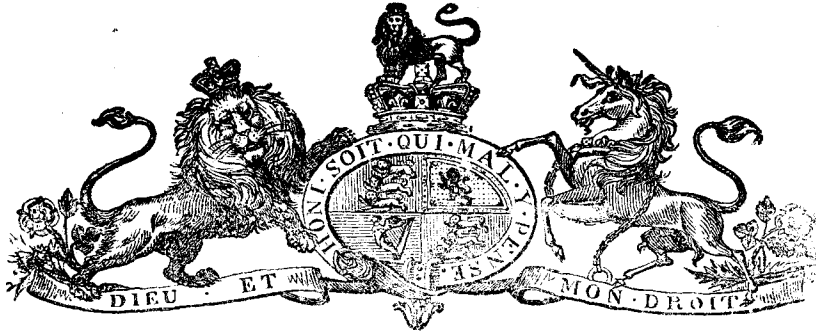


T A S M A N I A.

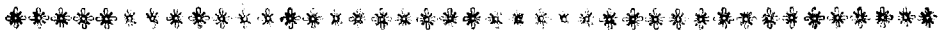


1883.

ANNO QUADRAGESIMO-SEPTIMO

VICTORIÆ REGINÆ,

No. 15.



AN ACT to amend "The Rabbits Destruction A.D. 1883.
Act, 1882." [29 October, 1883.]

WHEREAS it is expedient to amend and make permanent "The Rabbits Destruction Act, 1882": PREAMBLE.
46 Vict. No. 35.

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1 In this Act the expression "the said Act" means "The Rabbits Destruction Act, 1882." Interpretation.
46 Vict. No. 35.

2 Where the occupier of any land shall be absent from *Tasmania*, the person in charge of such land shall be deemed to be the occupier thereof for the purposes of the said Act and this Act. Where occupier absent, person in charge to be deemed the occupier.

3 If at any time after the commencement of this Act any rabbits shall be found upon any land, an Inspector shall cause a notice, signed by him, in the form in Schedule (1.), or to the like effect, to be served upon the occupier thereof, requiring him within a certain time to be specified in such notice, not exceeding One month, to destroy all rabbits upon such land; and if within such time such occupier shall fail to take steps to the satisfaction of the Inspector for the destruction If occupier fail to take steps to destroy rabbits found on land, liable to penalty.

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of such rabbits, he shall be liable to a penalty not exceeding Twenty-five Pounds, unless such occupier shall prove to the satisfaction of the adjudicating Justices that he has used due diligence to comply with the provisions of this Section. In any prosecution under this Section the occupier shall be competent to give evidence on his own behalf.

Proof of existence of rabbits, and of owner's default.

4 Proof that there are on any land burrows showing signs of having been recently used by rabbits, or other signs of the presence of rabbits, shall be deemed to be proof of the existence of rabbits on such land, and proof that such signs are not being diminished on any land shall be *prima facie* evidence that the occupier thereof is neglecting to do all such acts, deeds, matters, and things as are necessary to destroy the rabbits on such land.

Penalty on persons killing weasels, &c.

5 If any person shall wilfully or maliciously kill any weasel or ferret or any wild or domestic cat being at large in any Infested District, he shall for every such animal so killed be liable to a penalty of Ten Shillings; and if any person shall, after the commencement of this Act, be found in possession of the skin of any animal hereinbefore mentioned, he shall be liable for every skin so found in his possession to a like penalty of Ten Shillings.

Nothing hereinbefore contained shall apply to any person who kills any wild or domestic cat then being in or upon any building or premises occupied by such person, but proof thereof shall lie upon him.

Inspector may require occupier to lay poison on land.

6 Any Inspector may at any time, and from time to time, with the approval of the Chief Inspector, by notice under his hand in the form in the Schedule (2.), require the occupier of any land in any Infested District to lay poison on such land, in such quantities and in such manner as such Inspector may direct or, at the option of the occupier, to use some other effectual means, to be approved of by such Inspector, for the purpose of destroying rabbits thereon; and if such occupier shall not comply with such notice to the satisfaction of such Inspector, such occupier shall be liable to a penalty not exceeding Twenty-five Pounds, unless he shall prove to the satisfaction of the adjudicating Justices that he has complied with the said notice.

Chief Inspector may require the destruction of briars, &c. upon land.

7 When the Chief Inspector shall be of opinion that any hedge or any live or dead briars, furze, or gorse on any land is a harbour or cover for rabbits, he may from time to time give to the owner of the land where the same may be, notice signed by him in the form in the Schedule (3.) requiring such owner, within a certain time to be specified in such notice, not exceeding Three months, to cut any such hedge in such manner, or to destroy so much of the briars, furze, or gorse growing or being upon the said land, according as the same shall be specified in such notice; and if such owner shall not comply with such notice to the satisfaction of the Chief Inspector, such owner shall be liable to a penalty not exceeding Ten Shillings for every day during which such default continues.

It shall be lawful for the Chief Inspector, if he sees fit, to extend the time mentioned in any such notice as aforesaid, if he shall be satisfied that such owner or some person on his behalf has used reasonable efforts to comply with such notice.

The term "owner" used in this Section shall include the agent or attorney of any owner absent from *Tasmania*.

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8 Every local authority having the charge of any road, street, public place, or reserve on which any briars, furze, or gorse may be growing, shall, if the Chief Inspector deems the same to be a harbour or cover for rabbits, destroy so much of the same as the Chief Inspector shall specify in any notice served upon such authority, and such notice may be in the same form and contain the like particulars as the notice which the Chief Inspector is hereinbefore authorised to serve upon any occupier; and if such local authority shall neglect or refuse to comply with such notice, such local authority shall be liable to a penalty not exceeding One Pound for every day during which such neglect or refusal shall continue, and such penalty may be enforced against any goods and chattels of such local authority.

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As to destroying
briars, &c. on
roads.

The term "local authority" used in this Section includes Trustees of Road Districts, Main Road District Boards, and Municipal Councils of Rural Municipalities.

9 It shall not be lawful for the Treasurer to pay any moneys under the Fifteenth Section of the said Act unless the accounts furnished by the person applying for the same shall be verified by a statutory declaration made before a Justice of the Peace by such person in the form in the Schedule (4.)

Accounts under
Sect. 15 of 46
Vict. No. 35 to
be verified.

10 Sections Six, Eight, and Twenty-five of the said Act are hereby repealed: Provided that any offence committed before such repeal takes effect may be prosecuted and punished, any act or thing commenced thereunder may be continued, and any thing done shall be deemed to have been duly done, notwithstanding such repeal.

Repeal.

11 This Act may be cited as "The Rabbits Destruction Act, 1883." Short title.

12 This Act shall continue in force until the Thirty-first day of December, 1885, and no longer.

Duration of Act.

SCHEDULE.

(1.)

NOTICE TO DESTROY RABBITS.

To _____ of _____
TAKE notice that I, the undersigned, an Inspector under "The Rabbits Destruction Act, 1882," hereby require you forthwith to destroy the rabbits upon the following lands:— (*here describe lands.*)

Dated at _____ this _____ day of _____ 18____
(Signature.)
(Designation.)
(Postal address.)

On neglect or failure to comply with this notice you will be liable to a penalty not exceeding Twenty-five Pounds.

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(2.)

NOTICE TO LAY POISON ON LAND.

To _____ of
 I, A.B., an Inspector under "The Rabbits Destruction Act, 1882," hereby
 require you forthwith to lay poison upon the following lands, or use some other
 effectual means, to be approved of by me, for the destruction of the rabbits thereon :—
 [*here describe lands.*]

Dated at _____ this _____ day of _____ 18

A. B.,
 Inspector.

Approved.

W. H.
 Chief Inspector.

On neglect or failure to comply with this notice you will be liable to a penalty
 not exceeding Twenty-five Pounds.

(3.)

NOTICE TO DESTROY BRIARS, &c.

To _____
 TAKE notice that I hereby require you, under "The Rabbits Destruction Act, 1883,"
 forthwith to cut and clear away so much of the hedge growing upon that part of the
 land in your occupation which is situated (*describe situation of hedge with reasonable
 accuracy*), [*or forthwith to destroy the briars (or as the case may be) growing or
 being upon the land in your occupation known as*
 (*or bounded as follows, that is to say—describe land with reasonable accuracy.*)]

Dated at _____ this _____ day of _____ 188

W. H.,
 Chief Inspector under the said Act.

If you shall not comply with this notice to my satisfaction, you will be liable to a
 penalty.

(4.)

I, _____ of _____ do hereby solemnly and
 sincerely declare that the sums above mentioned have been actually expended by me
 for the purposes hereinbefore set forth, all which matters I conscientiously believe
 to be true; and I make this declaration under the provisions of the Act of this
 Island, intituled "An Act for the Abolition of extra-judicial and unnecessary Oaths."

Occupier.

Taken before me this _____ day of _____ 18

J.P.