ANNO VICESIMO OCTAVO

VICTORIÆ REGINÆ.

****

CAP. L.

An Act for regulating the keeping of Dogs, and for the Protection of Sheep and other Property from Dogs, in *Ireland*. [19th *June* 1865.]

WHEREAS much Loss and Damage is suffered in *Ireland* by the Owners of Sheep and other Property by the Ravages of Dogs, and there is great Difficulty in identifying the Owners of such Dogs: And whereas it is expedient to regulate the keeping of Dogs: Be it therefore enacted by the Queen'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:

Preliminary.

1. This Act may be cited for all Purposes as the "Dogs Regulation (*Ireland*) Act, 1865." Short Title.

2. This Act shall come into operation on the First Day of *January* One thousand eight hundred and sixty-six. Commencement of Act.

3. This Act shall extend to *Ireland* only. Only to extend to Ireland.

4.—The

Interpretation Clause.

4.—

The Expression "Registrar," as used in this Act, shall mean the Registrar under the Petty Sessions Clerks (*Ireland*) Act, 1858:

The Expression "Lord Lieutenant," as used in this Act, shall mean the Lord Lieutenant or other Chief Governor or Governors of *Ireland:*

The Expression "Chief or Under Secretary," as used in this Act, shall mean the Chief or Under Secretary of the Lord Lieutenant, or other Chief Governor or Governors of *Ireland:*

The Expression "Petty Sessions Clerk," as used in this Act, shall mean the Clerk of any Petty Sessions Court under the "Petty Sessions (*Ireland*) Act, 1851," and the "Petty Sessions Clerk (*Ireland*) Act, 1858," and shall include the Chief or other Clerk of any Police Court in the Police District of *Dublin* Metropolis:

The Expression "Justice or Justices at Petty Sessions," as used in this Act, shall include any Divisional Justice of *Dublin* Metropolitan Police; and the Expression "Petty Sessions District," as used in this Act, shall include the Police District of the *Dublin* Metropolis.

PART I.

Commissioners of Inland Revenue to provide Dies for denoting License Duty.

5. The Commissioners of Inland Revenue shall provide all necessary Dies for denoting, either by impressed or adhesive Stamps, the Amount or Value of Licenses according to the Scale fixed in Schedule A. to this Act annexed; and the Registrar shall, under the Direction and Supervision of the Chief or Under Secretary, cause a sufficient Supply of the Forms in the Schedule (B.) to this Act annexed to be printed; and the said Commissioners shall cause any of such Forms to be stamped according to this Act with proper Stamps denoting the License Duty thereon; and the Registrar shall cause the same, when so stamped, and also any adhesive Stamps that may be necessary for the Purposes of this Act, to be from Time to Time furnished to the several Petty Sessions Clerks in *Ireland;* and for the Purposes aforesaid the said Commissioners shall supply the Registrar with such stamped Forms and adhesive Stamps for denoting the Amount or Value of any of such Licenses, under such Rules and Regulations as the Chief or Under Secretary shall from Time to Time make or direct.

License to keep Dogs, &c.

6. Any Person, after the Commencement of this Act, having in his Possession or Custody any Dog or Dogs, shall, on or before the Thirty-first Day of *March* in each Year, take out a License for such Dog

Dog or Dogs in the Petty Sessions District in which he shall reside; and the Petty Sessions Clerk, upon Payment by such Person of the proper License Duty, shall deliver such License to such Person, which shall entitle such Person to keep such Dog or Dogs for One Year from and after the Date of such License: Provided always, that where the Owner of a Dog or Dogs has given the Custody of such Dog or Dogs to another Person who shall not reside in the same Petty Sessions District as the Owner, the License for such Dog or Dogs shall be taken out by the Person having the Custody of such Dog or Dogs, and not by the Owner.

Occupiers to be liable to Payment of License Duty.

7. The Occupier of any House or Premises where any Dog or Dogs are kept or permitted to live or remain shall be liable to pay the License Duty for such Dog or Dogs, and in default of such Payment shall be liable to the Penalties incurred by Persons keeping unlicensed Dogs, unless the said Occupier can prove to the Satisfaction of the Justice or Justices that he is not the Owner or has not the Custody of such Dog or Dogs, and that such Dog or Dogs were kept or permitted to live or remain in the said House or Premises without his Sanction or Knowledge: Provided always, 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 Premises in which such Dog or Dogs shall have been kept or permitted to live and remain shall be liable to pay the License Duty for such Dog or Dogs.

Joint Occupiers.

Clerk to make Entry of License in Book to be kept for that Purpose.

8. Every Petty Sessions Clerk shall keep a Book to be provided by the Registrar, and to be called "the Registry of Dogs License Book," in which he shall register the Issue of such License, the Date thereof, and the Name and Residence of the Person to whom issued, as also the Description of the Dog or Dogs as contained in the License, which Book shall be open to the Inspection of the Registrar and his Clerks, and of every Justice of the Peace, County Inspector, Sub-Inspector, Head or other Constable of Constabulary, and of every Superintendent, Head or other Constable of the *Dublin* Metropolitan or other local Police Force; and the Petty Sessions Clerk shall certify at the Foot or on the Back of every such License that the same has been duly registered, and shall affix to every such Certificate of Registry a Sixpenny Petty Sessions Stamp, to be paid for by the Person taking out the License.

Proceedings on Transfer of Dog by Sale or Gift.

9. Where any Dog shall be transferred by Sale or Gift by its Owner to any other Person, it shall not be necessary for such Person to take out a new License for such Dog if such Dog shall have been licensed within the Year, but such Person shall obtain from the

the Petty Sessions Clerk of the District where the License was issued a Certificate in the Form in the Schedule (D.) to this Act annexed, to which Certificate a Sixpenny Petty Sessions Stamp shall be affixed to be paid by the Person requiring the same, and such Person shall, within Fifteen Days after such Transfer, cause such Certificate to be registered in the "Registry of Dogs License Book" for the Petty Sessions District in which the Person to whom such Transfer shall have been made resides, and the Petty Sessions Clerk of such District shall, on Application, register such Certificate, and shall certify such Registry at the Foot or at the Back of the Certificate, and no Fee or Stamp Duty shall be payable on such Registry; and in default of causing such Registry to be made such Person shall be liable to the Penalties incurred by Persons keeping unlicensed Dogs.

Power to Justices to enforce Payment of Fees in certain Cases.

10. In case the Person who shall be liable, under the Provisions of this Act, to pay such Fee of Sixpence upon every such Certificate of the Registry of such License, shall fail to make such Payment, it shall be lawful for the Justice or Justices at Petty Sessions to make a summary Order, on the Complaint of the Clerk of such Petty Sessions, to require the Payment of such Fee; and such Order shall be enforced in like Manner as any Order of a Justice or Justices may now be enforced under the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," and any Act amending the same: Provided always, that every Petty Sessions Clerk shall, when required so to do, and as a Part of his Duty, and without Charge, properly fill up all Licenses purchased of him under the Provisions of this Act.

Petty Sessions Clerk shall fill up Forms, when required.

Lists of Licenses to be printed and posted.

11. Every Petty Sessions Clerk shall, on or before the Fifteenth Day of *April* in each Year after the Commencement of this Act, cause a sufficient Number of Lists to be printed or written in the Form in the Schedule (C.) to this Act annexed, and shall cause such Lists to be posted on or near to the Doors of every Petty Sessions Court and Police Station and Barrack within his District, and shall furnish a Copy of such Lists to the Clerk of each Poor Law Union in his District, and to the Secretary of the Grand Jury of the County in which his District is situate. The Cost of printing and posting such Lists shall be defrayed by the Registrar.

Petty Sessions Clerk to account with the Registrar half-yearly.

12. Every Petty Sessions Clerk shall account with the Registrar for all Licenses or License Stamps issued to him; and such Account shall be made, passed, and audited in such Form and Manner and at such Times as the Lord Lieutenant shall for that Purpose direct.

13. Every

Accounts to be verified.

13. Every such Account shall be verified by the Affidavit or Affirmation of the Petty Sessions Clerk, to be made before the Registrar or One of the Justices of the District or One of the Districts to which the said Clerk shall belong.

Allowance for Licenses or License Stamps spoiled, &c.

14. The Lord Lieutenant may from Time to Time make Regulations for the Allowance of such of the Licenses or License Stamps issued under the Provisions of this Act as may have been spoiled or rendered useless or unfit for the Purpose intended, or which through Mistake or Inadvertence may have been improperly or unnecessarily used.

Repayment of Expenses.

15. All the Costs and Expenses incurred by the Commissioners of Inland Revenue and Registrar under this Act shall be paid out of the Monies arising from the Sale of Licenses under this Act, and any surplus Monies arising from such Sale, and remaining in the Hands of such Registrar after defraying all Expenses incurred by him under this Act, shall be paid over by him once a Year to the Credit of the Treasurer of the County or Borough, as the Case may be, in which such Licenses shall have been sold, in such Manner as the Lord Lieutenant shall direct, to be applied by such Treasurer in aid of the County or Borough Rates, as the Case may be, in such Manner as the Grand Jury or Town Council of such County or Borough shall direct: Provided always, that it shall be lawful for the Lord Lieutenant from Time to Time, by any Writing under his Hand, to direct that the Registrar shall have and be allowed to retain such annual Sum as the Lord Lieutenant may think fit, by way of Remuneration for the Trouble incurred by the Registrar and his Clerks and by the Petty Sessions Clerks respectively in performing the Duties imposed on them by this Act.

Monies received for Stamps to be subject to 21 & 22 Vict. c. 100.

16. The Monies received by the Clerk of Petty Sessions for the Petty Sessions Stamps to be used for the Purposes of this Act shall be subject in all respects to the Provisions of "The Petty Sessions Clerk (*Ireland*) Act, 1858."

Accounts to be presented to Parliament.

17. The Registrar shall make out and prepare an annual Statement of his Accounts under this Act at such Time and in such Form as the Lord Lieutenant shall direct, and such Accounts shall be annually laid before Parliament.

Registrar to furnish Notices setting forth Acts required to be

18. The Registrar shall, in sufficient Time before the Thirty-first Day of *December* One thousand eight hundred and sixty-five, furnish to the Clerks of Petty Sessions printed Notices, which the said Clerks shall, on or before the said Thirty-first Day of *December*,

done under this Act.

cause to be fixed or placed on the Outside of the several Church and Chapel Doors or other public and conspicuous Buildings or Places within their respective Districts, and which Notices shall specify the several Acts required to be done for the Purpose of registering any Dog or Dogs under the Provisions of this Act.

PART II.

Penalties.

Provisions of the Stamp Acts, as far as applicable, to be extended to this Act.

19. The Provisions contained in the several Acts for the Time being in force relating to Stamps under the Care and Management of the Commissioners of Inland Revenue shall (so far as the same are applicable, and consistent with the Provisions of this Act,) in all Cases not hereby provided for be in full Force and Effect with respect to the Stamps to be provided under the Provisions of this Act, and shall be applied and put in execution for preventing, detecting, and punishing all Frauds, Forgeries, and other Offences relating thereto, as fully and effectually, to all Intents and Purposes, as if such Provisions had been adapted to and specially enacted by this Act in reference to the Stamps hereby provided.

Penalty on Owners of Dogs not having the same licensed.

20. Any Person who shall, from and after the Thirty-first Day of *March* in each Year after the Commencement of this Act, have in his Possession or Custody any Dog or Dogs not duly licensed in accordance with the Provisions of this Act, shall be liable to a Penalty not exceeding Two Pounds; and the Justice or Justices shall further order such Person forthwith to take out a License for such Dog or Dogs; and the Petty Sessions Clerk shall thereupon issue such License upon Payment of the proper License Duty by such Person, and such License shall be held to be valid to the Thirty-first Day of *March* next following the Date of such License; and if after such Order such Person shall continue to keep any Dog or Dogs without having obtained a License, he shall, in addition to the Penalty imposed for the Second and any subsequent Offence, pay a Sum not exceeding One Shilling for each Day he shall have kept a Dog without License.

Penalty for refusing to produce License.

21. Every Person having in his Possession or Custody any Dog or Dogs shall produce the License for such Dog or Dogs whenever so required by a Justice of the Peace, Officer, Head or other Constable of Constabulary or of the *Dublin* Metropolitan or other local Police Force, and in case of Refusal he shall, if licensed, be liable to a Penalty not exceeding Five Shillings.

22. Every

Recovery of Penalties.

22. Every Penalty recoverable under the Provisions of this Act shall be recoverable in a summary Way, with respect to the Police District of *Dublin* Metropolis subject and according to the Provisions of any Act regulating the Powers and Duties of Justices of the Peace for such District or of the Police of such District, and with respect to other Parts of *Ireland*, before a Justice or Justices of the Peace sitting in Petty Sessions, subject and according to the Provisions of "The Petty Sessions (*Ireland*) Act, 1851," and any Act amending the same, and shall be applied according to the Provisions of "The Fines Act (*Ireland*), 1851," and any Act amending the same.

Application of Penalties.

No Penalty where Failure not wilful.

23. No Penalty shall be exacted in any Case where it shall appear to the Satisfaction of the Justice or Justices that the Person failing to comply with the Provisions of this Act has not wilfully been guilty of such Failure, but that such Failure has been occasioned by Accident; provided always, that such Justice or Justices shall forthwith order such Person to take out a License for the Dog or Dogs in his Possession or Custody, or otherwise comply with the Provisions of this Act, and that such Person shall forthwith comply with such Order.

SCHEDULES.

SCHEDULE (A.)

Schedule.	Duty.
	£ s. d.
For every License to keep One Dog - - -	0 2 0
For every License to keep Two or more Dogs - -	0 2 0 For each Dog.

SCHEDULE (B.)

I hereby certify, That *A.B.* [*Farmer*], residing at in the Townland of in the Parish of in the County of has this Day taken out a License for the Year ending for the Dog or Dogs described at the Foot hereof, and paid the Sum of being the License Duty imposed in respect of such Dog or Dogs by the "Dogs Regulation (Ireland) Act, 1865."

Number of Dogs.	Colour.	Description.

Dated this Day of 18 .

(Signed) *C.D.*,
Clerk of
Petty Sessions.

Note—In Cases where an Owner or Master of a Pack of Hounds, Harriers, or Beagles, or an Owner of several Greyhounds, takes out a License, the Number

Number of such Dogs need only be given; but where a License is taken out for other Dogs, the Colour and Description of each Dog should be given as far as possible.

No. in Registry Book. _____ I hereby certify, That this License has been duly registered in the "Registry of Dogs License Book" kept for that Purpose by me, pursuant to Section Eight of the "Dogs Regulation (Ireland) Act, 1865."

Dated this Day of 18 .

(Signed) *C.D.*,
Clerk of
Petty Sessions.

Place for Petty Sessions Stamp.

SCHEDULE (C.)

I hereby certify, That the following Persons have taken out Licenses in the Petty Sessions District of in the County of for the Number of Dogs set opposite their Names for the Year ending .

Name.	Residence.	Number of Dogs.

Dated this Day of 18 .

(Signed) *C.D.*,
Clerk of
Petty Sessions.

SCHEDULE (D.)

I hereby certify, That *A.B.* [*Farmer*] residing at in the Townland of in the Parish of in the County of has paid the License Duty, under the "Dogs Regulation (Ireland) Act, 1865," for the Dog described at the Foot hereof for the Year ending 18 .

Colour.	Description.

Dated this Day of 18 .

(Signed) *C.D.*,
Clerk of
Petty Sessions.

Place for Petty Sessions Stamp.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1865.