ANNO TERTIO

GEORGII IV. REGIS.

C A P. LXXI.

An Act to prevent the cruel and improper Treatment of Cattle. [22d *July* 1822.]

WHEREAS it is expedient to prevent the cruel and improper Treatment of Horses, Mares, Geldings, Mules, Asses, Cows, Heifers, Steers, Oxen, Sheep, and other Cattle: May it therefore please Your Majesty that it may be enacted; and be it 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 if any Person or Persons shall wantonly and cruelly beat, abuse, or ill-treat any Horse, Mare, Gelding, Mule, Ass, Ox, Cow, Heifer, Steer, Sheep, or other Cattle, and Complaint on Oath thereof be made to any Justice of the Peace or other Magistrate within whose Jurisdiction such Offence shall be committed, it shall be lawful for such Justice of the Peace or other Magistrate to issue his Summons or Warrant, at his Discretion, to bring the Party or Parties so complained of before him, or any other Justice of the Peace or other Magistrate of the County, City, or Place within which such Justice of the Peace or other Magistrate has Jurisdiction, who shall examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence, (which Oath the said Justice of the Peace or other Magistrate is hereby authorized and required to administer); and if the Party or Parties accused shall be convicted of any such Offence, either by his, her, or their own Confession, or upon such Information as aforesaid, he, she, or they

Magistrates empowered to inflict a Penalty on Persons convicted of cruel Treatment of Cattle.

so convicted shall forfeit and pay any Sum not exceeding Five Pounds, nor less than Ten Shillings, to His Majesty, His Heirs and Successors; and if the Person or Persons so convicted shall refuse or not be able forthwith to pay the Sum forfeited, every such Offender shall, by Warrant under the Hand and Seal of some Justice or Justices of the Peace or other Magistrate within whose Jurisdiction the Person offending shall be convicted, be committed to the House of Correction or some other Prison within the Jurisdiction within which the Offence shall have been committed, there to be kept without Bail or Mainprize for any Time not exceeding Three Months.

No Person to be punished, unless Complaint made within Ten Days after the Offence.

II. Provided always, and be it enacted by the Authority aforesaid, That no Person shall suffer any Punishment for any Offence committed against this Act, unless the Prosecution for the same be commenced within Ten Days after the Offence shall be committed; and that when any Person shall suffer Imprisonment pursuant to this Act, for any Offence contrary thereto, in Default of Payment of any Penalty hereby imposed, such Person shall not be liable afterwards to any such Penalty.

Proceedings not to be quashed for Want of Form.

III. Provided also, and be it further enacted, That no Order or Proceedings to be made or had by or before any Justice of the Peace or other Magistrate by virtue of this Act shall be quashed or vacated for Want of Form, and that the Order of such Justice or other Magistrate shall be final; and that no Proceedings of any such Justice or other Magistrate in pursuance of this Act shall be removable by Certiorari or otherwise.

Form of Conviction.

IV. And for the more easy and speedy Conviction of Offenders under this Act, be it further enacted, That all and every the Justice and Justices of the Peace, or other Magistrate or Magistrates, before whom any Person or Persons shall be convicted of any Offence against this Act, shall and may cause the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the same Effect, as the Case shall happen; (*videlicet*),

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me, One of His Majesty's Justices of the Peace for *or* Mayor or other Magistrate of [*as the Case may be*] either by his own Confession, or on the Oath of One or more credible Witness or Witnesses [*as the Case may be*] by virtue of an Act made in the Third Year of the Reign of His Majesty King *George* the Fourth, intituled *An Act to prevent the cruel and improper Treatment of Cattle*, [*specifying the Offence, and Time and Place where the same was committed, as the Case may be.*] Given under my Hand and Seal, the Day and Year above written.'

Justices to order Compensation to Persons vexatiously complained against.

V. And be it further enacted, That if on hearing any such Complaint as is herein-before mentioned, the Justice of the Peace or other Magistrate who shall hear the same shall be of opinion that such Complaint was frivolous or vexatious, then and in every such Case it shall be lawful for such Justice of the Peace or other Magistrate

to order, adjudge, and direct the Person or Persons making such Complaint, to pay to the Party complained of, any Sum of Money not exceeding the Sum of Twenty Shillings, as Compensation for the Trouble and Expence to which such Party may have been put to by such Complaint; such Order or Adjudgment to be final between the said Parties, and the Sum thereby ordered or adjudged to be paid and levied in manner as is herein-before provided for enforcing Payment of the Sums of Money to be forfeited by the Persons convicted of the Offence herein-before mentioned.

Limitation of Actions.

VI. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any thing done in pursuance of this Act, it shall be brought or commenced within Six Calendar Months next after every such Cause of Action shall have accrued, and not afterwards, and shall be brought, laid, and tried in the County, City, or Place in which such Offence shall have been committed, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the special Matter in Evidence at any Trial or Trials to be had thereon, and that the same was done in pursuance and by authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall not be commenced within the Time before limited, or shall be laid or brought in any other County, City, or Place than where the Offence shall have been committed, then and in any such Case the Jury or Juries shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuit, or shall discontinue his Action or Actions, or if Judgment shall be given for the Defendant or Defendants therein, then and in any of the Cases aforesaid such Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same as any Defendant or Defendants hath or may have for his, her, or their Costs in any other Cases by Law.

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