



ANNO DECIMO

VICTORIÆ REGINÆ,

No. 5.

*By His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT, Baronet, Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies, with the Advice of the Legislative Council.*

*AN ACT to restrain the Increase of Dogs.*

- W**HEREAS Dogs have increased in this Island to such an extent as to be injurious to Sheep-owners and a nuisance to the Public and there is no sufficient check by law to this evil and it is advisable in order to restrain the increase of Dogs and to make their destruction lawful in certain cases that a remedy be provided—**BE IT THEREFORE ENACTED** by His Excellency SIR JOHN EARDLEY EARDLEY-WILMOT Baronet Lieutenant-Governor of the Island of Van Diemen's Land and its Dependencies by and with the advice of the Legislative Council that if after the expiration of Ten Days from the first day of September one thousand eight hundred and forty-six any person shall keep any Dog of either sex above the age of six months for the keeping whereof he or she shall not have obtained such a Licence as hereinafter is mentioned such person shall for every such Dog pay a penalty not exceeding Two Pounds.
- II. AND BE IT ENACTED** that every such Licence shall be issued by the Police Magistrate or Assistant Police Magistrate of the District in which the keeper of the Dog or Bitch to be licensed shall reside upon payment of the sum of Five Shillings in respect of every such Dog and of the sum of Ten Shillings in respect of every such Bitch.
- III. AND BE IT ENACTED** that every such Licence whenever issued shall be in force from the day of the date thereof until and throughout the thirty-first day of August then next ensuing and no longer and every such Licence shall be in the form of the Schedule to this Act annexed.
- IV. AND BE IT ENACTED** that if any Dog of either sex shall be found at large in any part of this Island not being under the custody or control of some competent person it shall be lawful for any person to shoot at and kill or otherwise destroy or use his best endeavours to destroy the same.
- PREAMBLE.**
- Licence to be obtained under a certain penalty.
- From whom.
- Fee for same.
- Duration of Licence.
- Dogs found at large may be destroyed.

vours to destroy such Dog—PROVIDED that the place wherein such Dog shall be found at large shall not be a place within the limits of any of the Towns of this Island in which the provisions of an Act of this Island intituled *An Act to regulate the Police in certain Towns and Ports within the Island of Van Diemen's Land and to make more effectual provision for the Preservation of the Peace and Good Order throughout the said Island and its Dependencies generally* are or shall be in force.

Proceedings for penalties.

V. AND BE IT ENACTED that all offences against this Act shall upon information in that behalf exhibited be heard and determined in a summary way and all fines and penalties imposed in respect of the same be awarded and imposed by any Police or Assistant Police Magistrate in manner in that behalf provided by the Act intituled *An Act to regulate Summary Proceedings before Justices of the Peace* and if any person shall feel aggrieved by any summary judgment or conviction under this Act such person shall be entitled to appeal therefrom in the manner in that behalf provided by that Act.

Keeper of a dog defined.

VI. AND BE IT ENACTED that in any prosecution under this Act the person who shall be the occupier of the land or premises on which any Dog of either sex shall be kept shall be deemed to keep such Dog unless reasonable proof to the contrary be adduced by the defendant and the person by whom any Dog shall in fact be 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.

Appropriation.

VII. AND BE IT ENACTED that all monies which shall be received by authority of this Act not hereinbefore specifically appropriated shall go and be applied in aid of the ordinary Revenue of this Colony.

E. EARDLEY-WILMOT.

Passed the Legislative Council, this thirteenth day of July, one thousand eight hundred and forty-six,

ADAM TURNBULL, *Clerk of the Council.*

SCHEDULE REFERRED TO IN THE FOREGOING ACT.

A DESCRIPTION of  
*A. B.* of  
 from the  
 day of  
 Dogs intended to be kept by  
 within the District of  
 day of  
 18 to the  
 for which this Licence is issued.

Number of Dogs to be kept.	Sex of each Dog.	

C. D. Police [or Assistant Police] Magistrate.