

See also Act No. 5, 1901.

New South Wales.



ANNO SEXAGESIMO SECUNDO

VICTORIÆ REGINÆ.

Act No. 44, 1898.

An Act to consolidate the Acts relating to Dogs and to Goats. [Assented to, 29th December, 1898.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

Preliminary.

1. (1) This Act may be cited as the "Dog and Goat Act, 1898," and is divided into Parts, as follows:—

Short title
and division.

PART I.—*Preliminary, s. 1.*

Dog and Goat Act.

PART II.—*Registration of dogs, ss. 2-23.*

PART III.—*Dogs or goats not to be used for purposes of draught, ss. 24-25.*

Repeals.
First
Schedule.

(2) The Acts mentioned in the First Schedule to this Act are hereby repealed.

PART II.

Registration of dogs.

Application
of this Part.
6 Wm. IV
No. 4, ss. 1
and 19.
39 Vic. No.
6, s. 4.
Second
Schedule.

2. (1) This Part shall apply to the cities, towns, and police districts mentioned in the Second Schedule hereto.

* (2) The Governor may whenever he sees fit, by notice published in the Gazette, extend the provisions of this Part—

(a) to any city or town; and

(b) to any police district, whether this Act has been previously extended to any city or town within such police district or not.

3. In this Part, unless the context or subject matter otherwise indicates or requires—

(1) “Animal” means any horse, mare, gelding, filly, foal, ass, mule, bull, cow, bullock, steer, heifer, calf, ram, ewe, wether, lamb, alpaca, goat, pig, or domestic poultry.

(2) “City” means any city to which this Part for the time being applies, or has been extended.

(3) “Constable” means any officer of the police force.

(4) “Place where such dog is intended to be kept” includes the place where such dog is actually kept as well as the place where such dog is ordinarily kept.

(5) “Police district” means any police district to which this Part for the time being applies, or has been extended.

(6)

Interpreta-
tion.
Ibid. s. 11.

Dog and Goat Act.

(6) "Town" means any town to which this Part for the time being applies, or has been extended.

4. Any person who keeps any dog within the boundaries or reputed boundaries of any city, town, or police district for a period of fourteen days without causing a description of such dog to be registered, and such registration to be renewed from year to year in manner hereinafter mentioned, shall forfeit and pay for every such dog a penalty of not less than ten shillings nor more than twenty shillings:

All dogs within cities, towns, or police districts to be registered.
6 Wm. IV No. 4, s. 1.
39 Vic. No. 6, s. 4.

Provided that nothing herein contained shall be deemed to require the registration of any dog under the age of six months, or which has not been kept as aforesaid for a period of fourteen days, the proof of which shall lie upon the owner or keeper of such dog.

5. (1) Every such registration shall be made by the owner or keeper of any dog intended to be registered, or by some person on his behalf delivering at the court of petty sessions of the city, town, or police district nearest to the place where such dog is intended to be kept a description of such dog, embracing the several particulars contained in the form in the Third Schedule hereto, with a declaration thereunder written to the truth thereof under the hand of such owner or keeper, or of some person in that behalf duly authorised.

Mode of registering dogs.
6 Wm. IV No. 4, s. 2.
39 Vic. No. 6, ss. 4 and 5.
Third Schedule.

(2) Every such registration shall be in force from the day upon which the same is so made until the thirtieth day of September then next ensuing, and no longer, and shall by every such owner or keeper, or by some person on his behalf, be in like manner renewed from year to year so long as any such dog continues to be kept within the boundaries or reputed boundaries of any city, town, or police district:

Duration of registration.

Provided that every such registration which is made in September in any year shall be deemed to be in force until the thirtieth day of September of the year then next ensuing.

6. Whosoever wilfully inserts or omits or wilfully causes or permits to be inserted or omitted in any such description any matter or thing whatsoever contrary to

Penalty for false description.
6 Wm. IV No. 4, s. 3.
or

Dog and Goat Act.

or for the purpose of concealing the truth shall forfeit and pay a penalty of not less than ten nor more than twenty shillings.

Fees on
registration.
6 Wm. IV
No. 4, s. 4.
39 Vic. No.
6, ss. 3, 5.

7. (1) At the time of making every such registration there shall be paid into the hands of the clerk of the petty sessions where the same is made, by the party making the same, a fee of two shillings and sixpence in respect of every dog mentioned in such registration, and until such amount has been so paid no such registration shall be deemed to have been duly made:

Provided that where the registration is made after the month of March and before the month of September one half only of such fee shall be payable.

Copy of
registration
and receipt.
Fourth
Schedule.

(2) Every clerk of petty sessions to whom such payment is made shall, on demand, give a copy of such registration certified under his hand and a receipt for the fee paid in the form of the Fourth Schedule hereto, and any such clerk who on being required so to do refuses or neglects to give such copy or receipt shall forfeit and pay the sum of ten shillings.

Proof of
registration.
6 Wm. IV
No. 4, s. 5.
39 Vic. No.
6, s. 5.

8. In any proceedings under this Part it shall not be necessary for the informant to establish the fact of non-registration, but the proof of due registration shall be on the defendant, and for that purpose a certified copy of such registration under the hand of the clerk of the petty sessions where the same was made shall be equivalent to the production of the original, for which certified copy there shall be paid to such clerk the fee of sixpence and no more unless such copy has been applied for at the time of registration, in which case the same shall be delivered without any fee whatever.

List of
persons
to be
exhibited.
6 Wm. IV
No. 4, s. 6.
39 Vic. No.
6, ss. 4, 5.

9. The clerk of the petty sessions of every city, town, or police district shall keep in some convenient part of his office during office hours for public inspection a correct list, arranged in alphabetical order, of the names of all persons who have registered any dog during the current year, and showing the number of dogs registered by each person, and any person applying for the particulars of any dog so registered and of the name of the owner or keeper thereof shall be entitled to receive the same on payment of a fee of sixpence.

Dog and Goat Act.

10. Where any owner or keeper of a dog resides more than ten miles distant from the court of petty sessions nearest to the place where such dog is intended to be kept he may register such dog by transmitting to the clerk of such petty sessions a registered letter setting forth the particulars of such dog according to the form prescribed in the Third Schedule hereto, and containing postage or duty stamps to the value of two shillings and sixpence.

Registration by registered letter.
39 Vic. No. 6, s. 6.

Third Schedule.

11. The clerk of petty sessions shall, within fourteen days after the receipt of such registration fee so enclosed as aforesaid, forward by letter to the owner or keeper of such dog a receipt in the form of the Fourth Schedule hereto, or in default forfeit and pay a penalty of not more than one pound nor less than ten shillings.

Clerk of petty sessions to forward receipt of registration free to owner of dog.
Ibid. s. 7.
Fourth Schedule.

12. (1) Any person may, at any place within the boundaries or reputed boundaries of any city, town, or police district, seize and detain any dog not duly registered as aforesaid, and upon notice thereof given to any justice of the peace such justice shall summon the owner or reputed owner or keeper of such dog to appear and claim such dog, and if such owner or keeper or some one on his behalf does not within twenty-four hours after service of such summons, or within such further time as such justice may deem reasonable, attend and claim such dog, the same shall be forthwith killed.

Dogs not registered may be seized and killed.
6 Wm. IV No. 4, s. 7.
39 Vic. No. 6, s. 4.

(2) Every dog, whether registered or not, found at large in any part of any city, town, or police district without being under the immediate custody, protection, or control of some competent person, may, unless such dog has a collar round its neck with the name and address of its owner legibly engraven thereon, and if a mastiff or bull dog or a mongrel of either of the same has in addition to such collar a muzzle securely fixed upon the mouth of such dog so as to prevent it from biting or injuring any person or property, be immediately killed or destroyed, and all persons are hereby authorised and all constables especially ordered to seize, kill, and destroy every such dog.

Dogs without collars and bull dogs and mastiffs without muzzles to be killed.

13.

Dog and Goat Act.

Penalty on owners of dogs attacking persons or frightening horses.

6 Wm. IV No. 4, s. 8. 39 Vic. No. 6, s. 4.

13. If any dog in any street of any city, town, or police district, or upon any highway in any part of New South Wales, rushes at or attacks any person or horse or bullock, whereby the life or limbs of any person are endangered or property injured, the owner or keeper of such dog shall forfeit and pay a penalty of not less than twenty shillings nor more than five pounds for every such offence over and above the amount of any damage which such dog may have occasioned.

Rewards for seizing and destroying dogs.

6 Wm. IV No. 4, s. 9. 39 Vic. No. 6, s. 4.

14. For every unregistered dog so seized, and for every dog which is destroyed in conformity to the provisions of this Part, there shall be paid to the person so seizing or destroying the same a reward of two shillings and sixpence on proof being adduced to the satisfaction of the police magistrate or any justice of the petty sessions for the city, town, or police district in which the same was so seized or destroyed that such dog was seized or destroyed by the party applying for such reward within the boundaries or reputed boundaries of any city, town, or police district, and that such dog if destroyed was immediately removed from the streets of such city, town, or police district, or buried or otherwise disposed of so as to prevent nuisance or annoyance to any of the inhabitants thereof:

Provided that in every case in which a reward is claimed for the destruction of any dog the party applying for such reward shall produce to such police magistrate or justice the tail of such dog, which shall be immediately burned or otherwise destroyed in the presence of such police magistrate or justice, or of some person duly appointed by him.

As to proof of ownership.

6 Wm. IV No. 4, s. 10.

15. In any prosecution under this Part every dog shall be taken to be kept by the person who is in the actual occupation of the house or premises upon which such dog is found, unless reasonable proof to the contrary is adduced by the defendant, and the person by whom any such dog is ordinarily kept shall be liable to the several provisions of this Act as the keeper of such dog, whether kept for his own use or that of another:

Provided

Dog and Goat Act.

Provided that with respect to any dog kept or used by a servant the same shall be deemed to be kept by his master or employer for the time being.

16. Any constable having charge of a division, district, or ward of any city, town, or police district who fails or neglects to report to the police magistrate or justices of the petty sessions of such city, town, or police district any dog which is kept within his district, division, or ward without being duly registered in manner required by this Act shall forfeit and pay a penalty or sum of not less than ten nor more than twenty shillings for every such dog which he so fails or neglects to report unless he shows reasonable cause why the fact of non-registration could not have been known to him.

Penalty on constables failing to report un-registered dogs.
6 Wm. IV
No. 4, s. 12.
39 Vic. No.
6, s. 4.

17. Every constable who neglects to destroy or use his best endeavours to destroy every dog which he finds at large contrary to the provisions of this Part within his district, division, or ward shall for every such neglect forfeit and pay a sum of not less than ten nor more than twenty shillings.

Penalty on constables not destroying dogs im- properly at large.
6 Wm. IV
No. 4, s. 13.

18. Every constable or other person who wilfully or maliciously kills or destroys any dog which is not at large contrary to the provisions of this Part shall forfeit and pay to the owner of such dog the full value thereof, and also a penalty of not less than twenty shillings nor more than five pounds.

Penalty on constables killing dogs not im- properly at large.
Ibid. s. 14.

19. The owner of every dog shall be liable in damages for injury done to any person, property, or animal by his dog, and it shall not be necessary for the party seeking such damages to show a previous mischievous propensity in such dog, or the owner's knowledge of such previous propensity, or that the injury was attributable to neglect on the part of such owner.

Owner of dog to be liable in damages for any injury committed by his dog.
39 Vic. No.
6, s. 9.

20. Any dog attacking any person or animal may be destroyed by any person whomsoever if the attack be not on premises belonging to or occupied by the owner or keeper of such dog.

Dog attack- ing any person, &c., may be destroyed.
Ibid. s. 10.

21. All fees received under the provisions of this Part shall be paid, applied, and accounted for, and returns made thereof in such and the like manner as is directed with respect to fees levied under the Act fourth William

Appropriation of fees.
6 Wm. IV
No. 4, s. 15.

the

Dog and Goat Act.

the Fourth number five entitled *An Act for appointing fees to be taken in the several Courts of Police and Petty Sessions, and by the Clerks of Justices acting singly in the Colony of New South Wales.*

General
issue.
6 Wm. IV
No. 4, s. 18.

22. If any action is brought against any person for anything done in pursuance of this Part the defendant may plead the general issue and give the special matter in evidence thereupon, and if the verdict be for the defendant or the plaintiff be nonsuited or discontinue his action, or if upon demurrer judgment be given against the plaintiff, the defendant shall have treble costs, and the like remedy for the same as any defendant has in any case to recover costs by law.

 PART III.

Dogs or goats not to be used for purposes of draught.

Dogs or
goats not to
be used to
draw carts,
&c.
29 Vic. No.
17, s. 1.

23. Every person who uses any dog or goat for the purpose of drawing or helping to draw any cart, carriage, truck, or barrow shall be liable to a penalty of not more than forty shillings for the first offence and not more than five pounds for the second or any subsequent offence.

 PART IV.

Recovery of penalties and damages.

Recovery of
fines and
penalties.
39 Vic. No.
6, s. 8.
29 Vic. No.
17, s. 2.

24. All fines, fees, and penalties imposed under the provisions of this Act, and all damages which may be sued for under the provisions of this Act, where the amount claimed does not exceed ten pounds, shall be recoverable in a summary way before any one or more justice or justices of the peace, and the fines or penalties inflicted or order for damages made by such justice or justices shall be levied by distress and sale of the offender or defendant's goods or chattels, and in failure of distress shall be enforced in the manner provided by Act eleventh and twelfth Victoria chapter forty-three, or any Act amending the same.

 SCHEDULES.

Dog and Goat Act.

SCHEDULES.

FIRST SCHEDULE.

Sec. 1.

Reference to Act.	Title or Short Title.	Extent of Repeal.
6 Wm. IV. No. 4	An Act for abating the nuisance occasioned by dogs in the streets of certain towns and on highways in New South Wales.	The whole Act.
29 Vic. No. 17 ...	Dog and Goat Act of 1866 ...	The whole Act.
39 Vic. No. 6 ...	Dog Act Amendment Act of 1875.	The whole Act.

SECOND SCHEDULE.

Sec 2 (1).

*Cities and Towns.**

Adelong	Cundletown
Albury	Dalkeith
Appin	Deniliquin, N. and S.
Armidale	Dubbo
Arthurstown (Trunkey Creek)	Eden
Balmain	Euston
Balranald	Forbes
Bathurst	Frederickton
Bega	Glebe
Bendemeer	Glen Innes
Berrima	Gosford, East and West
Binalong	Goulburn
Bombala	Grafton
Boorowa	Grafton, North and South
Bourke	Grenfell
Braidwood	Gundagai
Broken Hill	Gunning
Bungonia	Hartley
Camden	Hay
Campbelltown	Haydonton
Camperdown (O'Connell Town)	Hill End
Carcoar, W. and E.	Ivanhoe
Catherine Hill Bay	Jerilderie
Clarence Town	Kelso
Cooma	Kempsey, West and East
Coonabarabran	Kiama
Coonamble	Kiandra
	Lawrence

* See note at end of this Schedule.

*Dog and Goat Act.*SECOND SCHEDULE—*continued.**Cities and Towns—continued.*

Lawrence	Redfern
Liverpool	Richmond
Maclean (Rocky Mouth)	Roxburgh
Macquarie	Scone and St. Aubins
Maitland	Singleton
Marulan	Sofala
Merriwa	St. Albans
Moama	St. Leonards
Molong West	St. Mary's
Morpeth	Stroud
Moruya	Sydney
Moulamein	Swansea
Mudgee	Tambaroora
Murrurundi	Tamworth
Musclebrook	Tarcutta
Narrabri	Taree
Nelligen	Tenterfield
Nerrigundah	Tumberumba
Newcastle	Tumut
Newtown	Ulladulla
Nimmitabel	Ulmarra
Nowra	Wagga Wagga
Nundle	Waterloo
Nymagee	Waverley
Orange	Wellington and Montefiores
Paddington	Wentworth
Panbula	West Maitland
Parramatta	Wilcannia
Paterson	Windsor
Penrith	Woollahra
Picton	Wollombi
Port Macquarie, East	Wollongong
Port Macquarie, West	Yamba
Queanbeyan	Yass
Randwick and Coogee	Young
Raymond Terrace	

*Police Districts.**

Albury	Bourke
Balranald	Braidwood
Bathurst	Brewarrina
Bega	Camden
Berrima	Campbelltown
Bingara	Carcoar
Bombala	Cowra

Dowling

* See note at end of this Schedule.

*Dog and Goat Act.*SECOND SCHEDULE—*continued.**Police Districts—continued.*

Dowling	Orange
Dungog	Paterson
Eden	Patrick's Plains
Glen Innes	Penrith
Goulburn	Picton
Gundagai	Port Stephens
Gunnedah	Queanbeyan
Hartley	Raymond Terrace
Hay	Richmond River
Hillston	Rylstone
Inverell	Scone
Liverpool	Shoalhaven
Macleay River	Tamworth
Maitland	Tenterfield
Metropolitan	Tumut
Mitchell	Tweed River
Moama	Vegetable Creek
Moree	Wagga Wagga
Moruya	Walgett
Murrurundi	Warialda
Musclebrook and Merton	Wellington
Narellan	Wentworth
Narrabri	Windsor
Narrandera	Wollongong
Newcastle	Young

NOTE.—Pursuant to subsection two of section two of this Act the Governor by notice published in the Gazette has extended the provisions of Part II of this Act to the cities, towns and police districts set out hereunder. This note covers action taken up to and including 28th December, 1933.

<i>Cities and Towns.</i>	<i>Date of Government Gazette containing notice.</i>	<i>Cities and Towns.</i>	<i>Date of Government Gazette containing notice.</i>
Albion Park	... 8 Dec., 1905	Ourimbah	... 21 Aug., 1912
Erina	... 21 Aug., 1912	Shellharbour	... 8 Dec., 1905
Gerrington	... 8 Dec., 1905	Tuggerah Lakes...	21 Aug., 1912
Hunter's Hill	... 30 May, 1899	Wingham	... 14 Mar., 1899
Jamberoo	... 21 Jan., 1902	Woy Woy	... 21 Aug., 1912
Narara	... 21 Aug., 1912	Wyong	... 21 Aug., 1912

<i>Police Districts.</i>	<i>Date of Government Gazette containing notice.</i>	<i>Police Districts.</i>	<i>Date of Government Gazette containing notice.</i>
Armidale	... 10 Feb., 1899	Broken Hill	... 7 Dec., 1900
Balranald	... 7 July, 1899	Burrowa	... 3 Feb., 1899
Berrima	... 7 July, 1899	Camden	... 7 July, 1899
Brisbane Water	1 Feb., 1918	Campbelltown	... 7 July, 1899
		Cassilis	

Dog and Goat Act.

<i>Police Districts—contd.</i>	<i>Date of Government Gazette containing notice—contd.</i>	<i>Police Districts—contd.</i>	<i>Date of Government Gazette containing notice—contd.</i>
Cassilis ...	... 14 Mar., 1899	Molong ...	... 14 Mar., 1899
Cobar ...	... 7 July, 1899	Mudgee ...	... 14 Mar., 1899
Cooma ...	... 14 Mar., 1899	Murwillumbah ...	... 7 July, 1899
Coonabarabran ...	... 14 Mar., 1899	Narrandera ...	... 4 Aug., 1899
Coonamble ...	... 14 Mar., 1899	Nyngan ...	... 7 July, 1899
Cootamundra ...	... 14 Mar., 1899	Parramatta ...	... 19 Feb., 1904
Deniliquin ...	... 14 Mar., 1899	Penrith ...	... 7 July, 1899
Dubbo ...	... 14 Mar., 1899	Picton ...	... 7 July, 1899
Forbes ...	... 7 July, 1899	Port Macquarie ...	... 30 May, 1899
Glen Innes ...	... 7 July, 1899	Richmond River ...	... 7 July, 1899
Goulburn ...	... 5 May, 1899	Ryde ...	... 7 July, 1899
Grafton ...	... 7 July, 1899	Shoalhaven ...	... 7 July, 1899
Grenfell ...	... 14 Mar., 1899	Singleton... ..	... 20 Dec., 1918
Hay ...	... 7 July, 1899	Temora ...	... 29 Nov., 1901
Hillston ...	... 7 July, 1899	Tenterfield ...	... 7 July, 1899
Kiama ...	... 7 July, 1899	Warren ...	... 7 July, 1899
Liverpool ...	... 7 July, 1899	Wentworth ...	... 7 July, 1899
Manning River ...	{ 30 May, 1899	Windsor ...	... 7 July, 1899
	{ 10 Mar., 1915	Wollongong ...	... 7 July, 1899
Menindee ...	... 2 Feb., 1906	Wyalong ...	... 28 July, 1899
Mitchell ...	... 7 Dec., 1900	Yass ...	... 14 Mar., 1899
Moama ...	... 7 July, 1899		

Secs. 5 and 10.

THIRD SCHEDULE.

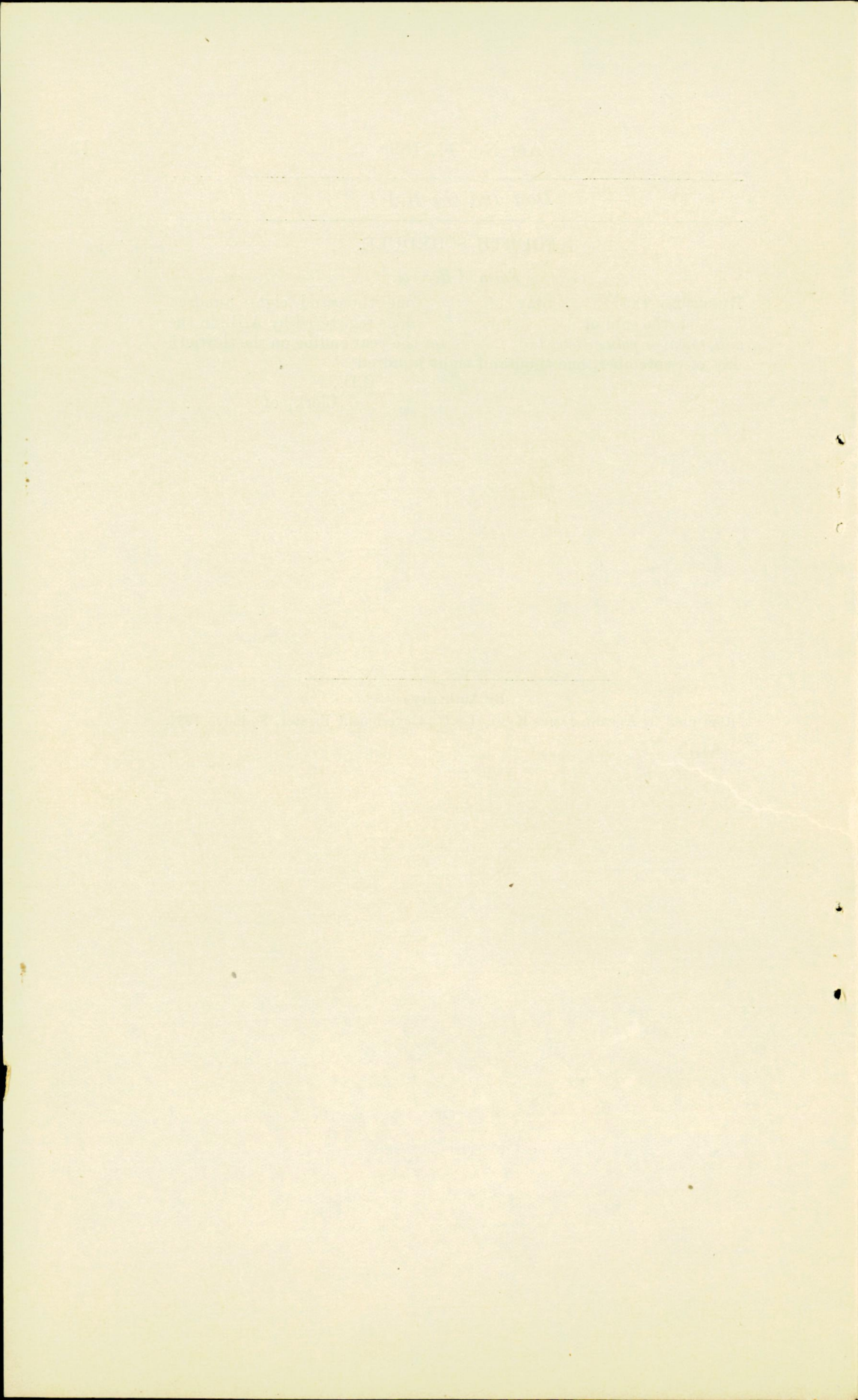
Form of Notice of Registering Dogs.

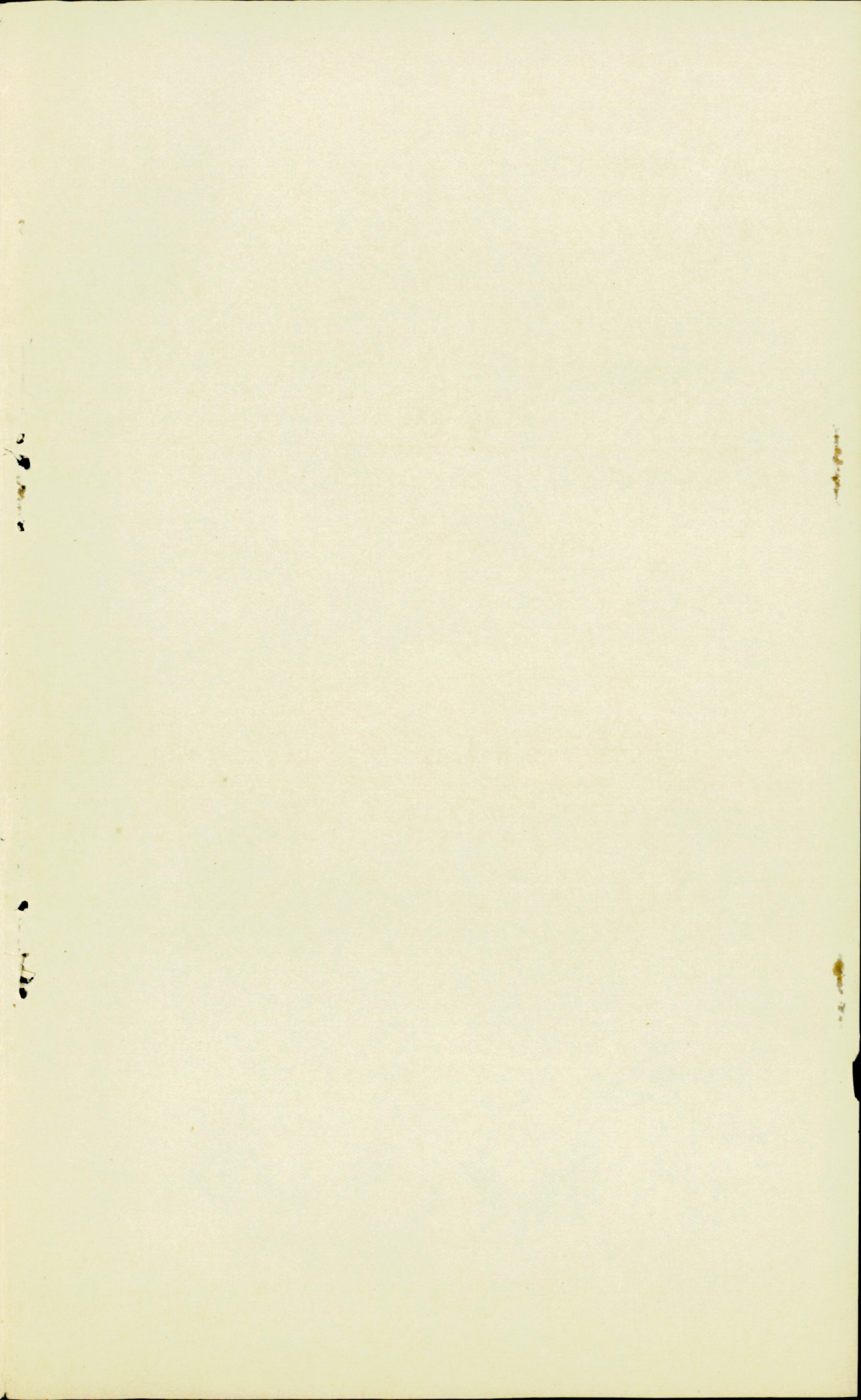
A description of dogs intended to be kept by A.B., of street, in the town of during the year ending on the thirtieth day of September, one thousand eight hundred and

No.	Premises on which each dog is intended to be kept.	Sex.	Age.	Colour or peculiar marks.	Description or kind of dog.

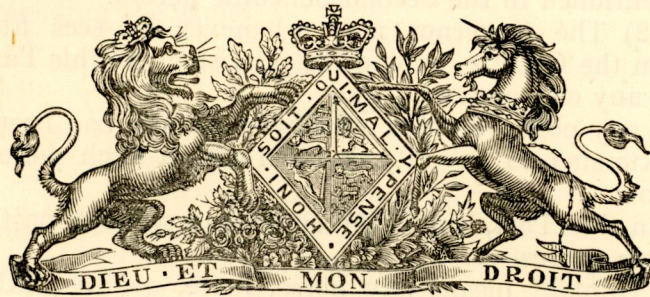
I, A.B., do declare the above list and description to be true in every particular to the best of my knowledge and belief.

A. B.





New South Wales.



ANNO SEXAGESIMO SECUNDO

VICTORIÆ REGINÆ.

Act No. 44, 1898.

An Act to consolidate the Acts relating to Dogs and to Goats.
[Assented to, 29th December, 1898.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

Preliminary.

1. (1) This Act may be cited as the "Dog and Goat Act, 1898," Short title and division. and is divided into Parts, as follows:—

PART I.—*Preliminary, s. 1.*

PART

Dog and Goat.

PART II.—*Registration of dogs, ss. 2-23.*

PART III.—*Dogs or goats not to be used for purposes of draught, ss. 24-25.*

Repeals.
First Schedule.

(2) The Acts mentioned in the First Schedule to this Act are hereby repealed.

PART II.

Registration of dogs.

Application of this Part.
6 Wm. IV No. 4, ss. 1 and 19.
39 Vic. No. 6, s. 4.
Second Schedule.

2. (1) This Part shall apply to the cities, towns, and police districts mentioned in the Second Schedule hereto.

(2) The Governor may whenever he sees fit, by notice published in the Gazette, extend the provisions of this Part—

(a) to any city or town; and

(b) to any police district, whether this Act has been previously extended to any city or town within such police district or not.

Interpretation.
Ibid. s. 11.

3. In this Part, unless the context or subject matter otherwise indicates or requires—

(1) "Animal" means any horse, mare, gelding, filly, foal, ass, mule, bull, cow, bullock, steer, heifer, calf, ram, ewe, wether, lamb, alpaca, goat, pig, or domestic poultry.

(2) "City" means any city to which this Part for the time being applies, or has been extended.

(3) "Constable" means any officer of the police force.

(4) "Place where such dog is intended to be kept" includes the place where such dog is actually kept as well as the place where such dog is ordinarily kept.

(5) "Police district" means any police district to which this Part for the time being applies, or has been extended.

(6) "Town" means any town to which this Part for the time being applies, or has been extended.

All dogs within cities, towns, or police districts to be registered.

6 Wm. IV No. 4, s. 1.
39 Vic. No. 6, s. 4.

4. Any person who keeps any dog within the boundaries or reputed boundaries of any city, town, or police district for a period of fourteen days without causing a description of such dog to be registered, and such registration to be renewed from year to year in manner hereinafter mentioned, shall forfeit and pay for every such dog a penalty of not less than ten shillings nor more than twenty shillings:

Provided that nothing herein contained shall be deemed to require the registration of any dog under the age of six months, or which has not been kept as aforesaid for a period of fourteen days, the proof of which shall lie upon the owner or keeper of such dog.

Dog and Goat.

5. (1) Every such registration shall be made by the owner or keeper of any dog intended to be registered, or by some person on his behalf delivering at the court of petty sessions of the city, town, or police district nearest to the place where such dog is intended to be kept a description of such dog, embracing the several particulars contained in the form in the Third Schedule hereto, with a declaration thereunder written to the truth thereof under the hand of such owner or keeper, or of some person in that behalf duly authorised.

Mode of registering dogs.
6 Wm. IV No. 4, s. 2.
39 Vic. No. 6, ss. 4 and 5.
Third Schedule.

(2) Every such registration shall be in force from the day upon which the same is so made until the thirtieth day of September then next ensuing, and no longer, and shall by every such owner or keeper, or by some person on his behalf, be in like manner renewed from year to year so long as any such dog continues to be kept within the boundaries or reputed boundaries of any city, town, or police district :

Duration of registration.

Provided that every such registration which is made in September in any year shall be deemed to be in force until the thirtieth day of September of the year then next ensuing.

6. Whosoever wilfully inserts or omits or wilfully causes or permits to be inserted or omitted in any such description any matter or thing whatsoever contrary to or for the purpose of concealing the truth shall forfeit and pay a penalty of not less than ten nor more than twenty shillings.

Penalty for false description.
6 Wm. IV No. 4, s. 3.

7. (1) At the time of making every such registration there shall be paid into the hands of the clerk of the petty sessions where the same is made, by the party making the same, a fee of two shillings and sixpence in respect of every dog mentioned in such registration, and until such amount has been so paid no such registration shall be deemed to have been duly made :

Fees on registration.
Ibid. s. 4.
39 Vic. No. 6, ss. 3, 5.

Provided that where the registration is made after the month of March and before the month of September one half only of such fee shall be payable.

(2) Every clerk of petty sessions to whom such payment is made shall, on demand, give a copy of such registration certified under his hand and a receipt for the fee paid in the form of the Fourth Schedule hereto, and any such clerk who on being required so to do refuses or neglects to give such copy or receipt shall forfeit and pay the sum of ten shillings.

Copy of registration and receipt.
Fourth Schedule.

8. In any proceedings under this Part it shall not be necessary for the informant to establish the fact of non-registration, but the proof of due registration shall be on the defendant, and for that purpose a certified copy of such registration under the hand of the clerk of the petty sessions where the same was made shall be equivalent to the production of the original, for which certified copy there shall be paid to such clerk the fee of sixpence and no more unless such copy has been applied for at the time of registration, in which case the same shall be delivered without any fee whatever.

Proof of registration.
6 Wm. IV No. 4, s. 5.
39 Vic. No. 6, s. 5.

Dog and Goat.

List of persons
to be exhibited.

6 Wm. IV No. 4, s. 6.
39 Vic. No. 6, ss. 4, 5.

Registration by
registered letter.

Ibid. s. 6.

Third Schedule.

Clerk of petty
sessions to forward
receipt of registra-
tion free to owner of
dog.

Ibid. s. 7.

Fourth Schedule.

Dogs not registered
may be seized and
killed.

6 Wm. IV No. 4,
s. 7.
39 Vic. No. 6, s. 4.

Dogs without collars
and bull dogs and
mastiffs without
muzzles to be killed.

Penalty on owners of
dogs attacking
persons or frighten-
ing horses.

6 Wm. IV No. 4,
s. 8.
39 Vic. No. 6, s. 4.

9. The clerk of the petty sessions of every city, town, or police district shall keep in some convenient part of his office during office hours for public inspection a correct list, arranged in alphabetical order, of the names of all persons who have registered any dog during the current year, and showing the number of dogs registered by each person, and any person applying for the particulars of any dog so registered and of the name of the owner or keeper thereof shall be entitled to receive the same on payment of a fee of sixpence.

10. Where any owner or keeper of a dog resides more than ten miles distant from the court of petty sessions nearest to the place where such dog is intended to be kept he may register such dog by transmitting to the clerk of such petty sessions a registered letter setting forth the particulars of such dog according to the form prescribed in the Third Schedule hereto, and containing postage or duty stamps to the value of two shillings and sixpence.

11. The clerk of petty sessions shall, within fourteen days after the receipt of such registration fee so enclosed as aforesaid, forward by letter to the owner or keeper of such dog a receipt in the form of the Fourth Schedule hereto, or in default forfeit and pay a penalty of not more than one pound nor less than ten shillings.

12. (1) Any person may, at any place within the boundaries or reputed boundaries of any city, town, or police district, seize and detain any dog not duly registered as aforesaid, and upon notice thereof given to any justice of the peace such justice shall summon the owner or reputed owner or keeper of such dog to appear and claim such dog, and if such owner or keeper or some one on his behalf does not within twenty-four hours after service of such summons, or within such further time as such justice may deem reasonable, attend and claim such dog, the same shall be forthwith killed.

(2) Every dog, whether registered or not, found at large in any part of any city, town, or police district without being under the immediate custody, protection, or control of some competent person, may, unless such dog has a collar round its neck with the name and address of its owner legibly engraven thereon, and if a mastiff or bull dog or a mongrel of either of the same has in addition to such collar a muzzle securely fixed upon the mouth of such dog so as to prevent it from biting or injuring any person or property, be immediately killed or destroyed, and all persons are hereby authorised and all constables especially ordered to seize, kill, and destroy every such dog.

13. If any dog in any street of any city, town, or police district, or upon any highway in any part of New South Wales, rushes at or attacks any person or horse or bullock, whereby the life or limbs of any person are endangered or property injured, the owner or keeper of such dog shall forfeit and pay a penalty of not less than twenty

Dog and Goat.

twenty shillings nor more than five pounds for every such offence over and above the amount of any damage which such dog may have occasioned.

14. For every unregistered dog so seized, and for every dog which is destroyed in conformity to the provisions of this Part, there shall be paid to the person so seizing or destroying the same a reward of two shillings and sixpence on proof being adduced to the satisfaction of the police magistrate or any justice of the petty sessions for the city, town, or police district in which the same was so seized or destroyed that such dog was seized or destroyed by the party applying for such reward within the boundaries or reputed boundaries of any city, town, or police district, and that such dog if destroyed was immediately removed from the streets of such city, town, or police district, or buried or otherwise disposed of so as to prevent nuisance or annoyance to any of the inhabitants thereof :

Rewards for seizing and destroying dogs.
6 Wm. IV No. 4, s. 9.
39 Vic. No. 6, s. 4.

Provided that in every case in which a reward is claimed for the destruction of any dog the party applying for such reward shall produce to such police magistrate or justice the tail of such dog, which shall be immediately burned or otherwise destroyed in the presence of such police magistrate or justice, or of some person duly appointed by him.

15. In any prosecution under this Part every dog shall be taken to be kept by the person who is in the actual occupation of the house or premises upon which such dog is found, unless reasonable proof to the contrary is adduced by the defendant, and the person by whom any such dog is ordinarily kept shall be liable to the several provisions of this Act as the keeper of such dog, whether kept for his own use or that of another :

As to proof of ownership.
6 Wm. IV No. 4, s. 10.

Provided that with respect to any dog kept or used by a servant the same shall be deemed to be kept by his master or employer for the time being.

16. Any constable having charge of a division, district, or ward of any city, town, or police district who fails or neglects to report to the police magistrate or justices of the petty sessions of such city, town, or police district any dog which is kept within his district, division, or ward without being duly registered in manner required by this Act shall forfeit and pay a penalty or sum of not less than ten nor more than twenty shillings for every such dog which he so fails or neglects to report unless he shows reasonable cause why the fact of non-registration could not have been known to him.

Penalty on constables failing to report unregistered dogs.
Ibid. s. 12.
39 Vic. No. 6, s. 4.

17. Every constable who neglects to destroy or use his best endeavours to destroy every dog which he finds at large contrary to the provisions of this Part within his district, division, or ward shall for every such neglect forfeit and pay a sum of not less than ten nor more than twenty shillings.

Penalty on constables not destroying dogs improperly at large.
6 Wm. IV No. 4, s. 13.

Dog and Goat.

Penalty on constables killing dogs not improperly at large.
Ibid. s. 14.

18. Every constable or other person who wilfully or maliciously kills or destroys any dog which is not at large contrary to the provisions of this Part shall forfeit and pay to the owner of such dog the full value thereof, and also a penalty of not less than twenty shillings nor more than five pounds.

Owner of dog to be liable in damages for any injury committed by his dog.
39 Vic. No. 6, s. 9.

19. The owner of every dog shall be liable in damages for injury done to any person, property, or animal by his dog, and it shall not be necessary for the party seeking such damages to show a previous mischievous propensity in such dog, or the owner's knowledge of such previous propensity, or that the injury was attributable to neglect on the part of such owner.

Dog attacking any person, &c., may be destroyed.
Ibid. s. 10.

20. Any dog attacking any person or animal may be destroyed by any person whomsoever if the attack be not on premises belonging to or occupied by the owner or keeper of such dog.

Appropriation of fees.
6 Wm. IV No. 4, s. 15.

21. All fees received under the provisions of this Part shall be paid, applied, and accounted for, and returns made thereof in such and the like manner as is directed with respect to fees levied under the Act fourth William the Fourth number five entitled *An Act for appointing fees to be taken in the several Courts of Police and Petty Sessions, and by the Clerks of Justices acting singly in the Colony of New South Wales.*

General issue.
6 Wm. IV No. 4, s. 18.

22. If any action is brought against any person for anything done in pursuance of this Part the defendant may plead the general issue and give the special matter in evidence thereupon, and if the verdict be for the defendant or the plaintiff be nonsuited or discontinued his action, or if upon demurrer judgment be given against the plaintiff, the defendant shall have treble costs, and the like remedy for the same as any defendant has in any case to recover costs by law.

PART III.

Dogs or goats not to be used for purposes of draught.

Dogs or goats not to be used to draw carts, &c.
29 Vic. No. 17, s. 1.

23. Every person who uses any dog or goat for the purpose of drawing or helping to draw any cart, carriage, truck, or barrow shall be liable to a penalty of not more than forty shillings for the first offence and not more than five pounds for the second or any subsequent offence.

Dog and Goat.

PART IV.

Recovery of penalties and damages.

24. All fines, fees, and penalties imposed under the provisions of this Act, and all damages which may be sued for under the provisions of this Act, where the amount claimed does not exceed ten pounds, shall be recoverable in a summary way before any one or more justice or justices of the peace, and the fines or penalties inflicted or order for damages made by such justice or justices shall be levied by distress and sale of the offender or defendant's goods or chattels, and in failure of distress shall be enforced in the manner provided by Act eleventh and twelfth Victoria chapter forty-three, or any Act amending the same.

Recovery of fines and penalties.
39 Vic. No. 6, s. 8.
29 Vic. No. 17, s. 2.

SCHEDULES.

FIRST SCHEDULE.

Sec. 1.

Reference to Act.	Title or Short Title.	Extent of Repeal.
6 Wm. IV No. 4 ...	An Act for abating the nuisance occasioned by dogs in the streets of certain towns and on highways in New South Wales.	The whole Act.
29 Vic. No. 17 ...	Dog and Goat Act of 1866	The whole Act.
39 Vic. No. 6 ...	Dog Act Amendment Act of 1875	The whole Act.

SECOND SCHEDULE.

Sec. 2 (1).

Cities and Towns.

Adelong	Braidwood	Dalkeith
Albury	Broken Hill	Deniliquin, N. and S.
Appin	Bungonia	Dubbo
Armidale		
Arthurstown(TrunkeyCreek)		Eden
	Camden	Euston
Balmain	Campbelltown	
Balranald	Camperdown (O'Connell	Forbes
Bathurst	Town)	Frederickton
Bega	Carcoar, W. and E.	
Bendemeer	Catherine Hill Bay	Glebe
Berrima	Clarence Town	Glen Innes
Binalong	Cooma	Gosford, East and West
Bombala	Coonabarabran	Goulburn
Boorowa	Coonamble	Grafton
Bourke	Cundletown	Grafton, North and South
		Grenfell

*Dog and Goat.**Cities and Towns—continued.*

Grenfell	Narrabri	St. Leonards
Gundagai	Nelligen	St. Mary's
Gunning	Nerrigundah	Stroud
Hartley	Newcastle	Sydney
Hay	Newtown	Swansea
Haydonton	Nimmitabel	Tambaroora
Hill End	Nowra	Tamworth
Ivanhoe	Nundle	Tarcutta
Jerilderie	Nymagee	Taree
Kelso	Orange	Tenterfield
Kempsey, West and East	Paddington	Tumberumba
Kiama	Panbula	Tumut
Kiandra	Parramatta	Ulladulla
Lawrence	Paterson	Ulmarra
Liverpool	Penrith	Wagga Wagga
Maclean (Rocky Mouth)	Picton	Waterloo
Macquarie	Port Macquarie, East	Waverley
Maitland	Port Macquarie, West	Wellington and Montefiores
Marulan	Queanbeyan	Wentworth
Merriwa	Randwick and Coogee	West Maitland
Moama	Raymond Terrace	Wilcannia
Molong, West	Redfern	Windsor
Morpeth	Richmond	Woollahra
Moruya	Roxburgh	Wollombi
Moulamein	Scone and St. Aubins	Wollongong
Mudgee	Singleton	Yamba
Murrurundi	Sofala	Yass
Musclebrook	St. Albans	Young

Police Districts.

Albury	Hay	Picton
Balranald	Hillston	Port Stephens
Bathurst	Inverell	Queanbeyan
Bega	Liverpool	Raymond Terrace
Berrima	Macleay River	Richmond River
Bingara	Maitland	Rylstone
Bombala	Metropolitan	Seone
Bourke	Mitchell	Shoalhaven
Braidwood	Moama	Tamworth
Brewarrina	Moree	Tenterfield
Camden	Moruya	Tumut
Campbelltown	Murrurundi	Tweed River
Carcoar	Musclebrook and Merton	Vegetable Creek
Cowra	Narellan	Wagga Wagga
Dowling	Narrabri	Walgett
Dungog	Narrandera	Warialda
Eden	Newcastle	Wellington
Glen Innes	Orange	Wentworth
Goulburn	Paterson	Windsor
Gundagai	Patrick's Plains	Wollongong
Gunnedah	Penrith	Young
Hartley		

Dog and Goat.

THIRD SCHEDULE.

Secs. 5 and 10.

Form of Notice of Registering Dogs.

A description of _____ dogs intended to be kept by A.B., of _____ street, in the town of _____ during the year ending on the thirtieth day of September, one thousand eight hundred and _____

No.	Premises on which each dog is intended to be kept.	Sex.	Age.	Colour or peculiar marks.	Description or kind of dog.

I, A. B., do declare the above list and description to be true in every particular to the best of my knowledge and belief.

A. B.

FOURTH SCHEDULE.

Secs. 7 and 11.

Form of Receipt.

RECEIVED this _____ day of _____ one thousand eight hundred _____ the sum of _____ for _____ dogs registered by A. B., in the city, town, or police district of _____ for the year ending on the thirtieth day of September, one thousand eight hundred _____

C. D.,
Clerk of

1907

THE UNIVERSITY OF MICHIGAN LIBRARY

of reference and information
the name of
reference

CLERK OF

C. D.

for reference and information
the name of
reference

ROBERT SCHUBERT

1907

in the name of the University of Michigan

V. H.

1. The name of the person who is to be referred to in the name of the University of Michigan

Reference and information
the name of
reference

Reference and information
the name of
reference

ROBERT SCHUBERT

1907

1907

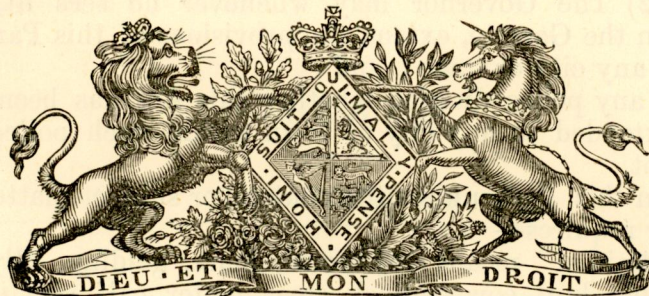
1907

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE COUNCIL, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Council Chamber,
Sydney, 22nd December, 1898.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO SECUNDO

VICTORIÆ REGINÆ.

Act No. 44, 1898.

An Act to consolidate the Acts relating to Dogs and to Goats.
[Assented to, 29th December, 1898.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

Preliminary.

1. (1) This Act may be cited as the "Dog and Goat Act, 1898," Short title and division. and is divided into Parts, as follows:—

PART I.—*Preliminary, s. 1.*

PART

Dog and Goat.

PART II.—*Registration of dogs, ss. 2-23.*

PART III.—*Dogs or goats not to be used for purposes of draught, ss. 24-25.*

Repeals.
First Schedule.

(2) The Acts mentioned in the First Schedule to this Act are hereby repealed.

PART II.

Registration of dogs.

Application of this Part.
6 Wm. IV No. 4, ss. 1 and 19.
39 Vic. No. 6, s. 4.
Second Schedule.

2. (1) This Part shall apply to the cities, towns, and police districts mentioned in the Second Schedule hereto.

(2) The Governor may whenever he sees fit, by notice published in the Gazette, extend the provisions of this Part—

(a) to any city or town ; and

(b) to any police district, whether this Act has been previously extended to any city or town within such police district or not.

Interpretation.
Ibid. s. 11.

3. In this Part, unless the context or subject matter otherwise indicates or requires—

(1) “Animal” means any horse, mare, gelding, filly, foal, ass, mule, bull, cow, bullock, steer, heifer, calf, ram, ewe, wether, lamb, alpaca, goat, pig, or domestic poultry.

(2) “City” means any city to which this Part for the time being applies, or has been extended.

(3) “Constable” means any officer of the police force.

(4) “Place where such dog is intended to be kept” includes the place where such dog is actually kept as well as the place where such dog is ordinarily kept.

(5) “Police district” means any police district to which this Part for the time being applies, or has been extended.

(6) “Town” means any town to which this Part for the time being applies, or has been extended.

All dogs within cities, towns, or police districts to be registered.

6 Wm. IV No. 4, s. 1.
39 Vic. No. 6, s. 4.

4. Any person who keeps any dog within the boundaries or reputed boundaries of any city, town, or police district for a period of fourteen days without causing a description of such dog to be registered, and such registration to be renewed from year to year in manner hereinafter mentioned, shall forfeit and pay for every such dog a penalty of not less than ten shillings nor more than twenty shillings :

Provided that nothing herein contained shall be deemed to require the registration of any dog under the age of six months, or which has not been kept as aforesaid for a period of fourteen days, the proof of which shall lie upon the owner or keeper of such dog.

Dog and Goat.

5. (1) Every such registration shall be made by the owner or keeper of any dog intended to be registered, or by some person on his behalf delivering at the court of petty sessions of the city, town, or police district nearest to the place where such dog is intended to be kept a description of such dog, embracing the several particulars contained in the form in the Third Schedule hereto, with a declaration thereunder written to the truth thereof under the hand of such owner or keeper, or of some person in that behalf duly authorised.

Mode of registering dogs.

6 Wm. IV No. 4, s. 2.

39 Vic. No. 6, ss. 4 and 5.

Third Schedule.

(2) Every such registration shall be in force from the day upon which the same is so made until the thirtieth day of September then next ensuing, and no longer, and shall by every such owner or keeper, or by some person on his behalf, be in like manner renewed from year to year so long as any such dog continues to be kept within the boundaries or reputed boundaries of any city, town, or police district :

Duration of registration.

Provided that every such registration which is made in September in any year shall be deemed to be in force until the thirtieth day of September of the year then next ensuing.

6. Whosoever wilfully inserts or omits or wilfully causes or permits to be inserted or omitted in any such description any matter or thing whatsoever contrary to or for the purpose of concealing the truth shall forfeit and pay a penalty of not less than ten nor more than twenty shillings.

Penalty for false description.

6 Wm. IV No. 4, s. 3.

7. (1) At the time of making every such registration there shall be paid into the hands of the clerk of the petty sessions where the same is made, by the party making the same, a fee of two shillings and sixpence in respect of every dog mentioned in such registration, and until such amount has been so paid no such registration shall be deemed to have been duly made :

Fees on registration.

Ibid. s. 4.

39 Vic. No. 6, ss. 3, 5.

Provided that where the registration is made after the month of March and before the month of September one half only of such fee shall be payable.

(2) Every clerk of petty sessions to whom such payment is made shall, on demand, give a copy of such registration certified under his hand and a receipt for the fee paid in the form of the Fourth Schedule hereto, and any such clerk who on being required so to do refuses or neglects to give such copy or receipt shall forfeit and pay the sum of ten shillings.

Copy of registration and receipt.

Fourth Schedule.

8. In any proceedings under this Part it shall not be necessary for the informant to establish the fact of non-registration, but the proof of due registration shall be on the defendant, and for that purpose a certified copy of such registration under the hand of the clerk of the petty sessions where the same was made shall be equivalent to the production of the original, for which certified copy there shall be paid to such clerk the fee of sixpence and no more unless such copy has been applied for at the time of registration, in which case the same shall be delivered without any fee whatever.

Proof of registration.

6 Wm. IV No. 4, s. 5.

39 Vic. No. 6, s. 5.

Dog and Goat.

List of persons to be exhibited.
6 Wm. IV No. 4, s. 6.
39 Vic. No. 6, ss. 4, 5.

9. The clerk of the petty sessions of every city, town, or police district shall keep in some convenient part of his office during office hours for public inspection a correct list, arranged in alphabetical order, of the names of all persons who have registered any dog during the current year, and showing the number of dogs registered by each person, and any person applying for the particulars of any dog so registered and of the name of the owner or keeper thereof shall be entitled to receive the same on payment of a fee of sixpence.

Registration by registered letter.
Ibid. s. 6.

10. Where any owner or keeper of a dog resides more than ten miles distant from the court of petty sessions nearest to the place where such dog is intended to be kept he may register such dog by transmitting to the clerk of such petty sessions a registered letter setting forth the particulars of such dog according to the form prescribed in the Third Schedule hereto, and containing postage or duty stamps to the value of two shillings and sixpence.

Third Schedule.

Clerk of petty sessions to forward receipt of registration free to owner of dog.

11. The clerk of petty sessions shall, within fourteen days after the receipt of such registration fee so enclosed as aforesaid, forward by letter to the owner or keeper of such dog a receipt in the form of the Fourth Schedule hereto, or in default forfeit and pay a penalty of not more than one pound nor less than ten shillings.

Ibid. s. 7.

Fourth Schedule.

Dogs not registered may be seized and killed.

6 Wm. IV No. 4, s. 7.
39 Vic. No. 6, s. 4.

12. (1) Any person may, at any place within the boundaries or reputed boundaries of any city, town, or police district, seize and detain any dog not duly registered as aforesaid, and upon notice thereof given to any justice of the peace such justice shall summon the owner or reputed owner or keeper of such dog to appear and claim such dog, and if such owner or keeper or some one on his behalf does not within twenty-four hours after service of such summons, or within such further time as such justice may deem reasonable, attend and claim such dog, the same shall be forthwith killed.

Dogs without collars and bull dogs and mastiffs without muzzles to be killed.

(2) Every dog, whether registered or not, found at large in any part of any city, town, or police district without being under the immediate custody, protection, or control of some competent person, may, unless such dog has a collar round its neck with the name and address of its owner legibly engraven thereon, and if a mastiff or bull dog or a mongrel of either of the same has in addition to such collar a muzzle securely fixed upon the mouth of such dog so as to prevent it from biting or injuring any person or property, be immediately killed or destroyed, and all persons are hereby authorised and all constables especially ordered to seize, kill, and destroy every such dog.

Penalty on owners of dogs attacking persons or frightening horses.

6 Wm. IV No. 4, s. 8.
39 Vic. No. 6, s. 4.

13. If any dog in any street of any city, town, or police district, or upon any highway in any part of New South Wales, rushes at or attacks any person or horse or bullock, whereby the life or limbs of any person are endangered or property injured, the owner or keeper of such dog shall forfeit and pay a penalty of not less than twenty

Dog and Goat.

twenty shillings nor more than five pounds for every such offence over and above the amount of any damage which such dog may have occasioned.

14. For every unregistered dog so seized, and for every dog which is destroyed in conformity to the provisions of this Part, there shall be paid to the person so seizing or destroying the same a reward of two shillings and sixpence on proof being adduced to the satisfaction of the police magistrate or any justice of the petty sessions for the city, town, or police district in which the same was so seized or destroyed that such dog was seized or destroyed by the party applying for such reward within the boundaries or reputed boundaries of any city, town, or police district, and that such dog if destroyed was immediately removed from the streets of such city, town, or police district, or buried or otherwise disposed of so as to prevent nuisance or annoyance to any of the inhabitants thereof :

Rewards for seizing
and destroying dogs.
6 Wm. IV No. 4,
s. 9.
39 Vic. No. 6, s. 4.

Provided that in every case in which a reward is claimed for the destruction of any dog the party applying for such reward shall produce to such police magistrate or justice the tail of such dog, which shall be immediately burned or otherwise destroyed in the presence of such police magistrate or justice, or of some person duly appointed by him.

15. In any prosecution under this Part every dog shall be taken to be kept by the person who is in the actual occupation of the house or premises upon which such dog is found, unless reasonable proof to the contrary is adduced by the defendant, and the person by whom any such dog is ordinarily kept shall be liable to the several provisions of this Act as the keeper of such dog, whether kept for his own use or that of another :

As to proof of
ownership.
6 Wm. IV No. 4,
s. 10.

Provided that with respect to any dog kept or used by a servant the same shall be deemed to be kept by his master or employer for the time being.

16. Any constable having charge of a division, district, or ward of any city, town, or police district who fails or neglects to report to the police magistrate or justices of the petty sessions of such city, town, or police district any dog which is kept within his district, division, or ward without being duly registered in manner required by this Act shall forfeit and pay a penalty or sum of not less than ten nor more than twenty shillings for every such dog which he so fails or neglects to report unless he shows reasonable cause why the fact of non-registration could not have been known to him.

Penalty on constables
failing to report
unregistered dogs.
Ibid. s. 12.
39 Vic. No. 6, s. 4.

17. Every constable who neglects to destroy or use his best endeavours to destroy every dog which he finds at large contrary to the provisions of this Part within his district, division, or ward shall for every such neglect forfeit and pay a sum of not less than ten nor more than twenty shillings.

Penalty on constables
not destroying dogs
improperly at large.
6 Wm. IV No. 4,
s. 13.

Dog and Goat.

Penalty on constables killing dogs not improperly at large.
Ibid. s. 14.

18. Every constable or other person who wilfully or maliciously kills or destroys any dog which is not at large contrary to the provisions of this Part shall forfeit and pay to the owner of such dog the full value thereof, and also a penalty of not less than twenty shillings nor more than five pounds.

Owner of dog to be liable in damages for any injury committed by his dog.
39 Vic. No. 6, s. 9.

19. The owner of every dog shall be liable in damages for injury done to any person, property, or animal by his dog, and it shall not be necessary for the party seeking such damages to show a previous mischievous propensity in such dog, or the owner's knowledge of such previous propensity, or that the injury was attributable to neglect on the part of such owner.

Dog attacking any person, &c., may be destroyed.
Ibid. s. 10.

20. Any dog attacking any person or animal may be destroyed by any person whomsoever if the attack be not on premises belonging to or occupied by the owner or keeper of such dog.

Appropriation of fees.
6 Wm. IV No. 4, s. 15.

21. All fees received under the provisions of this Part shall be paid, applied, and accounted for, and returns made thereof in such and the like manner as is directed with respect to fees levied under the Act fourth William the Fourth number five entitled *An Act for appointing fees to be taken in the several Courts of Police and Petty Sessions, and by the Clerks of Justices acting singly in the Colony of New South Wales.*

General issue.
6 Wm. IV No. 4, s. 18.

22. If any action is brought against any person for anything done in pursuance of this Part the defendant may plead the general issue and give the special matter in evidence thereupon, and if the verdict be for the defendant or the plaintiff be nonsuited or discontinued his action, or if upon demurrer judgment be given against the plaintiff, the defendant shall have treble costs, and the like remedy for the same as any defendant has in any case to recover costs by law.

 PART III.

Dogs or goats not to be used for purposes of draught.

Dogs or goats not to be used to draw carts, &c.
29 Vic. No. 17, s. 1.

23. Every person who uses any dog or goat for the purpose of drawing or helping to draw any cart, carriage, truck, or barrow shall be liable to a penalty of not more than forty shillings for the first offence and not more than five pounds for the second or any subsequent offence.

 PART

Dog and Goat.

PART IV.

Recovery of penalties and damages.

24. All fines, fees, and penalties imposed under the provisions of this Act, and all damages which may be sued for under the provisions of this Act, where the amount claimed does not exceed ten pounds, shall be recoverable in a summary way before any one or more justice or justices of the peace, and the fines or penalties inflicted or order for damages made by such justice or justices shall be levied by distress and sale of the offender or defendant's goods or chattels, and in failure of distress shall be enforced in the manner provided by Act eleventh and twelfth Victoria chapter forty-three, or any Act amending the same.

Recovery of fines
and penalties.
39 Vic. No. 6, s. 8.
29 Vic. No. 17, s. 2.

SCHEDULES.

FIRST SCHEDULE.

Sec. 1.

Reference to Act.	Title or Short Title.	Extent of Repeal.
6 Wm. IV No. 4 ...	An Act for abating the nuisance occasioned by dogs in the streets of certain towns and on highways in New South Wales.	The whole Act.
29 Vic. No. 17 ...	Dog and Goat Act of 1866	The whole Act.
39 Vic. No. 6 ...	Dog Act Amendment Act of 1875	The whole Act.

SECOND SCHEDULE.

Sec. 2 (1).

Cities and Towns.

Adelong	Braidwood	Dalkeith
Albury	Broken Hill	Deniliquin, N. and S.
Appin	Bungonia	Dubbo
Armidale		
Arthurstown (Trunkey Creek)		Eden
	Camden	Euston
Balmain	Campbelltown	
Balranald	Camperdown (O'Connell Town)	Forbes
Bathurst	Carcoar, W. and E.	Frederickton
Bega	Catherine Hill Bay	
Bendemeer	Clarence Town	Glebe
Berrima	Cooma	Glen Innes
Binalong	Coonabarabran	Gosford, East and West
Bombala	Coonamble	Goulburn
Boorowa	Cundletown	Grafton
Bourke		Grafton, North and South ¹
		Grenfell

*Dog and Goat.**Cities and Towns—continued.*

Grenfell	Narrabri	St. Leonards
Gundagai	Nelligen	St. Mary's
Gunning	Nerrigundah	Stroud
Hartley	Newcastle	Sydney
Hay	Newtown	Swansea
Haydonton	Nimmitabel	Tambaroora
Hill End	Nowra	Tamworth
Ivanhoe	Nundle	Tarcutta
Jerilderie	Nymagee	Taree
Kelso	Orange	Tenterfield
Kempsey, West and East	Paddington	Tumberumba
Kiama	Panbula	Tumut
Kiandra	Parramatta	Ulladulla
Lawrence	Paterson	Ulmarra
Liverpool	Penrith	Wagga Wagga
Maclean (Rocky Mouth)	Picton	Waterloo
Macquarie	Port Macquarie, East	Waverley
Maitland	Port Macquarie, West	Wellington and Montefiores
Marulan	Queanbeyan	Wentworth
Merriwa	Randwick and Coogee	West Maitland
Moama	Raymond Terrace	Wilcannia
Molong, West	Redfern	Windsor
Morpeth	Richmond	Woollahra
Moruya	Roxburgh	Wollombi
Moulamein	Scone and St. Aubins	Wollongong
Mudgee	Singleton	Yamba
Murrurundi	Sofala	Yass
Musclebrook	St. Albans	Young

Police Districts.

Albury	Hay	Picton
Balranald	Hillston	Port Stephens
Bathurst	Inverell	Queanbeyan
Bega	Liverpool	Raymond Terrace
Berrima	Macleay River	Richmond River
Bingara	Maitland	Rylstone
Bombala	Metropolitan	Seone
Bourke	Mitchell	Shoalhaven
Braidwood	Moama	Tamworth
Brewarrina	Moree	Tenterfield
Camden	Moruya	Tumut
Campbelltown	Murrurundi	Tweed River
Carcoar	Musclebrook and Merton	Vegetable Creek
Cowra	Narellan	Wagga Wagga
Dowling	Narrabri	Walgett
Dungog	Narrandera	Warialda
Eden	Newcastle	Wellington
Glen Innes	Orange	Wentworth
Goulburn	Paterson	Windsor
Gundagai	Patrick's Plains	Wollongong
Gunnedah	Penrith	Young
Hartley		

Dog and Goat.

THIRD SCHEDULE.

Secs. 5 and 10.

Form of Notice of Registering Dogs.

A description of _____ dogs intended to be kept by A.B., of _____ street, in the town of _____ during the year ending on the thirtieth day of September, one thousand eight hundred and _____

No.	Premises on which each dog is intended to be kept.	Sex.	Age.	Colour or peculiar marks.	Description or kind of dog.

I, A. B., do declare the above list and description to be true in every particular to the best of my knowledge and belief.

A. B.

FOURTH SCHEDULE.

Secs. 7 and 11.

Form of Receipt.

RECEIVED this _____ day of _____ one thousand eight hundred _____ the sum of _____ for _____ dogs registered by A. B., in the city, town, or police district of _____ for the year ending on the thirtieth day of September, one thousand eight hundred _____

C. D.,
Clerk of _____

In the name and on the behalf of Her Majesty I assent to this Act.

Government House,
Sydney, 29th December, 1898.

HAMPDEN,
Governor.

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALBANY, N.Y.

Section 1

ARTICLE I

Section 1. The Board of Supervisors of the County of Albany, N.Y., do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the files of the Board of Supervisors of the County of Albany, N.Y., on the 1st day of January, 1908.

No.	Name of the person or persons to whom the same were issued.	Amount of the same.	Date of issue.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

I, A. B. do hereby certify that the above is a true and correct copy of the original of the same as the same appears in the files of the Board of Supervisors of the County of Albany, N.Y., on the 1st day of January, 1908.

A. B.

Section 2

ARTICLE II

Section 2. The Board of Supervisors of the County of Albany, N.Y., do hereby certify that the following is a true and correct copy of the original of the same as the same appears in the files of the Board of Supervisors of the County of Albany, N.Y., on the 1st day of January, 1908.

No.	Name of the person or persons to whom the same were issued.	Amount of the same.	Date of issue.
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

I, A. B. do hereby certify that the above is a true and correct copy of the original of the same as the same appears in the files of the Board of Supervisors of the County of Albany, N.Y., on the 1st day of January, 1908.

A. B.

In the name and on the behalf of the Board of Supervisors of the County of Albany, N.Y.,

HAMDEN

Supervisor

Albany, N.Y., 1st day of January, 1908.

Attest:

Secretary

Albany, N.Y., 1st day of January, 1908.

Attest:

Secretary

Albany, N.Y., 1st day of January, 1908.

Attest:

Secretary

Albany, N.Y., 1st day of January, 1908.

Attest:

Secretary

Albany, N.Y., 1st day of January, 1908.

Attest:

Secretary

Albany, N.Y., 1st day of January, 1908.

Memo and Certificate to accompany the Dog and Goat Bill.

THIS Bill consolidates the following Acts :—

6 Wm. IV. No. 4 ;
29 Vic. No. 17 ;
39 Vic. No. 6.

Only verbal changes have been made, and I certify that this Bill solely consolidates, and in no way alters, adds to, or amends the law contained in the Acts thereby consolidated.

CHAS. G. HEYDON,
Commissioner for the Consolidation of the Statute Law.

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 309

1952

PROFESSOR

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

PHYSICS DEPARTMENT

Dog and Goat Bill.

TABLE showing how the sections of the Acts consolidated have been dealt with.

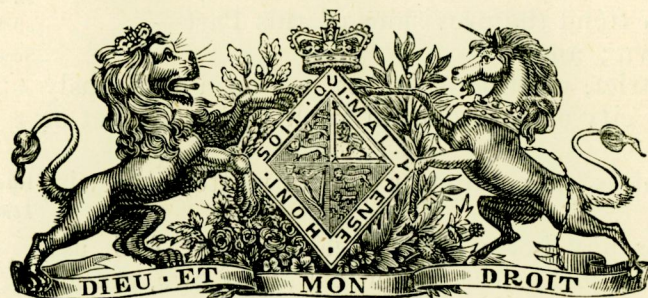
Section of Repealed Acts.	Section of Consolidated Act.	Remarks.
6 WILLIAM IV No. 4.		
1.	2 & 4	
2	5	
3	6	
4	7	
5	8	
6	9	
7	12	
8	13	
9	14	
10	15	
11	.....	Repealed by sec. 2 of 39 Vic. No. 6.
12	16	
13	17	
14	18	
15	21	
16	.....	Unnecessary. <i>See</i> Interpretation Act 1897, section 21.
17	.....	Repealed by sec. 2 of 39 Vic. No. 6.
18	22	
19	2	
20	.....	Omitted. Date of commencement of Act.
29 VICTORIA No. 17.		
1	23	
2	24	
39 VICTORIA No. 6.		
1	.....	Short title, &c.
2	.....	Repealing section.
3	7	
4	4, 5, 9, 12, 13, 14, 16	
5	5, 7, 8, 9	
6	10	
7	11	
8	24	
9	19	
10	20	
11	3	

This PUBLIC BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

Legislative Council Chamber,
Sydney, 13th October, 1898. }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO SECUNDO

VICTORIÆ REGINÆ.

Act No. , 1898.

An Act to consolidate the Acts relating to Dogs and to Goats.

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

Preliminary.

1. (1) This Act may be cited as the "Dog and Goat Act, 1898," Short title and division. and is divided into Parts, as follows:—

PART I.—*Preliminary*, s. 1.

c 24—A

PART

*Dog and Goat.*PART II.—*Registration of dogs, ss. 2-23.*PART III.—*Dogs or goats not to be used for purposes of draught, ss. 24-25.*

(2) The Acts mentioned in the First Schedule to this Act are hereby repealed.

Repeals.
First Schedule.

PART II.

Registration of dogs.

2. (1) This Part shall apply to the cities, towns, and police districts mentioned in the Second Schedule hereto.

(2) The Governor may whenever he sees fit, by notice published in the Gazette, extend the provisions of this Part—

(a) to any city or town; and

(b) to any police district, whether this Act has been previously extended to any city or town within such police district or not.

3. In this Part, unless the context or subject matter otherwise indicates or requires—

(1) "Animal" means any horse, mare, gelding, filly, foal, ass, mule, bull, cow, bullock, steer, heifer, calf, ram, ewe, wether, lamb, alpaca, goat, pig, or domestic poultry.

(2) "City" means any city to which this Part for the time being applies, or has been extended.

(3) "Constable" means any officer of the police force.

(4) "Place where such dog is intended to be kept" includes the place where such dog is actually kept as well as the place where such dog is ordinarily kept.

(5) "Police district" means any police district to which this Part for the time being applies, or has been extended.

(6) "Town" means any town to which this Part for the time being applies, or has been extended.

4. Any person who keeps any dog within the boundaries or reputed boundaries of any city, town, or police district for a period of fourteen days without causing a description of such dog to be registered, and such registration to be renewed from year to year in manner hereinafter mentioned, shall forfeit and pay for every such dog a penalty of not less than ten shillings nor more than twenty shillings:

Provided that nothing herein contained shall be deemed to require the registration of any dog under the age of six months, or which has not been kept as aforesaid for a period of fourteen days, the proof of which shall lie upon the owner or keeper of such dog.

Dog and Goat.

5. (1) Every such registration shall be made by the owner or keeper of any dog intended to be registered, or by some person on his behalf delivering at the court of petty sessions of the city, town, or police district nearest to the place where such dog is intended to be kept a description of such dog, embracing the several particulars contained in the form in the Third Schedule hereto, with a declaration thereunder written to the truth thereof under the hand of such owner or keeper, or of some person in that behalf duly authorised.

(2) Every such registration shall be in force from the day upon which the same is so made until the thirtieth day of September then next ensuing, and no longer, and shall by every such owner or keeper, or by some person on his behalf, be in like manner renewed from year to year so long as any such dog continues to be kept within the boundaries or reputed boundaries of any city, town, or police district :

Provided that every such registration which is made in September in any year shall be deemed to be in force until the thirtieth day of September of the year then next ensuing.

6. Whosoever wilfully inserts or omits or wilfully causes or permits to be inserted or omitted in any such description any matter or thing whatsoever contrary to or for the purpose of concealing the truth shall forfeit and pay a penalty of not less than ten nor more than twenty shillings.

7. (1) At the time of making every such registration there shall be paid into the hands of the clerk of the petty sessions where the same is made, by the party making the same, a fee of two shillings and sixpence in respect of every dog mentioned in such registration, and until such amount has been so paid no such registration shall be deemed to have been duly made :

Provided that where the registration is made after the month of March and before the month of September one half only of such fee shall be payable.

(2) Every clerk of petty sessions to whom such payment is made shall, on demand, give a copy of such registration certified under his hand and a receipt for the fee paid in the form of the Fourth Schedule hereto, and any such clerk who on being required so to do refuses or neglects to give such copy or receipt shall forfeit and pay the sum of ten shillings.

8. In any proceedings under this Part it shall not be necessary for the informant to establish the fact of non-registration, but the proof of due registration shall be on the defendant, and for that purpose a certified copy of such registration under the hand of the clerk of the petty sessions where the same was made shall be equivalent to the production of the original, for which certified copy there shall be paid to such clerk the fee of sixpence and no more unless such copy has been applied for at the time of registration, in which case the same shall be delivered without any fee whatever.

Dog and Goat.

9. The clerk of the petty sessions of every city, town, or police district shall keep in some convenient part of his office during office hours for public inspection a correct list, arranged in alphabetical order, of the names of all persons who have registered any dog during the current year, and showing the number of dogs registered by each person, and any person applying for the particulars of any dog so registered and of the name of the owner or keeper thereof shall be entitled to receive the same on payment of a fee of sixpence.

List of persons to be exhibited.
6 Wm. IV No. 4, s. 6.
39 Vic. No. 6, ss. 4, 5.

10. Where any owner or keeper of a dog resides more than ten miles distant from the court of petty sessions nearest to the place where such dog is intended to be kept he may register such dog by transmitting to the clerk of such petty sessions a registered letter setting forth the particulars of such dog according to the form prescribed in the Third Schedule hereto, and containing postage or duty stamps to the value of two shillings and sixpence.

Registration by registered letter.
Ibid. s. 6.

11. The clerk of petty sessions shall, within fourteen days after the receipt of such registration fee so enclosed as aforesaid, forward by letter to the owner or keeper of such dog a receipt in the form of the Fourth Schedule hereto, or in default forfeit and pay a penalty of not more than one pound nor less than ten shillings.

Third Schedule.

Clerk of petty sessions to forward receipt of registration free to owner of dog.
Ibid. s. 7.

12. (1) Any person may, at any place within the boundaries or reputed boundaries of any city, town, or police district, seize and detain any dog not duly registered as aforesaid, and upon notice thereof given to any justice of the peace such justice shall summon the owner or reputed owner or keeper of such dog to appear and claim such dog, and if such owner or keeper or some one on his behalf does not within twenty-four hours after service of such summons, or within such further time as such justice may deem reasonable, attend and claim such dog, the same shall be forthwith killed.

Fourth Schedule.
Dogs not registered may be seized and killed.
6 Wm. IV No. 4, s. 7.
39 Vic. No. 6, s. 4.

(2) Every dog, whether registered or not, found at large in any part of any city, town, or police district without being under the immediate custody, protection, or control of some competent person, may, unless such dog has a collar round its neck with the name and address of its owner legibly engraven thereon, and if a mastiff or bull dog or a mongrel of either of the same has in addition to such collar a muzzle securely fixed upon the mouth of such dog so as to prevent it from biting or injuring any person or property, be immediately killed or destroyed, and all persons are hereby authorised and all constables especially ordered to seize, kill, and destroy every such dog.

Dogs without collars and bull dogs and mastiffs without muzzles to be killed.

13. If any dog in any street of any city, town, or police district, or upon any highway in any part of New South Wales, rushes at or attacks any person or horse or bullock, whereby the life or limbs of any person are endangered or property injured, the owner or keeper of such dog shall forfeit and pay a penalty of not less than twenty

Penalty on owners of dogs attacking persons or frightening horses.
6 Wm. IV No. 4, s. 8.
39 Vic. No. 6, s. 4.

Dog and Goat.

twenty shillings nor more than five pounds for every such offence over and above the amount of any damage which such dog may have occasioned.

14. For every unregistered dog so seized, and for every dog which is destroyed in conformity to the provisions of this Part, there shall be paid to the person so seizing or destroying the same a reward of two shillings and sixpence on proof being adduced to the satisfaction of the police magistrate or any justice of the petty sessions for the city, town, or police district in which the same was so seized or destroyed that such dog was seized or destroyed by the party applying for such reward within the boundaries or reputed boundaries of any city, town, or police district, and that such dog if destroyed was immediately removed from the streets of such city, town, or police district, or buried or otherwise disposed of so as to prevent nuisance or annoyance to any of the inhabitants thereof:

Rewards for seizing and destroying dogs.
6 Wm. IV No. 4, s. 9.
39 Vic. No. 6, s. 4.

Provided that in every case in which a reward is claimed for the destruction of any dog the party applying for such reward shall produce to such police magistrate or justice the tail of such dog, which shall be immediately burned or otherwise destroyed in the presence of such police magistrate or justice, or of some person duly appointed by him.

15. In any prosecution under this Part every dog shall be taken to be kept by the person who is in the actual occupation of the house or premises upon which such dog is found, unless reasonable proof to the contrary is adduced by the defendant, and the person by whom any such dog is ordinarily kept shall be liable to the several provisions of this Act as the keeper of such dog, whether kept for his own use or that of another:

As to proof of ownership.
6 Wm. IV No. 4, s. 10.

Provided that with respect to any dog kept or used by a servant the same shall be deemed to be kept by his master or employer for the time being.

16. Any constable having charge of a division, district, or ward of any city, town, or police district who fails or neglects to report to the police magistrate or justices of the petty sessions of such city, town, or police district any dog which is kept within his district, division, or ward without being duly registered in manner required by this Act shall forfeit and pay a penalty or sum of not less than ten nor more than twenty shillings for every such dog which he so fails or neglects to report unless he shows reasonable cause why the fact of non-registration could not have been known to him.

Penalty on constables failing to report unregistered dogs.
Ibid. s. 12.
39 Vic. No. 6, s. 4.

17. Every constable who neglects to destroy or use his best endeavours to destroy every dog which he finds at large contrary to the provisions of this Part within his district, division, or ward shall for every such neglect forfeit and pay a sum of not less than ten nor more than twenty shillings.

Penalty on constables not destroying dogs improperly at large.
6 Wm. IV No. 4, s. 13.

Dog and Goat.

18. Every constable or other person who wilfully or maliciously kills or destroys any dog which is not at large contrary to the provisions of this Part shall forfeit and pay to the owner of such dog the full value thereof, and also a penalty of not less than twenty shillings nor more than five pounds.

Penalty on constables killing dogs not improperly at large.

Ibid. s. 14.

19. The owner of every dog shall be liable in damages for injury done to any person, property, or animal by his dog, and it shall not be necessary for the party seeking such damages to show a previous mischievous propensity in such dog, or the owner's knowledge of such previous propensity, or that the injury was attributable to neglect on the part of such owner.

Owner of dog to be liable in damages for any injury committed by his dog.

39 Vic. No. 6, s. 9.

20. Any dog attacking any person or animal may be destroyed by any person whomsoever if the attack be not on premises belonging to or occupied by the owner or keeper of such dog.

Dog attacking any person, &c., may be destroyed.

Ibid. s. 10.

21. All fees received under the provisions of this Part shall be paid, applied, and accounted for, and returns made thereof in such and the like manner as is directed with respect to fees levied under the Act fourth William the Fourth number five entitled *An Act for appointing fees to be taken in the several Courts of Police and Petty Sessions, and by the Clerks of Justices acting singly in the Colony of New South Wales.*

Appropriation of fees.

6 Wm. IV No. 4, s. 15.

22. If any action is brought against any person for anything done in pursuance of this Part the defendant may plead the general issue and give the special matter in evidence thereupon, and if the verdict be for the defendant or the plaintiff be nonsuited or discontinued his action, or if upon demurrer judgment be given against the plaintiff, the defendant shall have treble costs, and the like remedy for the same as any defendant has in any case to recover costs by law.

General issue.

6 Wm. IV No. 4, s. 18.

PART III.

Dogs or goats not to be used for purposes of draught.

23. Every person who uses any dog or goat for the purpose of drawing or helping to draw any cart, carriage, truck, or barrow shall be liable to a penalty of not more than forty shillings for the first offence and not more than five pounds for the second or any subsequent offence.

Dogs or goats not to be used to draw carts, &c.

29 Vic. No. 17, s. 1.

PART

Dog and Goat.

PART IV.

Recovery of penalties and damages.

24. All fines, fees, and penalties imposed under the provisions of this Act, and all damages which may be sued for under the provisions of this Act, where the amount claimed does not exceed ten pounds, shall be recoverable in a summary way before any one or more justice or justices of the peace, and the fines or penalties inflicted or order for damages made by such justice or justices shall be levied by distress and sale of the offender or defendant's goods or chattels, and in failure of distress shall be enforced in the manner provided by Act eleventh and twelfth Victoria chapter forty-three, or any Act amending the same.

Recovery of fines
and penalties.
39 Vic. No. 6, s. 8.
29 Vic. No. 17, s. 2.

SCHEDULES.

FIRST SCHEDULE.

Sec. 1.

Reference to Act.	Title or Short Title.	Extent of Repeal.
6 Wm. IV No. 4 ...	An Act for abating the nuisance occasioned by dogs in the streets of certain towns and on highways in New South Wales.	The whole Act.
29 Vic. No. 17 ...	Dog and Goat Act of 1866	The whole Act.
39 Vic. No. 6 ...	Dog Act Amendment Act of 1875	The whole Act.

SECOND SCHEDULE.

Sec. 2 (1).

Cities and Towns.

Adelong	Braidwood	Dalkeith
Albury	Broken Hill	Deniliquin, N. and S.
Appin	Bungonia	Dubbo
Armidale		
Arthurstown(TrunkeyCreek)		Eden
	Camden	Euston
Balmain	Campbelltown	
Balranald	Camperdown (O'Connell	Forbes
Bathurst	Town)	Frederickton
Bega	Carcoar, W. and E.	
Bendemeer	Catherine Hill Bay	Glebe
Berrima	Clarence Town	Glen Innes
Binalong	Cooma	Gosford, East and West
Bombala	Coonabarabran	Goulburn
Boorowa	Coonamble	Grafton
Bourke	Cundletown	Grafton, North and South
		Grenfell

*Dog and Goat.**Cities and Towns—continued.*

Grenfell	Narrabri	St. Leonards
Gundagai	Nelligen	St. Mary's
Gunning	Nerrigundah	Stroud
Hartley	Newcastle	Sydney
Hay	Newtown	Swansea
Haydonton	Nimmitabel	Tambaroora
Hill End	Nowra	Tamworth
Ivanhoe	Nundle	Tarentia
Jerilderie	Nymagee	Taree
Kelso	Orange	Tenterfield
Kempsey, West and East	Paddington	Tumberumba
Kiama	Panbula	Tumut
Kiandra	Parramatta	Ulladulla
Lawrence	Paterson	Ulmarra
Liverpool	Penrith	Wagga Wagga
Maclean (Rocky Mouth)	Picton	Waterloo
Macquarie	Port Macquarie, East	Waverley
Maitland	Port Macquarie, West	Wellington and Montefiores
Marulan	Queanbeyan	Wentworth
Merriwa	Randwick and Coogee	West Maitland
Moama	Raymond Terrace	Wilcannia
Molong, West	Redfern	Windsor
Morpeth	Richmond	Woolahra
Moruya	Roxburgh	Wollombi
Moulamein	Scone and St. Aubins	Wollongong
Mudgee	Singleton	Yamba
Murrurundi	Sofala	Yass
Musclebrook	St. Albans	Young

Police Districts.

Albury	Hay	Picton
Balranald	Hillston	Port Stephens
Bathurst	Inverell	Queanbeyan
Bega	Liverpool	Raymond Terrace
Berrima	Macleay River	Richmond River
Bingara	Maitland	Rylstone
Bombala	Metropolitan	Seone
Bourke	Mitchell	Shoalhaven
Braidwood	Moama	Tamworth
Brewarrina	Moree	Tenterfield
Camden	Moruya	Tumut
Campbelltown	Murrurundi	Tweed River
Carcoar	Musclebrook and Merton	Vegetable Creek
Cowra	Narellan	Wagga Wagga
Dowling	Narrabri	Walgett
Dungog	Narrandera	Warialda
Eden	Newcastle	Wellington
Glen Innes	Orange	Wentworth
Goulburn	Paterson	Windsor
Gundagai	Patrick's Plains	Wollongong
Gunnedah	Penrith	Young
Hartley		

Dog and Goat.

THIRD SCHEDULE.

Secs. 5 and 10.

Form of Notice of Registering Dogs.

A description of dogs intended to be kept by A.B., of street, in the town of during the year ending on the thirtieth day of September, one thousand eight hundred and .

No.	Premises on which each dog is intended to be kept.	Sex.	Age.	Colour or peculiar marks.	Description or kind of dog.

I, A. B., do declare the above list and description to be true in every particular to the best of my knowledge and belief.

A. B.

FOURTH SCHEDULE.

Secs. 7 and 11.

Form of Receipt.

RECEIVED this day of one thousand eight hundred the sum of for dogs registered by A. B., in the city, town, or police district of for the year ending on the thirtieth day of September, one thousand eight hundred

C. D.,
Clerk of

Memo. and Certificate to accompany the Dog and Goat Bill.

THIS Bill consolidates the following Acts:—

6 Wm. IV. No. 4;
29 Vic. No. 17;
39 Vic. No. 6.

Only verbal changes have been made, and I certify that this Bill solely consolidates, and in no way alters, adds to, or amends the law contained in the Acts thereby consolidated.

CHAS. G. HEYDON,
Commissioner for the Consolidation of the Statute Law.

Dog and Goat Bill

Memorandum and Certificate to accompany the Dog and Goat Bill

This Bill contains the following provisions:

- 1. To amend the law relating to the registration of dogs.
- 2. To amend the law relating to the registration of goats.

Only verbal changes have been made, and I certify that this Bill is in accordance with the instructions of the House of Commons.

CHARLES HERVEY, Clerk of the House of Commons.

Comptroller for the consideration of the Dog and Goat Bill.

Printed by the Stationery Office, London.

Dog and Goat Bill.

TABLE showing how the sections of the Acts consolidated have been dealt with.

Section of Repealed Acts.	Section of Consolidated Act.	Remarks.
6 WILLIAM IV No. 4.		
1	2 & 4	
2	5	
3	6	
4	7	
5	8	
6	9	
7	12	
8	13	
9	14	
10	15	
11	.....	Repealed by sec. 2 of 39 Vic. No. 6.
12	16	
13	17	
14	18	
15	21	
16	.....	Unnecessary. <i>See</i> Interpretation Act 1897, section 21.
17	.....	Repealed by sec. 2 of 39 Vic. No. 6.
18	22	
19	2	
20	.....	Omitted. Date of commencement of Act.
29 VICTORIA No. 17.		
1	23	
2	24	
39 VICTORIA No. 6.		
1	.....	Short title, &c.
2	.....	Repealing section.
3	7	
4	4, 5, 9, 12, 13, 14, 16	
5	5, 7, 8, 9	
6	10	
7	11	
8	24	
9	19	
10	20	
11	3	

Doc and Cor Bill

The first of the bills is the bill for the relief of the...

...

A BILL

...

...

1888

Legislative Council.

No. , 1898.

A BILL

To consolidate the Acts relating to Dogs and to Goats.

[DR. GARRAN ;—12 October, 1898.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:—

PART I.

Preliminary.

1. (1) This Act may be cited as the "Dog and Goat Act, 1898," Short title and division. and is divided into Parts, as follows:—

PART I.—*Preliminary*, s. 1.

A

PART

PART II.—*Registration of dogs, ss. 2-23.*

PART III.—*Dogs or goats not to be used for purposes of draught, ss. 24-25.*

Repeals.
First Schedule.

(2) The Acts mentioned in the First Schedule to this Act are hereby repealed.

PART II.

Registration of dogs.

Application of this Part.
6 Wm. IV No. 4, ss. 1 and 19.
39 Vic. No. 6, s. 4.
Second Schedule.

2. (1) This Part shall apply to the cities, towns, and police districts mentioned in the Second Schedule hereto.

(2) The Governor may whenever he sees fit, by notice published in the Gazette, extend the provisions of this Part—

(a) to any city or town; and

(b) to any police district, whether this Act has been previously extended to any city or town within such police district or not.

Interpretation.
Ibid. s. 11.

3. In this Part, unless the context or subject matter otherwise indicates or requires—

(1) "Animal" means any horse, mare, gelding, filly, foal, ass, mule, bull, cow, bullock, steer, heifer, calf, ram, ewe, wether, lamb, alpaca, goat, pig, or domestic poultry.

(2) "City" means any city to which this Part for the time being applies, or has been extended.

(3) "Constable" means any officer of the police force.

(4) "Place where such dog is intended to be kept" includes the place where such dog is actually kept as well as the place where such dog is ordinarily kept.

(5) "Police district" means any police district to which this Part for the time being applies, or has been extended.

(6) "Town" means any town to which this Part for the time being applies, or has been extended.

All dogs within cities, towns, or police districts to be registered.
6 Wm. IV No. 4, s. 1.
39 Vic. No. 6, s. 4.

4. Any person who keeps any dog within the boundaries or reputed boundaries of any city, town, or police district for a period of fourteen days without causing a description of such dog to be registered, and such registration to be renewed from year to year in manner hereinafter mentioned, shall forfeit and pay for every such dog a penalty of not less than ten shillings nor more than twenty shillings:

Provided that nothing herein contained shall be deemed to require the registration of any dog under the age of six months, or which has not been kept as aforesaid for a period of fourteen days, the proof of which shall lie upon the owner or keeper of such dog.

5. (1) Every such registration shall be made by the owner or keeper of any dog intended to be registered, or by some person on his behalf delivering at the court of petty sessions of the city, town, or police district nearest to the place where such dog is intended to be kept a description of such dog, embracing the several particulars contained in the form in the Third Schedule hereto, with a declaration thereunder written to the truth thereof under the hand of such owner or keeper, or of some person in that behalf duly authorised.

Mode of registering dogs.
6 Wm. IV No. 4, s. 2.
39 Vic. No. 6, ss. 4 and 5.
Third Schedule.

(2) Every such registration shall be in force from the day upon which the same is so made until the thirtieth day of September then next ensuing, and no longer, and shall by every such owner or keeper, or by some person on his behalf, be in like manner renewed from year to year so long as any such dog continues to be kept within the boundaries or reputed boundaries of any city, town, or police district :

Duration of registration.

Provided that every such registration which is made in September in any year shall be deemed to be in force until the thirtieth day of September of the year then next ensuing.

6. Whosoever wilfully inserts or omits or wilfully causes or permits to be inserted or omitted in any such description any matter or thing whatsoever contrary to or for the purpose of concealing the truth shall forfeit and pay a penalty of not less than ten nor more than twenty shillings.

Penalty for false description.
6 Wm. IV No. 4, s. 3.

7. (1) At the time of making every such registration there shall be paid into the hands of the clerk of the petty sessions where the same is made, by the party making the same, a fee of two shillings and sixpence in respect of every dog mentioned in such registration, and until such amount has been so paid no such registration shall be deemed to have been duly made :

Fees on registration.
Ibid. s. 4.
39 Vic. No. 6, ss. 3, 5.

Provided that where the registration is made after the month of March and before the month of September one half only of such fee shall be payable.

(2) Every clerk of petty sessions to whom such payment is made shall, on demand, give a copy of such registration certified under his hand and a receipt for the fee paid in the form of the Fourth Schedule hereto, and any such clerk who on being required so to do refuses or neglects to give such copy or receipt shall forfeit and pay the sum of ten shillings.

Copy of registration and receipt.
Fourth Schedule.

8. In any proceedings under this Part it shall not be necessary for the informant to establish the fact of non-registration, but the proof of due registration shall be on the defendant, and for that purpose a certified copy of such registration under the hand of the clerk of the petty sessions where the same was made shall be equivalent to the production of the original, for which certified copy there shall be paid to such clerk the fee of sixpence and no more unless such copy has been applied for at the time of registration, in which case the same shall be delivered without any fee whatever.

Proof of registration.
6 Wm. IV No. 4, s. 5.
39 Vic. No. 6, s. 5.

List of persons
to be exhibited.

6 Wm. IV No. 4, s. 6.
39 Vic. No. 6, ss. 4, 5.

Registration by
registered letter.

Ibid. s. 6.

Third Schedule.

Clerk of petty
sessions to forward
receipt of registra-
tion free to owner of
dog.

Ibid. s. 7.

Fourth Schedule.

Dogs not registered
may be seized and
killed.

6 Wm. IV No. 4,
s. 7.
39 Vic. No. 6, s. 4.

Dogs without collars
and bull dogs and
mastiffs without
muzzles to be killed.

Penalty on owners of
dogs attacking
persons or frighten-
ing horses.

6 Wm. IV No. 4,
s. 8.
39 Vic. No. 6, s. 4.

9. The clerk of the petty sessions of every city, town, or police district shall keep in some convenient part of his office during office hours for public inspection a correct list, arranged in alphabetical order, of the names of all persons who have registered any dog during the current year, and showing the number of dogs registered by each person, and any person applying for the particulars of any dog so registered and of the name of the owner or keeper thereof shall be entitled to receive the same on payment of a fee of sixpence.

10. Where any owner or keeper of a dog resides more than ten miles distant from the court of petty sessions nearest to the place where such dog is intended to be kept he may register such dog by transmitting to the clerk of such petty sessions a registered letter setting forth the particulars of such dog according to the form prescribed in the Third Schedule hereto, and containing postage or duty stamps to the value of two shillings and sixpence.

11. The clerk of petty sessions shall, within fourteen days after the receipt of such registration fee so enclosed as aforesaid, forward by letter to the owner or keeper of such dog a receipt in the form of the Fourth Schedule hereto, or in default forfeit and pay a penalty of not more than one pound nor less than ten shillings.

12. (1) Any person may, at any place within the boundaries or reputed boundaries of any city, town, or police district, seize and detain any dog not duly registered as aforesaid, and upon notice thereof given to any justice of the peace such justice shall summon the owner or reputed owner or keeper of such dog to appear and claim such dog, and if such owner or keeper or some one on his behalf does not within twenty-four hours after service of such summons, or within such further time as such justice may deem reasonable, attend and claim such dog, the same shall be forthwith killed.

(2) Every dog, whether registered or not, found at large in any part of any city, town, or police district without being under the immediate custody, protection, or control of some competent person, may, unless such dog has a collar round its neck with the name and address of its owner legibly engraven thereon, and if a mastiff or bull dog or a mongrel of either of the same has in addition to such collar a muzzle securely fixed upon the mouth of such dog so as to prevent it from biting or injuring any person or property, be immediately killed or destroyed, and all persons are hereby authorised and all constables especially ordered to seize, kill, and destroy every such dog.

13. If any dog in any street of any city, town, or police district, or upon any highway in any part of New South Wales, rushes at or attacks any person or horse or bullock, whereby the life or limbs of any person are endangered or property injured, the owner or keeper of such dog shall forfeit and pay a penalty of not less than twenty

twenty shillings nor more than five pounds for every such offence over and above the amount of any damage which such dog may have occasioned.

14. For every unregistered dog so seized, and for every dog which is destroyed in conformity to the provisions of this Part, there shall be paid to the person so seizing or destroying the same a reward of two shillings and sixpence on proof being adduced to the satisfaction of the police magistrate or any justice of the petty sessions for the city, town, or police district in which the same was so seized or destroyed that such dog was seized or destroyed by the party applying for such reward within the boundaries or reputed boundaries of any city, town, or police district, and that such dog if destroyed was immediately removed from the streets of such city, town, or police district, or buried or otherwise disposed of so as to prevent nuisance or annoyance to any of the inhabitants thereof:

Rewards for seizing and destroying dogs.
6 Wm. IV No. 4, s. 9.
39 Vic. No. 6, s. 4.

Provided that in every case in which a reward is claimed for the destruction of any dog the party applying for such reward shall produce to such police magistrate or justice the tail of such dog, which shall be immediately burned or otherwise destroyed in the presence of such police magistrate or justice, or of some person duly appointed by him.

15. In any prosecution under this Part every dog shall be taken to be kept by the person who is in the actual occupation of the house or premises upon which such dog is found, unless reasonable proof to the contrary is adduced by the defendant, and the person by whom any such dog is ordinarily kept shall be liable to the several provisions of this Act as the keeper of such dog, whether kept for his own use or that of another:

As to proof of ownership.
6 Wm. IV No. 4, s. 10.

Provided that with respect to any dog kept or used by a servant the same shall be deemed to be kept by his master or employer for the time being.

16. Any constable having charge of a division, district, or ward of any city, town, or police district who fails or neglects to report to the police magistrate or justices of the petty sessions of such city, town, or police district any dog which is kept within his district, division, or ward without being duly registered in manner required by this Act shall forfeit and pay a penalty or sum of not less than ten nor more than twenty shillings for every such dog which he so fails or neglects to report unless he shows reasonable cause why the fact of non-registration could not have been known to him.

Penalty on constables failing to report unregistered dogs.
Ibid. s. 12.
39 Vic. No. 6, s. 4.

17. Every constable who neglects to destroy or use his best endeavours to destroy every dog which he finds at large contrary to the provisions of this Part within his district, division, or ward shall for every such neglect forfeit and pay a sum of not less than ten nor more than twenty shillings.

Penalty on constables not destroying dogs improperly at large.
6 Wm. IV No. 4, s. 13.

Penalty on constables
killing dogs not
improperly at large.
Ibid. s. 14.

18. Every constable or other person who wilfully or maliciously kills or destroys any dog which is not at large contrary to the provisions of this Part shall forfeit and pay to the owner of such dog the full value thereof, and also a penalty of not less than twenty shillings nor more than five pounds.

Owner of dog to be
liable in damages for
any injury
committed by his
dog.
39 Vic. No. 6, s. 9.

19. The owner of every dog shall be liable in damages for injury done to any person, property, or animal by his dog, and it shall not be necessary for the party seeking such damages to show a previous mischievous propensity in such dog, or the owner's knowledge of such previous propensity, or that the injury was attributable to neglect on the part of such owner.

Dog attacking any
person, &c., may be
destroyed.
Ibid. s. 10.

20. Any dog attacking any person or animal may be destroyed by any person whomsoever if the attack be not on premises belonging to or occupied by the owner or keeper of such dog.

Appropriation of
fees.
6 Wm. IV No. 4,
s. 15.

21. All fees received under the provisions of this Part shall be paid, applied, and accounted for, and returns made thereof in such and the like manner as is directed with respect to fees levied under the Act fourth William the Fourth number five entitled *An Act for appointing fees to be taken in the several Courts of Police and Petty Sessions, and by the Clerks of Justices acting singly in the Colony of New South Wales.*

General issue.
6 Wm. IV No. 4,
s. 18.

22. If any action is brought against any person for anything done in pursuance of this Part the defendant may plead the general issue and give the special matter in evidence thereupon, and if the verdict be for the defendant or the plaintiff be nonsuited or discontinued his action, or if upon demurrer judgment be given against the plaintiff, the defendant shall have treble costs, and the like remedy for the same as any defendant has in any case to recover costs by law.

PART III.

Dogs or goats not to be used for purposes of draught.

Dogs or goats not to
be used to draw
carts, &c.
29 Vic. No. 17, s. 1.

23. Every person who uses any dog or goat for the purpose of drawing or helping to draw any cart, carriage, truck, or barrow shall be liable to a penalty of not more than forty shillings for the first offence and not more than five pounds for the second or any subsequent offence.

PART

PART IV.

Recovery of penalties and damages.

24. All fines, fees, and penalties imposed under the provisions of this Act, and all damages which may be sued for under the provisions of this Act, where the amount claimed does not exceed ten pounds, shall be recoverable in a summary way before any one or more justice or justices of the peace, and the fines or penalties inflicted or order for damages made by such justice or justices shall be levied by distress and sale of the offender or defendant's goods or chattels, and in failure of distress shall be enforced in the manner provided by Act eleventh and twelfth Victoria chapter forty-three, or any Act amending the same.

Recovery of fines and penalties.
39 Vic. No. 6, s. 8.
29 Vic. No. 17, s. 2.

SCHEDULES.

FIRST SCHEDULE.

Sec. 1.

Reference to Act.	Title or Short Title.	Extent of Repeal.
6 Wm. IV No. 4 ...	An Act for abating the nuisance occasioned by dogs in the streets of certain towns and on highways in New South Wales.	The whole Act.
29 Vic. No. 17 ...	Dog and Goat Act of 1866	The whole Act.
39 Vic. No. 6 ...	Dog Act Amendment Act of 1875	The whole Act.

SECOND SCHEDULE.

Sec. 2 (1).

Cities and Towns.

Adelong	Braidwood	Dalkeith
Albury	Broken Hill	Deniliquin, N. and S.
Appin	Bungonia	Dubbo
Armidale		
Arthurstown(TrunkeyCreek)		Eden
	Camden	Euston
Balmain	Campbelltown	
Balranald	Camperdown (O'Connell	Forbes
Bathurst	Town)	Frederickton
Bega	Carcoar, W. and E.	
Bendemeer	Catherine Hill Bay	Glebe
Berrima	Clarence Town	Glen Innes
Binalong	Cooma	Gosford, East and West
Bombala	Coonabarabran	Goulburn
Boorowa	Coonamble	Grafton
Bourke	Cundletown	Grafton, North and South
		Grenfell

Cities and Towns—continued.

Grenfell	Narrabri	St. Leonards
Gundagai	Nelligen	St. Mary's
Gunning	Nerrigundah	Stroud
Hartley	Newcastle	Sydney
Hay	Newtown	Swansea
Haydonton	Nimmitabel	Tambaroora
Hill End	Nowra	Tamworth
Ivanhoe	Nundle	Tarcutta
Jerilderie	Nymagee	Taree
Kelso	Orange	Tenterfield
Kempsey, West and East	Paddington	Tumberumba
Kiama	Panbula	Tumut
Kiandra	Parramatta	Ulladulla
Lawrence	Paterson	Ulmarra
Liverpool	Penrith	Wagga Wagga
Maclean (Rocky Mouth)	Picton	Waterloo
Macquarie	Port Macquarie, East	Waverley
Maitland	Port Macquarie, West	Wellington and Montefiores
Marulan	Queanbeyan	Wentworth
Merriwa	Randwick and Coogee	West Maitland
Moama	Raymond Terrace	Wilcannia
Molong, West	Redfern	Windsor
Morpeth	Richmond	Woollahra
Moruya	Roxburgh	Wollombi
Moulamein	Seone and St. Aubins	Wollongong
Mudgee	Singleton	Yamba
Murrurundi	Sofala	Yass
Musclebrook	St. Albans	Young

Police Districts.

Albury	Hay	Picton
Balranald	Hillston	Port Stephens
Bathurst	Inverell	Queanbeyan
Bega	Liverpool	Raymond Terrace
Berrima	Macleay River	Richmond River
Bingara	Maitland	Rylstone
Bombala	Metropolitan	Seone
Bourke	Mitchell	Shoalhaven
Braidwood	Moama	Tamworth
Brewarrina	Moree	Tenterfield
Camden	Moruya	Tumut
Campbelltown	Murrurundi	Tweed River
Carcoar	Musclebrook and Merton	Vegetable Creek
Cowra	Narellan	Wagga Wagga
Dowling	Narrabri	Walgett
Dungog	Narrandera	Warialda
Eden	Newcastle	Wellington
Glen Innes	Orange	Wentworth
Goulburn	Paterson	Windsor
Gundagai	Patrick's Plains	Wollongong
Gunnedah	Penrith	Young
Hartley		

Dogs and Goats.

THIRD SCHEDULE.

Secs. 5 and 10.

Form of Notice of Registering Dogs.

A description of dogs intended to be kept by A.B., of street, in the town of during the year ending on the thirtieth day of September, one thousand eight hundred and

No.	Premises on which each dog is intended to be kept.	Sex.	Age.	Colour or peculiar marks.	Description or kind of dog.

I, A. B., do declare the above list and description to be true in every particular to the best of my knowledge and belief.

A. B.

FOURTH SCHEDULE.

Secs. 7 and 11.

Form of Receipt.

RECEIVED this day of one thousand eight hundred the sum of for dogs registered by A. B., in the city, town, or police district of for the year ending on the thirtieth day of September, one thousand eight hundred

C. D.,
Clerk of

Vertical text on the left margin, possibly a page number or reference.

Faint, illegible text in the upper half of the page, possibly bleed-through from the reverse side.

Section of text in the middle of the page, including a heading that appears to be "SECTION 1" and some descriptive text.

to the end of the...

23	...	...	...	...	...

...

Vertical text on the left margin, possibly a page number or reference.

Section of text at the bottom of the page, including a heading that appears to be "SECTION 2" and some descriptive text.