

Sum awarded to J. R. Partelow to form a debt chargeable on the County contingent expense fund.

Operations under Act 9 G. 4. c. 2, exempted from this Act.

of 'The Justices of the Peace for the City and County of Saint John,' to enforce performance of such bond, award or otherwise, and to settle the same with the said John R. Partelow, his Executors and Administrators, as in the discretion of the said Justices, they may deem expedient; and in case any sum or sums of money shall be found and awarded to be due and owing to the said John R. Partelow, the same shall form and become a debt due by the said County to the said John R. Partelow, and shall be payable to him, and be borne and chargeable upon any funds in the hands of the County Treasurer for the time being, applicable to the payment of the contingent expenses of the said County: Provided always, and be it enacted, that nothing in this Act contained shall extend or be construed to extend to any sum or sums of money, accounts, prosecutions, suits, matters or things arising out of the operation of a certain Act of Assembly, intituled *An Act to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for completing the Court House of the said City and County.*

#### CAP. LXXIV.

An Act to lay a Tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland.

*Passed 27th March 1845.*

Tax imposed for Dogs kept in a specified District in Newcastle Parish.

Rate.

Collector to be appointed.

To be sworn, and liable to same penalties as other Parish Officers.

Owners to affix collars with their names on their Dogs.

Penalties.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the first day of May next, there be imposed and levied the following Tax or Duty yearly and every year on all Dogs which shall or may be owned or kept by any person residing on the front Lots in the Parish of Newcastle, which lie between French Fort Cove and the lower line of the Lot now occupied by William M'Allister, that is to say: For one Dog, provided the person keeps but one, the sum of five shillings; for two Dogs owned or kept by one person in or about the same house, the sum of fifteen shillings; for three or more Dogs owned or kept by one person or in or about the same house, the sum of thirty shillings; the said Tax or Duty to be paid by the person owning or keeping such Dog or Dogs.

II. And be it enacted, That the Justices of the Peace for the said County of Northumberland, at their General Sessions, or at any Special Sessions to be for that purpose holden, be and they are hereby authorized and required to appoint a fit person to be Collector of Dog Tax in the said Parish of Newcastle, who shall be sworn to the faithful discharge of his duty, and shall be liable to all the pains and penalties for neglect of duty or refusal to serve as any other Town or Parish Officer or Officers are now liable to by the Laws now in force.

III. And be it enacted, That it shall be the duty of all persons residing within the limits prescribed in the first section of this Act, and who shall own or keep any Dog or Dogs, to affix a Collar on the neck of each and every such Dog, with the name of the owner or keeper plainly and legibly marked thereon; and that all Dogs found going at large within the limits aforesaid, and owned or kept by any person or persons residing within the same, after the said first day of May next, without such Collar and name as aforesaid, shall be liable to be killed and destroyed by the said Collector of Dog Tax, or by any Constable of the said Parish: Provided always, that in case the owner or keeper of such Dog or Dogs so found going at large as aforesaid, without such Collar and name, contrary to the true intent and meaning of this Act, shall be known, that then he or she shall be liable to pay a fine of ten shillings, (in addition to the Tax,) to be recovered and applied as hereinafter mentioned.

IV.

IV. And be it enacted, That the said Collector of the said Dog Tax shall and he is hereby required on the first day of June in each and every year, and as often thereafter as may be necessary to proceed to the collection of the Tax imposed by this Act, and in case the said Tax be not paid to the said Collector within six days after the same shall have been demanded, that then the said Collector shall and he is hereby required, in his own name, to sue for and recover the same with costs by action of debt before any one of Her Majesty's Justices of the Peace for the said County of Northumberland; and the said Tax when collected shall be paid into the hands of the Overseers of the Poor for the said Parish, to be applied by them towards the support of the Poor of the said Parish; such Collector retaining for his trouble at and after the rate of twenty per cent. on all such sums actually collected.

Collector authorized to sue if Tax be not paid within six days after demand.

Tax to be paid to the Overseer of the Poor, Collector retaining 20 per cent.

V. And be it enacted, That the said Collector of the said Tax shall annually render an Account to the Justices, at the first General Sessions of the Peace to be holden in and for the County of Northumberland, of his collections so to be made as aforesaid, which Account shall be audited by the said Justices; and the said Collector shall be liable to all the pains and penalties for neglect or refusal to account for or pay over the monies so to be collected by him, as any Collector of Duties is made liable to by the Laws now in force.

Collector to account annually to the Sessions.

VI. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty.

Limitation.

### CAP. LXXV.

An Act further to amend the Law relating to Bastardy.

Passed 27th March 1845.

**W**HEREAS the mode of proceeding on Bonds taken to indemnify the Parish, in cases of Bastardy, is dilatory and expensive, and it is expedient to give relief in those cases where the damage claimed by the Overseers of the Poor or Commissioners of Alms and Poor Houses, as the case may be, for the indemnity of the Parish from time to time, may not exceed the sum of five pounds;

Preamble.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever the Overseers of the Poor of any Parish in any County of this Province, or the Commissioners of Alms and Poor Houses for any County or City and County of the said Province, shall from time to time be entitled to recover a sum of money not exceeding five pounds, for damage sustained under the condition of any Bastardy Bond now in force or hereafter to be taken by the authority of the Act of Assembly made and passed in the thirty second year of the Reign of King George the Third, intituled *An Act to provide for the maintenance of Bastard Children*, such damage shall and may be recovered before any Justice of the Peace of any such County or City and County, pursuant to the several Acts regulating proceedings before Justices of the Peace in Civil Suits, or before the City Court of the City of Saint John, according to the practice of such Court.

Sums not exceeding £5 due on Bastardy Bonds taken under the Act 32 G. 3, c. 3, made recoverable before a Justice of the Peace, or the City Court in Saint John.

### CAP. LXXVI.

An Act to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton.

Passed 27th March 1845.

**W**HEREAS the sums required to be annually levied on part of the Parish of Fredericton, for the repair of the Streets and Highways, by the provisions

Preamble.