

Ordinances of the Lieutenant Governor and Council of His Majesty's Province of Cape Breton passed in the year 1814. National Archives of the United Kingdom CO 219/2.

54 George III – Chapter 1

An Ordinance for the better regulation of Stallions and Swine in the Northern District of the Island of Cape Breton.

Whereas many injuries and inconveniences have arisen and are likely to arise from Stallions and Swine being suffered to run at large upon the Streets, Commons and unfenced Lands in this District.

Be it therefore now ordained and ordered for the better regulation of the same by His Honor Major General Swayne, President of His Majesty's Council by and with the advice and consent of the said Council and by the authority of the same it is hereby ordained and ordered, that from and after the publication hereof, it shall and may be lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, to appoint some one person Overseer of the Streets, Commons, and unfenced Lands, of the Northern District of this Island, with the Salary of Ten Pounds Currency per annum; whose particular Duty it shall be, to seize, take up, and dispose of, all Stallions and Swine, which he, or any persons employed on his behalf, may find ranging at large on the Streets, Commons, or unfenced Lands in the before mentioned District, in the following manner.

Now Be it Ordained and Ordered by the authority aforesaid, that upon the said Overseer, or any persons employed on his behalf, ascertaining, or receiving information of any Stallion, or Stallions, of a greater age than one year, being at large upon the said Streets, Commons, or unfenced Lands, it shall and may be lawful for the said Overseer, or the persons so employed on his behalf, to immediately repair thereto, and take up the said Stallion, or Stallions, and give a public notice of three days upon the Market House, for the owner, or owners of the same, to come forward and claim the same, and pay the legal penalty and expences thereon, and upon their neglecting, or refusing so to do, it shall and may be lawful for the said Overseer, to make oath to the same, before one or more Justices of the Peace, who shall and will immediately direct the said stallion, or stallions, to be sold, and disposed of for the payment of a penalty of Five Pounds together with all reasonable expences, which said penalty shall be applied and disposed of to the use of the Poor in the district, and further should there be any residue of the proceeds of the said Stallion, or Stallions, then the same shall be paid over by the said Justice, or Justices to the owner or owners of the same.

And Be it also Ordained and Ordered by the authority aforesaid, that it shall and may be lawful for the said Overseer, or for any person, or persons employed on his behalf to take up and seize all Swine, which he or they may find going at large upon the Streets, Commons, or unfenced lands in the said District, and upon the said Overseer, or Persons so employed making oath to the same before any one Justice, or Justices of the Peace, the said Swine shall be by him declared forfeited and be directed to be sold, one half the value thereof to be given to the said Overseer, and the other half to be appropriated to the use of the Poor of the district.

And further Be it ordained and ordered by the authority aforesaid, that if the said Overseer shall be guilty of any willful neglect of the before described Duties, he shall and will be liable to a Penalty of forty shillings, for each and every offence, to be recovered before any one or more of His Majesty's Justices of the Peace, upon the information and oath of one credible Witness.

Approved, ordained and ordered
in Council, this fifth day of May,
in the year of our Lord,
one thousand eight hundred
and fourteen.

Signed
H. Swayne
Mayor-General Commanding