedule.

(2) Every succeeding brand on the same portion shall be lower than and not less than an inch apart from the immediately preceding

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preceding brand, and horses and cattle shall be deemed to be branded with the particular brand which appears to be the last in order upon such horses and cattle, according to the order hereinbefore prescribed.

(3) Any person failing to comply with any requirement of this section shall, for every such offence, be liable to a penalty not exceeding fifty pounds.

DIVISION 4.—*Registration of brands.*

Brands to be registered.  
30 Vic. No. 12, s. 7.

**175.** (1) Every person who uses or intends to use a brand shall register the same with the registrar.

(2) Any person who uses, or attempts, directs, or permits to be used a brand not so registered, or who has in his possession any instrument commonly used for the making of any brand with intent to use the same, shall, for every such offence, be liable to a penalty not exceeding fifty pounds.

Mode of registration, application.  
*Ibid.* s. 8.  
Tenth Schedule, Form C.

**176.** (1) Every person intending to register his brand shall forward to the registrar an application in the Form C contained in the Tenth Schedule hereto, together with the authorised fees for the registration thereof.

Notification of application.

(2) In every case where one person makes an application to register a brand and no other person makes an application to register a similar brand, the registrar shall cause the name and residence of the applicant, and a description of his brand, to be notified at least three times in the Gazette.

Objections.

(3) If within two months from the date of the first notification of such brand no objection is made by any other person on account of his owning a similar brand to that notified as aforesaid, the brand so notified shall be deemed to be the brand of such applicant, and shall be registered accordingly.

Modification of brands by applicants.

(4) Where two or more applications as aforesaid by different persons are made to register similar brands, or where applications are made by persons to register brands similar to brands already registered, such applicants shall receive notice thereof from such registrar by registered letters addressed to them, and on receipt of such notices such applicants shall arrange a modification of their brands so as to distinguish them from each other, or from brands already registered (as the case may be), and shall within three months after the date of the receipt by them of such notice in like manner by registered letter communicate to such registrar the modifications made by them, and upon the receipt by such registrar of such communications he shall after such notice register their respective brands so modified by them.

Modification of brands by registrar.

(5) When no such modifications have been communicated to such registrar within the time hereinbefore specified, or when the brands

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brands so communicated are not so modified as to distinguish them from one another and from all brands applied to be registered or that may be already registered, he may make such additions to or alterations of such brands as he may deem necessary so to distinguish them, and shall give such applicants notice of such additions or alterations by registered letter addressed to them. And the brands so notified to such applicants shall be and be deemed to be their respective brands, and shall after such notice be registered accordingly.

**177.** (1) Every application for the registration of any brand shall be numbered and entered by the registrar of brands in the order in which it is received, and such registrar shall send to the person making such application a certificate of application in the Form D contained in the Tenth Schedule hereto.

Order of registration.  
30 Vic. No. 12, s. 9.

Tenth Schedule.  
Form D.

(2) Upon every such brand being duly registered as aforesaid, such registrar shall transmit to the proprietor thereof a certificate of registration in the Form E contained in the Tenth Schedule hereto.

Form E.

**178.** At the end of each quarter of the year the registrar of brands shall prepare an alphabetical list in the Form F contained in the Tenth Schedule hereto of the brands and of the names and residences of their respective proprietors thus registered during the preceding quarter as aforesaid, and shall publish the same in the Gazette.

Quarterly returns of brands to be published.  
*Ibid.* s. 10.  
Tenth Schedule.  
Form F.

**179.** Immediately after the thirty-first day of December of each year, the registrar of brands shall compile and publish a brand directory for New South Wales, containing a correct and complete list of all brands, and of the names and residences of their respective proprietors so registered by him up to that date in the Form F contained in the Tenth Schedule hereto.

Annual return of brands.  
*Ibid.* s. 11.

Tenth Schedule.  
Form F.

**180.** (1) When any brand which has been registered under this Part is intended to be transferred, the registered proprietor thereof, and the intending transferee, shall execute a joint memorandum in the Form G contained in the Tenth Schedule hereto, and on the receipt of such memorandum, duly executed as aforesaid, and the authorised fees for such intended transfer, the registrar of brands shall cancel the existing registration of such brand by the transferor, and shall register the same in the name of the transferee, and shall issue a certificate to him in the Form E contained in the Tenth Schedule hereto, and such transferee shall thereupon be and be deemed to be the registered proprietor of such brand.

Mode of transferring brands.  
*Ibid.* s. 12.  
Tenth Schedule.  
Form G.

Tenth Schedule.  
Form E.

(2) Any person other than the proprietor thereof using any registered brand before the transfer of the same has been registered as hereinbefore provided, or otherwise neglecting or refusing to comply with any provision of this section, shall, for every such offence, be liable to a penalty not exceeding fifty pounds.

DIVISION 5.—*Miscellaneous.*

Entry of brand prima  
facie evidence of  
ownership.  
30 Vic. No. 12, s. 13.

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

Poundkeepers to  
keep brand directory.  
*Ibid.* s. 14.

**182.** (1) Every poundkeeper shall keep copies of the latest edition of the brand directory and of the Gazettes containing the alphabetical lists of the brands, and the names and residences of the proprietors thereof; and shall, on the receipt of a fee of one shilling, permit a search in such brand directory and Gazettes at all reasonable hours.

(2) Every poundkeeper who fails to comply with any requirement of this section shall, for every such offence, be liable to a penalty not exceeding five pounds.

Notice of impounding  
to be sent to owner  
of brand.  
*Ibid.* s. 15.

**183.** (1) When any cattle or horses are impounded, the poundkeeper shall forthwith send notice thereof to the proprietor of the brand which appears last in order on such cattle or horses.

(2) Every poundkeeper who neglects or delays to send any such notice shall, for every such offence, be liable to a penalty not exceeding ten pounds.

Owners of cattle to  
give drover a state-  
ment of cattle  
delivered to him.  
*Ibid.* s. 16.

**184.** (1) Every person delivering horses or cattle to any drover to be driven to any place, shall give to such drover, at the time of such delivery, a statement signed by him, setting forth the date and place of delivery, the number and description of the horses or cattle so delivered, and the place to which they are to be driven, in the Form H contained in the Tenth Schedule hereto.

(2) Every person who fails to comply with the requirements of this section shall, for every such offence, be liable to a penalty not exceeding twenty pounds.

Tenth Schedule.  
Form H.

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

*Ibid.* s. 17.  
37 Vic. No. 17, s. 1.

**185.** (1) If any drover found driving cattle or horses from one place to another does not produce to any constable or inspector of sheep who may ask for such production a statement such as is directed to be given by the one hundred and eighty-fourth section, comprising all cattle and horses then in his possession, he may be apprehended by such constable or inspector and taken before any justice.

(2) If on inquiry by any justice in a summary way it is proved to the satisfaction of such justice that such drover had such cattle

OR

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or horses in his possession and did not produce such statement as aforesaid, such justice may order and adjudge that such drover shall pay a penalty not exceeding twenty pounds.

(3) Any person purchasing or receiving from a drover any cattle or horses not described in such statement of delivery as aforesaid shall be liable to a penalty not exceeding fifty pounds.

**186.** All cattle or horses not described or not correctly described in the statement mentioned in the next preceding section found in the possession of any drover or other person apprehended under the said section may be placed in the public pound nearest to the place of his apprehension, to be there kept until ordered by any two justices of the peace to be delivered up to some person claiming them as owner or otherwise, and all cattle or horses correctly described in such statement may be forwarded to their destination by order of any justice at the risk and expense of the owner.

Cattle or horses not correctly stated in delivery note to be impounded.  
37 Vic. No. 17, s. 4.

**187.** Nothing herein contained shall affect any mortgage or other security under Part III of the Liens on Crops and Wool and Stock Mortgages Act of 1898.

Not to affect mortgages under Act No. 7, 1898.  
30 Vic. No. 12, s. 19.

**188.** Any registrar of brands, deputy registrar, or other person who—

False entry, &c., to be deemed a misdemeanour.  
*Ibid.* s. 20.

- (a) knowingly and unlawfully inserts or causes or permits to be inserted any false entry of any matter relating to any brand in any register, certificate, brand directory, or list of brands, or in any extract from any register, certificate, brand, directory, or list of brands, or delivery note; or
- (b) forges or alters, or offers, utters, disposes of, or puts off, knowing the same to be forged or altered, with intent to defraud, any such register, certificate, directory, or list, or any extract or entry therefrom, or that which purports to be such an extract or entry or delivery note; or
- (c) wilfully and unlawfully destroys, defaces, injures, or alters, or causes to be destroyed, defaced, injured, or altered, any such brand register, certificate, directory, list, extract, entry, or delivery note, or any part thereof with such intent; or
- (d) knowingly and wilfully uses the brand of any proprietor without his authority with such intent; or
- (e) knowingly and wilfully disfigures, alters, or defaces any registered brand branded upon any cattle or horses with such intent,

shall be guilty of a misdemeanour, and shall be liable to imprisonment with or without hard labour for any period not exceeding three years.

**189.** All fees and moneys payable under this Part shall be according to the scale fixed by the Thirteenth Schedule hereto, and shall be paid to the registrar of brands, who shall pay the same to the Colonial

Fees—how disposed of.  
*Ibid.* s. 21.  
Thirteenth Schedule.

*Stock.*

Colonial Treasurer, and all such fees and moneys shall be carried over to the Consolidated Revenue Fund, and a separate account (to be called the "registration of brands account") shall be kept in the books of the Treasury of all such fees and moneys, and also of all moneys paid therefrom under and for the purposes of this Part.

Payment of expenses  
under this Act.  
30 Vic. No. 12, s. 22.

**190.** The Colonial Treasurer may by virtue of warrants of the Governor to be issued under his hand pay out of the Consolidated Revenue Fund such sums of moneys to be specified in such warrants as may be necessary for the purposes of this Part :

Provided that no payment so made out of the Consolidated Revenue Fund shall exceed the amount to the credit of the registration of brands account beyond the sum of one thousand pounds.

Services of notices,  
&c.  
*Ibid.* s. 23.

**191.** Where by any of the provisions of this Part it may be necessary to give any notice, or send any document to any person, such notice or document may be communicated or sent to such person by registered letter, or delivered to him personally, or left at his usual place of abode or business.

Recovery of  
penalties.  
*Ibid.* s. 24.

**192.** (1) All fees made payable hereby, may be recovered and enforced before two justices in a summary manner, according to the provisions of the Act or Acts for the time being regulating proceedings before justices.

Disposal of fines.

(2) All fines levied or paid under this Part shall go and be distributed after deduction of the expenses and costs incurred, one-half thereof to the informer or prosecutor and the other half to the Colonial Treasurer, to be by him carried over to the Consolidated Revenue Fund, and credited to the registration of brands account.

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SCHEDULES.

FIRST SCHEDULE.

Section 2

Number of Act.	Title or short title.	Extent of repeal.
17 Vic. No. 27 ...	An Act for preventing the extension of the diseases called the scab and the influenza or catarrh in sheep.	The unrepealed portion.
27 Vic. No. 9 ...	Cattle Export Act of 1864 ...	The whole Act.
30 Vic. No. 12 ...	Registration of Brands Act of 1866 ...	The unrepealed portion.
30 Vic. No. 16 ..	Diseases in Sheep Act of 1866 ...	The unrepealed portion.
35 Vic. No. 6 ...	Imported Stock Act of 1871 ...	The unrepealed portion.
36 Vic. No. 18 ...	Angora Goats Protection Act of 1873 ...	So much as relates to the Registration of Brands Act of 1866.
37 Vic. No. 17 ...	An Act to amend the Registration of Brands Act of 1866.	The whole Act.
41 Vic. No. 19 ...	Diseases in Sheep Acts Amendment Act of 1878.	The whole Act.
46 Vic. No. 5 ...	Diseases in Sheep Acts Amendment Act of 1882.	The whole Act.
48 Vic. No. 12 ...	Imported Stock Act Amendment Act of 1884.	The whole Act.
56 Vic. No. 3 ...	Diseases in Sheep Acts Further Amendment Act of 1893.	The whole Act.
60 Vic. No. 1 ...	Imported Stock Act Further Amendment Act, 1896.	The whole Act.

SECOND SCHEDULE.

FORM A.

STOCK ACT, 1901.

Section 7.

17 Vic. No. 27

Schedule A.

THESE are to authorise you and your assistants at any time within seven days from the date hereof to enter by force if necessary on the lands on which the sheep specified below are now running, and to cause them to be driven to the most convenient part or parts of such lands for the purpose of examining them, and to thereupon examine them in order to ascertain if they are diseased.

General description of sheep.	Where now running or being.	Name of person in ostensible possession.	Name of supposed owner.

Dated the \_\_\_\_\_ day of \_\_\_\_\_ A.D. 19 \_\_\_\_\_,  
 at \_\_\_\_\_ in the State of New South Wales.  
 To Mr. \_\_\_\_\_ and his assistants.  
 A.B., J.P.

Act No. 27, 1901.

*Stock.*

Section 9.  
17 Vic. No. 27.  
Schedule B.

FORM B.  
STOCK ACT, 1901.

WHEREAS it has been proved on oath before me in accordance with the provisions of the Stock Act 1901, that the sheep and lambs of \_\_\_\_\_ now depasturing at \_\_\_\_\_ are not now nor have been for the next preceding three months affected by the disease, called the influenza or catarrh, I hereby permit the said sheep and lambs to be removed off their accustomed run or station at \_\_\_\_\_. This permit is to be in force for one week and no longer.  
Dated the \_\_\_\_\_ day of \_\_\_\_\_ 19 .

A.B. J.P.

Section 18.  
30 Vic. No. 16.  
Schedule A.

THIRD SCHEDULE.

FORM A.  
STOCK ACT, 1901.  
*Clean certificate.*

19 .

I, THE undersigned, inspector for \_\_\_\_\_, having this day carefully examined sheep, more particularly described in the Schedule below (of which \_\_\_\_\_ is the owner), and having made due inquiry concerning them, do hereby certify that such sheep are not infected with scab.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Name and address of owner, and of person in charge.	Where sheep are, or are kept and depastured when examined.

A.B., Inspector of Sheep.

Section 40.  
30 Vic. No. 16.  
Schedule C.

FORM B.  
STOCK ACT, 1901.  
*Notice of infection.*

19 .

To \_\_\_\_\_, inspector of sheep (or director) (or adjoining owner).  
TAKE notice that symptoms of scab have shown themselves among the sheep mentioned in the Schedule below.

Owner.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Name and address of owner, and of person in charge.	Name of run and portion of run where sheep are kept.

Owner.

FORM



# Act No. 27, 1901.

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## Stock.

FORM C.  
STOCK ACT, 1901.  
*Notice of quarantine.*

Section 51.  
30 Vic. No. 16.  
Schedule D.

19 .

I, \_\_\_\_\_, inspector under Part III of the abovenamed Act, having found that that portion of the \_\_\_\_\_ run (of which \_\_\_\_\_ is the proprietor), in the sheep district of \_\_\_\_\_, situated \_\_\_\_\_, has become infected with scab, do hereby place the same in quarantine, and define the boundaries of such quarantine as follows, namely

And further, I hereby place the sheep (which are more particularly described in the Schedule below) now \_\_\_\_\_ within such quarantine boundaries also in quarantine, and such run and sheep shall so remain in quarantine until released by the directors.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Name and address of owner, and of person in charge.	Name of run and portion of run where sheep are kept.

Inspector.

FORM D.  
STOCK ACT, 1901.

Section 54.  
30 Vic. No. 16.  
Schedule E.

*Application to directors for release from quarantine.*

I, THE undersigned proprietor of the run of \_\_\_\_\_ (and owner of the sheep) described in the Schedule to a notice of quarantine issued by [here state the name of the inspector issuing the notice and the date, and other particulars contained therein] having obtained from [here state the inspector's name] a clean certificate for the sheep now kept and depastured on such run, do hereby apply to the board of directors of the district of \_\_\_\_\_ to release the said run [and sheep] from quarantine.

(Signed)

Owner.

FORM E.  
STOCK ACT, 1901.

Section 55.  
30 Vic. No. 16.  
Schedule F.

*Notice to destroy infected sheep.*

To

19 .

We, \_\_\_\_\_ director, and \_\_\_\_\_ inspector of sheep, having this day, in terms of section fifty-five of the abovenamed Act, examined and found \_\_\_\_\_ sheep, of which you are the owner, and which are more particularly described in the Schedule below, to be infected with scab, do hereby give you notice to destroy such sheep within \_\_\_\_\_ days from this date.

Director.

Inspector.

SCHEDULE

Act No. 27, 1901.

*Stock.*

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Name and address of owner, and person in charge, and of shepherd.	Where sheep are, or are kept and depastured.

Director.  
Inspector.

Sections 57 & 131.  
30 Vic. No. 16.  
Schedule S.

FORM F.  
STOCK ACT, 1901.

*Appeal.*

To the board of Directors for the district of  
I, THE undersigned [*William Robert Smith*], of [*the Run of Twelve-mile Creek*],  
in the sheep district of [*Murrumbidgee*], feeling myself aggrieved by [*here state the*  
*cause of complaint particularly*], do hereby appeal against \_\_\_\_\_, on the ground  
that \_\_\_\_\_, and I request that an early date may be appointed by your board for  
the hearing of this appeal.

[*WILLIAM R. SMITH*],  
Owner.

Dated at [*Twelve-mile Creek*], this }  
[*4th*] day of [*July*], 19 . }

Section 59.  
30 Vic. No. 16.  
Schedule H.

FORM G.  
STOCK ACT, 1901.

*Directors' certificate and order for payment of compensation for infected sheep destroyed.*

WHEREAS it has this day been proved to us the undersigned directors for the sheep  
district of \_\_\_\_\_ on investigation of an application by \_\_\_\_\_ bearing date the  
\_\_\_\_\_ day of \_\_\_\_\_, that \_\_\_\_\_ sheep, of which the said \_\_\_\_\_ was the owner,  
were infected with scab, and were on the \_\_\_\_\_ day of \_\_\_\_\_ duly destroyed, and that  
the several requirements of Part III of the abovenamed Act had been fully complied  
with by the said \_\_\_\_\_ with respect to such sheep. Therefore, we, the said directors,  
having heard the evidence of the director and inspector ordering the destruction of such  
sheep, and of all other material witnesses, do hereby, in pursuance of the provisions of  
Part III of the said Act, fix and determine two-thirds of the market value of such  
sheep at the time of their destruction (supposing them to have been clean) at  
per sheep, and the amount of compensation to be paid for such sheep at the sum of  
(but deducting therefrom the sum of \_\_\_\_\_, being two-thirds of the net  
proceeds which we find on inquiry was realised by the said \_\_\_\_\_ from \_\_\_\_\_ of such  
sheep boiled down by him, and leaving the sum of \_\_\_\_\_ as the actual amount which  
he is entitled to receive from the Colonial Treasurer, as compensation for such sheep).

} Directors.

Dated at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 19 .

FORM

*Stock.*

FORM H.  
STOCK ACT, 1901.  
*Certificate and permit to travel.*

Section 62.  
30 Vic. No. 16.  
Schedule I.

I, THE undersigned inspector, having examined the sheep mentioned in the Schedule below, hereby certify that they are free from scab, and that such sheep are permitted to travel to their destination by the route specified in such Schedule.

19 .  
Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Name and address of owner and of person in charge.	From what district and run.	Route permitted to travel.	Destination.

Inspector of Sheep.

FORM I.  
STOCK ACT, 1901.  
*Permit to travel.*

Section 67 (1).  
41 Vic. No. 19.  
Second Schedule.

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

SCHEDULE ABOVE REFERRED TO.

No.	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.

19 .

Inspector.

FORM J.  
STOCK ACT, 1901.  
*Travelling statement.*

Section 68.  
41 Vic. No. 19.  
Third Schedule.

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

Act No. 27, 1901.

*Stock.*

SCHEDULE ABOVE REFERRED TO.

Number of stock.	Description of stock.	Sex.	Marks.	How and where branded.	Diseased or sound.

Signed at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_. Owner (or Superintendent).  
 Witness

Section 75 (1).  
 30 Vic. No. 16.  
 Schedule J.

FORM K.  
 STOCK ACT, 1901.  
*Clean certificate for introduced sheep.*

Crossing-place \_\_\_\_\_ 19\_\_\_\_.

I, THE undersigned, inspector for \_\_\_\_\_ having received from \_\_\_\_\_ a certificate granted by \_\_\_\_\_ inspector for \_\_\_\_\_ in the Colony of \_\_\_\_\_ that \_\_\_\_\_ sheep intended to be introduced into this Colony, and more particularly described in the Schedule below, are not infected, and having obtained all other necessary information respecting them, do hereby certify, after having carefully examined such sheep, that they are not infected, and that they are permitted to be introduced at this crossing-place.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Name and address of owner and of person in charge.	From what colony, district, and run.	Route and destination.

Inspector.

Section 77 (1).  
 30 Vic. No. 16.  
 Schedule K.

FORM L.  
 STOCK ACT, 1901.  
*Permit for introduced sheep to travel.*

19\_\_\_\_.

A CLEAN certificate having, in pursuance of the provisions of Part III of the above-named Act, been granted on the \_\_\_\_\_ to \_\_\_\_\_ for the sheep mentioned in the Schedule below, of which he is the owner, and which are intended to be introduced into this Colony at the crossing-place at \_\_\_\_\_ this is to certify that such sheep are hereby permitted to travel to their destination by the route specified in the said Schedule.

Inspector.

SCHEDULE

*Stock.*

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Name and address of owner and of person in charge.	From what colony, district, and run.	Route permitted to travel.	Destination.

Inspector.

FORM M.

STOCK ACT, 1901.

*Clean certificate for imported sheep.*

Section 86.  
30 Vic. No. 16.  
Schedule M.

19 .

I, THE undersigned, inspector for \_\_\_\_\_ do hereby certify that the imported sheep, of which \_\_\_\_\_ is the owner, and which are more particularly specified in the Schedule below, have remained in quarantine for a period of \_\_\_\_\_ days, or \_\_\_\_\_ months, as the case may be, and have been duly dressed in accordance with the provisions of Part III of the abovenamed Act, and that such sheep are clean and may be removed.

Inspector.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Where from, by what ship, and at what date.	Name and address of owner and of person in charge.	Route and destination.

Inspector.

FORM N.

STOCK ACT, 1901.

*Permit for the removal of sheep imported for slaughter.*

Port of \_\_\_\_\_

Section 87.  
30 Vic. No. 16.  
Schedule N.

19 .

I, THE undersigned, inspector for \_\_\_\_\_ having examined \_\_\_\_\_ sheep per from \_\_\_\_\_ branded \_\_\_\_\_ of which \_\_\_\_\_ is the owner, hereby certify that such sheep are not infected, and they are hereby permitted to be removed for slaughter to any distance not exceeding five miles from this port.

Inspector.

FORM O.

STOCK ACT, 1901.

*Certificate for coast district sheep.*

Section 92.  
30 Vic. No. 16.  
Schedule O.

19 .

I, THE undersigned, inspector for \_\_\_\_\_ hereby certify that \_\_\_\_\_ sheep more particularly described in the Schedule below belonging to \_\_\_\_\_ which it is his intention to remove inland beyond the coast scab line, have been duly \_\_\_\_\_ in pursuance of the provisions of Part III of the abovenamed Act, and are not infected, and the said \_\_\_\_\_ is hereby authorised to remove such sheep accordingly.

Inspector.

SCHEDULE

Act No. 27, 1901.

*Stock.*

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Name and address of owner and of person in charge.	Where kept or depastured.	Route and destination.

Inspector.

FORM P.

STOCK ACT, 1901.

*Application to record a sheep brand or mark.*

Section 96.  
41 Vic. No. 19.  
Fourth Schedule.

To

Inspector of sheep.

19 .

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—

FORM Q.

STOCK ACT, 1901.

*Memorandum of transfer of brand or mark.*

Section 99.  
41 Vic. No. 19.  
Fifth Schedule.

To

Inspector of stock.

19 .

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.  
Transferee.

FORM R.

STOCK ACT, 1901.

*Return of number of sheep by owners to clerk of petty sessions.*

Section 104 (1).  
30 Vic. No. 16.  
Schedule P.

RETURN of all sheep now kept and depastured by in the sheep district of and State of New South Wales, made this day of 19 to the clerk of petty sessions, at

Name of run.	Name and address of owner and of superintendent or person in charge.	Description of sheep.	Number of each description.	Brands or marks.	Remarks.

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

Declared before me at

this day of 19 . }  
J.P.

Owner (*or Superintendent*).

FORM

# Act No. 27, 1901.

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## *Stock.*

• FORM S.  
STOCK ACT, 1901.  
*General return of sheep.*

Section 106 (1).  
30 Vic. No. 16.  
Schedule Q.

YEARLY RETURN to the Colonial Treasurer, Sydney, by the clerk of petty sessions, at \_\_\_\_\_ of the contributions at the rate of £ \_\_\_\_\_ per thousand, payable by the several owners of sheep in his district, made in pursuance of the provisions of Part III of the abovenamed Act.

Clerk of Petty Sessions.

Dated at \_\_\_\_\_ 19 \_\_\_\_\_ .

Stations or runs.	Names of owners.	Names of superintendents.	Number of sheep and lambs.	Amount of assessment.	Date of payment at Treasury.
Totals ... ..					

Dated at \_\_\_\_\_ , 19 \_\_\_\_\_ .

Clerk of Petty Sessions.

FORM T.  
STOCK ACT, 1901.  
*Notice of contribution payable by owners.*

Section 107.  
30 Vic. No. 16.  
Schedule R.

To \_\_\_\_\_

19 \_\_\_\_\_ .

THE contribution at the rate £ \_\_\_\_\_ per thousand with which you, as owner of the sheep and lambs specified in the Schedule below, are assessed under Part III, of the above-named Act, for the year 19 \_\_\_\_\_ amounts to the sum of \_\_\_\_\_ as shown by the said Schedule, and you are hereby required to pay that amount to \_\_\_\_\_ on or before the thirty-first day of May next.

If you consider yourself as having any just cause for appealing against the said contribution, you will please to observe that a written notice of such appeal must be lodged with me within ten days of the date of the service of this notice in the manner directed by the one hundred and eighth section of the said Act in that behalf.

Clerk of Petty Sessions.

### STATEMENT OF CONTRIBUTION REFERRED TO ABOVE.

Name of station or run.	Name and address of owner and of person in charge.	No. of sheep and lambs.	Rate £ 1000.	Amount of contribution payable by owner.
Total number of sheep and amount of contribution £				

Clerk of Petty Sessions.

To \_\_\_\_\_

FORM

*Stock.*

Section 132.  
30 Vic. No. 16.  
Schedule T.

FORM U.  
STOCK ACT, 1901.

*Application.*

To the board of directors for the District of  
I, THE undersigned [*William Robert Smith*], of [*the Run of Twelve-mile Creek*], in the Sheep District of [*Murrumbidgee*], having in terms of [*a notice bearing date the twenty-first day of May last, 1901, given by Robert James Anderson, sheep director, and Arthur Thomas Jones, sheep inspector, both for the said district, destroyed a flock of twelve hundred weaners (of which I was the owner), then running at the Old Yard Sheep Station on my said run, and branded WS on the rump, which were infected with scab, and having duly complied with all the requirements of Part III of the abovenamed Act with respect to such sheep*] do hereby apply to your board to fix and determine the amount of compensation to which I am entitled for such sheep [*or if the application is not for compensation state the matter particularly*], and to request that you will fix an early day for the hearing of this application.

Dated at [*Twelve-mile Creek*], this }  
[*30th*] day of [*July*], 19 . }

[*W. R. SMITH*],  
Owner.

Section 134.  
30 Vic. No. 16.  
Schedule U.

FORM V.  
STOCK ACT, 1901.

*Dismissal of appeal or application.*

WE, the undersigned, being a quorum of the directors for the sheep district of , having this day heard an appeal [*or application*] lodged by , of [*here state the matter of such appeal or application*], and having heard and considered the evidence adduced to support the same, do hereby dismiss such appeal [*or application*], and adjudge the said to pay the following costs and expenses, namely:—

} Sheep Directors.

Given under our hands at }  
this day of 19 . }

Section 134.  
30 Vic. No. 16.  
Schedule V.

FORM W.  
STOCK ACT, 1901.

*Sustainment of appeal or application.*

WE, the undersigned, being a quorum of the directors for the sheep district of , having this day heard an appeal [*or application*] lodged by , of [*here state the matter of such appeal or application*], and having heard and considered the evidence adduced to support the same, do hereby adjudge the same to be sustained, and do accordingly order [*here state the order*].

} Sheep Directors

Given under our hands at }  
this day of 19 . }





Act No. 27, 1901.

*Stock.*

Section 149.  
35 Vic. No. 6.  
Schedule A.

EIGHTH SCHEDULE.

FORM A.

STOCK ACT, 1901.

*Form of declaration by master of vessel.*

No. of stock shipped.	Description.	Where from.	Deaths during voyage.	Cause of death.	Date of outbreak of disease.	Last death.

I, \_\_\_\_\_ master, do hereby solemnly declare that the above statement with regard to the stock shipped on board the vessel \_\_\_\_\_ is true. And I moreover solemnly declare that no stock, fodder, fittings, or effects are now infected [*or* are likely to be infected *or* that the stock, fodder, fittings, and effects are likely to be infected].

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_  
(Signed)

Master.

Section 151.  
35 Vic. No. 6.  
Schedule B.

FORM B.

STOCK ACT, 1901.

*Import certificate of cleanness.*

I, THE undersigned, inspector for \_\_\_\_\_ do hereby certify that the imported stock of which \_\_\_\_\_ is owner, and which are more particularly specified in the Schedule below, have remained in quarantine for a period of more than \_\_\_\_\_ and have been treated in accordance with the provisions and regulations of Part IV of the abovenamed Act, and that such stock are clean and may be removed.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Where from, by what ship, and at what date.	Destination.

(Signed)

Inspector.

Section 153.  
35 Vic. No. 6.  
Schedule C.

FORM C.

STOCK ACT, 1901.

*Notice to destroy infected stock.*

19 \_\_\_\_\_

To  
THE Minister having, after careful investigation, decided in terms of section one hundred and fifty-three of the abovenamed Act that \_\_\_\_\_, of which you are owner

*Stock.*

owner and which are more particularly described in the Schedule below, are infected, I hereby give you notice to destroy such within forty-eight hours from the time of the receipt of this notice.

SCHEDULE ABOVE REFERRED TO.

No.	Description.	Brands or marks.	Where from, by what ship, and at what date.	Destination.

(Signed)

Inspector.

NINTH SCHEDULE.

Section 162.

I, A.B., having been appointed a cattle inspector at and for the port of 27 Vic. No. 9, s. 2. under Part V of the Stock Act, 1901, hereby solemnly declare that I will carefully and diligently examine all cattle submitted to me for that purpose under the said Act, and will honestly and to the best of my skill and ability and without favour or affection to any person whomsoever, certify to the soundness and freedom from disease of all such and such only as I find to be so sound and free from disease.

TENTH SCHEDULE.

Section 171.

FORM A.

30 Vic. No. 12.

STOCK ACT, 1901.

Schedule A.

*Horse brand register.*

No. of Application.	Date.	Brand.	Former brand.	Applicant.		Date of publication in Gazette.	Amount of registration fee.	Remarks.
				Name.	Address.			

FORM B.

Section 171.

STOCK ACT, 1901.

30 Vic. No. 12,

*Cattle brand register.*

Schedule B.

No. of Application.	Date.	Brand.	Former brand.	Applicant.		Date of publication in Gazette.	Amount of registration fee.	Remarks.
				Name.	Address.			

FORM

Act No. 27, 1901.

*Stock.*

Section 176.  
30 Vic. No. 12.  
Schedule E.

FORM C.  
STOCK ACT, 1901.

*Application to register brand.*

To the Registrar of Brands, Sydney.  
Sir,

19 .

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

Applicant.

SCHEDULE ABOVE REFERRED TO.

Brand to be registered.		Former brand.		Applicant.		No. of cattle and horses owned by applicant.	Amount of fees.
Horses.	Cattle.	Horses.	Cattle.	Name.	Address.		
							£ s. d.

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

(Applicant or Superintendent.)

Declared before me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_ }  
J.P.

FORM D.

STOCK ACT 1901.

Section 177.  
30 Vic. No. 12.  
Schedule F.

Sydney, 19 .  
*Certificate of application.*

No. \_\_\_\_\_

Horses. This is to certify that an application, dated the \_\_\_\_\_, for the registration of the brand mentioned on the margin hereof has this day been received by me and numbered as above, from \_\_\_\_\_, with the sum of \_\_\_\_\_ pounds as the authorised fees for Cattle. the registration thereof in terms of the provisions of the abovenamed Act.

Registrar of Brands.

FORM E.

STOCK ACT, 1901.

Sections 177 & 180.  
30 Vic. No. 12.  
Schedule G.

*Certificate of registration.*

No. \_\_\_\_\_

This is to certify that the brand mentioned on the margin hereof \_\_\_\_\_ this day duly registered as the brand of \_\_\_\_\_, in terms of the provisions of the abovenamed Act.

Registrar of Brands.

FORM

*Stock.*

FORM F.  
*List for Gazette and brand directory.*

Sections 178 & 179,  
30 Vic. No. 12.  
Schedule II.

Brand.	Former Brand.	Proprietor.	
		Name.	Address.

FORM G.  
STOCK ACT, 1901.

Section 180.  
30 Vic. No. 12.  
19 . Schedule I.

*Memorandum of transfer.*

To the Registrar of Brands.

I [*or we*] \_\_\_\_\_ being the registered proprietor of the brand mentioned on Horses.  
the margin hereof having transferred the same to \_\_\_\_\_, do hereby request that  
you will make the necessary transfer to \_\_\_\_\_ of such brand in your registers,  
and \_\_\_\_\_ enclose herewith the sum of \_\_\_\_\_ pounds as the authorised fees for such Cattle.  
transfer.

Proprietor.  
Transferee.

FORM H.  
STOCK ACT, 1901.

Section 184.  
30 Vic. No. 12.  
Schedule J.

*Delivery note.*

THIS is to certify that I have this day delivered into the charge of \_\_\_\_\_, as my  
bailee, the \_\_\_\_\_ mentioned in the Schedule below for the purpose of their being  
by him to \_\_\_\_\_ at \_\_\_\_\_.

Owner.

SCHEDULE ABOVE REFERRED TO.

Number.	Horses or cattle.	Brands and marks.	Route.	Destination.

Owner.

Witness.

ELEVENTH SCHEDULE.

*Position and order of brands on horses.*

- Portion I.—Embracing the near shoulder.
- Portion II.—Embracing the off shoulder.
- Portion III.—Embracing the near rump, hip, and thigh.
- Portion IV.—Embracing the off rump, hip, and thigh.
- Portion V.—Embracing the near ribs and saddle.
- Portion VI.—Embracing the off ribs and saddle.

Section 174.  
30 Vic. No. 12.  
Schedule C.

TWELFTH

*Stock.*

Section 174.  
30 Vic. No. 12.  
Schedule D.

## TWELFTH SCHEDULE.

*Position and order of brands on cattle.*

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

Section 189.  
30 Vic. No. 12.  
Schedule K.

## THIRTEENTH SCHEDULE.

*Scale of fees and rates.*

For registering any brand, including the cost of advertising such brand in the Gazette for two consecutive issues, and for publishing the same in the brand directory for New South Wales, as follows, namely:—

				£	s.	d.
The proprietor of	1 animal and not exceeding	20	...	0	5	0
"	1	10	...	0	10	0
"	20	100	...	0	15	0
"	10	20	...	1	0	0
"	100	50	...	1	5	0
"	20	100	...	1	10	0
"	500	1,000	...	1	15	0
"	50	100	...	2	0	0
"	1,000	3,000	...			
"	100	200	...			
"	3,000	6,000	...			
"	200	400	...			
"	4,000	6,000	...			
"	400	600	...			
"	6,000 and upwards ...	...	...			
"	600	...	...			

NOTE.—Rates for registration, &c., of horses in larger figures.

For every search in any register of brands	...	...	...	0	1	0
For the transfer of any brand, one-half of the above rates respectively, according to the scale mentioned.						
For any extract from the brand directory gazette or brand register, for the first one hundred words, or portion thereof	...	...	...	0	1	0
For every additional one hundred words or portion	...	...	...	0	0	6
For notice of similarity of brand or of distinguishing brand fixed upon by the registrar, by post	...	...	...	0	1	0