

trouble in such advertising and Sale, and also, the just and reasonable expences of keeping such Stray or Lost Animal, and the Fee herein before directed to be paid to the Town Clerk, the balance or residue of the proceeds of such Sale shall be paid into the hands of the Overseers of the Poor for the use of the Poor in the Town or place where such Stray or Lost Animal shall or may be found, unless the Owner or Owners of such Stray or Lost Animal shall apply for such balance or residue within twelve months after such Sale, when the said Owner or Owners shall be entitled to receive the said balance or residue.

V. *And be it further enacted*, That if the Owner or Owners of any such Lost or Stray Animal shall make application to obtain the same before the Sale thereof, such Owner or Owners, before receiving the same, shall be bound to pay to the person or persons who shall or may have found the same, the reasonable expences for keeping the same, together with the Fee herein before directed to be paid to the Town Clerk for advertising the description thereof.

Cattle claimed  
before sale

VI. *And be it further enacted*, That if any question shall arise between the Owner or Owners or Overseers of the Poor, and the person or persons who shall have found any such Stray or Lost Animal, either respecting the ownership of such Lost or Stray Animal, or the amount of expence incurred for keeping the same, it shall and may be lawful for the parties or either of them to apply to two Justices of the Peace in and for said County, which Justices are hereby authorised and empowered to determine the matter in question, and to make such order thereon as may appear to them just and proper.

Questions re-  
specting Stray  
Cattle how de-  
termined

VII. *And be it further enacted*, That if any person or persons who shall or may have found and detained in their Custody for twenty-four hours any such Lost or Stray Animal, shall not, within a reasonable time thereafter, forward and transmit the description and notice herein before mentioned, to the Town Clerk, such person or persons shall be liable, to and shall pay, if the Animal found shall be a Horse, Ox, Cow or other Head of Neat Cattle, a penalty of two pounds, and if a Hog or Sheep, a penalty of one pound, such penalty to be recovered by any person who shall sue for the same, in the same manner and by the same means as debts of the same amount are or may be legally recoverable, and shall be paid, one half to the person who will sue for the same, and the other half for the use of the Poor. *Provided always*, that nothing herein contained shall deprive the Owner or Owners of such Stray or Lost Animal in any case where the provisions of this Act shall not be complied with, of any remedy by Civil Suit or Action against the person or persons who shall or may have found such Lost or Stray Animal, and shall have neglected to comply with the requisites of this Act.

Liability of  
Persons detain-  
ing Stray Cat-  
tle

Proviso

## CAP. LXIX.

### An Act to enable the Proprietors of the adjoining Lands to shut up and enclose a certain Road in the Township of Horton.

(PASSED THE 20th DAY OF APRIL, 1833.)

**W**HEREAS, a certain old line of road in the Township of Horton, being the old road from the foot of the Hill near John Westcott's, up the Bishop Hill to the Allen road, so called, towards Falmouth, has been, in consequence of the opening of a new and more convenient line of road within a short distance, nearly parrallel thereto, rendered useless; and the keeping open of the said old road is attended with great expence to the Proprietors of the Lands adjoining to the said road, by reason of the Fences required on the said road, without producing any benefit to the public.

Preamble

*BE it therefore enacted by the President, Council and Assembly*, That it shall and may be lawful for the Proprietors of Land adjoining the said old line of Road from the foot

Authority to  
enclose certain  
Roads