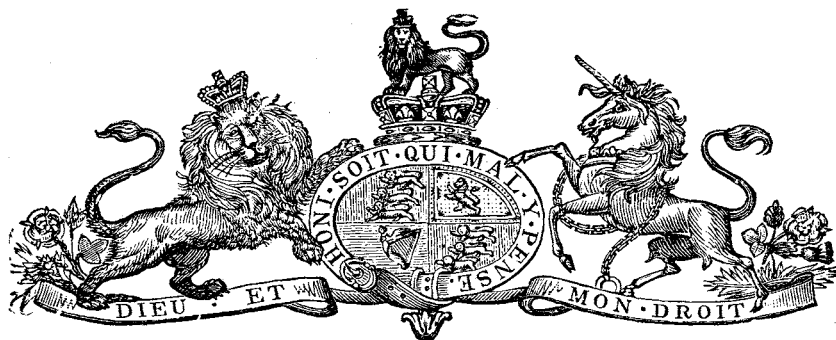


T A S M A N I A.



1896.

ANNO SEXAGESIMO

VICTORIÆ REGINÆ,

No. 46.



AN ACT to amend *The Boundary Fences Act*, A.D. 1896.
1853. [13 November, 1896.]

BE it enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 This Act may be cited as “The Boundary Fences Act, 1896.” Short title.

2 In this Act, the expression “the said Act” shall mean *The Boundary Fences Act*, 1853. Interpretation.
17 Vict. No. 12.

3—(1.) Notwithstanding anything contained in the said Act, where any fence which the owner of any land for the time being shall be liable under the provisions of Section Ten of the said Act to erect or repair shall not be well and sufficiently erected, repaired, or upholden, it shall be lawful for any other party or parties to the award, or for any other person for the time being liable by virtue of such award, to erect or repair any adjoining fence or fences, after giving One month’s previous notice in writing to erect or repair such part or parts of such line or lines of fencing included in such notice as shall not before the expiration of such notice be well and sufficiently erected or repaired as aforesaid, and may for that purpose, with all necessary and proper assistance and appliances, enter upon the land adjoining such fence, without being deemed a trespasser. Additional
remedy in case of
non-compliance
with award.

Boundary Fences.

A.D. 1886.

Power to recover
expense of erect-
ing or repairing
fence.

(2.) Any person who shall so erect or repair any part or parts of any such line or lines of fencing which shall not have been erected or repaired as aforesaid may demand of and from the person liable to erect or repair such fence all moneys reasonably expended for the purpose of erecting or repairing such line or lines of fencing as aforesaid, and may, within Twelve months, commence proceedings to recover the same in any Court of competent jurisdiction.

(3.) The provisions of this Section shall apply to all fences erected or to be erected in pursuance of any award dated before the day on which this Act comes into operation.

Acts to be read
together.

4 This Act and *The Boundary Fences Act, 1853*, save as amended by this Act, shall be read and construed as one and the same Act.