

Or receive Fees.

Who shall be considered duly qualified.

Licences may be granted by the Governor after due examination.

Persons who have been established in Practice for seven years may be licenced.

Persons qualified may sue for fees.

Act not to extend to military Physicians or Surgeons.

suitable education to practice Physic or Surgery within this Province, nor to demand or receive any fee or reward directly or indirectly for the cure of any disease, or the performance of any Surgical operation whatever, and that any person who shall previously have obtained a Diploma or other authentic and sufficient testimonial of his skill and ability from some College or other public institution in Great-Britain or Ireland, legally authorized to grant the same, shall be deemed and adjudged to be duly qualified as aforesaid; and that any other person who shall have been carefully examined by competent judges to be named and appointed by the Governor or Commander-in-Chief for the time being, and upon their report shall have received a Licence under the hand and seal of the Governor or Commander-in-Chief for the time being for that purpose, shall also be deemed and adjudged duly qualified for the profession and practice of Physic or Surgery, or both, as may be specified and expressed in such Licence.

II. *And provided always*, That the Governor or Commander-in-Chief for the time being, may, and he is hereby authorized to Licence such persons who have been established in the practice of Physic or Surgery for seven years, immediately preceding the passing of this Act.

III. *And be it further enacted*, That every person duly qualified as aforesaid, shall be entitled to demand, sue for and recover reasonable and customary fees for his services, and payment for Medicines by him administered in the course of his practice in the capacity either of a Physician or Surgeon.

IV. *And be it further enacted*, That nothing in this Act contained, shall extend or be construed to extend to any Physician or Surgeon appointed by commission or warrant to serve in any Garrison or Military Corps, being within the limits of this Province.

CAP. XVII.

An Act more effectually to provide for the support of a Nightly-Watch in the City of Saint John.

Passed the 11th of March, 1816.

WHEREAS the establishment of a Nightly-Watch within the City of Saint John, is of very great importance for the preservation of the persons and properties of the Inhabitants, and very necessary to prevent fires, robberies and other outrages and disorders.

I. *Be it enacted by the President, Council and Assembly*, That from and after the passing of this Act, it shall and may be lawful for the Mayor, Aldermen and Commonalty of the said City in Common Council convened, from time to time to order and appoint what number of Watchmen they shall judge necessary and proper, to be kept within the District on the eastern side of the Harbor of the said City, and to direct how they ought to be armed, and how they shall watch, and what wages and allowances shall be given to the said Watchmen for their attendance, and shall make all such other orders and

Preamble.

Mayor, Aldermen, &c. to appoint Watchmen,

And direct the arming and paying of them, &c.

regulations

regulations as the nature of each particular service shall seem to require.

II. And for the better raising and levying the money for paying the wages of the said Nightly-watchmen and other charges incidental thereto---

Be it further enacted, That the Mayor, Aldermen and Commonality of the said City of Saint John in Common Council assembled, may and they are hereby authorized and empowered once in every year, between the first day of April and the first day of May in each and every year, to determine and direct what sum or sums of money shall be raised and levied upon the Inhabitants in the District on the eastern side of the Harbour of the said City, for answering the purposes aforesaid, and to direct by warrant under their common Seal to the assessors herein-after mentioned, to make a rate and assessment in due proportion upon all and every the person or persons who do or shall inhabit, hold, occupy or enjoy any Land, House, Shop, Warehouse, or other tenement within the District on the eastern side of the harbor of the said City: *Provided always,* that the sum to be assessed upon any one person in any one year shall not exceed the sum of *five pounds*, and the said assessors are hereby authorized and required to make such rate and assessment, which same rate and assessment so to be made, shall be collected by a Collector to be by the said Mayor, Aldermen and Commonality of the said City for that purpose from time to time appointed, and in case any person or persons so rated and assessed, shall neglect or refuse to pay the said sum so rated upon him, her or them, it shall and may be lawful for the said Collector to sue for and recover the same, by action of debt in the City Court of the said City, in like manner as any other debt can or may be sued for, prosecuted and recovered in the same Court.

III. *Provided always, and it is hereby declared,* That in case any person or persons shall think him, her or themselves aggrieved by any rate and assessment to be made as aforesaid, it shall and may be lawful for them respectively, within the space of five days after the sum so rated and assessed shall be demanded, to appeal to the Common Council of the said City, and whose decision shall be final and conclusive, and that a memorandum in writing of such appeal, filed in the common Clerk's Office within the said time, shall suspend further proceedings until such decision shall be had.

IV. *And be it further enacted,* That it shall and may be lawful for the said Watchmen or any of them, and they are authorized and required in their several stations during the time of their keeping watch as aforesaid, to apprehend all night-walkers, malefactors, rogues, vagabonds, and all other disorderly persons whom they shall find disturbing the public peace, and to carry him, her or them as soon as conveniently may be, before the Mayor, Recorder, or one of the Aldermen of the said City, or a Justice of the Peace for the City and County of Saint John, to be examined and dealt with according to Law.

V. *Provided always, and be it further enacted,* That in case there shall be any deficiency in any one year's assessment so to be made as aforesaid, so that the wages and allowances to Watchmen and other incidental charges cannot be fully satisfied

Common Council to determine the sum to be raised,

To direct a warrant to the assessors,

Persons liable to be assessed,

Limitation of assessment,

Assessment to be collected by Collectors appointed by the Common Council,

Collectors empowered to sue for rates,

Persons aggrieved may appeal to the Common Council,

Watchmen to apprehend disorderly Persons, and carry them before the Mayor,

Deficiencies in the assessment to be made up out of the next year's assessment,

fied, paid and discharged in that year, such deficiency shall be made up in and paid out of the next succeeding year's rate and assessment, and if there shall happen to be any overplus money collected by such rate or assessment as aforesaid in any one year, such overplus shall be carried on to the credit of the account of the next year's rate and assessment, and shall be applied for such uses and in such manner as the rates and assessments collected are by this Act directed to be laid out and applied, and to no other use or purpose whatsoever.

Overplus money to be credited in next assessment.

Mayor, Aldermen, &c. to appoint assessors,

VI. *And be it further enacted*, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the said City, to appoint annually, three discreet persons being freemen of the said City, to act as assessors under this Act, who shall be sworn to the faithful discharge of such duty, before the Mayor or Recorder of the said City, and any person so appointed who shall neglect or refuse to accept the said appointment, or to become qualified, or having become qualified shall refuse to perform his duty, shall for each and every neglect or refusal, forfeit and pay the sum of *five pounds*, to be recovered on conviction before the Mayor or Recorder of the said City, and levied by distress and sale of the Goods and Chattels of the offender, by warrant under the hand and seal of the said Mayor or Recorder, and paid into the hands of the Chamberlain of the said City, to be applied for such uses and in such manner as the rates and assessments collected under this Law, and for no other use whatsoever; and the said Mayor, Aldermen and Commonalty of the said City, may appoint some other person or persons being freemen in the place or places of any person or persons refusing to act or to become qualified as required by this Act, so often as such shall be the case, which person or persons so to be appointed in the place or places of such person or persons so neglecting or refusing, shall be liable to the same and like penalties for neglect or refusal as the said persons first appointed, to be in like manner recovered, paid and applied, and so on as often as the case may happen.

Penalty on assessors for refusal or neglect,

Others to be appointed instead of assessors refusing to act.

Collectors to pay money into the hands of the Chamberlain.

VII. *And be it further enacted*, That the said Collector herein-before mentioned to be appointed, shall from time to time as he shall receive the same, pay the money by him collected into the hands of the Chamberlain of the said City for the time being, who is hereby directed to keep a separate and distinct account thereof in a Book, to be by him appropriated for that particular purpose.

Act to be deemed public.

VIII. *And be it further enacted*, That this Act shall be deemed, adjudged and taken to be a public Act, and be judicially taken notice of by all Judges, Justices and other persons whatsoever without pleading the same.

Limitation.

IX. *And be it further enacted*, That this Act shall continue and be in force for four years, and thence to the end of the next Session of the General Assembly, and no longer.