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CAP. XXXIII.

An Act in addition to and in amendment of an Act, intituled "An Act to regulate Tavern Keepers and Retailers."

Passed 9th March 1838.

Repealed
by 3rd Me
C-47

WHEREAS in and by the third section of an Act made and passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled "An Act to regulate Tavern Keepers and Retailers," it is among other things enacted, that every person on taking out a licence under the authority of the said Act, shall enter into recognizance to His Majesty with two good and sufficient sureties in the sum of forty pounds, conditioned to obey such rules and regulations as the Court of general Sessions respectively shall from time to time make and ordain to be observed: And whereas it is expedient that Her Majesty's Justices of the Peace in the several Counties in this Province respectively, should have power and authority to enforce such rules and regulations as they may from time to time make and ordain, by a more simple and less expensive process, when minded so to do:

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act it shall and may be lawful for Her Majesty's Justices of the Peace of this Province in their respective general Sessions, to enforce the observance of such rules and regulations as they have already made or shall hereafter make, in and for their respective Counties, under such penalty or penalties as to them in their respective general Sessions may seem meet, such penalty to be in no case less than ten shillings nor more than five pounds for each and every breach of such rules and regulations; which penalty or penalties shall be recovered before the Justices of the Peace in general Sessions, or any two of Her Majesty's Justices of the Peace of the County in which the offence shall be committed, and levied and applied in the same manner as directed for the recovery of penalties in and by the fourteenth section of the Act of which this Act is an amendment.

Justices empowered to enforce their regulations under penalties.

Recovery.

Application.

II. And be it further enacted, That this Act shall be publicly read by the Clerk, at the opening of every Court of general Sessions of the Peace in the several Counties in this Province.

Act to be publicly read at the opening of each Court.

III. And be it further enacted, That this Act shall continue and be in force so long as the Act to which the same is an amendment and no longer.

Limitation.

CAP. XXXIV.

Repealed by 1st Me Cap 57

An Act to repeal an Act, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Douglas in the County of York, into a separate and distinct Town or Parish."

Passed 9th March 1838.

WHEREAS an Act made and passed in the seventh year of the reign of His late Majesty King William the Fourth, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Douglas in the County of York, into a separate and distinct Town or Parish," has been found not to answer the good purpose intended thereby, and it is deemed expedient to repeal the same;

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said recited Act be and the same is hereby repealed: Provided always, that nothing herein contained shall in any wise prevent or interfere with the

7 W. 4, C. 25. repealed.

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Not to interfere with the recovery of assessments already made.

Parish officers to continue in office until others are appointed.

the recovery of any Parish or County assessment, which may have been made or ordered by the Court of general Sessions of the Peace of the said County of York under the said recited Act.

II. And be it further enacted, That all Town and Parish officers which may have been appointed under and by virtue of the said Act shall continue in office, with full powers as such until others shall be respectively appointed by the general Sessions of the Peace for the said County at the usual period provided by law for the appointment of such Town and Parish officers.

CAP. XXXV.

An Act to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish.

Passed 9th March 1838.

Preamble.

WHEREAS great inconvenience is found to exist in consequence of the extended bounds and increased population of the Parishes of Gagetown and Hampstead, to perform the several Parochial duties in the manner required by law, it is therefore expedient that the same be divided into three Towns or Parishes;

Parish of Petersville erected.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the rear or southwesterly part of the Parishes of Gagetown and Hampstead, —to commence at the King's County line, where the road leading from Jones' Mill crosses said line, following the said road until it intersects the north west boundary line of lot number one, granted to John Short, and following the said north west line of lot number one until it strikes the north easterly line of lot number five granted to Sylvanus Haviland, and thence following the northeasterly line of said lot and its prolongation to the southeasterly boundary line of land granted to James Corbett, thence along the said line northeasterly to the divisional line between the said grant and land granted to Henry Appleby, thence along the said divisional line and its prolongation to the road leading from Gagetown to the Nerepis, thence along the said road northeasterly to the northeasterly boundary line of lot number twenty five granted to Thomas T. Hewlett, and thence along the said line and its prolongation northwesterly to the Sunbury County line, —be and the same is hereby erected into a separate Town or Parish, to be called and known by the name of Petersville.

Parish officers to be annually appointed.

II. And be it further enacted, That the Justices of the Peace for the said County are hereby authorized and empowered to appoint, annually, from time to time, officers for the said Town or Parish of Petersville in the same manner as for other Towns or Parishes within the said County; and also that the said Justices may at a special Session for that purpose to be holden have power and authority to appoint such officers for the present year; which officers shall be sworn to the faithful discharge of their duties respectively, and be liable to the like penalties for neglect or refusal to accept or perform the duties of their respective offices, as any other Town or Parish officers within the said County.

Act not to interfere with the recovery of assessments.

III. And be it further enacted, That this Act shall in no way prevent or interfere with the recovery of any Parish or County assessment which may have heretofore been made or ordered by the Court of general Sessions of the Peace for the said County.