

*Cattle Ordinance.*

of the Peace (unless he enter into such bail with one or more sufficient securities as may be required for his appearance before such Court, which bail any Justice is hereby authorized and required to take), and if such person so apprehended after proof upon oath of such finding of such skin, or carcass, or any part thereof as aforesaid, shall not satisfy the Justice sitting in open Court that he came lawfully thereby, he shall forfeit and pay any sum not exceeding Two Hundred and Fifty Dollars, together with the charges previous to and attending his conviction.

Penalty for fraudulently branding cattle.

III. Any person wilfully and fraudulently branding, or marking, or attempting to brand or mark, or being directly or indirectly concerned in branding, or marking, with his own or another person's brand, stamp, or mark, any Cattle not belonging to himself, without the consent of the owner of such Cattle, shall, on conviction thereof upon information under oath in a summary manner before any Justice of the Peace of the said Colony, be punishable for every such offence with a fine not exceeding Two Hundred and Fifty Dollars, leviable as hereinafter mentioned, and for a second offence by a similar fine leviable in like manner, with or without hard labor not exceeding Six Calendar Months in the discretion of the convicting Justice.

Imprisonment for non-payment of fines.

IV. Upon non-payment of any fine, forfeiture, or penalty, or non-compliance with any order or adjudication under this Ordinance, either immediately or within such period after the conviction as such Justice at the time of such conviction shall appoint, and where no mode of proceeding is hereby prescribed, such Justice shall commit the person making default in payment, or not complying with such order or adjudication, to any gaol in the said Colony with or without hard labor, in the case of non-payment of any sum, for any period not exceeding three months, where such sum remaining unpaid shall not exceed Fifty Dollars; four months where the said sum shall exceed Fifty Dollars, and not exceed One Hundred Dollars; and six months where the said sum shall exceed One Hundred Dollars, unless the said sums shall be sooner paid; and in the case of non-compliance with any order or adjudication as aforesaid, for any period not exceeding six months.

Proceedings in a summary way.

V. All proceedings under this Ordinance shall be had and taken in a summary way, and no information, unless in cases hereby specially required, shall be necessary previous to the issuing of a summons; and no Information, or Warrant, Conviction, Commitment, or other proceeding before or by any Justice of the Peace for any offence under this Ordinance, shall be quashed, or set aside, or judged void, or insufficient for want of form, or be moved by *certiorari* or otherwise, into either of the Supreme Courts in the said Colony, save in any case where the value or amount of any Cattle of which any person may be ordered to make restitution, or of any sum, fine, or penalty, or forfeiture which any person may be ordered to pay, shall exceed Fifty Dollars, in any Information, Summons, Warrant, Conviction, Commitment or other proceeding, for any offence contrary to this Ordinance, it shall be sufficient if the offence be stated in the words thereof declaring the offence, and in all proceedings under this Ordinance the informer or any party prosecuting shall be deemed a competent witness.

Appropriation of penalties.

VI. All fines, forfeitures, and penalties, imposed by this Ordinance, shall be paid to Her Majesty, Her Heirs and Successors, for the public uses of the said Colony, and in support of the Government thereof; provided, always, that the convicting Justice may at his discretion award any portion not exceeding one moiety of any fine, forfeiture, or penalty for the use of the informer or party prosecuting.

No damage for breach of contract unless bill of sale contains description of brands.

VII. No consideration or damages for breach of contract, or otherwise, shall be recoverable under any contract for the sale of any Cattle unless such sale shall have been made by bill of sale or memorandum in writing, and in the margin or body thereof there shall have been inserted at the period of making thereof the particular brands or marks upon each of the Cattle included in such sale; provided, always, that this Section shall not apply to any portion of the Colony other than that formerly known as Vancouver Island and its Dependencies.

Brands to be registered.

Every person keeping and using brands for branding Cattle shall register the same with the Magistrate of the District, by leaving a transcript of such brand upon a board with such Magistrate, who shall keep a record of all such brands in a book kept for that purpose, to be at all times open to inspection on payment of a fee of twenty-five cents:

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