

FENCING.

In the House of Assembly last session Mr. McGillivray, M. P. P., moved the following resolution, viz:—

"*Whereas*, The fencing of public highways in this province entails heavy expense and labor on farmers, and causes snow to drift in and fill the roads in winter

And whereas It is considered that fencing public highway is unnecessary, provided the law be so amended as to prevent cattle from roaming on those highways in the summer season.

Therefore resolved, That at the next meeting of this Legislature a bill may be brought in for the purpose of so changing the law as to dispense with the fencing of highways to protect crops growing on cultivated lands, and also to prevent cattle and all kinds of farm stock running at large on the public highway.

It is therefore resolved, That during the recess the representatives in this house ascertain the desire of their respective counties, through their county municipalities and otherwise in reference to the subject of this resolution."

This resolution was treated with considerable levity by the House, and finally met the fate too often meted out to useful measures. The farmers of Nova Scotia are under an obligation to the Honorable member for Antigonish, nevertheless. This question of fencing will force itself on the Legislature no matter how reluctant they may be to consider it. True, there are portions of the Province where such a law is unnecessary, and in which a general law would be a hardship, such as the shore districts. There are also parts of Halifax, Colechester, Pictou, and the garden counties of the West, which are highly cultivated and improved, where some regulations are needed. Under these circumstances perhaps a permissive bill, that the people in each school or polling section of the different Counties can adopt at pleasure, is best suited to our needs. P. E. Island has such a bill, it has been in operation for about three years and with such acceptance that there is scarcely a school section on the Island where it has not been adopted. We give below the text of the P. E. I. Bill for the information of those interested. It may or may not, in its entirety, be suited to this Province, but it would form a skeleton which our Legislators could adapt to our requirements:

THE P. E. ISLAND DOMESTIC ANIMALS ACT,
1878, AS AMENDED.

Be it enacted by the Lieut.-Governor, Council and Assembly as follows:—

1. The Boards of School Trustees in the several School Districts in this Island, except Charlottetown, Georgetown and Summerside, shall insert, in the notices of holding the Annual School Meetings under the Public Schools' Act, 1877, a notice or intimation in Form A., hereto annexed, that immediately after the close of said meeting, a meeting will be held at the same place for the purposes of this

Act. All persons qualified to vote at said School Meeting shall be eligible to vote at the meetings to be held under this Act.

2. The said meeting may adjourn from time to time as a majority of voters present shall determine.

3. The Secretary of the Board of School Trustees shall be Secretary of said meeting; and, in case of a vacancy in said office of Secretary of said Board, or in case of his absence or inability to attend, a majority of the voters present shall appoint one in his stead. The said meeting, or a majority of them, shall appoint a Chairman from time to time.

4. The said meeting, or a majority of the persons qualified to vote thereat, may, by resolutions, make such regulations with respect to the time or times of the year in which Horses, Cattle, Sheep, Swine and Geese, or either of them, shall be allowed to run at large in their School District, and also shall decide and declare during what portions of the year the males of either Horses, Cattle, Sheep or Swine shall not be allowed to run at large in said School District.

5. The regulations and decisions agreed to at the said meeting shall continue in force until repealed or altered at some future Annual School Meeting, by a vote of a majority of the ratepayers present entitled to vote for the election of Trustees.

6. The meeting shall also appoint one or more fit and proper person or persons to act as Reeves in said School District, and who shall act until the next Annual School Meeting, or until a successor or successors are appointed.

7. The Secretary of said meeting, if not the Secretary of the Board of Trustees, shall, within ten days after such meeting, deliver to the Secretary of the School Trustees the Minutes of the said meeting, or a copy thereof, signed by himself and countersigned by the Chairman of said meeting; and in case there is no Secretary of said Board of Trustees, then the Secretary of said meeting is to keep the custody of them until a Secretary of said Board shall have been appointed.

8. The Secretary of the Board of School Trustees shall, immediately on the receipt of such Minutes, or if he himself shall have been Secretary of said meeting, enter the regulations and resolutions of such meeting and the names of Reeves as contained in said Minutes, in a book to be kept for that purpose, which shall be open for inspection on any reasonable request of any rate-payer in the said or adjoining School Districts.

9. The Secretary of School Trustees shall also furnish to each Reeve a copy of the regulations and decisions of the meeting, or the regulations and decisions

of any former school meeting then in force respecting Domestic Animals, together with the name or names of Reeve or Reeves appointed for such School District, and a copy of this Act, which shall be furnished to him by the Provincial Secretary of this Province.

10. It shall be the duty of such Reeve first appointed immediately on the receipt of notice of his appointment, and that he has been appointed, to post on the Schoolhouse of the District in which he has been appointed, and also on the Schoolhouses of two of the adjoining Districts, a copy of the regulations and decisions in force respecting Domestic Animals in the District for which he has been appointed Reeve.

11. It shall be the duty of such Reeve or Reeves to seize and take up all such Horses, Cattle, Sheep, Pigs and Geese, going at large contrary to the regulations and decisions of the aforesaid meeting, within any School District in which he shall have been appointed beyond the enclosure of the owner or owners thereof.

12. Any person so appointed Reeve within any such District as aforesaid and who shall neglect or refuse to perform the duty of his office, by not taking up all animals going at large as aforesaid within such School District, or in not disposing of the same in the manner hereinafter prescribed, shall forfeit and pay for every such refusal or neglect the sum of Three Dollars, to be recovered before any one or more of Her Majesty's Justices of the Peace for the County wherein such District shall be situate, together with the costs of suit, and to be levied in default of payment by Warrant of Distress on the goods and chattels of such Reeve one-half of the said fine to be paid into the Treasury of this Island for the use of Her Majesty's Government, and the other moiety to the person who shall prosecute such Reeve: provided that no person appointed Reeve as aforesaid shall be liable to serve as such more than once in every three years.

13. All persons in any way or manner obstructing any such Reeve in the execution of his duty, shall forfeit and pay a sum not exceeding Five Dollars, or less than One Dollar, with costs; such fine and costs to be recovered on the oath of such Reeve, or one or more credible witness or witnesses, and in manner last aforesaid; and in the event of such person so adjudged guilty of obstructing as aforesaid not having goods or chattels whereon to levy the said fine and costs, then the said Justice of the Peace is hereby authorized and empowered to commit the said person or persons to the Jail of the County wherein the Judgment shall have been allowed, for a period not exceeding ten days.