



ANNO QUINTO

EDWARDI VII REGIS.

A.D. 1905.

No. 883.

An Act for the Protection of Homing Pigeons, and for other purposes.

[Assented to, December 9th, 1905.]

BE it Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as "The Homing Pigeon Act, 1905." Short title.

2. "Homing pigeon" shall mean and include all pigeons used as bearers of messages or as racing pigeons, and which have affixed or attached to either or both legs a rubber or metal ring. Interpretation of term.

3. Except as provided in section 5 hereof, it shall be unlawful for any person but the owner to shoot, kill, wound, or in anywise injure or destroy, ensnare, catch, or take any homing pigeon; and any person acting in contravention of this section shall, on conviction, pay a penalty of not more than Five Pounds. Destruction, &c., of homing pigeon unlawful.

Penalty.

4. In addition to the penalty imposed under the last preceding section, the offender shall, on conviction, pay to the owner of such homing pigeon the full value of the same. Damages in addition to penalty.

5. The provisions of this Act shall not extend to the owner or occupier of any improved or cultivated land killing or destroying any homing pigeon during such time as the same shall actually be upon such land or any building thereon. Exemptions.

6. Any

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Penalty for unlawful entry with intent.

6. Any person entering upon any enclosed land or premises for the purposes of killing, wounding, disabling, ensnaring, catching, taking, or in anywise injuring or destroying any homing pigeon of which he is not the owner shall be liable to a penalty not exceeding Five Pounds, in addition to the value of such homing pigeon so killed, wounded, disabled, ensnared, caught, taken, or in any way injured or destroyed.

Procedure.

7. All fines and penalties for any offences against this Act, and for all sums of money payable hereunder, may be recoverable in a summary way before any Special Magistrate or one or more Justices of the Peace under the provisions of the Ordinance No. 6 of 1850, or of any other Act now or hereafter to be in force relating to the duties of Justices of the Peace with respect to summary convictions and orders, and all convictions and orders may be enforced as in the said Ordinance or Act is or shall be provided.

Appeal.

8. There shall be an appeal from any order or conviction of any Special Magistrate or Justice or Justices under this Act, or from any order dismissing any information or otherwise, to the Local Court of Full Jurisdiction, and the proceedings on such appeal shall be conducted in manner provided by the said Ordinance No. 6 of 1850, for appeals to Local Courts, or any Act for the time being in force regulating such appeals; and such Local Court may make such order as to payment of the costs of appeal as it shall think fit.

In the name and on behalf of His Majesty, I hereby assent to this Bill.

GEORGE R. LE HUNTE, Governor.