

Provincial Statutes of Canada, passed in the year 1845. Montreal: Stewart Derbishire & George Desbarats, 1845.

8 Victoria – Chapter 57

An Act to empower the District Councils of Municipal Districts, and Boards of Police of Incorporated Towns in Upper Canada, to impose a Tax on Dogs, within their respective Districts and Towns. (29th March, 1845.)

Whereas it is expedient to empower the District Councils and Boards of Police in Upper Canada, to impose a Tax on Dogs, and to make By-Laws respecting the keeping of Dogs, and for preventing their running at large: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, "An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada;" and it is hereby enacted by the authority of the same, That in addition to the purposes for which, by the thirty-ninth section of the Act passed in the fourth and fifth years of Her Majesty's Reign, and intituled, "An Act to provide for the better internal government of that part of this Province which formerly constituted the Province of Upper Canada, by the establishment of Local or Municipal authorities therein, the District Councils of the several Districts in Upper Canada are empowered to make By-Laws, it shall be lawful for each of the said District Councils, respectively, to make By-Laws for the following purpose, that is to say,—For regulating the time at which Dogs shall be permitted to run at large within the District, and for imposing a Tax upon the owners of Dogs, and for obliging the owners to keep collars on their Dogs, with the name of such owner thereon, and for the destruction of Dogs not claimed by any person as the owner, and running at large contrary to any such By-Laws: Provided always, that no Tax to be imposed by any District Council on the owners of Dogs shall, in any case, exceed the sum of five shillings in any one year, for each Dog over six months old: Provided also, nevertheless, that such By-Laws shall not extend or be construed to extend to any incorporated City or Town in Upper Canada: And provided also, that every Farmer in any District shall be entitled to keep one Dog for farm use, without paying any Tax for such Dog under this Act.

II. And be it enacted, That, except, so far as it is otherwise provided by this Act, such By-Laws shall be in all respects subject to the provisions of the Act first above cited, with regard to the By-Laws which any District Council is thereby empowered to make.

III. And be it enacted, That the monies coming into the hands of any District Treasurer, and arising from any Tax or Penalty imposed by any such By-Law as aforesaid, shall form part of the District Funds, and shall be subject to the same provisions as any other monies forming part of the said funds.

IV. And be it enacted, That it shall and may be lawful for any Board of Police within any Town by law entitled to the same, to make such By-Laws, Ordinances and Regulations, for the like

purposes, within the said Towns, as they shall see fit: Provided always, that it shall not be lawful for any such District Council or Board of Police to order the destruction of any Dogs running at large within the limits of the said Town, unless a Proclamation, signed by the Warden and Chairman of such District Council, or by the President of such Board of Police, shall have been published at least two days before such order.

V. And be it enacted, That all sum or sums of money levied within any such incorporated Town, under the provisions of this Act, shall be applied for the general purposes of the said Town, in such manner as shall be directed, from time to time, by the Board of Police within the same.

VI. And be it enacted, That for all the purposes of this Act, it shall be deemed and held sufficient proof of the ownership in any Dog upon which a Tax may be levied, if the said Dog is known to the Assessor of any Township or Incorporated Town aforesaid, to frequent any dwelling or lodging house as a home, and the owner or occupier of such dwelling or lodging house shall be held liable for the payment of the Tax on any such Dog, and in any action or suit for alleged injury or damage committed by such Dog, the return of the Assessor designating such ownership, shall be deemed and held to be prima facie evidence of such ownership, and further, that any person being generally or frequently attended or followed by any Dog, shall be deemed and considered, for all the purposes of this Act, as prima facie owner thereof, and liable as such owner for the payment of such Tax, or for all injuries or damages committed by such Dog.

VII. And be it enacted, That this Act may be repealed, altered or amended, by any Act of the Parliament of this Province to be passed during the present Session.