SUPPLEMENT TO

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Law to establish and regulate one or more Pounds.

[Assented to 7th Feb. 1855.]

Be it enacted by the City Council of the City of Charlottetown:

Sec. 1. That if any damage shall be done or occasioned by any horses, mules, asses, goats, sheep, swine, or neat cattle of any kind by breaking into any enclosure within the City, the fence whereof shall not be less than four feet and a half in height and otherwise a lawful fence, it shall and may be lawful for the person or persons whose fence or fences shall have been broken and whose enclosure has received such damage, to cause such horses, mules, asses, goats, sheep, swine, or neat cattle to be taken to the nearest Pound, and the keeper of such pound shall and he is hereby required to receive such horses, mules, asses, goats, sheep, swine or neat cattle, and to impound the same, until they shall be claimed by their respective owners, *provided* that within twenty-four hours after such trespassing beast shall have been impounded, the owner or occupier of such enclosure shall deliver or cause to be delivered to the keeper of the pound or leave or cause to be left at his dwelling house or place of residence his affidavit or the affidavit of one or more credible person or persons sworn before and attested by the Mayor or one of the City Councillors or a true copy thereof certified by said Mayor or Councillor, stating the time when and place where such horses, mules, asses, goats, sheep, swine or neat cattle so impounded, committed such damage and trespass.

Sec. 2. The said pound-keeper shall cause such impounded beasts to be advertised by posting up printed forms in three of the most public places of the City within twenty-four hours after they shall have been impounded, and the person or persons injured may proceed against the owner or owners of such horses, mules, asses, goats, sheep, swine or neat cattle refusing to pay for the damage done by such horses, mules, asses, goats, sheep, swine or neat cattle according to a law now in force relating to trespasses.

Sec. 3. It shall be the duty of the pound-keeper to provide for and sustain all such horses, mules, asses, goats sheep, swine or neat cattle impounded, with necessary and wholesome provender and water, and the owners of such horses, mules, asses, goats, sheep, swine or neat cattle shall pay to the keeper of the pound over and above the amount of damages which shall be adjudged to have been done by the said horses, mules, asses, goats, sheep, swine or neat cattle for each and every day the same shall be impounded.

For every horse, mule, ass, and head of neat cattle, the sum of 1s. 3d.

For every sheep, goat and pig, the sum of 0d.

And if the owner of such horses, mules, asses, goats, sheep, swine or neat cattle shall neglect or refuse to pay the same to the keeper of the pound, together with the charges of advertising, within fourteen days after the trespassing beasts shall be impounded, then the said keeper of the pound shall cause the horses, mules, asses, goats, sheep, swine or neat cattle so impounded as aforesaid to be publicly sold by the pound-keeper, such sale to be announced by a City crier on the day of sale, and said sale to be between the hours of ten o'clock a. m. and two o'clock p. m., and the money arising therefrom after deducting the charge of the said keeper for pound fees and for supporting the said horses, mules, asses, goats, sheep, swine or neat cattle whilst so impounded and the damages adjudged to the person or persons injured as aforesaid shall be paid forthwith to the City Treasurer, for the owner or owners of the horses, mules, asses, goats, sheep, swine or neat cattle so impounded and sold as aforesaid and if no owner or owners shall appear within six months, the money so remaining in the hands of the City Treasurer shall be and become part and parcel of the City funds.

Sec. 4. If any person or persons who shall have had impounded any horses, asses, mules, goats, sheep, swine or neat cattle as aforesaid shall fail or neglect to deliver or cause to be delivered to the keeper of the pound, or to cause or cause to be left at his dwelling house or place of residence, such affidavit as aforesaid within the time herein-before limited for the purpose, the said pound-keeper shall not in any such case exact or take from the owner or owners of such impounded beasts any fees or any sum whatever for his charge in supporting such horses, mules, asses, goats, sheep, swine or neat cattle, but the person or persons so failing or neglecting shall be liable to pay to the said pound-keeper over and above the pound fees charged by this law, the sum of one shilling and three pence for every horse, mule, ass, or head of neat cattle, and the sum of six pence for every sheep, goat or swine for each and every day the same shall be provided and sustained by him before being claimed by the owner or owners thereof respectively; and in default of payment the same to be recovered on the oath of such pound-keeper or other credible witness or witnesses in the Mayor's or Police Court and levied with reasonable costs by warrant of distress and sale of the offender's goods and chattels, or the offender or offenders to be imprisoned not exceeding sixty days.

Sec. 5. All geese or turkeys found trespassing as aforesaid, may be taken by the owner or occupant of the property whereon they have trespassed, and impounded, and said geese or turkeys shall be sold by public auction at the expiration of forty-eight hours after they have been impounded should no owner or owners previously appear, the sale of such geese or turkeys to be announced by a City crier on the day of sale in lieu of their being advertised, and such sale to take place at the said pound between the hours of ten o'clock a. m., and two o'clock p. m. and the proceds arising therefrom over and above the amount of damage which they may have caused to be paid to the City Treasurer, to and for the owner or owners thereof, and in the event of no owner or owners appearing for such geese or turkeys so impounded within six months, then the moneys so remaining in the hands of the City Treasurer shall be used to and for city purposes.

Sec. 6. The following shall be the pound fees, viz:

For receiving and impounding every horse, mule, ass and head of neat cattle, 1s. 6d.

For sheep, goats, and swine, per head, 6d.

And an equal sum for every twenty-four hours the same may be detained.

Advertising, 3s. Crying, 2s.

Sec. 7. All horses, mules, asses, sheep, or neat cattle found at large within the City shall be taken in charge by the Police and impounded in one of the City pounds, and the owner or owners thereof shall be liable to be fined according to the nuisance law of the City now in force, and in addition to such fine with costs, shall be subject to pay the pound fees as directed in section the sixth of this law, and also the amount of keeping said beasts as provided for in the third section of this law, together with advertising and crying the same as aforesaid, and if at the expiration of ten days after any horse mule, ass, sheep or neat cattle shall have been impounded and advertised, no owner or owners shall appear therefor then the same shall be sold by auction as directed by section third of this law, under an order from the Mayor or presiding Councillor and the proceeds arising therefrom after deducting the fine, pound fees, support of such beasts and for advertising and crying the same shall be forthwith handed to the City Treasurer subject to the directions specified in section the third of this law.

Sec. 8. All goats, swine, geese, or turkeys found at large within the City shall be taken in charge by the Police and impounded in one of the City pounds, and the owner or owners thereof shall be liable to be fined according to the nuisance law aforesaid, and in addition to such fines with costs, be subject to pay the pound fees and the crying of the same; and if no owner or owners for such goats, swine, geese or turkeys shall appear before the expiration of twenty-four hours after the same shall have been impounded, then the same may be sold by public auction under an order from the Mayor or presiding Councillor, such sale to be announced by a City crier and take place as directed in the fifth section of this law and the proceeds arising therefrom to be subject to the provisions of the said fifth section of this law.

Sec. 9. The City Council may appoint the pound-keeper for Charlottetown Royalty to be one of the pound-keepers of the said City, and the salary of the pound-keepers shall be determined by the City Council.

Sec. 10. The site for one of the City pounds may be in the fuel yard of the City jail, or in such other place as the City Council may direct.

Sec. 11. If any person or persons shall rescue any horse, mule, ass, goat, sheep, swine, goose, turkey or neat cattle from any person driving or taking any such animals to the pound or pounds, the offender shall forfeit and pay for every such offence any sum not exceeding twenty shillings over and above all damages that may be sustained by the trespass of the animals so rescued, said penalty and damages with the pound fees and reasonable costs shall be recovered in the Mayor's or Police Court by warrant of distress or imprisonment in the City jail for a period not exceeding sixty days.

Sec. 12. If any person or persons shall make any breach of the pound or pounds or shall by any other indirect means rescue any horse, mule, ass, sheep, goat, swine, goose, turkey or neat cattle out of the same, the person so offending, on being duly convicted thereof in the Mayor's or Police Court, shall forfeit and pay a sum not exceeding five pounds to be levied as aforesaid, and the said penalty for every such pound breach and rescue shall be recovered in the said Court with reasonable costs for the recovery thereof, and if the offenders have no goods and chattels whereon to levy, then the offender to be imprisoned not exceeding sixty days.

Sec. 13. Pound-keepers to keep a strict and correct account of the colour and description of any beast or bird as aforesaid or any recognizance or nuisance which may be received by them so that when claimed after sale there may be no reasonable dispute arise thereon.

ROBT. HUTCHINSON, Mayor.
Wm. B. Wellner, City Clerk.
February 1st, 1856.

Law Relating to Criers.

[Assented to 7th February.]

Be it enacted by the City Council of the City of Charlottetown:

Sec. 1. The City Council may from time to time grant licenses to such and so many persons as they may deem expedient to be common criers in this City, and such licenses shall continue, in force until the first day of September next after the date thereof, unless sooner revoked by the City Council, and no longer.

Sec. 2. No person shall be a common crier within the City of Charlottetown, or cry any goods, wares, merchandise, lost or found, stolen goods, strays, or public sales, or any other matter or subject in any of the streets, squares, lanes or market places within this City, unless he shall be licensed as aforesaid.

Sec. 3. Every person so licensed shall keep a true and correct list of all the matters and things by him cried, and the names of the persons by whom he was employed to cry the same, which list shall be open and subject to the inspection of the Mayor and City Council, whenever they shall demand the same, and no common crier shall publish or cry any abusive, libellous, profane or obscene matter or subject.

Sec. 4. Any person who shall be guilty of a violation of this Law, or any part thereof, shall forfeit and pay for each offence a sum not exceeding five pounds, or be imprisoned for a period not exceeding thirty days.

Sec. 5. The person so appointed or licensed, shall, on receipt or before the fee therefor, cry such matters or subjects, as he may be called upon to cry, except such as are herein prohibited, under a penalty not exceeding ten shillings, or be imprisoned not exceeding forty-eight hours.

Sec. 6. The fee to be demanded by said City Criers for each and every subject or sale that they may cry, shall not exceed the sum of two shillings.

Sec. 7. The annual duty to be paid by each City or common Crier on receipt of his license, shall be twenty shillings, together with the s of two shillings and sixpence for the entry issue of every such license.

ROBT. HUTCHINSON, Mayor.
William B. Wellner, City Clerk.
February 6, 1856

Law relating to Weights and Measures.

[Assented to 7th Feb. 1856.]

Be it enacted by the City Council of the City of Charlottetown:

Sec. 1. The same standard weights and measures in use for the County of Queen's County shall continue to be the standard for all weights and measures in use and to be used within the limits of said City, and an assayer of weights and measures shall be appointed for said City, who shall be duly sworn into office and give security for the due and faithful performance of the duties of his said office; an such assayer of weights and measures shall be remunerated by a salary to be hereafter fixed by the City Council, shall keep an account of all fees received by him and shall pay the same over to the City Treasurer to and for the use of the City, seven days before each and every of the quarterly meetings of the City Council.

Sec. 2. The person so appointed shall assay all weights and measures, scale beams, patent or other beams or balances brought to him or which he shall be called upon to assay, and the same being in accordance with the standard aforesaid, he shall stamp, brand or mark the same with the letters V R, or those of the reigning monarch, under a penalty not exceeding ten shillings for each and every neglect or refusal.

Sec. 3. The said assayer shall be entitled to demand and receive for inspecting, assaying, stamping, branding or marking as aforesaid the following fees and no other, viz:

For each weight under fifty-six pounds, the sum of 1d.

For each weight of fifty-six pounds, the sum of 6d.

For each measure not more than one gallon, the sum of 3d.

And for each liquid measure over one gallon, the sum of 6d.

For each yard-stick, the sum of 3d.

For each dry measure not exceeding one bushel, the sum of 6d.

And each measure exceeding one bushel, the sum of 1s. 6d.

For each common scale beam, the sum of 6d.

For each patent or other beam or balance, the sum of 1s.

For each platform balance or weighing machine for weighing Coal, Hay or other weighty and bulky commodities, the sum of 2s.

And in addition a reasonable sum for adjusting any weights, measures, beams and balances of any description, which he may be called upon to and shall adjust.

Sec. 4. From and after the publication hereof, all persons using weights, measures, scale-beams, patent or other beams or balances in weighing or measuring any articles intended to be purchased, sold, bartered or exchanged including such balances or machines as are used for weighing coal, hay or other weighty and bulky commodities shall cause such weights, measures, scale-beams, patent or other beams or balances to be assayed, stamped, branded or marked by the said assayer (unless the same shall have been previously assayed, stamped, branded or marked by the assayer of weights and measures for Queen's County) and if any person in weighing or measuring any articles for purchase or sale shall use any weights, measures, scale-beams, patent or other beams or balances not so stamped, branded or marked, every such person shall forfeit and pay a sum not exceeding ten shillings for each and every offence.

Sec. 5. The said assayer shall hereby have full power and authority to inspect all weights, measures, scale-beams, patent or other beams and balances in use in the City and for this purpose shall visit once in every three months or oftener, if required by the Mayor, the house, shop or office of every person vending, exchanging or bartering any commodities by weights or measures, and if he shall discover any of the weights, measures, scale-