

*Distillation Repeal.*

## SCHEDULE.

To Mr. A.B. FORM OF CLAIM.  
 I HEREBY give you notice that I claim to have my name put upon the Burgess Roll for  
 the borough of  
 Dated the            day of            , in the year            C.D.,  
 [Place of abode and business of Claimant].

## No. XIII.

AN ORDINANCE to repeal an Ordinance for prohibiting  
 the Distillation of Spirits within the Colony of  
 New Zealand. [11th July, 1844.]

DISTILLATION  
 REPEAL.

WHEREAS by an Ordinance enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof (Session I., No. 5), intituled "*An Ordinance for prohibiting the Distillation of Spirits within the Colony of New Zealand,*" all distillation of spirits from grain sugar molasses fruits or any other materials whatsoever, and all rectifying and compounding thereof, within the Colony of New Zealand and its dependencies, were prohibited, and divers provisions were made for the purpose of enforcing the aforesaid enactment, and it is expedient to repeal the said Ordinance:

Preamble.  
 Ordinance for prohibiting distillation recited.

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

1. That the said recited Ordinance shall be repealed.
2. Provided always and be it enacted, That no person who shall enter into or carry on the business of a distiller shall be entitled to any compensation for any loss that he may sustain by reason of this Ordinance being disallowed by Her Majesty, or being at any time repealed by the Legislative Council of the Colony, or by any law that may be enacted for the prevention of distillation within the Colony.
3. This Ordinance shall not come into operation until it shall have received the Royal confirmation, and the notification of such confirmation shall have been made in the *Government Gazette* by order of His Excellency the Governor of New Zealand for the time being.

Ordinance repealed.

No compensation allowed if Ordinance repealed.

Commencement of Ordinance.

## No. XIV.

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

CATTLE TRESPASS  
 AMENDMENT.

[11th July, 1844.]

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

Preamble reciting clause 2 of Cattle Trespass Ordinance.

*Cattle Trespass Amendment.*

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

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

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

Interpretation clause.

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

Commencement.

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

## No. XV.

SUMMARY PROCEEDINGS AMENDMENT.

AN ORDINANCE to amend an Ordinance to regulate Summary Proceedings before Justices of the Peace.

[16th July, 1844.]

Preamble reciting Summary Proceedings Ordinance (Session II., No. 5).

WHEREAS by an Ordinance enacted by the Governor of New Zealand, with the advice and consent of the Legislative Council thereof (Session II., No. 5), intituled "*An Ordinance to regulate Summary Proceedings before Justices of the Peace*," it is enacted that in certain cases of summary conviction in the said Ordinance mentioned it shall be lawful for the parties convicted to appeal to the County Court of the district in which the cause of complaint shall have arisen: And whereas by an Ordinance passed in this present Session of the Legislative Council (Session III., No. 8), intituled "*An Ordinance to establish Courts of Requests for the more easy and speedy Recovery of Small Debts*," it is enacted that from and after the first day of October, one thousand eight hundred and forty-four, the Ordinance for establishing County Courts (Session II., No. 2) shall be repealed:

And Ordinance Session III., No. 8.

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