ANNO QUARTO & QUINTO

GULIELMI IV. REGIS.

****

CAP. L.

An Act to amend an Act passed in the Forty-ninth Year of the Reign of King *George* the Third, for amending the *Irish* Road Acts.

[13th *August* 1834.]

WHEREAS by the Laws now in force in *Ireland*, when any Swine or other Beasts are found wandering upon any public Road, or about the Streets or Passages of any Town, such Swine or Beasts may be seized, impounded, and sold for the Purpose of enforcing Payment of a Penalty: And whereas it may in many Cases be expedient that a Power should exist of inflicting Penalties for such Nuisances, without resorting to a Seizure of the Swine or other Animals causing the same: Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, in case any Horse, Ass, Pig, Cow, or other Beast shall be found wandering upon any public Road, or about any Street or Passage of any Town, it shall and may be lawful for any Constable or other Person to procure the Owner of such Horse, Ass, Pig, Cow, or other Beast to be summoned before a Justice of the Peace of the County within which such Pig, Cow, Beast, or other Animal shall be so found wandering; and in case that such Constable or other Person as aforesaid should not know the Owner of such Horse, Ass, Pig, Cow, or other Beast, it shall and may be lawful for such Constable or other Person to seize and drive

In case of Cattle found straying upon any Road, &c. the Owner may be summoned before a Justice, or if not known, the Cattle may be impounded until the Owner appears.

drive it or them to the Pound nearest to the Place where it or they may be found trespassing contrary to the Provisions of this Act, there to remain until the Owner shall appear and demand his or her Property, Notice of which to the Person impounding the Pound-keeper is hereby authorized and required to give; and such Justice is hereby authorized and required summarily to hear and determine such Complaint, upon the Appearance of the Party summoned, or in his or her Absence if Proof shall be given that such Summons has been personally served upon him or her or left at his or her usual Place of Abode; and in case of the Proof of such Offence by the Oath of a credible Witness, or the Confession of the Party charged, such Justice is hereby authorized and required to convict such Offender in a Penalty not exceeding One Shilling, without Costs, to be levied by Distress and Sale of the Goods and Chattels of such Owner, or by the Sale of such Horse, Ass, Pig, Cow, or other Beast, such Distress or Sale to be made by Warrant under the Hand and Seal of such Justice, rendering the Overplus, if any, after deducting the said Penalty, and Expences of such Distress and Sale, to the Owner or Owners, on Demand: Provided always, that nothing herein contained shall be construed to repeal any Provision made by any Act or Acts now in force in *Ireland* for the Prevention of Trespass, or for the Infliction of any Penalty or the Recovery of any Damages in the Case of Trespass, or Forfeiture or other Disposition of any Animal found trespassing or Damage feasant.

Justice to hear and summarily to determine the Complaint.

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