

T A S M A N I A.



1882.

ANNO QUADRAGESIMO-SEXTO

VICTORIÆ REGINÆ,

No. 6.

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AN ACT to amend "An Act to regulate the Impounding of Animals for Trespass, and for other purposes relating thereto."

A.D. 1882.

[21 August, 1882.]

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 The Act of Council of the 11th George 4th, No. 3, may be cited as "The Impounding Act," and this Act may be cited as "The Impounding Act, 1882."

Citation of 11 G. 4, No. 3, and this Act.

2 In this Act the expression "the said Act" means "The Impounding Act."

Interpretation.

3 It shall not be lawful for the Governor, or the Municipal Council of any Municipality, to erect or establish, or to authorise any person or persons to erect or establish, any Public Pound, unless and until there shall be sufficient means of shelter provided in such pound for the animals impounded therein.

Pounds not to be erected unless means of shelter provided therein.

4 Every Poundkeeper shall, within Four months after the commencement of this Act, provide sufficient means of shelter in the pound kept by him for the animals impounded therein. Any Poundkeeper failing or neglecting to comply with this provision shall be liable to a penalty not exceeding Two Pounds.

Poundkeeper to provide shelter.

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Charges for supplying animals impounded with food and water.

**5** It shall be lawful for every Poundkeeper to demand and receive, for supplying with sufficient food and water any animal impounded in the pound kept by him, the several sums of money mentioned in the Schedule ; and so much of Section 3 of the said Act as prescribes the several sums of money which every Poundkeeper may lawfully demand and receive for the like purposes is hereby repealed ; and, save as last aforesaid, all the provisions contained in the said Section shall be applicable in respect of the sums of money mentioned in the Schedule.

Limit of time within which animals may be replevied, &amp;c.

**6** The period of "Seven days" mentioned in the Twenty-first Section of the said Act shall, in respect of any animal impounded in any town, be read and construed to mean a period of Twenty-four hours, and, in respect of any animal impounded in any other part of *Tasmania*, shall be read and construed to mean a period of Six clear days, and the period of "Twenty days" mentioned in the said Section shall, in respect of any animal impounded in any town, be read and construed to mean a period of Six clear days, and, in respect of any animal impounded in any other part of *Tasmania*, shall be read and construed to mean a period of Fourteen clear days, anything contained in the said Section to the contrary notwithstanding.

Sale of animals by Poundkeeper.

**7** Notwithstanding anything to the contrary contained in the Twenty-fourth Section of the said Act, any animal, in respect of the impounding whereof notice has been given as required by the said Act and this Act, may be sold by public auction immediately after the expiration of any of the said periods of Twenty-four hours, Six days, and Fourteen days respectively mentioned in the last preceding Section, as the case may be.

If no purchaser at sale animal to be destroyed and sold.

**8** When any animal has been offered for sale at any pound sale and no bid has been made at such sale for such animal, and the same is not, in the opinion of the poundkeeper, worth the charges payable and that would be payable in respect thereof during the interval between such sale and the next day appointed for holding a sale at such pound, the poundkeeper may cause such animal to be destroyed, and dispose of the carcass in such way as he may think best ; and any proceeds of any sale of such carcass or any portion thereof shall be deemed the proceeds of the sale of an impounded animal.

Destruction of suffering animals.

**9** Any animal impounded which is found to be diseased, injured, or disabled to such an extent that its existence involves continual suffering, may be destroyed, upon the authority of any Two Justices sitting in Petty Sessions.

Penalty for rescuing animals distrained for trespass.

**10** In all cases in which Rescous may not by law be made of any animal distrained for trespass, every person rescuing any animal taken as a distress for trespass, and every person aiding or assisting in making rescous of any animal so distrained, shall for every such offence, on conviction, forfeit and pay a penalty not exceeding Ten Pounds.

Repeal.

**11** Schedule B. of the said Act, and the Act of Council of the 8th *Victoria*, No. 7, are hereby repealed, but such repeal shall not affect the punishment of any offence committed, or any proceedings pending in respect thereof, before the commencement of this Act.

*Impounding.*

**12** The said Act as amended by this Act, and this Act, shall be read and construed together as one Act.

A.D. 1882.

Acts to be read  
together.

**SCHEDULE.****CHARGES FOR FOOD.**

	£	s.	d.
For every horse, mare, gelding, mule, ass, colt, filly, or foal . . . .	0	1	0
For every bull, ox, cow, steer, heifer, or calf . . . . .	0	1	0
For every sheep, lamb, or goat . . . . .	0	0	1
For every boar, sow, or other pig . . . . .	0	0	6

The above charges to be made for each day or part of a day during which the animal is supplied with food and water by the Poundkeeper; but the owner may supply food and water, in which case these charges are not to be made.

