

shall be the duty of such collector forthwith to collect the sums so assessed, and by warrant under the hand and seal of any two Justices of the Peace for the said County, to make distress on the goods and chattels of such person or persons refusing, and within ten days thereafter, shall make sale of such distress to the amount of such assessment with costs, rendering the overplus, if any there be, to the owner or owners thereof.

tices warrant, and in ten days after, if not paid, sale to be made of the goods.

IV. *And be it further enacted,* That every such collector shall pay over the monies by him collected, to the Treasurer of the County, deducting five per cent, for collecting, and in case any collector shall neglect or refuse to pay the same to the County Treasurer, every such delinquent collector, shall incur the penalty of five pounds per month, to be paid to the County Treasurer, who may sue for the same, before any Justice of the Peace, who shall on conviction, issue his warrant against the goods and chattels of such delinquent, as in other cases of distress.

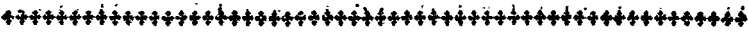
Collectors to pay over monies to the County Treasurer, deducting five per cent; under the penalty of five pounds per month.

V. *And be it further enacted,* That all penalties to be incurred by, or under this Act, shall be applied for the purpose of completing the said Court House and Gaol.

Penalties applied towards completing the Court House & Gaol.

VI. *And be it further enacted,* That the proceedings of the said Justices of the Peace; in the said County of Charlotte, in making and collecting an assessment for the purpose aforesaid, and in issuing their warrant of assessment, and levying said sum of four hundred pounds, upon the towns and parishes in said County, be, and the same are ratified and confirmed, and rendered firm and valid in the Law, to all intents and purposes.

Former assessment made by the Justices confirmed.



CAP. XI.

An ACT to authorise the Common Council of the City of Saint John, to appoint Constables for such Wards of the City, as shall omit to choose the same. Passed 7th of March, 1812.

WHEREAS by the Charter of the City of Saint John, the Freemen and Freeholders, of the said City, being inhabitants, are authorised and empowered to elect annually, one Constable for each of the six Wards of the City. And whereas it has frequently happened that in some of the said Wards no Constable has been chosen agreeably to the provisions of the said Charter.

Preamble.

I. *Be it enacted by the President, Council, and Assembly,* That it shall and may be lawful for the Common Council of the said City annually, to appoint one fit person to be Constable, for each and every of the said Wards, in which no Constable shall have been chosen agreeably to the provisions of the said Charter.

Common Council may annually appoint Constables for the wards in which none shall have been chosen.

In case of the death, removal from the City, or refusal of any person appointed or elected to the office of Constable, the Common Council may appoint another.

II. *And be it further enacted;* That if any Person appointed to the office of Constable, under and by virtue of this Act, or elected to the same office agreeably to the provisions of the said Charter, shall happen to die; or remove out of the said City, within the time for which he shall be so appointed or elected, or shall refuse to take upon himself to execute the said office, when so appointed or elected; it shall and may be lawful for the said Common Council to appoint one other fit person to execute the said office, in the room of such person so dying, or removing, or refusing to take upon himself to execute such office.

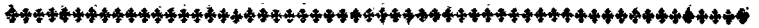
Constables to be appointed by the Common Council to be sworn.

III. *And be it further enacted,* That every Person appointed under and by virtue of this Act, shall before he executes the office of Constable, be duly sworn as is provided by the said Charter, in the case of persons elected to the said office; and any person who shall refuse, deny, delay or neglect to take upon him to execute the said office, when so appointed by the said Common Council, shall be subject to the like fine as is provided by the said Charter, upon the refusal or neglect of any person to take upon him to execute the said office, after being elected to the same; to be imposed or recovered, and levied and collected, as in and by the same Charter is provided.

And for refusal or neglect of duty to be liable to the same fine as Constables elected under the Charter.

Constables in the eastern district, to be inhabitants of the wards for which they are appointed, and Freemen, and in the western district to be inhabitants of the district, and Freemen.

IV. *And be it further enacted,* That the persons who may be appointed to the office of Constable, under and by virtue of this Act, for the several Wards in the eastern district of the said City, shall be inhabitants of the Wards, for which they shall be respectively appointed, and Freemen of the said City, and the persons who may be in like manner appointed for the Wards in the western district of the said City, shall be inhabitants of the said district, and Freemen of the said City.



CAP. XII.

An ACT more effectually to prevent the encumbering or filling up of Harbours, and to authorise the appointment of Harbour Masters. Passed the 7th of March, 1812.

Preamble:

WHEREAS the Laws now in force "to prevent the encumbering or filling up of Harbours," are found ineffectual: And whereas it is necessary for the security of vessels, that Harbour Masters should be appointed in this Province.

Former Acts repealed.

I. *Be it therefore enacted by the President, Council, and Assembly,* That an Act made and passed in the thirty-third year of His MAJESTY'S Reign, intituled "An Act to prevent the encumbering or filling up of Harbours," and also an Act, made and passed in the fiftieth year of His MAJESTY'S Reign, intituled "An Act in addition to an Act, to prevent the encumbering or filling up of Harbours," be, and the same are hereby repealed.

II.