

and Assessment of any Sum not exceeding Six hundred Pounds, as they in their Discretion may think necessary, for the Purpose of discharging the Debts due from the said County of Northumberland ; the same to be assessed, collected and paid agreeably to any Acts in Force for the assessing, collecting and levying of County Rates.

CAP. XXII.

An Act relative to Trespasses by Horses and Swine in the Parish of Fredericton and the Town of Saint Andrews.

Passed 25th March 1831.

BE it enacted by the President, Council, and Assembly, That from and after the passing of this Act, if any Horse, Horses or Swine shall be found going at large within that Part of the Parish of Fredericton situate between the upper Boundary Line thereof and the Creek or Gully to the Southward of the late Archdeacon Best's Dwelling House, in the County of York, or in the Town Plat of Saint Andrews, in the County of Charlotte, the Owner or Owners thereof shall forfeit and pay the Sum of Ten Shillings for each and every Horse or Swine so found going at large, One Half to the Commissioners of the Alms House or Poor House of the said Parishes respectively, and One Half to the Informer, to be recovered, together with Costs of Prosecution, upon Conviction before any One of His Majesty's Justices of the Peace residing in the said Parish respectively, and to be levied of the Goods and Chattels of the Owner or Owners of such Horse, Horses or Swine ; and in case the Owner or Owners of such Horse, Horses or Swine shall not be known, then it shall be the Duty of the Hog Reeve or Hog Reeves of the said Parishes to impound such Horse, Horses or Swine as shall be found so going at large ; and

Penalty for Horses or Swine going at large within certain Parts of Fredericton or Saint Andrews.

Application:

Mode of Recovery.

When the Owner is not known, the Horses or Swine to be impounded and advertised.

it shall be the Duty of the Pound Keeper or Pound Keepers of the said Parishes of Fredericton and Saint Andrews respectively, upon any Horse, Horses or Swine being so impounded, to advertise the same in Three public Places in the said Parishes respectively; and in case the Owner or Owners of such Horse, Horses or Swine shall not, within Six Days after such Advertisement being put up as aforesaid, pay the said Fine for each Horse or Swine so impounded, together with the accustomed Fees and Charges for keeping the same, it shall and may be lawful for the said Pound Keeper to sell such Horse, Horses or Swine at Public Auction, and apply the Money arising therefrom towards paying the said Fine and Charges, and to pay the Overplus, if any, to the Owner or Owners of such Horse, Horses or Swine, whenever such Owner or Owners shall appear and demand the same; and in case such Owner or Owners shall not appear and demand the same within Six Months after such Horse, Horses or Swine shall have been so impounded, then the said Overplus shall be paid to the said Commissioners of the Alms House or Poor House for the Use of the Poor of the said Parishes of Fredericton and Saint Andrews respectively: Provided always, that if it shall be made appear to the Satisfaction of the Justice before whom Complaint shall be made, that any such Horse, Horses or Swine were so going at large by Accident, and contrary to the Will of the Owner or Owners thereof, and not by any Neglect on the Part of such Owner or Owners, that then and in such Case it shall and may be lawful for such Justice to discharge the Complaint upon Payment by such Owner or Owners of the Costs which may have been incurred, or, in case such Horse, Horses or Swine shall have been impounded, to order the Pound Keeper to discharge the same upon Payment of the Expenses of keeping the same. CAP.

After Advertisement, the Horses or Swine to be sold at Public Auction.

Application of the Proceeds of the Sale.

Power of Justices when the Horses or Swine may have been at large by Accident.