

CAP. VII.

An Act to repeal so much of an Act made and passed in the ninth year of the Reign of His Majesty George the Fourth, intituled *An Act to lay a Tax on Dogs in certain parts of the Parishes of Fredericton and Saint Andrews*, as relates to the Owners of Dogs residing on the Commons and Glebe in the Parish of Saint Andrews.

9 G. 4, c. 23.

Passed 11th April 1843.

9 G. 4, c. 23, in part repealed.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of an Act made and passed in the ninth year of the Reign of His Majesty George the Fourth, intituled *An Act to lay a Tax on Dogs in certain parts of the Parishes of Fredericton and Saint Andrews*, as imposes a Tax on all Dogs owned or kept by persons residing on the Commons or Glebe in the Parish of Saint Andrews be and the same is hereby repealed.

CAP. VIII.

An Act to authorize the Justices of the Peace for the County of Sunbury to levy an assessment on certain Parishes within said County to pay off a Debt due from those Parishes.

Passed 11th April 1843.

Preamble.

WHEREAS the unprecedented distress prevailing among the Poor of the Parishes of Sheffield, Burton, Blissville and Lincoln, in the County of Sunbury, during the past Summer, rendered it necessary for the Justices of the Peace for said County to raise a sum of money to relieve such distress upon the credit of private individuals, the funds of the County being insufficient, which sum when raised, was appropriated towards the Poor in aforementioned Parishes; And whereas, it is just and expedient that the money so raised upon the credit of individuals as aforesaid shall be returned to them;

Justices in Session authorized to assess certain Parishes to pay off money raised upon private credit to relieve distress in these Parishes.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Sunbury, at any General Session of the Peace or at any Special Sessions to be for that purpose holden in said County, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding sixty pounds, as they in their discretion may think necessary, for the purpose of paying off the money raised as aforesaid, which sum to be assessed on the before mentioned Parishes, in proportion to the respective sums appropriated to each, and to be assessed, levied and collected and paid, agreeably to any Act or Acts now or hereafter to be in force for the assessing, collecting and levying of County Rates.

CAP. IX.

An Act to authorize the Justices of the Peace in the several Counties to make Rules and Regulations for the Public Wharves and Landings in their respective Counties.

Passed 11th April 1843.

Preamble.

WHEREAS it is expedient and necessary that Her Majesty's Justices of the Peace for the several and respective Counties in this Province should be authorized and empowered to make Rules and Regulations for the due ordering of Vessels, Boats, Scows, Rafts of Lumber lying at or coming to or removing from the Public Wharves or Landings in their respective Counties;

Justices in Sessions authorized to make regulations for the public wharfs and landings.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the several and respective Counties of this Province at their General Sessions, or at any Special Sessions to be for that purpose holden, be and they are hereby authorized and empowered to make such

such Orders and Regulations for the due ordering of Vessels, Boats, Scows and Rafts either of sawn, square or round Lumber lying at or coming to or removing from any of the Public Wharves or Landings, and for the lading or unlading of Goods, Merchandize, Country Produce or Lumber on, at or near any of the said Wharves or Landings, and for the preventing nuisances, incumbrances and obstructions, for the depositing and leaving of Goods, Merchandize or Country Produce or otherwise howsoever, on, at or near the said Wharves and Landings, and generally for the safe keeping and well ordering of the said Wharves and Landings in all respects, and from time to time to repeal, alter and amend such Orders and Regulations, and to substitute others in their place as to the said Justices in their respective Counties, or the major part of them, at such General or Special Sessions may seem fit and reasonable, and to enforce such Orders and Regulations by pecuniary fines and penalties, so as always that such fines and penalties shall not in any one case exceed the sum of five pounds, which shall be sued for and recovered on the oath of one or more credible Witness or Witnesses, before any Justice of the Peace for the said County where such offence may be committed, and to be levied by Warrant of Distress and Sale of the Goods and Chattels incumbering the said Wharf or Landing, that by conviction of such Justice may appear to be an incumbrance or nuisance on, at or near the said Wharves and Landings, contrary to the said Orders and Regulations or otherwise, by Warrant of Distress and Sale of the Goods and Chattels of the offender, rendering the overplus, if any, after deducting the charges of prosecution and sale, to the owner or owners of such Goods and Chattels, or to the offender or offenders as the case may be; such fines and penalties to be paid over to the Overseers of the Poor of the Parish wherein such public Wharf or Wharves, Landing or Landings may be situate, to be by them applied towards the support of the Poor of the said Parish.

Penalties may be imposed not exceeding £5.

Recovery.

Application.

II. And be it enacted, That the said Justices in their respective Counties shall and may at the time of making the annual appointments of Town and Parish Officers, have power and authority to appoint one or more fit person or persons to be Wharfinger or Wharfingers of the said Public Wharves and Landings, who shall be sworn to the faithful discharge of his or their said duty or duties, and shall be in every respect subject to the same Rules and Regulations, Penalties and Forfeitures as any other Town or Parish Officers are or shall be subject by virtue of any Law now in force or hereafter to be enacted, for the appointment and regulation of Town and Parish Officers in the several Counties in this Province, and it shall be the duty of such Wharfinger or Wharfingers to carry into force and effect the Orders and Regulations of the said Justices so to be made as aforesaid respecting the said Wharves and Landings.

Wharfingers to be appointed.

To be sworn and liable as other Parish Officers.

III. And be it enacted, That no person shall be deemed an incompetent Witness in any case under or by virtue of this Act, by reason of such person being an Inhabitant of the said Parish where such Public Wharf or Wharves, Landing or Landings may be situate.

Inhabitants to be competent witnesses.

IV. Provided nevertheless and be it enacted, That the provisions of this Act shall in no wise be construed to extend to the City of Saint John.

Act not to extend to the City of Saint John.