

PROVINCE OF WELLINGTON.



DOG NUISANCE.

IN THE TWENTIETH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION IV, No. 18.

ANALYSIS.

Title.

Preamble.

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| <ol style="list-style-type: none">1. <i>Repeal of Dog Nuisance Ordinance of late Province of New Munster.</i>2. <i>Every Owner of a Dog to register the same in a certain Book; such Book open on payment to inspection.</i>3. <i>Registration, Fees.</i>4. <i>Government to provide Collars for Dogs—description of collar—payment for the same—description of Dog to be registered.</i>5. <i>Penalty for removing collar without</i> | <ol style="list-style-type: none"><i>leave of Owner, or effacing number therefrom.</i>6. <i>Power to destroy unregistered Dogs in streets—and by any person if found trespassing on his premises.</i>7. <i>In case of injury done by a Dog—what proof the Plaintiff not required to furnish—what evidence on the part of Defendant shall go in mitigation of damages.</i>8. <i>Interpretation of term "Owner."</i> |
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"AN ACT to repeal an ordinance of the Legislative Council of New Munster, intituled "An Ordinance to abate the Dog Nuisance," and make other provisions to abate such nuisance."

(Assented to February 20th, 1857.)

WHEREAS it is expedient to alter and amend the law now in force
for the abatement of the Dog Nuisance;

Be it therefore enacted by the Superintendent of the Province of Wellington, with the advice and consent of the Provincial Council thereof, as follows :—

Repeal of Dog Nuisance Ordinance of late Province of New Munster.

1. The Ordinance of the Legislative Council of the late Province of New Munster, intituled "An Ordinance to abate the Dog Nuisance," is repealed so far as concerns the Province of Wellington.

Every owner of a Dog to register the same in a certain Book, such Book open on payment to inspection.

2. Six months after the passing of this Act every owner of a Dog shall register the same in a Book to be kept for that purpose by the Clerk to the Bench of Magistrates in Towns, and by the Special Constable for the district in other places or some other person appointed by the Superintendent for that purpose, and such Book shall be open to public inspection at all convenient times on payment of one shilling.

Registration, Fees.

3. For every registration the sum of one shilling shall be paid.

Government to provide collars for Dogs, description of collar payment for the same, description of Dog to be registered.

4. That the Government shall provide suitable leather collars, with a piece of brass or copper thereto, for the purpose of Registry, and that a number be stamped on such collar (for which collar the sum of five shillings shall be paid); and the number, together with the colour, marks, and sex of every dog shall be entered in the registry, together with the owners name and place of residence.

Penalty for removing collar without leave of owner or effacing number there from.

5. Any person removing the registered collar from the neck of any dog without the permission of the owner, or effacing the number from such collar, shall be liable to a penalty not exceeding forty shillings.

Power to destroy unregistered Dogs in streets and by any person if found trespassing on his premises.

6. It shall be lawful for any person or persons to destroy any unregistered dog and dogs without collars being at large in streets and public places; and for any person to destroy or cause to be destroyed such dog or dogs trespassing on his premises.

In case of injury done by Dog, what proof the Plaintiff not required to furnish, what evidence on the part of Defendant shall go in mitigation of damages.

7. In all cases tried before the Resident Magistrate (or any two Justices of the Peace) 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 this evidence shall go in mitigation of damages.

8. The term "Owner" shall mean every person possessing or keeping a Dog. Interpreta-
tion of term
"Owner."

C. CLIFFORD,
Speaker.

Passed the Provincial Council this twentieth day of February, in the year of Our Lord one thousand eight hundred and fifty-seven.

H. S. HARRISON,
Clerk of Council.

I assent to this Act on behalf of the Governor of New Zealand this twentieth day of February, 1857.

I. E. FEATHERSTON,
Superintendent.

(Printed by Authority, by R. STOKES.)