

NEW MUNSTER
ORDINANCES.*Dog Nuisance.*

In cases for damages not necessary to prove defendant's knowledge of dog's propensity to injure.

Upon requisition of Magistrates, Lieutenant-Governor may proclaim Ordinance.

All moneys levied by way of fine &c. to be expended in repairs of roads.

Natives not resident in any town, not to be subject to provisions under this Ordinance.

Commencement of Ordinance.

8. Be it enacted, That in all cases tried before the Resident Magistrate or any two Justices of the Peace, where damages for injury done by a dog are sought to be recovered from the owner, it shall not be necessary for the plaintiff to prove that the owner knew of the dog's propensity to commit the injury complained of, but the defendant may bring evidence to show that he had no reason to believe that his dog was likely to commit such injury, and this evidence shall go in mitigation of damages.

9. Be it enacted, That upon the requisition of the majority of the Magistrates of any district, the Lieutenant-Governor may proclaim this Ordinance to be in operation.

10. Be it enacted, That all moneys levied by way of fine penalty or forfeiture under this Ordinance are hereby reserved to Her Majesty, her heirs and successors, for the public uses of the Province of New Munster, and shall be paid into the Treasury thereof, to be issuable, by warrant, to the Commissioners of Roads, where such Commissioners exist, or to the principal officer of Government where there are no such Commissioners, to be expended in the repairs of the roads of the district wherein they are levied.

11. Be it enacted, That nothing in this Ordinance shall extend to any aboriginal native not resident in any town, or to any dog belonging to such native.

12. Be it enacted, That this Ordinance shall come into operation from the day of the passing thereof.

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