

## No. 6.—1869.

23rd February.

AN ORDINANCE to provide a more summary Remedy against the Fouling of the Waters of Streams and Ponds.

(L. S.) ARTHUR GORDON.

27th February, 1869.

**W**HEREAS it is expedient to provide a more summary remedy against the fouling of the waters of streams and ponds: Be it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:—

Prohibition against the washing of clothes in, or the discharge of any noxious or fetid matter into any stream or pond without permission of owner.

Offenders may be apprehended without a warrant.

Owner of land not to pollute nor to permit the pollution of water flowing into any other land.

1. Every person who shall wash any clothes, or throw, or discharge any water which may have been used in the washing of clothes, or holding soap in solution, or any dirt or filth, or any noxious or fetid matter of any description whatsoever, into any stream or pond, or water, whether running or not, without the permission of the owner of such stream, pond, or water, shall be guilty of an offence under this Ordinance, and shall, on conviction thereof, forfeit for every such offence such sum, not exceeding five pounds, as to the convicting Justice shall seem fit; and every person found committing any such offence may be immediately apprehended without a warrant by any constable, or by the owner of the property on which the offence shall be committed, or by his servant, or by any person authorised by him, and forthwith taken before any Justice of the Peace, to be dealt with according to law.

2. Every owner of land who shall wash, or cause, or permit any person to wash any clothes, or throw or discharge, or cause, or permit any person to throw or discharge any dirt, filth, or other noxious or fetid matter into, or in, any water running through such land, whereby such water coming or flowing into any other

land may be polluted and rendered unfit for use, shall be guilty of an offence under this Ordinance, and shall, on conviction thereof, forfeit for every such offence such sum, not exceeding twenty pounds nor less than one pound, as to the convicting Justice shall seem meet.

3. Any penalty under this Ordinance may be recovered in a summary manner, before any Justice of the Peace, on the information of any warden, or of the owner of the property upon, or in respect of which such offence shall have been committed, and every such penalty, if recovered on the information of any warden, shall be paid to such warden for the uses of his ward, and if recovered on the information of the owner, shall be paid to such owner.

As to the recovery and appropriation of penalties.

4. Throughout this Ordinance the word "owner" shall extend to and include any person having the immediate possession, or the management or charge of any land.

Interpretation of term "owner."

Passed in Council this twenty-third day of February, in the year of our Lord one thousand eight hundred and sixty-nine.

A. C. ROSS,

*Acting Clerk of the Council.*

## No. 11.—1869.

*20th April.*

AN ORDINANCE with regard to Roads.

(L. S.) ARTHUR GORDON.

*28th April, 1869.*

**B**E it enacted by His Excellency the Governor, with the advice and consent of the Legislative Council, as follows:—

1 It shall be lawful for Her Majesty to cause to be Roads to be laid out under