



ANNO DECIMO-TERTIO

VICTORIÆ REGINÆ,

No. 7.

Repd. by. 42 ✓ No. 24

*By His Excellency SIR WILLIAM THOMAS DENISON, Knight,
Lieutenant-Governor of the Island of Van Diemen's Land
and its Dependencies, with the Advice of the Legislative
Council.*

***AN ACT to amend the Act of Council of this Island
intituled An Act to restrain the Practice of Kangaroo
Hunting and for other Purposes connected therewith.***

WHEREAS an Act of Council or Ordinance of this Island was passed in the tenth year of the reign of Her present Majesty intituled *An Act to restrain the Practice of Kangaroo Hunting and for other Purposes connected therewith* by the third Section whereof provision is made for the granting of Licences to hunt with dogs or otherwise pursue shoot or take kangaroo in this Island—AND WHEREAS by the twelfth section thereof provision is made for the appropriation of all monies and fines received under and by virtue of the said recited Act—AND WHEREAS it is for the future expedient that Licences for the purpose aforesaid should no longer be granted for the whole of this Island but should be confined to and be effectual only within and for the District or Sub-District thereof in every such Licence specified and it is also expedient to make a different appropriation of such monies and fines and that the said recited Act should accordingly in such respects be amended—**BE IT THEREFORE ENACTED** by His Excellency Sir WILLIAM THOMAS DENISON Knight Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies with the advice of

PREAMBLE.
10 Vict., No. 6.

Repeals sect. 3,
10 Vict., No. 6.

the Legislative Council of the said Island that from and after the time when this Act shall come into operation the said third Section of the said recited Act shall be and the same is hereby repealed.

Empowers Courts
of Quarter Ses-
sions and Police
Magistrates to
issue Licences to
hunt kangaroo
within Districts
specified therein
and provides form
of same—fee
thereon—and
duration thereof.

II. AND BE IT ENACTED that it shall and may be lawful for the Police Magistrate or Assistant Police Magistrate of the District or Sub-District wherein any person desirous of obtaining a licence under this Act shall reside and for every Court of Quarter Sessions of the Peace holden for any such District or Sub-District to grant to such person if he in the discretion of such Police Magistrate Assistant Police Magistrate or Court shall appear fit to obtain the same a Licence to hunt with dogs or otherwise pursue shoot snare or take kangaroo within such District or Sub-District which Licence when issued by a Police or Assistant Police Magistrate shall be signed by such Magistrate and sealed with his seal and witnessed by the Police Clerk of such Magistrate or some other person acting in the capacity of such Clerk and shall be in the form in the Schedule to this Act annexed marked A and every such Licence issued by a Court of Quarter Sessions of the Peace under this Act shall be signed by the Chairman or Deputy Chairman of such Court and countersigned by the Clerk of the Peace or Deputy Clerk of the Peace attending such Court and shall be in the form in the Schedule to this Act annexed marked B and all such Licences shall remain in effect for one year from the date thereof and no longer and every person to whom such Licence shall be granted shall before the same shall be issued pay for the same the sum of One Pound to such Police Magistrate Assistant Police Magistrate Clerk of the Peace or Deputy Clerk of the Peace as the case may be and all provisions in the said recited Act contained shall extend and apply to every such Licence granted under the authority of this Act and the holder thereof in as full and ample a manner to all intents and purposes as the same would have extended and applied to any holder of a Licence and to any Licence granted under or by virtue of the said third Section of the said recited Act.

Provides punish-
ment for licensed
person hunting
beyond the limits
of the District
specified in
Licence.

III. AND BE IT ENACTED that from and after the time when this Act shall come into operation if any person holding any such Licence as aforesaid shall hunt with dogs or otherwise pursue shoot snare or take kangaroo upon any land not being within the limits of the District or Sub-District specified in such Licence and such person not being the rightful owner occupier or possessor of such land or beneficially entitled thereto or not having the consent or permission of such owner occupier or possessor or person so beneficially entitled such person whilst so hunting pursuing shooting snaring or taking kangaroo beyond such limits of such District or Sub-District shall be deemed and taken to be to all intents and purposes an unlicensed person and shall be subject and liable to such proceedings pains penalties forfeitures and punishments as in that behalf are provided and imposed by and under the said recited Act.

Appropriation of
monies received
for Licences and
of fines and penal-
ties.

IV. AND BE IT ENACTED that after the time when this Act shall come into operation all monies received for such Licences as aforesaid in any District or Sub-District of this Island shall be exclusively applied to the repair and maintenance of the Roads within such District or Sub-District and for such purpose shall be paid to the person or persons who for the time being shall have the control management or superintendence of such Roads and all fines and penalties paid levied recovered or received by virtue of this and the said recited Act shall as

to one moiety thereof go and be applied to the use of the informer and as to the other moiety thereof go and be applied in aid of the general Revenue of this Colony.

V. PROVIDED ALWAYS AND BE IT ENACTED that nothing in this Act contained shall be deemed or construed to extend to or affect or shall extend to or affect any Licence heretofore granted under the authority of the said recited Act but every such Licence for the period for which the same shall have been so granted shall to all intents and purposes continue to be and shall be as effectual and the holder thereof have and be subject to the same rights and liabilities as though this Act had not passed.

Existing Licences granted under 10 Vict. No. 6 not to be affected by this Act.

VI. AND BE IT ENACTED that this Act and the said recited Act intituled *An Act to restrain the Practice of Kangaroo Hunting and for other Purposes connected therewith* save so far as the same is hereby repealed or altered shall be read and construed together as one and the same Act.

10 Vict. No. 6 and this Act to be read as one Act.

W. T. DENISON.

Passed the Legislative Council the third day of November one thousand eight hundred and forty-nine,

ADAM TURNBULL, *Clerk of the Councils.*

SCHEDULE A.

To all to whom these Presents shall come.

KNOW ye that I *A.B.* Police [or Assistant Police] Magistrate of the District [or Sub-District] of _____ wherein *G.H.* [the person to whom the Licence is issued] resides have granted and issued to the said _____ by virtue of the Act of this Island intituled *An Act to amend the Act of Council of this Island intituled An Act to restrain the Practice of Kangaroo Hunting and for other Purposes connected therewith* this my Licence to hunt with dogs or otherwise pursue shoot snare and take kangaroo within the said District [or Sub-District] of _____ for one year from the date hereof.

Dated this _____ day of _____ 18

A.B.

Police [or Assistant Police] Magistrate.

[Seal.]

Witness—*C.D.*

Police [or Acting Police] Clerk to the above-named Magistrate.

SCHEDULE B.

*Court of Quarter Sessions of the Peace holden at
Diemen's Land.*

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WHEREAS [*name of applicant*] hath applied to this Court to grant a Licence to him to hunt with dogs or otherwise pursue shoot snare and take kangaroo within the District [*or Sub-District*] of _____ wherein the said [*applicant*] resides and it appearing that the said [*applicant*] is a fit and proper person to be entrusted with such Licence this Court doth by virtue of the Act of this Island intituled *An Act to amend the Act of Council of this Island intituled An Act to restrain the Practice of Kangaroo Hunting and for other Purposes connected therewith* issue to the said [*applicant*] this Licence to hunt with dogs or otherwise pursue shoot snare and take kangaroo within the said District [*or Sub-District*] of _____ for one year from the date hereof.

Dated this _____ day of _____ 18

By Order of the Court

A.B.

Chairman [*or Deputy Chairman*].

Countersigned by me

C.D. Clerk [*or Deputy Clerk*] of the Peace attending this Court.