

C A P. VI.

An ACT in Addition to, and Amendment of an Act made in the fifth Year of His present Majesty's Reign, intituled An Act for the raising Money by Presentment on the several Counties in this Province, for the defraying certain County Charges therein mentioned.

5. Geo. 3. c. 6.

HEREAS in and by an Act made in the fifth Year of His present Majesty's Reign, intituled An Act for the raising Money by Presentment on the several Counties in this Province for the defraying certain County Charges therein mentioned, it is among other Things Enacted, "That the several Grand Juries in each of the several Counties within this Province, either at the Court of Assize or General Sessions of the Peace held for such County, shall make Presentment of all such Sum and Sums of Money or Expences, that may be found to have arisen, or that may be necessary to be raised for the Purposes therein mentioned;" And Whereas the Grand Juries in some Counties in the Province, have neglected or refused to make such Presentment, to the great Detriment of the Public Good, Be it Enacted by the Lieutenant Governor, Council, and Assembly, That on the Neglect or Refusal of such Grand Juries to make Presentment as is directed in and by the afore recited Act, the Judges of Assize, or the Justices of the Peace in their General Sessions, shall, and they are hereby impowered to amerce the County in such Sum or Sums as it shall appear to them (upon due Proof made before them) to be necessary for defraying the Expences which have arisen, or shall be judged by them necessary to be raised, for the Use of the County; which said Sum or Sums shall be equally assessed on the Inhabitants of said County, according to their Ability, and paid into the Hands of the Treasurer of the County, for the Uses aforesaid; and the Judges or Justices aforesaid are hereby authorized and impowered to appoint three Assessors in each Township, for the assessing the Money aforesaid.

Preamble.

Upon the Neglect of the Grand Juries to make Presentment, the Judges of Assize or the Justices in General Sessions, shall amerce the County in such Sums as may be necessary to defray the County Charges,

to be assessed on the Inhabitants by three Assessors to be appointed in each Township.

The Assessors shall appoint Collectors

Their Duty;

and Allowance,

II. And Whereas in and by the afore recited Act, it is also enacted, "That the Constables shall levy the Sum proportioned for each Town," which is found inconvenient, Be it enacted, That it shall and may be lawful for the respective Assessors, already appointed or to be appointed for any Town, to nominate and appoint one or more Collectors, to collect and receive all Sums of Money as have been or may be assessed pursuant to this or the said Act, and the said Collector or Collectors, when he or they shall have so collected and received the said Sums of Money, shall pay the same into the Hands of the County Treasurer, deducting for his or their Trouble in collecting the same, one Shilling in the Pound.

III. And

Persons refusing to
serve as Assessors or
Collectors, forfeit
£5.

for the Use of the
County.

Seventeen Pounds
advanced out of the
Province Treasury,
to be repaid by the
County Treasurer.

III. *And be it also enacted*, That if any Person or Persons appointed Assessors or Collectors as aforesaid, shall refuse or neglect to serve as such, each and every such Person so neglecting or refusing, shall forfeit and pay the Sum of Five Pounds, to be levied, in default of Payment, by Warrant of Distress and Sale of the Goods of such Person or Persons, under the Hand and Seal of any two of His Majesty's Justices of the Peace for the County wherein such Person or Persons shall or may be appointed, returning the Overplus, if any be, to the Owner or Owners of the Goods so to be distrained and sold as aforesaid; and such Fine shall be paid to the Treasurer of such County, for the Use of the said County,

IV. *And Whereas the Sum of Seventeen Pounds has been paid out of the Province Treasury, for Payment of the Charges in bringing certain Prisoners from Windsor, to the Gaol of Halifax, Be it therefore enacted*, That the County Treasurer shall repay into the Province Treasury the aforesaid Sum of Seventeen Pounds, out of such Monies as shall be paid into his Hands by Virtue of this Act.

C A P. VII.

An ACT in further Addition to, and in amendment of An Act made in the Thirty Second Year of His late Majesty's Reign, intituled *An Act for preventing Trespasses*.

32 Geo. 2. c. 14.

Preamble:

****HEREAS* many Farms in this Province, are bounded by
W Rivers that are fordable at low Water; And Whereas it
* would be impracticable to make any Fence that would stand
* the Force of the Tides in such Rivers: And Whereas great
* Damage has been done to such Lands by Cattle running at large, and
* the Persons to whom such Cattle belongs could not, by Law, be prosecuted for a Trespass, as such Rivers are not deemed a sufficient Fence,
Be it therefore Enacted by the Lieutenant Governour, Council, and Assembly, That to all Farms which are bounded on Rivers where the Tide flows Eight Feet and upwards, at common Tides, such River so far up shall be deemed a sufficient and lawful Fence.

All Rivers shall be
deemed lawful
Fences, where the
Tide flows Eight
Feet and upwards.

Persons refusing to
serve as Overseers
of the Poor, shall
forfeit £5.

II. *And Whereas the Penalties inflicted by an Act intituled An Act for preventing Trespasses, upon Persons refusing to serve in the Office of Overseers of the Poor, are insufficient for the End and Design of the said Act, Be it Enacted*, That when and as often as any Person nominated as by the said Act is directed, shall refuse to serve the said Office, he shall forfeit and pay the Sum of Five Pounds.

III. *And*