

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1786. Saint John, NB: J. Ryan, 1786.

26 George III – Chapter 41

An Act to enable the treasurers of the respective counties in this province to recover from such person or persons, as have heretofore received any monies or are otherwise indebted for the sale of mill privileges and public lots.

Whereas divers persons in this province have received sums of money, and are otherwise indebted for the sale of mill privileges and public lots, sold by order of the Governor of Nova-Scotia, and have not yet accounted to any person for the same.

I. Be it enacted by the Governor, Council and Assembly, That all and every person or persons, who have or hath any public monies in his or their hands, or are otherwise indebted by such sales aforesaid, shall and may, and they are hereby required to pay the same into the hands of the respective county treasurers of such county where such privileges and lots were sold, and the receipt of such treasurer shall be a full and sufficient acquittance and discharge to him or them for the same. And if any person or persons when thereunto required by such treasurer shall refuse or neglect to account and pay to such treasurer all and every sum or sums which he or they shall have, in his or their hands, or are otherwise indebted as aforesaid, such treasurer shall and may sue for and recover the same in any court of record in this province, having competent jurisdiction, by action of debt, bill, plaint or information, and upon judgment given for the plaintiff, he shall and may recover treble costs of suit.

II. And be it further enacted, That all such monies so received or recovered by any such treasurer, shall be disposed of, and appropriated by the justices of the peace at their general sessions in the respective county, by their order or orders, for the uses and purposes which such privileges, and public lots were declaredly sold for, at the time of such sale, and should there be any overplus after such purposes are answered, the same is to remain in the hands of such treasurer and be considered as part of the public stock of such county. Provided, That any person or persons conceiving himself or themselves aggrieved by such order or orders, shall and may within six months from the date thereof, bring a writ of certiorari, in the supreme court, to remove the same order or orders, which court is hereby authorized to hear and finally determine the same.

III. And be it further enacted, That all persons who have any demands against any town or district, for the discharge of which the sales aforesaid are declaredly made, are hereby required to deliver in a particular account of the same to the county treasurer, who is hereby directed to receive such accounts, and lay the same before the justices of the peace at their general sessions in the respective county, who are hereby authorized to examine and adjust said accounts and certify the ballance due

From: British North America Legislative Database; University of New Brunswick
bnald.lib.unb.ca

on each, that the same may be paid by the treasurer as soon as he is enabled by the recovery of the monies aforesaid, and no certiorari is brought as aforesaid.