

or animals, and incidental thereto; and shall return the balance (if any) to the original owner of the animal. Or if not claimed by him within three months after the sale, the Poundkeeper shall pay the balance to the Treasurer of the Municipality.

6. Every Poundkeeper who impounds any animal in any common pound, or in any open or close pound, shall daily furnish the animal with good and sufficient food, water and shelter during the whole time such animal continues impounded; and in case any Poundkeeper who impounds any animal as aforesaid, refuses or neglects to find, provide and supply the animal with good and sufficient food, water and shelter as aforesaid, he shall for every day during which he so refuses forfeit a sum of not less than \$1.00 nor more than \$4.00.

7. If the owner, within forty-eight hours after the delivery of such statements as are provided in Section 3 of this By-law disputes the amount of the damages so claimed, the amount shall be decided by the majority of three fenceviewers of the Municipality, one to be named by the owner of the animal or animals, one by the person distraining or claiming damages, and the third by the Poundkeeper.

8. Such Fence viewers or any two of them shall within twenty-four hours after notice of their appointment as aforesaid, view the fence and the ground upon which the animal was found doing damage, and determine whether or not the fence was a lawful one according to the statutes or By-laws in that behalf at the time of the trespass; and if it was a lawful fence, and the animal legally impounded, then they shall appraise the damages committed, and within twenty-four hours after having made the view shall deliver to the Poundkeeper a written statement signed by at least two of them of their appraisement and of their lawful fees and charges.

9. If the Fence Viewers decide that the fence was not a lawful one, or that the animal was unlawfully impounded, they shall certify the same in writing under their hands, together with a statement of their lawful fees to the Poundkeeper, who shall deliver up such animal to the owner thereof, and may recover all fees and charges incidental thereto, from the party impounding such animal.

10. A lawful fence, if composed of rails, shall not be less than five feet in height, and if of boards, pickets, wire, or any other description of fence, the sufficiency thereof shall be decided by the Fence Viewers, and on their ap-

proval it shall be deemed a lawful fence.

11. Any Fence Viewer neglecting his duty as arbitrator as aforesaid, shall incur a penalty of \$2, to be recovered for the use of the Municipality, by summary proceedings before a Justice of the Peace, upon the complaint of the party aggrieved, or the Treasurer of the municipality.

12. Any Poundkeeper failing to perform any duties required of him, in addition to those set forth in Section 6 of this By-law, shall incur a penalty of not more than Eight dollars, nor less than One dollar, in the discretion of the convicting Justice.

13. Every fine, fee, penalty, value or allowance imposed by this By-law, if not otherwise paid, may be recovered and enforced before any Justice of the Peace for the County, who, in case of nonpayment, shall issue his warrant for the distress and sale of the goods and chattels of the party convicted, and in case sufficient goods cannot be found to satisfy the fine, fee, penalty, or allowance, and costs, he may commit the offender to the common jail of the County for any period not exceeding twenty days, unless the same, including the costs of committal, be sooner paid.

14. And be it further enacted: That Schedule "A" hereunto annexed, shall be the lawful fines, fees, and allowances which Poundkeepers and others are to receive for the different animals impounded under this By-law, and the laws in force in Ontario, and that the forms in Schedule "B" may be used by Poundkeepers and others acting under this By-law, and the laws in force in Ontario respecting Pounds.

15. That every Poundkeeper appointed within this Municipality shall, on or before the 15th day of January in each year make a return to the Clerk of all animals impounded, and by whom, and of all fines, fees, and penalties collected by him during the preceding year; also any surplus of money unclaimed by the owner of any animal sold by him, and with the exception of the lawful fees due the Poundkeeper and the party impounding, all fines and penalties shall be paid over by him to the Township Treasurer, and form part of the General Funds of the Municipality.

16. That this By-law shall come into force from and after the passing thereof; and that all By-laws inconsistent with the same, be and the same are hereby repealed.

ARCH. MCINTYRE, Reeve,
W. G. WILLOUGHBY, Clerk.