

the said recited act may distribute and charge the sum or sums of money to be levied by virtue of the said act, for the purpose of building and finishing a public Gaol or Court-House in and for such counties respectively. And the assessors for the said towns or parishes respectively shall apportion the quota of the said sum or sums, so to be distributed and charged by virtue of this act, upon the respective towns or parishes, in like manner as the said assessors are authorized to apportion the sum or sums of money to be levied, by virtue of the said recited act, for the purpose of building and finishing a public Gaol or Court-House in and for such counties respectively. And such sum and sums of money so to be distributed, charged, and apportioned by virtue of this act, shall and may be levied, collected and paid in like manner and under the same restrictions, regulations, penalties, and forfeitures, in every respect, as any sum or sums of money, can be levied, collected, and paid by virtue of the said herein before recited act; any thing in the said herein before recited act to the contrary notwithstanding.

Gaol or Court-house by virtue of the said act
The assessors to apportion the quota of the sum to be distributed and charged by virtue of this act, upon the towns or parishes.

III. *And be it further enacted,* That it shall not be lawful for the Justices of the sessions in any County in this province, to levy more than the sum of three hundred pounds for the purpose of building and finishing a Gaol and Court-House by virtue of the said herein before recited act, or for the purpose of paying for or purchasing any buildings for a Gaol and Court-House in their respective counties by virtue of this act; any thing in this act, or in the said recited act, to the contrary notwithstanding.

Not to levy more than 300l. for building Gaol and Court-house, or purchasing any building for that purpose.

IV. *And be it further enacted,* That the said herein before recited act, and every clause, matter, and thing therein contained, not herein before altered and repealed, shall be and remain in full force; any thing herein before contained to the contrary notwithstanding.

The said recited act, except as herein altered and repealed, to remain in force.

C. A P. IV.

An ACT to authorise the erection of FENCES and GATES across certain roads in the several counties in this province where the same shall be found necessary.

Contd To 1st Mar vid: pa. 204.

BE IT ENACTED by the Lieutenant Governor Council and Assembly, That from and after the passing of this act, when any inhabitant of, or proprietor of lands in any town or parish

If any inhabitant or proprietor of lands

shall think temporary gates or water fences should be erected he may prefer a petition to any three justices who are to appoint five freeholders, to examine and report on such petition—A copy of the order of appointment to be annexed to the petition, Commissioners to be sworn, and a certificate thereof indorsed on the copy, of the order.

Commissioners to view the premises & to report and upon the report being returned with the petition and filed in the Clerk's office, if the justices in their general sessions shall approve thereof, then the petitioner may erect such gates and fences accordingly.

Any person blocking up, &c. or destroying any gate to forfeit 10s.

to be levied by warrant of distress.

in this province, shall think it necessary or expedient that any temporary swinging gate or gates should be erected across any road laid out, or hereafter to be laid out in such town or parish, or that water fences should be erected on the shores of the rivers there; it shall and may be lawful for such inhabitant or proprietor to prefer a petition in writing to any three Justices of the Peace in such county, setting forth particularly the object and grounds of such application for either of the purposes aforesaid: which petition being presented the said justices shall and may, and they are hereby authorized and required forthwith to appoint five good substantial disinterested freeholders and inhabitants of and in the said county not resident in the town or parish in which any such gates or fences as aforesaid, are prayed for, to be commissioners to examine and report upon such petition—And a copy of the order for such appointment, shall be annexed to the said petition, and given to such person so petitioning and the said commissioners shall be sworn to the faithful discharge of their trust before one or more of the said Justices, and a certificate of their being so sworn shall be indorsed upon the said copy of the order for such appointment. And the said Commissioners shall, as soon thereafter as may be, proceed to view the premises where any such gates or fences are prayed for, and thereupon to report in writing whether any, either, and which of the gates or fences prayed for, are proper or expedient to be erected, or made; and in such report shall be specified the particular gates or fences so to be made; and upon such report, made and signed by the said five Commissioners or any three of them, being returned, together with the said petition, and filed in the office of the Clerk of the Sessions, if the Justices of the General Sessions, in the county, or the major part of them, assembled in their General Sessions, shall approve of such report or any part thereof, then it shall and may be lawful for the said party so petitioning forthwith, at his own expense, to erect such gates and fences as shall be so approved of by the said Justices in their General Sessions as aforesaid, *Provided always* that the expences attending such appointment view and report of such Commissioners shall be born and paid by the said party praying the same.

II. *And be it further enacted*, That if any person or persons shall block up and fasten, or stake open, or take down, or destroy any gate or gates so to be erected by virtue or in pursuance of this act, such offender or offenders, shall upon conviction before any of his Majesty's Justices of the Peace for the county where such offence shall be committed, upon the oath of one or more credible witness or witnesses, forfeit and pay the sum of *ten shillings* for each and every offence, to be levied by warrant of distress and sale of the offenders goods, under the hand and seal of such Justice

tice, rendering the overplus if any, after deducting the costs and charges of the distress and sale to the offender; which penalty and forfeiture shall be to the use of the poor, and be paid into the hands of the overseers of the poor of the town or parish where such offence shall be committed and such offender or offenders shall be further liable to an action of trespass for any damages sustained thereby: *Provided always*, that if any gate or gates, erected by virtue or in pursuance of this act, shall not be kept in good order and sufficient repair by the proprietor or proprietors thereof at his or their own expence, that he or they shall not have any benefit or advantage from this act.

Penalties to be to the use of the poor—

the offenders liable to an action of trespass.

And be it further enacted, That this act shall continue, and be in force for two years and no longer.

Limitation of this act.

C A P. V.

An ACT to continue and amend an Act entitled "An Act for regulating the FISHERIES in the different rivers, coves and creeks, of this province."

BE IT ENACTED by the Lieutenant Governor Council and Assembly, That the act made and passed in the twenty-eighth year of His Majesty's reign entitled "An Act for regulating the Fisheries in the different rivers, coves, and creeks of this province," except wherein it is altered and amended by this act, shall be and remain in full force until the first day of February, which will be in the year of our Lord one thousand seven hundred and ninety one.

The act "for regulating the Fisheries &c;" except as herein amended, to remain in force until the 1st of February 1791.

II. *And be it further enacted*, That no net shall be set or any seine drawn for the purpose of catching any fish, in any part of the river Saint John, or in any part of the River Kennebeckacis, or in any part of the River Miramichi, or in any of the branches of the said rivers or either of them, or in any part of the harbour of Saint John, more than five days in each week between the first day of April and the first day of August in each and every year, that is to say on Monday, Tuesday, Wednesday, Thursday and Friday in each week, and on no other days; and if any person or persons shall set any net, or draw any seine in the places herein

No net to be set in the river St. John, — Kennebeckacis, or Miramichi, or in any of their branches, or in the harbour of St. John, more than five days in each week between 1st April and 1st August.

Any person setting a net or