



DOG NUISANCE ORDINANCE, 1862.

No. 13.

IN THE TWENTY-FIFTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

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AN ORDINANCE *to abate the Dog Nuisance.*

Title.

BE IT ENACTED by the Superintendent of the Province of Southland, with the advice and consent of the Provincial Council thereof, as follows:—

Preamble.

1. The Short Title of this Ordinance shall be the "Dog Nuisance Ordinance, 1862."

Short Title.

2. The owner of any dog of six months old or upwards, shall annually, on the first day of April, register the same in a book to be kept by the Clerk to the Bench of Magistrates.

Owners of dogs to register them

3. The said Clerk shall enter the name of the owner, the name and description of the dog, and the date of registration in the register book, which shall be open to inspection on payment of a fee of sixpence by non-official persons.

Register to be open for inspection.

4. The owner of such dog shall pay yearly the sum of ten shillings to the said Clerk, who in return for this fee shall give such owner a registration ticket, containing a copy of the particulars set forth in the register book, on account of the said owner.

Fees to be paid for registration ticket.

5. Any person refusing when asked to show this ticket to a constable, shall forfeit any sum not exceeding £5.

Penalty for refusing to show ticket.

Penalty for having unregistered dogs.

6. For every dog chargeable under this Ordinance which shall not have been registered before the 12th day of August in each year, the owner shall forfeit any sum not exceeding five pounds (£5).

Dogs to be destroyed in certain cases.

7. All dogs found disturbing sheep upon any run, and all unregistered dogs may be destroyed.

Evidence in cases of damages.

8. When damages for injury done by a dog are sought to be recovered from his owner, it shall not be necessary to prove that the owner knew of his dog's vicious propensity, but the defendant may, in mitigation of damages, bring evidence to show that he had no reason to suppose that his dog would commit such injury.

Penalties recoverable in a summary way.

9. All Penalties under this Ordinance shall be recoverable at the suit of any person whom the Superintendent shall authorise to recover the same, and be payable to the aforesaid Clerk to the Bench, for the public use of the Province.

Repeal of "Dog Nuisance Ordinance, 1855."

10. The Ordinance enacted by the Superintendent and Provincial Council of the Province of Otago, entitled the "Dog Nuisance Ordinance, 1855," in so far as the same relates to the Province of Southland, is hereby repealed; and such repeal shall not revive any Ordinance which may have been repealed by the Ordinance aforesaid, or any provision thereof.

ROBT. STUART,  
*Speaker.*

Passed the Provincial Council, this twenty-fourth day of January, in the year of our Lord 1862.

H. A. GILLER,  
*Clerk of Council.*

I do hereby declare that I reserve this Bill for the signification of the Governor's assent thereon.

J. A. R. MENZIES,  
*Superintendent.*

I hereby assent to this Ordinance, this seventh day of March, One Thousand Eight Hundred and Sixty-two.

G. GREY,  
*Governor.*