

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1814. Saint John, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1814.

54 George III – Chapter 13

An Act to empower and authorise the Justices of the County of Westmorland, at their General Sessions of the Peace to regulate the grazing and depasturing of the several Marshes, low Land or Meadows within the said County. Passed the 7th of March, 1814.

Whereas there are within the County of Westmorland, several large enclosed tracts of Marsh, low Land, or Meadow, which are held in severalty, but not subdivided with fences, and are depastured in common; and whereas many inconveniences have arisen for the want of some general regulations for the grazing and depasturing the same; for the remedy whereof—

I. Be it enacted by the President, Council and Assembly, That the Justices of the Peace, in and for the said County, or the major part of them at their General Sessions, be, and they are hereby authorised and empowered upon the application, or by consent and concurrence of the proprietors, of at least one half of the quantity of any tract of Marsh, low Land or Meadow, to make such regulations for the grazing and depasturing of such Marsh, low Land or Meadow, as shall be most expedient, and agreeable to the nature and circumstances of the case; and if any Neat Cattle, Horses or Sheep, shall be found going at large, or grazing upon such tract of Marsh, low Land or Meadow, contrary to any regulations so made, the owner or owners thereof shall forfeit and pay to the informer for each and every Neat Cattle or Horse, the sum of five shillings, and for each and every Sheep, one shilling, so found going at large, or grazing as aforesaid, to be recovered upon conviction before any one of His Majesty's Justices of the Peace for the said County, to be levied upon the goods and chattels of the owner or owners of such Neat Cattle, Horses, or Sheep; and in case the owner or owners of such Neat Cattle, Horses or Sheep shall not be known, then it shall be lawful for the person or persons who shall find such Neat Cattle, Horses or Sheep, going at large or grazing contrary to the regulations so made as aforesaid, to drive the same to the nearest Pound in the Parish where such offence shall be committed; and it shall be the duty of the keeper of such Pound to receive and detain such Neat Cattle, Horses or Sheep, so found going at large or grazing as aforesaid, until the owner or owners shall pay to the use of the informer the aforesaid fine of five shillings, for each and every Neat Cattle or Horse, and the aforesaid fine of one shilling for each and every Sheep, and also one shilling per day to the Pound keeper for feeding each neat Cattle, or Horse, and three pence per day for feeding each Sheep, together with the usual charges for impounding the same.

II. And be it further enacted, That in case the owner or owners of such Neat Cattle, Horses or Sheep, so impounded, shall neglect or refuse to pay the aforesaid penalties and charges, then the said Pound keeper, having first given ten days previous notice of the sale, is hereby authorised to sell publicly the said Neat Cattle, Horses or Sheep, or so many of them as may be necessary for that purpose; and the overplus money arising from such sale, shall be paid by the Pound keeper, to the owner or owners thereof whenever he or they shall appear to claim the same.

III. And be it further enacted, That this Act shall be and remain in full force, for and during the term of Two years, and thence until the end of the then next Session of the General Assembly.