

Commissioners
to state accounts
of expenditures
& work done—

and to cause no-
tice thereof to
be given to each
Proprietor 30
days previous to
issuing a warrant.

II. *And be it further enacted*, That such commissioners upon making up any bill of assessment shall state an account of the expenditures and work done in diking or draining any such lands under their authority and direction, and shall cause notice of such stated account to be given to each proprietor or his agent at least *thirty* days previous to issuing any warrant to disfrain, to the intent that each proprietor may pay their respective quota previous to any such distress.

Persons aggrieved
by procedure
of Commissioners
may appeal
to the Supreme
Court, or Court
of *Nisi Prius*.

Provided 12 days
previous notice
be given.

III. AND WHEREAS, it is expedient that any grievance which may be suffered under the said act be redressed in the most easy and expeditious manner—*Be it therefore further enacted*, That whenever any person shall be aggrieved by any procedure had or made by such Commissioners or any others in pursuance of the said act, such person aggrieved may appeal therefrom to the Supreme Court or Court of *Nisi Prius*, which said courts, or either of them, may grant redress—PROVIDED notice of such appeal with the grounds thereof, be given to the adverse party, at least *twelve* days previous to such hearing by appeal.

IV. *And be it further enacted*, That the said herein before recited act and every clause thereof, except wherein it is hereby altered and amended shall be and remain in full force, any thing herein before contained to the contrary notwithstanding.

C A P. IX.

An ACT for PRESERVING the BANK of the River SAINT JOHN, in FRONT of the PARISHES of MAGER- VILLE, SHEFFIELD and WATERBOROUGH.

Preamble.

WHEREAS the annual overflow of the river *Saint John* washes away large portions of very valuable land on it's banks in front of the parishes of *Magerville* and *Sheffield* in *Sunbury* county, and the upper part of *Waterborough* parish

parish in *Queen's* county, and frequently obliges the inhabitants to remove their houses, fences, and other improvements to their great damage and inconvenience: AND WHEREAS the pasturing of cattle on the said banks contributes greatly to this alarming waste of land, and prevents grafs and bushes when planted from growing, binding and preserving the ground—

I. *Be it enacted, by the Lieutenant Governor, Council and Assembly,* That no neat cattle, horses, sheep, swine or goats shall be suffered to go at large in the highway, or graze on the bank of the river *Saint John* in front of the parishes of *Magerville* and *Sheffield*, and the upper part of *Waterbercugh* parish as far as the upper line of *Benjamin Birdfall's* land, between the *tenth* day of *March* and the *tenth* day of *November* annually, and if any person or persons shall find any such cattle going at large or grazing as aforesaid, such persons are hereby authorized to take and drive the same to the nearest Pound and the Pound-keeper shall receive and detain the same until the owner or owners shall pay the penalty of *three shillings* for each neat cattle or horse, and *one shilling* for each sheep, swine or goat, and also *one shilling per day* to the Pound-keeper for feeding each neat cattle or horse, and *four pence per day* for feeding each sheep, swine or goat together with the usual charges for crying the same within *fourteen days* after they shall be so impounded, one half of which penalties shall be for the use of the Poor in such parish where the offence may be committed and the other half to the person or persons who shall impound the same; and may be sued for and recovered before any *one* of His M A J E S T Y 's Justices of the Peace.

II. *And be it further enacted,* That, in case the owner or owners of such neat cattle, horses, sheep, swine or goats so impounded shall neglect or refuse to pay the aforesaid penalties and charges, then the said Pound-keeper is hereby authorized to sell publicly so many of them as may be necessary for that purpose, and the overplus money arising from such sale, shall be paid by said Pound-keeper to the owner or owners thereof.

III. *And be it further enacted,* That, the Justices in their General Sessions within the respective counties where such parishes lie, are hereby authorized to cause to be erected and kept up across said highway from the said *tenth day* of *March* to the said *tenth day* of *November*, *two* strong Swing Gates of suitable width and a Water-fence adjoining to each Gate, one of which Gates, so to be kept up, to be erected at or near the upper

No neat cattle, horses, sheep, swine or goats to go at large on the bank of the river *St. John* in *Magerville*, *Sheffield* and *Waterbercugh*, between the *10th* of *March* and the *10th* *November*. Cattle going at large to be impounded, and the owners to pay 3s. for each horse or neat cattle and 1s. for each sheep, &c.

Also 1s. per day to the Pound-keeper for each neat cattle or horse, & 4d. for each sheep, &c.

One half of the penalties to the use of the Poor, the other half to the person impounding—and recovered before a Justice of the Peace.

Owners of cattle &c. impounded, neglecting to pay the penalties and charges.

Pound-keeper to sell as many as may be necessary

Justices in their General Sessions to cause Gates to be erected across the Highway—with Water-fences adjoining—

and Posts to be
fixed at each
Gate—

and to order an
Assessment of
the expence
thereof.

Persons leaving
open, pulling
down, or destroy-
ing Gates, &c.
to pay double
costs—

or suffer one
month's impris-
onment.

Act not to ex-
tend to cattle
&c. travelling.

Limitation of
the Act.

upper line of the parish of *Magerville* and the other at or near the upper line of the lands of *Benjamin Birdfall* in the said parish of *Waterborough*; and the said Justices shall also cause *two* suitable Posts of wood, *one* on each side of each Gate, to be fixed firmly in the ground with notches cut into the said Posts for steps for the benefit of travellers; and the said Justices are hereby also authorised and required to order an Assessment of the expence of erecting the said Gates, Fences, and Posts to be made on the freeholders and inhabitants residing within the district of the parishes where such Gates, Fences, and Posts are hereby authorised to be set up; and if any person or persons shall wantonly leave open, pull down, or destroy such Gate or Gates, Water-fences or Posts, such offender or offenders upon conviction shall pay double costs or damage as may be awarded to any person or persons whatsoever, to be sued for and recovered in manner aforesaid—and in case of inability to pay the same shall suffer *one month's* imprisonment without Bail or Main-prize.

IV. PROVIDED ALWAYS, *and be it further enacted*, That this act shall not extend to any neat cattle, horses or other stock which may be travelling along said road from one part of this province to another.

V. *And be it further enacted*, That, this act shall be and remain in full force for and during the term of *two years* and no longer.

C A P. X.

An ACT for APPROPRIATING and DISPOSING of the PUBLIC MONIES.

Monies to be
paid out of the
Treasury.

To the Speaker
of the House of
Assembly.

To the members
of the House of
Assembly.

I. **B**E IT ENACTED, *by the Lieutenant Governor, Council and Assembly*, That their be allowed and paid out of the Treasury of this province, unto the several persons hereafter mentioned, the following sums to wit: To the *Speaker* of the *House of Assembly* as *Speaker*, the sum of *fifty pounds* and for his travelling charges going and returning the last Session *ten shillings per day*, reckoning *twenty miles* for each day's travel; To the other members of the *House of*

Assembly