VIII. *Provided always*, That no perſon above the age of fifty years ſhall be called upon to bear arms, except on the day of the annual meeting, or in time of war or emergency.

Proviſion for perſons above the age of 50.

IX. *Provided alſo, and it is hereby further enacted*, That each and every of the perſons uſually called quakers, menoniſts and tunkers, that have attained the age of fifty years, ſhall not be liable to the payment of ſuch ſum of twenty ſhillings for being exempted from ſerving in the ſaid militia, in time of peace, but that in time of war or other emergency, they ſhall be liable to ſerve, or to the payment of five pounds for being exempted for every year until they ſhall have attained the age of ſixty years.

And for quakers, menoniſts and tunkers.

CHAP. VIII.

An ACT *to reſtrain the cuſtom of permitting Horned Cattle, Horſes, Sheep and Swine to run at large*

Preamble.

WHEREAS the cuſtom of allowing horned cattle, horſes, ſheep and ſwine to run at large, has been found occaſionally inconvenient and detrimental; Be it enacted by the king's moſt excellent majeſty, by and with the advice and conſent of the legiſlative council and aſſembly of the province of Upper-Canada, conſtituted and aſſembled by virtue of, and under the authority of an act paſſed in the parliament of Great-Britain, entitled an act to repeal certain parts of an act paſſed in the fourteenth year of his majeſty's reign, entitled, "An act for making more effectual proviſion for the government of the province of Quebec, in North America, and to make further proviſion for the government of the ſaid province," and by the authority of the ſame, That from and after the paſſing of this act, it ſhall not be lawful for any perſon or perſons to permit any horned cattle, horſes, ſheep or ſwine to run at large, otherwiſe than under the regulations and reſtrictions herein after provided.

Cattle henceforth not to run at large, but under certain regulations.

II. *And be it further enacted*, That henceforth it ſhall and may be lawful for the inhabitant houſeholders, or the greater part of them in every diſtrict within this province, in their annual town meetings lawfully aſſembled, to aſcertain and determine in what manner, and at what periods horned cattle, horſes, ſheep and ſwine or any of them, ſhall be allowed to run at large, within their reſpective diviſions, or to reſolve that the ſame or any part thereof, ſhall be reſtrained from ſo doing.

Which regulations ſhall be made in the reſpective town meetings annually.

III. *And be it further enacted*, That if any horned cattle, horſe, ſheep, or ſwine be found running at large in any town, townſhip, reputed townſhip or place, contrary to the regulations of the town meeting thereof; it ſhall and may be lawful for any of the pound-keepers thereof, and on receiving notice he is hereby required to impound ſuch horned cattle, horſe, ſheep or ſwine ſo treſpaſſing, and to detain the ſame until the perſon or perſons who may have ſuſtained any damage by the treſpaſs of the ſame, ſhall have received from the owner or owners of ſuch horned cattle, horſe, ſheep or ſwine, reaſonable compenſation, and until the fees of ſuch pound-keeper ſhall have been ſatisfied, which fees his majeſty's juſtices of the peace in their quarter ſeſſions aſſembled, or the greater part of them, are hereby authorized and required to regulate and aſcertain, in and for their reſpective diſtricts; any thing in any act or ordinance of the late province of Quebec, or in any act of the legiſlature of this province to the contrary of the proviſions of this act in any wiſe notwithſtanding.

Cattle treſpaſſing to be impounded, until the damages done and the poundkeeper's fees be paid.

which fees ſhall be regulated in quarter ſeſſions.