

City of Saint John, the sum of _____, which has been assessed upon him by the Carleton Water Commissioners, also _____ for costs and charges, the whole being _____, and have that money at my office in Carleton on the _____ day of [not less than ten days nor more than thirty from the date of Execution]; and for want of goods and chattels whereon to levy, take the said A. B. and deliver him to the keeper of the gaol of the City and County of Saint John, who is hereby required to receive him and keep him safely _____ days, unless the same with costs be sooner paid, and make return hereof at the time and place aforesaid.—Dated this _____ day of _____, A. D. 18 _____.

C. D., Chairman of the
Carleton Water Commissioners.

CAP. L.

An Act to abolish the Fishery Draft on the Western side of the Harbour in the City of Saint John, and to make other provisions for the disposal of the said Fisheries, and to apply the annual proceeds thereof towards the erection of a Public Hall in Carleton, and in payment of Interest on the Carleton Water Debentures.

Section.

1. Erection of Public Building in Carleton.
2. Part of s. 5, c. 145, Rev. Stat. repealed.
3. Fishing Lots sold at auction.

Section.

4. Appropriation of moneys.
5. Sales, how conducted.
6. Appointment of Directors of Fisheries
7. Assessments.

Passed 23rd April 1862.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. Notwithstanding any thing contained in the Charter of the City of Saint John, a Public Building may be erected on such part of the Market place in Carleton, City of Saint John, as the Common Council may determine; provided always, the majority of the members of the west side agree.

2. The exception respecting the "Fishery Draft in the City of Saint John," in Section 5, Chapter 145, of the Revised Statutes, 'Of offences against public morals and decency,' is hereby repealed; and nothing in the Charter of the said City of Saint John, nor any usage or custom, or bye law of the Corporation of the City of Saint John, or the said fifth Section of the said Chapter, shall be held, taken or construed to legalize

the Fishery Draft in the City of Saint John as heretofore practised, or the drawing by lot for numbers in the fisheries granted by the Charter of the said City to the freemen and inhabitants of the said City, and such Fishery Draft shall be held and taken to be a Lottery under the provisions of the said fifth Section of the said Chapter.

3. The fisheries between high and low water mark along the said Bay, River and Harbour of Saint John, and the sole fishing, hauling the seine, erecting wiers, and taking the fish between high and low water mark on the said west side of the Harbour, as granted by and described in the said Charter of the City of Saint John, together with such portion of the fishing lots on and surrounding Navy Island as, according to existing usage and custom, belong to the west side, shall annually on the first Tuesday in January of each year be set off in lots, and each lot shall be sold at public auction to the highest bidder therefor: in case the highest bidder shall not immediately pay the amount, such lot shall be again set up, and so *toties quoties*, until the last lot shall be disposed of; and all moneys arising from such sale shall be paid to the Chamberlain, for the purpose of erecting a public building in Carleton, and for other purposes hereinafter described.

4. All moneys which are to be paid to the Chamberlain, and applied to the purposes of erecting the proposed public building in Carleton, and for other purposes, shall be applied as follows,—the sum of two thousand dollars shall be retained by the Chamberlain each year for four years after the passing of this Act, and the moneys so retained shall be applied by the Chamberlain towards paying the expenses of erecting said public building; and the Common Council shall have power to make a contract and agreement with able and sufficient workmen for the erection of said public building, which contract and agreement the said Common Council are hereby required to make with all reasonable and practicable dispatch, after a sufficient sum shall have accumulated to warrant them in making such contract; and the balance or residue of said sale shall be used by the Chamberlain for the purpose of paying the interest on the Carleton Water Debentures: after the expiration of the four years after the passing of this Act, the whole of the proceeds of the sale of the said west side fishery

lots, together with that portion of the proceeds of the sale of the fishing lots on and surrounding Navy Island as according to existing usage and custom belong to the west side, shall be appropriated towards the payment of the interest on the Carleton Water Debentures, and the surplus, if any should accrue, shall be appropriated to the payment of the principal of said Debentures.

5. Such sale shall be conducted under the direction of a Committee of the Common Council to be for that purpose appointed; the Common Council shall, on the purchase and payment of the purchase money of each lot, grant to the purchaser a certificate of his having so purchased the same, under the hand of the Common Clerk; and such purchaser shall thereupon become entitled to the same rights and privileges in every respect as if he had drawn such number in the Fishery Draft heretofore annually drawn in the said City.

6. The Common Council of the said City shall have the power by ordinance to appoint Directors of the fisheries, and generally to regulate the fisheries, and laying out and fishing the fishing lots within the limits of the City of Saint John; and if the Common Council shall not before the first day of December next after the passing of this Act, make an ordinance for that purpose, the ordinance which shall be in force at the time of the passing of this Act shall be and remain in full force; provided always, that no part of such ordinance in force at the time of the passing of this Act, which is repugnant to or inconsistent with this Act, shall be effectual or valid; and further provided, that all or any ordinance of the Corporation of the City of Saint John now passed or hereafter to be passed, which shall be inconsistent with or repugnant to this Act, shall be void and of no effect.

7. Any thing contained in an Act made and passed in the eighteenth year of the Reign of Her present Majesty, intituled *An Act to authorize that part of the City of Saint John called Carleton, to obtain Water from Spruce and other Lakes, and the Mayor, Aldermen and Commonalty of the said City to issue Scrip to defray the expenses of so doing*; and also in another Act made and passed in the twenty first year of the same Reign, intituled *An Act in addition to and in amendment of an Act intituled 'An Act to authorize that part of the*

City of Saint John called Carleton, to obtain Water from Spruce and other Lakes, and the Mayor, Aldermen and Commonalty of the said City to issue Scrip to defray the expenses of so doing, to the contrary notwithstanding, no assessment for the purposes of the said Acts, or of either of them, shall hereafter be made except on property or income, and poll taxes under the same are hereby prohibited; provided nevertheless, that nothing herein contained shall prevent the collection and payment of any poll tax made before the passing of this Act.

CAP. LI.

An Act to provide for the erection of a City Hall in the City of Saint John.

Section.

1. Mayor, &c., may contract for building City Hall.
2. Mayor, &c., may borrow money on Debentures.
3. Loan, how to be taken.
4. Debentures negotiable, and interest paid half yearly.
5. Part of Sec. 5, Chapter 145, Revised Statutes, repealed.
6. Fisheries on east side of Harbour to be sold at auction.

Section.

7. Sales to be conducted under Committee of Common Council.
8. Moneys received by Chamberlain to be invested in securities.
9. Sums accumulated three years, applied towards building Hall.
10. Directors of Fisheries, how appointed.
11. Moneys, &c., arising from rent of buildings now occupied as offices, &c., applied towards payment of Debentures and interest.

Passed 23rd April 1862.

WHEREAS it is desirable that the various public offices and rooms required by the growing wants of the City of Saint John should be provided for in one building in the said City, by the erection of a City Hall;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, notwithstanding any thing contained in an Act made and passed in the ninth year of Her present Majesty's Reign, intituled *An Act relating to the Public Debt of the City of Saint John*; or an Act passed in the seventeenth year of Her Majesty's Reign, intituled *An Act relating to the Public Debt of the City of Saint John*; or of any thing contained in the Charter of the City of Saint John, bearing date the eighteenth day of May one thousand seven hundred and eighty five, to contract and agree with able and