**IMPOUNDING BILL 1895**

**House of Assembly, 25 July 1895, pages 699-700**

Second reading

**The COMMISSIONER of CROWN LANDS,** in moving the second reading of the Bill, said his object was to prevent cruelty to animals. Under the old Act there was nothing to meet the case of weak animals or those likely to die. After four days’ imprisonment he saw an animal in the pound that was evidently dying, but the poundkeeper had nothing to guide him, and it was only after a good deal of redtape that he succeeded in getting an order from the Commissioner of Police for putting the animal out of its pain. Clause 2 stated:—“Any justice of the peace, after inspecting any cattle impounded in any pound, if, in his opinion, such cattle are in a dying state or so weak as not to be likely to recover, may order such cattle, if not claimed within twenty-four hours, to be killed, and the carcases sold or otherwise disposed of; and every such order shall be in writing, and shall be delivered to the poundkeeper, who shall retain the same; and the proceeds of the sale of any such carcases shall be applied in the manner directed by sections 34 and 35 of ‘The Impounding Act of 1858.’” Another matter was the difficulty of the poundkeeper as to the disposal of old and worn out animals. The Impounding Act was passed as long ago as 1858, and in those days animals were worth a good deal. Nowadays people sometimes found the best way to get rid of old and useless horses was to turn them out into the street. At the Burnside pound recently an old horse was kept for some days, and as it could not be sold it was taken to the Zoo, but the authorities there would not take it, and the result was that it got into the pound in the next district, and the same difficulty was experienced there until, after considerable persuasion, the people at the Zoo took it in. Clause 3 was to the following effect:—“ The notice to be given pursuant to section 31 of The Impounding Act of 1858 need not be gazetted or advertised unless so required by the order made pursuant to the said section.” Clause 4 stated:—“If any impounded cattle offered for sale shall not be sold, it shall be lawful for a justice of the peace to order that such cattle shall forthwith be destroyed.” He found as the result of enquiry from the suburban pounds that during the last three years the sales of certain animals which had been kept there a certain time resulted in a deficiency of £8 18s. 6d., and this had to be made up by the local bodies. Clause 5 was the result of communications from the country pound keepers. Under the old Act if any animal was sold and there was a profit on the sale the owner had a right to claim the surplus of the sale over the expenditure on the animal.

Clause 5 therefore provided if any impounded cattle offered for sale shall not be sold, or if the sale of such cattle shall not realise a sufficient sum to pay the lawful fees and charges, the poundkeeper may recover such fees and charges, or the portion thereof that shall remain unpaid, from the owner of the cattle by action in any court of competent jurisdiction, or in a summary manner before any justice of the peace under any Act for the time being in force regulating summary proceedings before justices.” He believed the Bill would commend itself to hon. members.