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SCHEDULE.

CHAPTER 193.

DOGS.

An Ordinance to Consolidate and Amend the Ordinances relating to the Protection against Dogs.

20 of 1900,
17 of 1902.
14 of 1903.
11 of 1906.
8 and
17 of 1909.
23 of 1913.
8 of 1923.

[1ST AUGUST, 1900.]

1. This Ordinance may be cited as the Dogs Ordinance, and shall, with the exceptions of sections 17 and 18 (which shall apply to the whole of the Colony and Protectorate) apply to the City of Freetown as defined from time to time for the purposes of the Freetown Municipality Ordinance, and also to all land lying north of an imaginary line running parallel to, and two hundred yards south of, the main road from Freetown to Aberdeen, and bounded on the east by the Congo Town brook and on the west by Aberdeen creek, and also to the Sherbro Judicial District. Notwithstanding any provision in this section contained the Governor in Council may be Order extend the application of this Ordinance to any district or place within the Colony.

Short title.

Application to Freetown, Congo Town, Murray Town and Sherbro. Cap. 65.

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2. In this Ordinance, unless the context otherwise requires—
“dangerous” means savage, vicious, or likely to spread rabies, distemper, mange, or any kind of disease.

Interpretation.

3. Every person keeping any dog of whatsoever description or denomination during any year or portion of a year shall, on or before the tenth day of January, or within ten days after he shall have commenced to keep a dog, take out a licence for such year in respect of such dog.

Dogs to be licensed.

4. (1) The licence to be taken out under this Ordinance shall be in the form in the schedule hereto, and shall be granted by the Commissioner of Police, or such officer as may be deputed by him, on payment to him by the person taking out such licence of the duty of four shillings in respect of each dog included therein:

Form and grant of licences.

Provided always that if he should apply for such licence before any proceedings shall be taken against him under the

* The application has been extended to (i) Hill Station Residential Area and (ii) the area occupied by Wilberforce Barracks and all bungalows and dwelling houses adjacent thereto and not forming part of the village of Wilberforce (O. in C. 30 of 1931).

provisions of this Ordinance, but after the time limited for such purpose, he shall pay to the Commissioner of Police a fine of two shillings in addition to the licence duty to entitle him to a grant of his application.

(2) In the Sherbro Judicial District the licence to be taken out under this Ordinance shall be in the form in the schedule hereto and shall be granted by the District Commissioner or such officer as may be deputed by him, on payment to him by the person taking out such licence of the duty of two shillings and sixpence in respect of each dog included therein:

Provided always that, if he should apply for such licence before any proceedings shall be taken against him under this Ordinance, but after the time limited for such purpose, he shall pay to the District Commissioner a fine of one shilling in addition to the licence duty to entitle him to a grant of his application.

Duration of licence.

5. Every such licence shall bear the date of, and commence on, the day of its being granted and shall expire on the thirty-first day of December following.

Badges to be supplied with licences.

6. Every person taking out any such licence shall, at the time of taking out the same, be supplied by the Commissioner of Police with a metal badge, of such kind as the Governor shall determine, for each dog included in such licence; and every dog included in any such licence shall wear such badge during the continuance of such licence; and at the expiration of any such licence any person, to whom any such badge or badges as aforesaid shall have been supplied by reason of his taking out such licence, who shall not within ten days deliver such badge or badges to the Commissioner of Police, shall forfeit and pay the sum of one shilling in respect of each badge the subject of such default.

Counterfeiting badges.

7. Any person counterfeiting any such badge shall be guilty of a misdemeanour, and, being convicted thereof, shall be liable to imprisonment, with or without hard labour, for any term not exceeding one year.

Replacement of lost badges.

8. Whenever a badge is lost or destroyed, the person to whom such badge shall have been supplied may, on application to the Commissioner of Police and on payment of the actual cost, obtain a fresh badge for the remainder of the current year during which the former badge was available.

9. The Commissioner of Police shall keep a counterfoil book of all such licences granted by him, containing the name and place of abode of every person to whom he shall have granted any such licence and the number of dogs which each such person shall have been licensed by him to keep, with particulars of such dogs, sufficient to ensure their identification.

Register of
dog licences
to be kept.

10. If any person who shall have taken out a licence under this Ordinance shall not produce and deliver such licence to be examined and read by any superior officer or constable of the Police Force within a reasonable time after such officer or constable shall have required production of the same, he shall be liable to a penalty not exceeding twenty shillings.

Penalty for
not producing
licence.

11. If any person shall keep a dog without having in force a licence granted under this Ordinance authorising him so to do, or shall keep a greater number of dogs than he be licensed to keep, during the continuance of such licence, he shall be liable to a penalty not exceeding twenty shillings in respect of each dog so kept by him.

Penalty for
keeping a dog
without
licence.

Every person in whose custody, charge or possession, or in whose house or premises, any dog shall be found, shall be deemed to be the person who is the keeper of such dog, unless the contrary be proved.

12. Any superior officer or constable of the Police Force may take possession of any dog, not wearing a badge for the then current year, found in or upon any public or private road, street, lane, footway, square, court or alley, whether a thoroughfare or not, the seashore, or any waste land or open space, whether private property or not, and may detain such dog until the owner thereof shall have claimed the same, and the owner of such dog shall thereupon be liable to prosecution under the last preceding section, and on conviction thereunder shall also pay all expenses of such detention, together with an impounding fee of one shilling.

Power to
seize dogs
without
badges.

13. Every dog seized under the last preceding section shall be detained in such place as shall be appointed by the Commissioner of Police, and every such dog shall be maintained at the public expense.

Dogs seized
to be
detained.

Notice of seizure to be given to owner.

14. Where the owner of any dog so seized is known, notice of the seizure shall immediately be given to such owner.

Power to sell or destroy dog seized.

15. Where any dog so seized has remained under detention consequent upon such seizure for three clear days without the owner claiming it, and paying all expenses incurred by reason of its detention, the Commissioner of Police may cause it to be sold or destroyed.

Power to seize dangerous dogs.

16. Any superior officer or constable of the Police Force may take possession of any dog, not under the control of any person, or that he has reason to suppose to be dangerous, found in or upon any public or private road, street, lane, footway, square, court or alley, whether a thoroughfare or not, the seashore or any waste land or open space, whether private property or not, and may detain such dog, until the owner thereof shall have claimed the same and paid all expenses of such detention, together with an impounding fee of one shilling.

Power to destroy dogs if dangerous.

Any dog taken possession of under the provisions of this, or any Ordinance in force may be destroyed, if, in the opinion of the superior officer so taking possession, it is dangerous to keep such dog.

Further provisions as to dangerous dogs.

17. The Magistrate may take cognisance of a complaint that a dog is dangerous or not kept under proper control, and, if it appears to him that any dog, the subject of any complaint made to him, is dangerous, or not kept under proper control, may make an order directing that the dog be kept under proper control by its owner or, if dangerous, be destroyed; and every person failing to comply with such order shall be liable to a penalty not exceeding forty shillings for every day during which such default shall have continued. Subject to any directions that may be given by the Governor, the Magistrate may, if a mad dog or a dog suspected of being mad, be found within the Colony or Protectorate, make and, when made, vary, suspend, or revoke any order placing such restrictions as he may deem expedient, for such period, definite or indefinite, as he may think fit, upon the movements of all dogs within the Colony and Protectorate or any part or parts thereof.

Any such order may provide that every person acting in contravention of, or failing to comply with, any of its provisions shall be liable to a penalty not exceeding forty shillings.

Every such order shall, upon publication thereof in the *Gazette*, have the force of law.

18. It shall be lawful for the Governor, with the view to prevent the spread of hydrophobia, at any time, by Proclamation, to authorise the destruction of all dogs found at large elsewhere than in private premises, and of all dogs, wheresoever found, that may be suspected of being infected with the disease, or of having been bitten by any dog known or suspected to be, or to have been, so infected. Such Proclamation shall apply to the whole Colony and Protectorate, or any part or parts thereof, and shall remain in force for the time specified in such Proclamation.

Power to Governor to authorise destruction of dogs found at large during certain periods.
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19. All sums received under, or by virtue of, this Ordinance, shall be paid into the Treasury and form part of the general revenue of the Colony:

Application of penalties, etc.

Provided that the Governor may direct payment of any portion not exceeding one moiety of any such penalty when recovered, or proceeds of any such sale, to the person who shall have given the information leading to conviction or who shall have effected the seizure, as the case may be.

Proviso.
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20. The duties payable under this Ordinance shall not be payable in respect of any dog under the age of three months:

Dogs under three months exempted from being licensed.

Provided always that upon the hearing of any charge or information for a penalty for keeping a dog without a licence, the burden of proving the age of the dog shall lie on the defendant.

21. All proceedings for the recovery of any penalties, forfeitures and expenses incurred under this Ordinance shall be heard, tried and determined by the Magistrate.

Recovery of penalties.

* The Governor has delegated his powers under sections 18 and 19 to the Minister for the time being charged with the administration of Health.

Sec. 4.

SCHEDULE.

DOG LICENCE.

No..... 19.....
 Issued to.....
 Residence: Lot No..... House No.....
 in.....street.....
 Dog sex..... colour.....
 Marks

Badge number.....
 Note.—*The dog described in this Licence must wear the badge issued therewith.*

.....
*Commissioner of Police
 or District Commissioner.*

DOG LICENCE.

No..... 19.....
 Issued to.....
 Residence: Lot No..... House No.....
 in.....street.....
 Dog sex..... colour.....
 Marks

Badge number.....
 Note.—*The dog described in this Licence must wear the badge issued therewith.*

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