

PROVINCE OF TARANAKI.

DOG NUISANCE ORDINANCE,
1863.IN THE TWENTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY QUEEN
VICTORIA.

SESSION XI., No. 10.

AN ORDINANCE TO ABATE THE DOG NUISANCE.

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An Ordinance to abate the Dog Nuisance.

Title.

Preamble.

WHEREAS an Ordinance was enacted by the Governor of New Zealand and the Legislative Council thereof in the third Session of the said Council intituled "An Ordinance to provide a Summary Mode of abating the Nuisance of Dogs wandering at large in Towns" and the said Ordinance being wholly inadequate to abate the said nuisance or to prevent the worrying and destruction of sheep and other live stock it is expedient to repeal the same and to make other provisions in lieu thereof BE it therefore enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof as follows:—

Ordinance of
Legislative
Council, Session
ii., repealed.

1. That the said recited Ordinance shall be and the same is hereby repealed so far as regards the Province of Taranaki.

2. The Superintendent may appoint persons to be Registrars of Dogs and assign to them respectively such districts as he may think fit.

Superintendent may appoint Registrars of dogs.

3. Every owner of a Dog or Dogs shall forthwith register the same with the Registrar of Dogs for the district in which he may reside There shall be a yearly registering of Dogs in the month of December and every owner of such shall be subject to the annual tax hereinafter provided.

Dogs to be Registered.

4. For the registration of every Dog during the present month of December the sum of Twenty Shillings and yearly thereafter in the month of December the sum of Ten Shillings shall be paid to the Registrar who shall supply to each owner a Register Badge upon which the register number for the year shall be stamped and which Badge shall be attached to a collar to be worn upon the neck of the Dog so registered the register number to be determined by the Registrar of Dogs at the Town of New Plymouth.

Fees payable, and Register Badge.

5. Every Registrar shall enter in a book to be kept for the purpose the name address and calling of the owner the name and description of the Dog so registered with him the number of the Badge and the date of registration which book shall be open to inspection at each office during the usual hours on payment of a fee of Sixpence.

Book to be kept by Registrar.

6. If any person shall falsely make or counterfeit or knowing the same to be false or counterfeit purchase use or have in his possession any Badge resembling the Badge provided under the 4th clause of this Ordinance he shall forfeit and pay for every such offence a sum not exceeding Ten Pounds nor less than Five Pounds.

Penalty for dealing in counterfeit Badges.

7. Any person owning maintaining having charge of or having knowingly about his premises or in his following any Dog six months old unregistered shall be liable to a penalty not exceeding Five Pounds for every Dog so owned maintained or being in his charge or following Provided always that should any Dog have been registered between the months of June and November inclusive it shall not be necessary to register the same in the following month of December.

Penalty for un-registered Dogs.

8. Any Dog or Dogs not having attached to a collar the Badge for the current year shall be deemed unregistered and may be destroyed if found at large.

Unregistered Dogs at large may be destroyed.

Dogs found molesting or worrying live stock may be destroyed.

9. All registered or unregistered Dogs wheresoever found molesting or worrying cattle sheep pigs or other live stock whether such Dogs at the time at which they may be so found shall be or shall not be in charge of any person may be destroyed Provided that any person may use his Dogs for the purpose of driving off any animals found straying on land in his occupation.

Proof of damage.

10. In all cases where damages for injury done by a Dog are sought to be recovered from the owner it shall not be necessary for the plaintiff to prove that the owner knew of the Dog's propensity to commit the injury complained of but the defendant may bring evidence to show that he had no reason to believe that his Dog was likely to commit such injury and such evidence may go in mitigation of damages.

Fees to be paid to Provincial Treasurer.

11. All fees accruing under this Ordinance shall be paid by the Registrar to the Provincial Treasurer of the Province for the time being.

Summary proceeding.

12. All fees fines and penalties levied under this Ordinance shall be recoverable in summary way Provided that the provisions of this Ordinance shall not extend to travellers or drivers or others having charge of live stock whose visit to the Province shall be of a temporary character.

Short Title.

13. The Short Title of this Ordinance shall be the "Dog Nuisance Ordinance 1863."

W. M. CROMPTON,
Speaker.

Passed the Provincial Council the eighteenth day of December, one thousand eight hundred and sixty-three.

J. B. LAWSON,
Clerk to the Provincial Council.

Assented to on behalf of the Governor the nineteenth day of December, one thousand eight hundred and sixty-three.

CHARLES BROWN,
Superintendent.