**DOG BILL 1860**

**LEGISLATIVE COUNCIL, 18 SEPTEMBER 1860, pages 867 - 868**

Second reading

The CHIEF SECRETARY moved the second reading of a Bill entitled an Act to repeal an Act No.5***,*** of 1852, entitled, "An Act for abating the nuisance and damage to property occasioned by the great number of dogs which are loose in the province of South Australia, and to make other provisions in lieu thereof." It would be seen that this was not the first time the Legislature had been called upon to take steps to abate the nuisances arising from the vast number of dogs which were allowed to run loose throughout the province, and that a somewhat similar measure had been passed in 1852. This Act had, however, become almost a dead letter, in consequence of there being no penalty inflicted upon dogs that were not registered; and the onus of killing such animals devolved upon no one in particular. Of course before a dog would be killed, it was necessary to adopt the instruction of Mrs. Glass, "Catch your hare before you kill it"—and in the first place you had to catch it, and however singular it might appear, dogs had somewhat of an aversion to being caught especially when they had any suspicion of the design of the parties who were trying to catch them. (Laughter.) When caught, also, another difficulty arose. Dogs aid not bear their captivity with the most lamb-like patience—(laughter)—and they were frequently so restive under the operation, that the constables had to adopt somewhat sum­mary measures with them, even in a crowded thoroughfare, and the consequence was that the sympathies of the bye- standers were enlisted in behalf of the dogs, and finally the matter got into the daily papers, and the constables incurred considerable odium; the consequence was that the service became distasteful, and no action had been taken on the old Act for a very considerable time. Now dogs were allowed quietly to follow their own ways, and according to the great law of nature, they increased and multiplied abundantly, so fast, indeed, that they were becoming a perfect nuisance to travelers, especially in the country districts; and not un- frequently parties of standing were apt to have their moral characters injured 01 misrepresented by the language which they were at times tempted to indulge in when addressing some dog which might rush out at them. (Laughter. This nuisance also had an important bearing on the interests of the country. Farmers were beginning in some districts to keep a small stock of sheep, and, of course, in such cases they could not afford to keep a shepherd, and their flocks were therefore continually liable to the ravages of stray dogs. This Act would be of more benefit than the old Act, because on the owners would devolve the duty of destroying these useless curs. He might state that it was not the intention of the Government to pass the Act as printed, as a suggestion had been made in the other branch of the Legislature during the passage of the Bill, which the Government had promised afterwards to intro­duce, to place the working of the Act in the hands of the District Councils, they to receive the fees, and so forth. He would now move the second reading of the Bill.

The Hon. G. TINLINE seconded the motion.

The Hon. Dr. EVERARD objected to the second reading. He believed that if the Act of 1852 was put in force it would be found quite sufficient for all purposes, and would give ample power for the destruction of useless dogs and curs mentioned by the Hon. the Chief Secretary. He saw that under this Act dogs of good character—(laughter)—were to suffer with the curs referred to, and he thought this was not fair. Well-behaved dogs should not be arrested in their liberties for the deeds of curs; that was rather unfair. (Laughter.) He would move that the Bill be read again that day six months.

The Hon. S. DAVENPORT would not oppose the second reading, but would like to ask whether the Government had taken into consideration the dogs of the aborigines.

The Hon. J. BAKER must express an opinion that this Act was not more perfect than was the old Act, and that Act would, he believed, have-been found sufficient had it been properly carried out. It had not been properly carried out, and it they passed this Act it would very probably be the same with it. He thought this Act should have more general application than was proposed. He perceived that the penalty for destroying native dogs was the same as that for other dog8. This was not right, and would deter many parties from endeavoring to destroy the native dogs which were such a nuisance to the shepherds. A great mortality had recently taken place amongst the dogs in some of the dis­tricts, and he really thought there was no pressing necessity for this Act. He believed the old Act, if properly carried out, would be found sufficient. If the District Councils received the fees arising from this Act, they should also be called to pay all penalties under it.

The Hon. the CHIEF SECRETARY replied that the dogs of the aborigines would be duly considered by the Government. He found, on enquiry, that in the country districts a hint from a sheepfarmer o the natives that their dogs were troublesome was generally sufficient to abate the nuisance arising from them. The suggestion of the hon. member, Mr. Baker, in reference to District Councils paying the penalties if they received the fees, would be considered by the Government He would move the second reading.

The motion was carried, and the Bill read a second time. The Hon. the CHIEF SECRETARY then moved the House into Committee on the consideration of the Bill.