

LAWS AND BY LAWS-RESPECTING CRUELTY TO ANIMALS.

AN ACT RESPECTING CRUELTY TO ANIMALS, (32 AND 33 VICT. C. 27.)

WHEREAS it is expedient that provision should be made, *extending to all Canada*, for the punishment of cruelty to animals. Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows :—

1. Whosoever wantonly, cruelly or unnecessarily beats, binds, ill treats, abuses, or tortures any Horse, Mare, Gelding, Bull, Ox, Cow, Heifer, Steer, Calf, Mule, Ass, Sheep, Lamb, Pig, or other cattle, or any Poultry, or any Dog, or Domestic Animal or Bird, or whosoever driving any cattle or other animals, is by negligence or ill usage in the driving thereof the means whereby any mischief, damage or injury is done by any such cattle or other animal, shall upon being convicted of any or either of the said offences before any one Justice of the Peace for the District, County or place in which the offence has been committed, for every such offence, forfeit and pay (over and above the amount for the damage or injury, if any, done thereby, which damage or injury shall and may be ascertained and awarded by such Justice,) such a sum of money not exceeding ten dollars, nor less than one dollar with costs, as to such Justice seems meet.

2. The offender shall in default of payment be committed to the Common Gaol 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.

3. 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 discovered by virtue of this Act.

4. When any offence against the Act is committed, any constable or other peace officer, or the owner of any such cattle, animal or poultry upon view thereof, or upon the information of any other person [who shall declare his or their name or names and place or places of abode to the said constable or other peace officer] may seize and secure by the authority of this Act, and forthwith and without any other authority or warrant may convey any such offender before a Justice of the Peace within whose jurisdiction the offence has been committed, to be dealt with according to law.

5. If any person apprehended for having committed any offence against this Act refuses to discover his name and place of abode to the Justice of the Peace before whom he is brought, such person shall be immediately delivered over to a constable or other peace officer, and shall by him be conveyed to the Common Gaol or place of confinement for the district, county or place within which the offence has been committed, or in which the offender has been apprehended, there to remain for any term not exceeding one month, or until he makes known his name and place of abode to the Justice.

6. The prosecution of every offence punishable under this Act must be commenced within three months next after the commission of the offence, and not otherwise.

7. Every offence against any of the sections of this Act is a misdemeanor, and may be punished as such, or may be prosecuted in the manner directed by the *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 this said Act shall be applicable to such prosecutions, in the same manner as if they were incorporated in this Act.

8. All pecuniary penalties recovered before any Justice of the Peace under this Act, shall be divided, paid and distributed in the following manner, that is to say : One moiety thereof to the Corporation of the city, town, village, township,