

the same, at the expense of the owner or person in custody thereof; and the company, owner or master shall, in such case, have a lien upon such cattle for food, care and custody furnished, and shall not be liable for any detention of such cattle.

4. Where cattle are unladen from cars for the purpose of receiving food, water and rest, it shall be the duty of the railway company then having charge of the cars in which they have been transported, to clear the floors of such cars, and to litter the same properly with clean sawdust or sand before reloading them with live stock, except during a period of frost.

5. Any railway company, owner or master of a vessel, having cattle in transit as aforesaid, who shall knowingly and willfully fail to comply with the provisions contained in the second section of this Act, shall for each and every such failure to comply with its provisions, forfeit and pay as a penalty a sum not exceeding one hundred dollars for each case in which such provisions are disregarded: Provided, however, that when cattle are carried in any car or vessel, in which they can and do have proper space and opportunity for rest and proper food and water, the foregoing provisions in the second section contained in regard to their being unladen shall not apply.

6. Any peace officer or constable may at all times enter on premises where he has reasonable grounds for supposing that any car, truck, or vehicle in respect whereof any company or person has failed to comply with the requirements of this Act, is to be found, or enter on board any vessel in respect whereof he has reasonable grounds for supposing that any company or person has on any occasion so failed; and if any person refuses admission to such peace officer or constable acting under this section, such person shall be deemed guilty of an offence against this Act.

7. If any person is guilty of any offence against this Act, as in the last preceding section mentioned, he shall, for every such offence forfeit and pay such a sum of money not exceeding twenty dollars, nor less than five dollars, with costs, as to any one Justice of the Peace for the district, county or place in which the offence has been committed, may seem meet.

8. The offender shall in default of payment be committed to the common jail, or other place of confinement for the district, county, or place in which the offence was committed, there to be imprisoned for any time not exceeding thirty days.

9. Nothing in this Act contained shall prevent or abridge any remedy by action against the offender or his employer where the amount of the damage is not sought to be recovered by virtue of this Act.

10. Every penalty recoverable under this Act shall belong to the Crown; and every proceeding for the recovery of such penalty shall be commenced within one month next after the committing of the offence.

11. Every offence against the seventh section of this Act may be prosecuted in the manner directed by "*Act respecting the duties of Justices of the Peace out of Sessions in relation to summary convictions and orders*," so far as no provision is hereby made for any matter or thing which may be required to be done with respect to such prosecution; and all the provisions contained in the said Act shall be applicable to such prosecutions in the same manner as if they were incorporated in this Act.

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(43 VICTORIA, CHAP. 38.)

AN ACT FURTHER TO AMEND THE ACT RESPECTING CRUELTY TO ANIMALS.

[Assented to 7th May, 1880.]

Her Majesty by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:—

1. The Act made and passed in the thirty-third of Her Majesty's reign, chapter thirty-nine, and intituled "*An Act to amend an Act respecting Cruelty to*