

ANNO OCTAVO & NONO

VICTORIÆ REGINÆ.

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CAP. XLVII.

An Act for the further Prevention of the Offence of Dog Stealing. [21st *July* 1845.]

WHEREAS by an Act passed in the Seventh and Eighth Years of His Majesty King *George* the Fourth, intituled *An Act for consolidating and amending the Laws in* England *relative to Larceny, and other Offences connected therewith,* certain Provisions were made for the Prevention of Dog Stealing: And whereas it is expedient, for the further Prevention of the said Offence, that the Provisions of the said recited Act, so far as relates to Dog Stealing, and to dealing with the Offenders in respect to the said Offence, shall be repealed: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this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Authority of the same, That from and after the passing of this Act the said Provisions, so far as aforesaid, shall be repealed. 7 & 8 G. 4. c. 29. Certain Provisions of recited Act repealed.

II. And be it enacted, That if any Person shall steal any Dog, every such Offender shall be deemed guilty of a Misdemeanor, and being convicted thereof before any Two or more Justices of the Peace shall for the First Offence, at the Discretion of the said Justices, either be committed to the Common Gaol or House of Correction, there to be imprisoned only or be imprisoned and kept to hard Labour for any Term not exceeding Six Calendar Months, or shall forfeit Punishment for stealing Dogs: First Offence.

forfeit and pay, over and above the Value of the said Dog, such Sum of Money, not exceeding Twenty Pounds, as to the said Justices shall seem meet; and if any Person so convicted shall afterwards be guilty of the said Offence, every such Offender shall be guilty of an indictable Misdemeanor, and being convicted thereof shall be liable to suffer such Punishment, by Fine or Imprisonment, with or without hard Labour, or by both, as the Court in its Discretion shall award, provided such Imprisonment do not exceed Eighteen Months.

Second Offence.

Penalty for having Possession of stolen Dogs, or of their Skins:

III. And be it enacted, That if any Dog, or the Skin thereof, shall be found in the Possession or on the Premises of any Person by virtue of any Search Warrant, to be granted as is hereafter in that Behalf provided, the Justice by whom such Search Warrant was granted may restore the same to the Owner thereof, and the Person in whose Possession or on whose Premises the same shall be so found such Person (knowing that the Dog has been stolen, or that the Skin is the Skin of a stolen Dog,) shall, on Conviction before any Two or more Justices of the Peace, be liable for the First Offence to pay such Sum of Money, not exceeding Twenty Pounds, as to the Justices shall seem meet; and if any Person so convicted shall be afterwards guilty of the said Offence, every such Offender shall be deemed guilty of a Misdemeanor, and punishable accordingly.

First Offence.

Second Offence.

Penalty for compounding for Offences against this Act.

IV. And be it enacted, That if any Person shall publicly advertise or offer a Reward for the Return or Recovery of any Dog which shall have been stolen or lost, and shall in such Advertisement use any Words purporting that no Questions will be asked, or shall make use of any Words in any public Advertisement purporting that a Reward will be given or paid for any Dog which shall have been stolen or lost without seizing or making any Inquiry after the Person producing such Dog, every such Person shall forfeit the Sum of Twenty-five Pounds for every such Offence to any Person who will sue for the same, by Action of Debt, to be recovered with full Costs of Suit.

Apprehension of Offenders.

V. And be it enacted, That any Person found committing any Offence punishable either upon summary Conviction or upon Indictment by virtue of this Act may be immediately apprehended without a Warrant by any Police Officer, or by the Owner of the Dog, with respect to which the Offence shall be committed, or by his Servant or any Person authorized by him, and forthwith taken before some neighbouring Justice of the Peace to be dealt with according to Law; and if any credible Witness shall prove upon Oath before a Justice of the Peace a reasonable Cause to suspect that any Person has in his Possession or on his Premises any stolen Dog, such Justice may grant a Warrant to search for such Dog; and any Person to whom any Dog shall be offered to be sold or delivered, if he shall have reasonable Cause to suspect that such Dog has been stolen, is hereby authorized, and, if in his Power, is required to apprehend and forthwith to convey before a Justice of the Peace the Party offering the same, together with such Dog, to be dealt with according to Law.

VI. And

Penalty for receiving Money to restore stolen Dogs.

VI. And be it enacted, That any Person who shall corruptly take any Money or Reward directly or indirectly under pretence or upon account of aiding any Person to recover any Dog which shall have been stolen, or which shall be in the Possession of any Person not being the Owner thereof, shall be guilty of a Misdemeanor, and punishable accordingly.

Offenders may be remanded, or admitted to Bail.

VII. And be it enacted, That any Justice may, if he shall think fit, remand for further Examination, or may suffer to go at large, with or without Sureties, upon his personal Recognizance, any Person who shall be charged before him with any Offence or Misdemeanor punishable by this Act, whether the same be punishable by summary Conviction or as an indictable Misdemeanor.

If Penalties not paid Justices to commit Offenders.

VIII. And be it enacted, That in every Case of summary Conviction under this Act where the Sum which shall be forfeited for the Value of any Dog as is herein-before provided, or which shall be imposed as a Penalty by the Justices, shall not be paid either immediately after the Conviction or within such Period as the Justices shall at the Time of the Conviction appoint, it shall be lawful for the convicting Justices to commit the Offender to the Common Gaol or House of Correction, there to be imprisoned only or imprisoned and kept to hard Labour for any Term not exceeding Two Calendar Months where the Amount of the Sum forfeited, or of the Penalty imposed, or of both (as the Case may be), together with the Costs, shall not exceed Five Pounds, and for any Term not exceeding Four Calendar Months where the Amount, with Costs, shall not exceed Ten Pounds, and for any Term not exceeding Six Calendar Months in any other Case, the Commitment to be determinable in each of the Cases aforesaid upon Payment of the Amount and Costs.

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