

Commission of five per cent. allowed.

On receipt of moneys, the Clerks to be deemed Provincial Debtors.

Limitation.

VI. And be it enacted, That the said Clerks of the Peace so intrusted with the distribution of the Wolf and Bear Bounties in their respective Counties as aforesaid, shall be allowed to retain out of the gross amount of the Warrants to them severally made payable, at and after the rate of five per centum and no more; and that immediately on the receipt of the monies in the Warrant or Warrants in their favour respectively specified, the said Clerks of the Peace shall be and be deemed and taken to be debtors to the Province in the amount of the same respectively, subject nevertheless to the provisions of this Act.

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

### CAP. XXV.

An Act to prevent the growth and increase of Thistles.

*Passed 30th March 1848.*

Justices in General Sessions to make regulations to prevent the increase of Thistles.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Her Majesty's Justices of the Peace in their General Sessions, shall make such rules and regulations as to them from time to time shall seem proper and necessary for the preventing the growth and increase of Thistles within such Counties respectively; and the rules and regulations so made, shall be published by posting the same in three or more of the most public places in the Parish or Parishes within the said County in which Parish or Parishes such rules and regulations are to be in force.

Inspectors to be appointed in each Parish to carry the rules into execution

II. And be it enacted, That the said Justices in their General Sessions as aforesaid, shall appoint two or more persons in each Parish within such County, to be Inspectors for the purpose of carrying into execution the rules and regulations so made; and if the persons so to be appointed, or any or either of them, shall refuse to accept such office, or having accepted the same shall neglect his or their duty therein, he and they shall forfeit and pay a fine not exceeding two pounds, to be recovered with costs on complaint and due proof before any one of Her Majesty's Justices of the Peace of the County in which the offence shall be committed, and on non-payment thereof, to be levied by distress and sale of the offender's goods and chattels, by Warrant under the hand and seal of the said Justice, one half of such fine to be paid to the person or persons who shall prosecute the same to effect, and the other half to be paid into the hands of the County Treasurer for the use of the said County.

Penalty for neglect of duty.

Recovery.

Application.

Inspectors to notify parties on whose lands Thistles may be growing, to destroy them.

III. And be it enacted, That it shall and may be the duty of the said Inspector or Inspectors, at such times and seasons as the said Court of General Sessions by their said rules and regulations may direct, and at all and any other time or times in which it may be thought necessary, by a written or verbal notice, to order and direct the owner or occupier of any land on which Thistles may be growing and likely to run to seed, to the injury and annoyance of the adjacent lands, to cut down, pull up or otherwise destroy the said Thistles; and in case the said owner or occupier of any land, after six days notice, shall neglect or refuse to obey the directions therein contained or expressed, he or they shall be liable to pay a fine not exceeding forty shillings, to be recovered with costs on the oath of one or more credible witness or witnesses, on complaint and due proof thereof before any Justice of the Peace of the County in which such offence shall be committed, such fine to be paid into the hands of the County Treasurer for the use of the said County.

Penalty on the land occupant for neglect.

Recovery.

Application.

IV. And be it enacted, That it shall and may be lawful for the Courts of General Sessions of the Peace in their respective Counties as aforesaid, to allow such compensation to any Inspector or Inspectors appointed under the authority of this Act, for services rendered in the execution of the duties imposed upon him or them, as to the said Court may seem meet, and to cause the same to be paid either as a Parish charge or out of the County funds, at their discretion.

Inspector's compensation to be such as the Justices deem meet.

V. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty, and no longer.

Limitation.

CAP. XXVI.

An Act to explain an Act, intituled *An Act to enable the Justices of the Peace of the several Counties in this Province for the time being to receive for public uses Grants of Land lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same.*

26 G. 3, c. 38.

Passed 30th March 1848.

**W**HEREAS doubts have arisen whether under the powers of the second section of an Act, made and passed in the twenty sixth year of the Reign of His Majesty George the Third, intituled *An Act to enable the Justices of the Peace of the several Counties in this Province for the time being to receive for public uses Grants of Land lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same*, the Justices of the Peace in the several Counties are able and capable in Law to bring and maintain any action at Law for the recovery of the Rents of any Land held by them in trust, and leased by virtue of the provisions of the said recited Act, or on account of any holding or agreement in respect of any such Land so held in trust as aforesaid;

Preamble.

26 G. 3, c. 38.

Be it therefore declared and enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace in such Counties shall by the style and title of "The Justices of the Peace of the County (or City and County), of —," be able and capable in Law to bring and maintain any action for, and to sue for, recover and receive the rents, issues and profits of any Lands received and retained by them in trust, and leased by them for any term of years under the provisions of the said recited Act, or on account of any holding or agreement in respect of any such Land so received and retained in trust as aforesaid.

Justices may maintain actions for rents of lands held by them in trust.

CAP. XXVII.

An Act for ascertaining the Population of this Province, and for other purposes therein mentioned.

Passed 30th March 1848.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace in the several Counties in this Province shall and may and they are hereby required at their first General Sessions to be holden after the receipt of this Act by the Clerk of the Peace for the County as hereinafter provided, or at any Special Sessions to be for that purpose expressly convened, to appoint such and so many fit person or persons within each Town or Parish within their respective Counties, as they shall think expedient, to take an account of the Population thereof, in manner hereinafter directed; and if more than one person shall be so appointed for any Town or Parish, then to divide such Town or Parish into convenient Districts, assigning to each person so appointed to take such account in his particular District; which persons so appointed to take such account shall be liable in all respects to

Justices in General Sessions to appoint persons to take account of the Population, &c.

*Amended by resolution  
Suspended till 1<sup>st</sup>  
January 1857  
6  
12 lbs  
Cap 24*