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Title

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

Preamble

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.

Governor or Commander in Chief to appoint an Overseer

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.

with salary of £10 per an.

His duty

Now Be it Ordained and Ordered by the authority aforesaid, that upon the said Overseer, or any persons employed on his

his behalf, ascertaining, or receiving inform-
ation of any Stallion, or Stallions, of a greater
age than one year, being at large upon the
said Streets, Commons, or unfenced Lands, To seize stallions
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, To give three
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 neg- Neglecting or
lecting, or refusing so to do, it shall and refusing to own
may be lawful for the said Overseer, to the same.
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, to- To be sold for
gether with all reasonable expences, which the payment
said penalty shall be applied and disposed of a penalty
of £ 5, etc.
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. Surplus to be
paid to the
owner.

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 to seize
Swine running
at large.

To be sold.

How disposed
of.

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 wilful 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.

Overseer guilty
of neglect,
forfeit 40s for
each offence.

How recovered.

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

Major General Commanding

Secretary's Office

A true Copy from the Original in my Office

Benjamin Smith