

ACT No. XXII OF 1861.

PASSED BY THE LEGISLATIVE COUNCIL OF INDIA.

*Handwritten notes:*  
S. 1. 1857  
1861

(Received the assent of the Governor General on the 20th August 1861.)

*An Act to amend Act III of 1857 (relating to trespasses by Cattle.)*

Preamble.

WHEREAS it is expedient to amend Act III of 1857 (relating to trespasses by Cattle) ; it is enacted as follows :—

lows :—

I. Whoever with intent to cause or knowing that he is likely to cause Punishment for causing Cattle to trespass. wrongful loss or damage to any person, causes Cattle to trespass on any land or on the crop cultivated on any land, shall be punished by a Magistrate with imprisonment with or without labor for a term which may extend to three months, or with fine not exceeding two hundred Rupees, or with both.

II. Whoever commits the offence defined in the foregoing Section, and Punishment for committing the same offence and thereby causing damage to the amount of 50 Rs. thereby causes loss or damage to the amount of fifty Rupees or upwards, shall be punished by a Magistrate with imprisonment with or without labor for a term which may extend to two years, or with fine not exceeding two hundred Rupees, or with both.

III. The term "Magistrate" in the foregoing Sections shall include any Definition of "Magistrate." Officer who, by any law for the time being in force, is competent to sentence any offender to imprisonment for the period of six months and to a fine amounting to two hundred Rupees.

IV. When

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IV. When a fine is imposed upon a conviction for any offence under this Act, the Magistrate may order that the fine or any part thereof, not exceeding the loss appearing to be caused to any person who has suffered by such offence, be paid to such person, and in any such case the fine when levied or received shall be paid accordingly.

Award of fine to the injured party.

Proviso. No amount ordered to be paid under this Section shall be paid over to the person to whom it is awarded until the lapse of thirty days from the date of such order, unless such order shall have been sooner confirmed by an Appellate Court.

V. Any sentence or order made in any case tried under this Act shall be subject to appeal, in like manner as the sentences or orders made by the Magistrate or other Officer aforesaid in criminal trials are subject to appeal by any law for the time being in force.

Appeal.

VI. The power of seizing or causing to be seized any Cattle trespassing on, or doing damage to, any land or to any crop or produce thereon, conferred by Section II of the said Act III of 1857, may be exercised, subject to the provisions of the said Act, by any person who has given cash advances for the cultivation of the crop or produce on such land or to whom such crop or produce shall have been sold or mortgaged.

Power of seizing Cattle.