1. An urban county district which, before the passing of the Local Government (Ireland) Act, 1898, was a county of a city or a county of a town shall, after the passing of this Act, be deemed to be a county of a city or a county of a town, as the case may be, for the purposes of the Bridges (Ireland) Acts, 1813 to 1875. Amendment of law regarding counties of cities and counties of towns.

2. This Act may be cited as the Local Government (Ireland) Act (1898) Amendment Act, 1906, and shall be read together with the Local Government (Ireland) Act, 1898, and the Acts amending or extending the same. Short title. 61 & 62 Vict. c. 37.

CHAPTER 32.

An Act to consolidate and amend the Enactments relating to injury to live stock by Dogs, and otherwise to amend the Law relating to Dogs. *[4th August 1906.]*

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1.—(1) The owner of a dog shall be liable in damages for injury done to any cattle by that dog; and it shall not be necessary for the person seeking such damages to show a previous mischievous propensity in the dog, or the owner's knowledge of such previous propensity, or to show that the injury was attributable to neglect on the part of the owner. Liability of owner of dog for injury to cattle.

(2) Where any such injury has been done by a dog, the occupier of any house or premises where the dog was kept or permitted to live or remain at the time of the injury shall be presumed to be the owner of the dog, and shall be liable for the injury unless he proves that he was not the owner of the dog at that time:

Provided that where there are more occupiers than one in any house or premises let in separate apartments, or lodgings, or otherwise, the occupier of that particular part of the house or premises in which the dog has been kept or permitted to live or remain at the time of the injury shall be presumed to be the owner of the dog.

(3) If the damages claimed under this section do not exceed five pounds they may be recovered under the Summary Jurisdiction Acts as a civil debt.

(4) Where a dog is proved to have injured cattle or chased sheep, it may be dealt with under section two of the Dogs Act, 1871, as a dangerous dog. 34 & 35 Vict. c. 56.

2.—(1) The Diseases of Animals Act, 1894, shall have effect as if, amongst the purposes for which the Board of Agriculture Power of Board of Agriculture to

make orders about dogs. 57 & 58 Vict. c. 57.

and Fisheries may make orders under section twenty-two of that Act, there were included the following purposes :—

(*a*) for prescribing and regulating the wearing by dogs, while in a highway or in a place of public resort, of a collar with the name and address of the owner inscribed on the collar or on a plate or badge attached thereto :

(*b*) with a view to the prevention of worrying of cattle, for preventing dogs or any class of dogs from straying during all or any of the hours between sunset and sunrise.

(2) Orders under this section may provide that any dog in respect of which an offence is being committed against the orders, may be seized and treated as a stray dog.

Seizure of stray dogs.

3.—(1) Where a police officer has reason to believe that any dog found in a highway or place of public resort is a stray dog, he may seize the dog and may detain it until the owner has claimed it and paid all expenses incurred by reason of its detention.

(2) Where any dog so seized wears a collar having inscribed thereon or attached thereto the address of any person, or the owner of the dog is known, the chief officer of police, or any person authorised by him in that behalf, shall serve on the person whose address is given on the collar, or on the owner, a notice in writing stating that the dog has been so seized, and will be liable to be sold or destroyed if not claimed within seven clear days after the service of the notice.

(3) A notice under this section may be served either—

(*a*) by delivering it to the person on whom it is to be served ; or

(*b*) by leaving it at that person's usual or last known place of abode, or at the address given on the collar ; or

(*c*) by forwarding it by post in a prepaid letter addressed to that person at his usual or last known place of abode, or at the address given on the collar.

(4) Where any dog so seized has been detained for seven clear days after the seizure, or, in the case of such a notice as aforesaid having been served with respect to the dog, then for seven clear days after the service of the notice, and the owner has not claimed the dog and paid all expenses incurred by reason of its detention, the chief officer of police, or any person authorised by him in that behalf, may cause the dog to be sold or destroyed in a manner to cause as little pain as possible.

(5) No dog so seized shall be given or sold for the purposes of vivisection.

(6) The chief officer of police of a police area shall keep, or cause to be kept, one or more registers of all dogs seized under this section in that area which are not transferred to an establishment for the reception of stray dogs. The register shall contain a brief description of the dog, the date of seizure, and particulars as to the manner in which the dog is disposed of,

and every such register shall be open to inspection at all reasonable times by any member of the public on payment of a fee of one shilling.

(7) The police shall not dispose of any dog seized under this section by transferring it to an establishment for the reception of stray dogs unless a register is kept for that establishment containing such particulars as to dogs received in the establishment as are above mentioned, and such register is open to inspection by the public on payment of a fee not exceeding one shilling.

(8) The police officer or other person having charge of any dog detained under this section shall cause the dog to be properly fed and maintained.

(9) All expenses incurred by the police under this section shall be defrayed out of the police fund, and any money received by the police under this section shall be paid to the account of the police fund.

(10) In this section the expressions "police area," "chief officer of police," and "police fund" with respect to the City of London mean respectively the said City, the Commissioner of City Police, and the fund or rate applicable to the maintenance of police in the said City, and with respect to any other place have the meanings respectively assigned to them by the Police Act, 1890. 53 & 54 Vict. c. 45.

Notice to police of finding of stray dogs.

4. Any person who takes possession of a stray dog shall forthwith either return the dog to its owner or give notice in writing to the chief officer of police of the district where the dog was found containing a description of the dog and stating the place where the dog was found and the place where the dog is being detained, and any person failing to comply with the provisions of this section shall be liable, on conviction under the Summary Jurisdiction Acts, to a fine not exceeding forty shillings.

Exemption of sheep dogs, &c. from excise licence. 41 & 42 Vict. c. 15.

5.—(1) The grant of a certificate under section twenty-two of the Customs and Inland Revenue Act, 1878, of exemption from duty in respect of a dog shall require the previous consent in England of a petty sessional court, and in Scotland of the sheriff or sheriff-substitute having jurisdiction in the place where the dog is kept, but such consent shall not be withheld if the Court is of opinion that the conditions for exemption mentioned in the said section apply in the case of the applicant, and the procedure for obtaining that consent shall be regulated in England by rules made by the Lord Chancellor, and in Scotland by acts of sederunt.

(2) The rules and acts of sederunt shall provide for dispensing with the appearance of the applicant for a consent under this section except in cases where the application is opposed and the court sheriff or sheriff-substitute considers the appearance of the applicant to be necessary for the proper consideration of the application. No fee shall be payable in respect of any application or consent under this section.

Burying of carcases.

6. Any person who shall knowingly and without reasonable excuse permit the carcase of any head of cattle belonging to him to remain unburied in a field or other place to which dogs can gain access shall be liable on conviction under the Summary Jurisdiction Acts to a fine not exceeding forty shillings.

Definition of cattle.

7. In this Act the expression "cattle" includes horses, mules, asses, sheep, goats, and swine.

Application of Act to Scotland.

8. This Act shall apply to Scotland with the following modifications:—

53 & 54 Vict. c. 67.

(*a*) The Police (Scotland) Act, 1890, shall be substituted for the Police Act, 1890:

53 & 54 Vict. c. 45.

(*b*) The expression "police officer" shall mean a constable within the meaning of the Police (Scotland) Act, 1890:

53 & 54 Vict. c. 67.

(*c*) The provisions of subsection three of section one of this Act relating to summary proceedings for civil debts, shall not apply to Scotland:

(*d*) Until the first day of January nineteen hundred and twelve section five shall not apply to any application for the renewal of a certificate of exemption in force at the date of the passing of this Act.

Application of Act to Ireland.

9. This Act shall apply to Ireland with the following modifications:—

(*a*) The Department of Agriculture and Technical Instruction for Ireland shall be substituted for the Board of Agriculture and Fisheries:

(*b*) The expressions "chief officer of police" and "police area" shall mean, in the police district of Dublin metropolis, either of the commissioners of police for the said district, and the said district, and elsewhere the district inspector of the Royal Irish Constabulary, and the district over which he is appointed:

28 & 29 Vict. c. 50.

(*c*) The expenses incurred by the police under section three of this Act shall on demand be paid to the chief officer of police out of the money in the hands of the registrar arising from the sale of licences under the Dogs Regulation (Ireland) Act, 1865, and any money received by the police under the said section shall be paid by the chief officer of police to the registrar, and be applicable as money arising from the sale of licences.

Repeal.

10. The enactments mentioned in the schedule to this Act are hereby repealed to the extent specified in the third column of that schedule.

Short title and commencement.

11. This Act may be cited as the Dogs Act, 1906, and shall come into operation on the first day of January nineteen hundred and seven.

SCHEDULE.

ENACTMENTS REPEALED. Section 10.

Session and Chapter.	Short Title.	Extent of Repeal.
25 & 26 Vict. c. 59.	The Dogs (Ireland) Act, 1862.	The whole Act.
26 & 27 Vict. c. 100.	The Dogs (Scotland) Act, 1863.	The whole Act.
28 & 29 Vict. c. 60.	The Dogs Act, 1865	The whole Act.
30 & 31 Vict. c. 134.	The Metropolitan Streets Act, 1867.	Section eighteen to "by reason of such detention."
34 & 35 Vict. c. 56.	The Dogs Act, 1871	Section one, and section five from "The expression 'police district'" to the end of the section.
55 & 56 Vict. c. 55.	The Burgh Police (Scotland) Act, 1892.	Section three hundred and ninety.

CHAPTER 33.

An Act to transfer to the Local Government Board the Powers of the Treasury under enactments relating to Local Authorities. [4th August 1906.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Transfer from Treasury to Local Government Board of powers relating to property and loans of local authorities.

1.—(1) The Local Government Board shall exercise as regards every local authority in England, except the London County Council, any power conferred on the Treasury by any enactment contained in, applied by, or incorporated with the Baths and Washhouses Acts, 1846 to 1899, or the Burial Acts, 1852 to 1900, or any local or private Act, as respects dealings with property, loans, and matters connected therewith; and all such enactments, and all enactments referring to the powers so conferred, shall be construed accordingly.

(2) Any such power, if exercised before the passing of this Act, whether by the Treasury or by the Local Government Board, shall be deemed to have been duly exercised.

(3) If any question arises as to whether this Act applies to any power conferred by, or referred to in, any enactment, the decision of the Treasury shall be conclusive for all purposes.