

**ANIMALS PROVIDING FOR DESTRUCTION IN CERTAIN CASES**

**Act of Jun. 7, 1913, P.L. 462, No. 308**

**Cl. 03**

**AN ACT**

Providing for the humane destruction of any animal or animals which are injured, disabled, diseased, past recovery, or unfit for any useful purpose; and authorizing any magistrate, alderman, or justice of the peace, in a trial of a person charged with a violation of any act for the prevention of cruelty to animals, to inquire into the condition of the animal or animals charged with being abused; and directing policemen, constables, and agents of duly incorporated societies or associations for the prevention of cruelty to animals, to carry out the provisions of the act.

Section 1. Be it enacted, &c., That any policeman or constable of any borough, township, or city, or any agent of any duly incorporated society or association for the prevention of cruelty to animals, is hereby authorized to destroy, or cause to be destroyed, any animal or animals in his charge, when, in the judgment of such policeman, constable, or agent, and by the written certificate of two reputable citizens called to view such animal or animals in his presence,--one of whom may be selected by the owner of the said animal or animals, if he shall so request,--such animal or animals appears to be injured, disabled, diseased past recovery, or unfit for any useful purpose.

Section 2. Any magistrate, alderman, or justice of the peace, upon the trial of any person charged with the violation of any act for the prevention of cruelty to animals, shall inquire into the condition of the animal or animals charged with being ill-treated or otherwise abused; and if it is proven to his satisfaction that said animal or animals are so injured, disabled, or diseased past recovery, or unfit for any useful purpose, he shall direct as part of the sentence that such animal or animals shall be humanely destroyed, and shall authorize any policeman or constable of any borough, township, or city, or any agent of any duly incorporated society or association for the prevention of cruelty to animals, to carry that part of the sentence into effect.

**Compiler's Note:** Section 28 of Act 207 of 2004 provided that any and all references in any other law to a "district justice" or "justice of the peace" shall be deemed to be references to a magisterial district judge.

Section 3. This act shall not be construed to conflict in any way with any of the powers, duties, or privileges of the State Livestock Sanitary Board, or its agents.