

public charities may not be abused, the said overseers are hereby directed to act with impartiality, and to put the said poor in the hands of the person who shall offer to keep them for the least expense, having at the same time a regard to the character of the person who offers, so that the poor may not be inhumanly treated, nor the public abused; and for which sum or sums of money, so expended, and all other expenses of the poor, in each town or parish they the said overseers respectively, are hereby authorized and required to ascertain and lay the same before the said justices as aforesaid at their general sessions, and the same so ascertained and allowed by the said general sessions shall be by them ordered to be assessed, collected and paid as aforesaid, unless the funds for the support of the poor and appropriated to such town in the respective county treasury are sufficient to pay said expense.

Overseers to act with impartiality and humanity

CAP. XLV.

An ACT to REGULATE the SALE of GOODS sold at PUBLIC AUCTION or OUT-CRY.

I. *Be it enacted by the Governor, Council and Assembly,*

THAT all goods, chattels, wares, merchandizes and effects whatsoever, which shall or may at any time or times, from and after the publication hereof and during the continuance of this act, be sold at public vendue, auction or outcry within this province, by any vendue master or vendue masters, auctioneer or auctioneers, or by any other person or persons whatsoever, shall be and hereby are declared and made subject to a duty of two pounds ten shillings for every hundred pounds of the value or price at which the same shall be sold as aforesaid, and after the same rate for every greater or lesser sum, to be paid by such person or persons, who shall so sell the same as aforesaid.

Goods, &c. sold at public vendue subject to a duty of two and a half per cent. to be paid by the seller.

II. *Provided always,* That all goods belonging to the crown, or seized by any public officer or officers, for or on account of any forfeiture or forfeitures, penalty or penalties, houses, cattle, lands, ships and vessels, goods and effects of deceased persons, or goods distrained for rent, or taken in execution, effects of insolvent debtors, household furniture, goods damaged at sea and sold on account of the owners or insurers within twenty one days after the same shall be landed, shall in no wise be subject to, but are hereby altogether exempted and declared, free from the duty before mentioned.

Excepting goods &c. belonging to the crown, houses, &c. goods &c. of deceased person. distrained for rent, taken on execution, of insolvent debtors, household furniture, and goods damaged at sea.

Vendue masters to recognize before a judge in £200, with two securities in £100 each for the payment of such duties.

Vendue masters to render an account upon oath to province treasurer within 20 days after every 3 months.

And within 21 days shall pay the duties.

Oath.

For neglect or refusal to account, &c. to forfeit £50. for every offence.

III. And in order more effectually to secure the duty hereby imposed as aforesaid: *Be it further enacted*, That no vendue master or vendue masters, auctioneer or auctioneers, or any other person or persons whatsoever, shall presume to sell or dispose of any goods, chattels, wares, merchandizes or effects at public vendue, auction or outcry, unless he or they first enter into recognizance to our sovereign lord the *King*, his heirs and successors, before any one of the judges of the supreme court of this province, or one of the judges of the inferior court of common pleas in any of the counties, in the penal sum of two hundred pounds current money of this province with two sufficient securities, each in the sum of one hundred pounds, like money, conditioned for the payment of the duties herein before mentioned, to the treasurer of this province for the time being, and in all things well and faithfully to behave according to the true intent and meaning of this act, which recognizance shall be filed with such judge before whom it shall be taken; and such vendue master or vendue masters, auctioneer or auctioneers, and every other person or persons who shall at any time or times during the continuance of this act, either for him or themselves, or on his, or their own account, or for or on account of any other person or persons whomsoever, sell or dispose of any goods, chattels, wares, merchandizes or effects, at public vendue, auction, or outcry, shall at or within twenty days after the expiration of every three months from the commencement of this act, render a just, exact and true account in writing, upon oath, to the treasurer of this province for the time being, of all and singular the goods, wares, merchandizes and effects, with the amount thereof, which he or they shall have so sold and disposed of at public vendue, auction or outcry, at each such sale as aforesaid, and shall within twenty one days thereafter, pay to the said treasurer for the time being, the sum of two pounds ten shillings out of every hundred pounds value for every such respective sale, and at the same rate for a greater or lesser value, which oath shall be in the following words, viz. *I A. B.* do solemnly swear in the presence of Almighty *GOD*, that the account now exhibited by me and to which I have subscribed my name, contains a just and true account of all the goods, wares, merchandizes and effects, sold by me, or any person or persons under me, within the time in the said account mentioned, which are liable to the duty imposed by an act, entitled "An act to regulate the sale of goods" at public vendue, auction or outcry, within this province" *So help me GOD*. And if the said vendue master, auctioneer or auctioneers, neglect or refuse to deliver such account on oath, and pay the duty within the time limited as aforesaid, he or they so neglecting or refusing, shall respectively forfeit the sum of fifty pounds for every offence, which forfeiture the treasurer of the province for the time being is hereby empowered and directed to sue for in any court of record in this province.

IV. *And be it further enacted*, That any person or persons presuming to sell, or dispose of any goods, wares or merchandizes, at public vendue or out-cry, without first entering into recognizance as above directed, shall forfeit the sum of one hundred pounds, for every offence, to be recovered in the manner above directed.

Persons selling at public vendue not having recognized, to forfeit £100.

V. *And be it further enacted*, That the treasurer for the time being shall keep exact and distinct accounts of the monies arising from time to time by virtue of this act; which monies shall remain in the hands of the treasurer for the use of the province.

Treasurer to keep exact account of monies arising by this act.

VI. *And be it further enacted*, That this act shall be in force until the first day of March, which shall be in the year of our Lord one thousand seven hundred and ninety.

Continuance of the act.

CAP. XLV.

An ACT for appointing COMMISSIONERS of SEWERS.

I. *Be it enacted by the Governor, Council and Assembly*,

THAT upon application of any proprietors of any marsh, low lands or meadow, the governor or commander in chief with the advice of his Majesty's council, may and is hereby authorized by commission¹ to appoint such able and discreet persons as to him shall seem meet to be commissioners of sewers; in which commission such commissioners shall be authorized and empowered² to convene and meet together from time to time as occasion may require, to consult, consider and devise means and methods for building, erecting or repairing such dams, dykes and wears as are or may be necessary to prevent inundations, and for the draining or drowning of marshes, swamps and other unprofitable lands and to employ labourers and workmen for such reasonable wages as may be agreed on for that purpose; and to tax and assess all such persons from time to time as shall or may be owners of such marshes, meadows, swamps or unprofitable lands as aforesaid, for defraying the expense thereof, having regard to the quantity of land of each person and benefits thereby to be received as equally as they can according to their best judgment: and also to appoint and swear a collector or collectors for collecting such assessments and paying the same to such persons as by said commissioners shall be appointed, with powers to distrain all such persons as shall neglect or refuse to make payment of his, her or their proportions assessed as aforesaid in like manner as is usually done in other cases by distress, and to call before them such collector or collectors to account for his or their

Governor may appoint commissioners of sewers.

Their power and authority.

By Commission with the advice of the Council
which shall be under the Great Seal.

12) Power of Commission
1. To meet together to consult consider & devise means &c.