

heifer, steer, calf, mule, ass, sheep, lamb, pig, or other cattle, or any poultry, or any dog or domestic animal, or bird, or whosoever driving any cattle or other animal is, by negligence or ill usage in the driving thereof, the means whereby any mischief, damage or injury is done by any such cattle or other animal, and any person who in any manner encourages, aids or assists at the fighting or baiting of any bull, bear, badger, dog, cock, or other kind of animal, whether of domestic or wild nature, shall, upon being convicted, on summary conviction, of any or either of the said offences, before a Stipendiary Magistrate or Police Magistrate or any two Justices having jurisdiction in the district, county or place in which the offence has been committed, for every such offence be punished by imprisonment in any gaol or place of confinement other than a penitentiary, for a term not exceeding three months, and with or without hard labour, or by a fine not exceeding fifty dollars, or by both—such fine and imprisonment being in the discretion of the convicting Magistrate or Justice.

B. Whosoever builds, makes, maintains or keeps a cockpit on premises belonging to or occupied by him, or allows a cockpit to be built, made, maintained, or kept on premises belonging to or occupied by him, shall, upon being convicted thereof, on summary conviction before a Stipendiary Magistrate or Police Magistrate or any two Justices having jurisdiction in the district, county or place where the offence has been committed, be punished by imprisonment in any gaol or place of confinement other than a penitentiary, for a term not exceeding three months, and with or without hard labour, or by a fine not exceeding fifty dollars, or by both—such fine and imprisonment being in the discretion of the convicting Magistrate or Justices; and all cocks found in any such cockpit, or on the premises wherein such cockpit may be, shall be confiscated and sold for the benefit of the municipality in which such cockpit is situated.

C. Nothing in this Act contained shall prevent or abridge any remedy by action against the offender or his employer where the amount of the damage is not sought to be recovered by virtue of this Act.

D. When any offence against this Act is committed, any constable or other peace officer, or the owner of any such cattle, animal or poultry, upon view thereof, or upon the information of any other person (who shall declare his or their name or names and place or places of abode to the said constable or other peace officer) may seize and secure by the authority of this Act, and forthwith, and without any other authority or warrant, may convey any such offender before a Justice of the Peace within whose jurisdiction the offence has been committed, to be dealt with according to law.

E. If any person apprehended for having committed any offence against this Act refuses to discover his name and place of abode to the Justice of the Peace before whom he is brought, such person shall be immediately delivered over to a constable or other peace officer, and shall by him be conveyed to the Common Gaol or place of confinement for the district, county or place within which the offence has been committed, or in which the offender has been apprehended, there to remain for any term not exceeding one month, or until he makes known his name and place of abode to the said Justice.

F. The prosecution of every offence punishable under this Act must be commenced within three months next after the commission of the offence, and not otherwise.

G. Every offence against any of the sections of this Act is a misdemeanor, and may be punished as such or may be prosecuted in the manner directed by the *Act respecting the duties of Justice of the Peace, out of Sessions, in relation to Summary conviction, and orders*, so far as no provision is hereby made for any matter or thing which may be required to be done with respect to such prosecution; and all the provisions contained in the said Act shall be applicable to such prosecutions, in the same manner as if they were incorporated in this Act.

H. The Magistrate or Magistrates before whom the proceedings are taken shall, for the purposes of the said proceedings, have all the powers of a Justice of the Peace.

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J. Every Justice of the peace injury occasioned shall be

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