

*Cattle Trespass Repeal.*

hereinbefore given in cases where one of the parties shall be of the Native race.

27. If any person shall wilfully insult such Resident Magistrate or Justice of the Peace whilst sitting in Court and acting in the execution of this Ordinance, or shall in any other manner be guilty of any wilful contempt in the face of the Court, it shall be lawful for such Resident Magistrate or Justice of the Peace, by warrant under his or their hands, to commit the person so offending to any common gaol for any term not exceeding one calendar month.

May commit for contempt of Court.

## VII.—MISCELLANEOUS.

28. And whereas by various Ordinances now in force within the Colony certain acts are required to be done by and certain powers are given to Police Magistrates: Be it enacted that all such acts and powers may hereafter be done and exercised by any Resident Magistrate or any other person whom His Excellency the Governor shall from time to time designate or appoint for that purpose.

Duties required to be done by Police Magistrates may be performed by persons appointed by the Governor.

29. For the purposes of this Ordinance the word "Governor" shall be taken to include the Lieutenant-Governor or the Officer Administering the Government of the Colony for the time being.

Interpretation.

30. This Ordinance shall come into operation throughout the Colony on the first day of May, one thousand eight hundred and forty-seven, or on such earlier day, and either throughout the Colony or within any district or districts thereof, as His Excellency the Lieutenant-Governor shall by Proclamation direct and appoint.

Commencement of Ordinance.

## No. XVII.

AN ORDINANCE to repeal "*The Cattle Trespass Ordinance*" and "*The Cattle Trespass Amendment Ordinance*," and to provide for the Summary Recovery of Compensation for Damage done by Cattle Trespassing. [10th November, 1846.]

CATTLE TRESPASS  
REPEAL

WHEREAS an Ordinance was enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof, (Session II., No. 16,) intituled "*An Ordinance to provide for the Summary Recovery of Compensation for Damage done by Cattle Trespassing.*" And whereas a like Ordinance was enacted (Session III., No. 14,) intituled "*An Ordinance to amend an Ordinance to provide for the Summary Recovery of Compensation for Damage done by Cattle Trespassing.*" And whereas it is expedient that the said Ordinances be repealed, in order that the enactments therein contained may be amended and consolidated into one Ordinance:

Preamble reciting No. 16, Sess. II., and No. 14, Sess. III.

BE IT THEREFORE ENACTED by the Lieutenant-Governor of New Zealand, with the advice and consent of the Legislative Council thereof, as follows:—

1. The said recited Ordinances shall be and the same are hereby repealed.

Recited Ordinances repealed.

2. Whenever any cattle shall trespass on land which shall be substantially fenced and shall do any damage thereon, it shall be law-

Compensation for damage to land substantially fenced.

*Arms.*

ful for any two Justices of the Peace, upon application of the person suffering such damage, to hear and determine the case in a summary way, and on being satisfied as to the amount of such damage by the oath or solemn affirmation as the case may require of two witnesses competent from practical knowledge or otherwise to estimate the same, to award to the party sustaining such damage any sum not exceeding twenty pounds by way of compensation for the same.

And in certain cases although the land be not substantially fenced.

3. In case the person sustaining any such damage shall be of the Native race, it shall be lawful for the said Justices in like manner to award compensation although the land trespassed upon shall not be substantially fenced: Provided always that it shall be lawful for His Excellency the Governor by Proclamation from time to time to declare certain districts within which persons of the Native race shall not be entitled to recover compensation unless the land trespassed upon shall be substantially fenced, and the limits of such districts from time to time to alter as occasion may require, and also, if he shall see fit, to revoke the Proclamation by which any such district shall have been declared.

Penalty for cattle wandering in public streets.

4. If any cattle shall be found wandering at large in any street or public place within the limits of any town or village which shall be proclaimed by the Governor to come within the operation of this present provision, the owners thereof shall forfeit and pay for every head of cattle so wandering any sum not exceeding five shillings, to be recovered in a summary way: Provided always that any town or village which may already have been proclaimed to come within the operation of the said first recited Ordinance shall be deemed and taken to come within the operation of this present provision from and immediately upon the passing of this Ordinance.

Interpretation.

5. For the purposes of this Ordinance the word "Governor" shall be taken to include the Lieutenant-Governor or the Officer Administering the Government of the Colony for the time being, and the word "Cattle" shall be taken to include horned or neat cattle horses mules asses sheep goats and swine.

Commencement.

6. This Ordinance shall come into operation on the first day of January, one thousand eight hundred and forty-seven.

## No. XVIII.

ARMS.

AN ORDINANCE to regulate the Removal and the Making and Repairing of Arms Gunpowder and other Warlike Stores within the Colony of New Zealand.

[12th November, 1846.]

Preamble.

WHEREAS provision hath been made for regulating the importation and sale of arms gunpowder and other warlike stores, and it is expedient that restriction should also be placed on the removal making and repairing of the same:

BE IT ENACTED by the Lieutenant-Governor of New Zealand, with the advice and consent of the Legislative Council thereof, as follows:—

Arms &c. not to be removed without a license.

1. It shall not be lawful for any person to remove or cause to be removed from any one part of the Colony of New Zealand to any other