

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1792. Fredericton: Christopher Sower, Printer to the King's Most Excellent Majesty, 1792.

32 George III – Chapter 6

An Act to prevent the destruction of Sheep by Dogs.

I. Be it enacted, by the Lieutenant Governor, Council, and Assembly, That if any dog or dogs shall kill any sheep or lambs within this province, the owner of such dog, upon complaint and conviction thereof before any Justice of the Peace shall cause the same to be immediately killed, or shall be liable to pay the owner of such sheep or lambs the full value thereof to be recovered before any one of His Majesty's Justices of the Peace in the county where such offence shall be committed, who is hereby authorised finally to determine the same; Provided the sum so to be recovered does not exceed forty shillings, and on non-payment thereof within three days after judgment shall be given, to issue his warrant to the next constable to destrain so much of the offender's goods and chattles as may be sufficient to discharge the same with the charges arising thereby, and to sell such goods at public auction returning, the overplus (if there be any) to the owner or owners thereof.

II. And be it further enacted, That if any dog, which had before proved to have killed any sheep or lamb, shall afterwards kill any other sheep or lamb, then and in such case, the owner shall not only be liable to pay the full value of the sheep or lambs so killed, but also be further liable to the penalty of twenty shillings for keeping such dog, to be recovered as aforesaid, and applied to the use of the poor of the parish where such offence shall be committed: And the Justice on conviction thereof shall by his warrant directed to a constable order such dog to be immediately killed. And in case the person so convicted shall not pay such damage and fine, and have no goods and chattles whereon to levy the same as aforesaid, it shall and may be lawful for the Justice to commit him to prison not exceeding fourteen days for the first, and one month for the second offence: And in case the damage, to be sustained as aforesaid, shall exceed the sum of forty shillings, and the owner of such dog or dogs shall neglect or refuse to kill such dog or dogs, or to make full compensation to the owner of such sheep or lambs for the damage sustained by them as aforesaid, then the person or persons, so sustaining damage, shall be at liberty to sue for and recover the same in the Inferior Court of Common Pleas for the county where the said damage shall have been done and sustained.