

half the penalty to the use of the Poor, and half to the person who shall complain.

think fit, unless such penalty and forfeiture, together with the costs and charges shall be sooner paid, one half of which penalty and forfeiture shall be paid into the hands of the Overseers of the Poor of the Town or Parish where such offence shall be committed, for the use of the Poor of such Town or Parish, the other half to the Person who shall make complaint and sue for the same.

No Tavern Keeper, or Retailer, to sell any spirituous Liquors, and half to the person who shall complain.

III. *And be it further enacted*, That no Tavern Keeper or Retailer shall sell any Wine, Strong Beer, Ale, Brandy, Rum or other Spirituous Liquors mixt or unmixt, to any Person whatsoever (Travellers excepted) on the Lord's Day commonly called Sunday, under the penalty of *forty shillings*, to be recovered, levied and applied, as is provided in and by the second section of this Act.

If any Licenced Person shall die or remove,

the Justices at any General or Special Session may grant to the Person succeeding to the house a License for the residue of the term of the first license upon recognizance with sufficient sureties being entered into according to law.

IV. *And be further enacted*, That if any Licenced Person shall die or remove from an Inn, Tavern or other House for selling such Liquors as aforesaid by retail, it shall be lawful for the Justices of the Peace in the several Counties at any General, or at any Special Sessions of the Peace, to be for that purpose holden, to grant to the Person succeeding to such Inn, Tavern or other House for selling Liquors by retail, a License to keep on and continue the said Inn, Tavern or other House for selling Liquors by retail as aforesaid, during the residue of the term of the said License granted to the Person so dying or removing, on condition that the Person so succeeding shall enter into recognizance with two sufficient sureties for keeping an orderly House, and obeying the orders of the Justices of the Peace in their General Sessions, according to the form and effect of the Act in such case made and provided: And no License shall entitle any Person to keep an Inn or Tavern or to sell any strong or spirituous Liquors by retail in any other House or place, than that in which they were first kept and sold by virtue of such License, and such License with regard to all other places shall be null and void.

No License to authorize any Person to sell Liquors in any other place than that in which they were first sold under such License.

Act not to interfere with the Rights given by the Charter to the Mayor of Saint John.

V. *Provided always and be it further enacted*, That nothing herein contained shall be construed to extend to interfere with the rights and powers given by the Charter to the Mayor of the City of Saint John in granting Licenses to Tavern Keepers and Retailers of Spirituous Liquors, but that such Licenses may be granted as heretofore.

Limitation.

VI. *And be it further enacted*, That this Act shall be in force Two years, and thence until the end of the next Session of the General Assembly.

## CAP. VII.

An Act further to continue for a limited time an Act, intituled "An Act for regulating, laying out and repairing Highways and Roads; and for appointing Commissioners and Surveyors of Highways within the several Towns and Parishes in this Province." Passed the 7th of March, 1814.

**BE** it enacted by the President, Council and Assembly, That an Act made and passed in the Fiftieth Year of His Majesty's Reign intituled

intituled "An Act for regulating, laying out and repairing Highways  
 " and Roads, and for appointing Commissioners and Surveyors of  
 " Highways within the several Towns and Parishes in this Province,"  
 be further continued and the same is hereby continued and declared  
 to be in full force for the term of Two years, and until the end of the  
 then next Session of the General Assembly. Continued for Two years.

CAP. VIII.

An Act in amendment of an Act, intituled "An Act  
 " to repeal all the Acts now in force relating to  
 " Trespasses and for making new regulations to  
 " prevent the same." Passed the 7th of March,  
 1814.

**W**HEREAS doubts have arisen with respect to the power of the  
 Justices in their General Session of the Peace for the Counties  
 of York and Charlotte, to make sufficient regulations for the prevent-  
 ing Trespasses by Horses and Swine in the Parish of Fredericton and  
 Town of Saint Andrews in the said Counties— Preamble.

Be it enacted by the President, Council and Assembly, That from  
 and after the passing of this Act, if any Horse, Horses or Swine, shall  
 be found going at large within that part of the Parish of Fredericton  
 situate between Phillis's Creek and the Creek or Gully to the South-  
 ward of the late Dr. Earl's dwelling house in the County of York, or  
 in the Town Platt of Saint Andrews in the County of Charlotte,  
 the owner or owners thereof shall forfeit and pay the sum of *ten shil-  
 lings* for each and every Horse or Swine so found going at large, one  
 half to the Overseers of the Poor of the said Parishes respectively, and  
 one half to the Informer, to be recovered upon conviction before  
 any one of His Majesty's Justices of the Peace, residing in the said  
 Parishes respectively, and to be levied of the goods and chattels of  
 the owner or owners of such Horse, Horses or Swine. And in case  
 the owner or owners of such Horse, Horses or Swine shall not be  
 known, then it shall be the duty of the Hoggreeve or Hoggreeves of  
 the said Parishes to impound such Horse, Horses or Swine, as shall be found  
 so going at large. And it shall be the duty of the Pound keepers of the  
 said Parishes of Fredericton and Saint Andrews respectively, upon any  
 Horse, Horses or Swine being so impounded, to advertize the same  
 upon the door of the Pound, and in case the owner or owners of  
 such Horse, Horses or Swine, shall not within Three days after such  
 advertizement being put up as aforesaid, pay the said fine for each  
 Horse or Swine so impounded, together with the accustomed fees and  
 charges for keeping the same, it shall and may be lawful for the said  
 Pound keepers to sell such Horse, Horses or Swine at Public Auction,  
 and apply the money arising therefrom towards paying the said fine  
 and charges, and pay the overplus (if any) to the owner or owners  
 of such Horse, Horses or Swine, whenever such owner or owners shall  
 appear.

The owners of any Horses  
 and Swine found going at  
 large in that part of the  
 Parish of Fredericton be-  
 tween Phillis's Creek &  
 the Creek to the South-  
 ward of Dr. Earl's dwell-  
 ing house, or in the  
 Town Platt of Saint An-  
 drews, to forfeit Ten Shil-  
 lings for each Horse or  
 Swine.

If the owner shall not be  
 known the Hoggreeve shall  
 impound the Horses or  
 Swine.

And the Pound keeper  
 shall advertize the same  
 on the door of the Pound.

If the owner shall not  
 within three days pay the  
 fine,

the Pound keeper shall  
 sell the Horses or Swine  
 at Public Auction, and ap-  
 ply the money to pay the  
 fine and charges, and pay  
 the overplus (if any) to  
 the owner when he ap-  
 pears.