

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1801. Saint John, NB: John Ryan, Printer to the King's Most Excellent Majesty, 1801.

41 George III – Chapter 6

An Act for erecting a Court-House and Gaol in the County of Westmorland, and for altering the Shire-Town of the said County. Passed the 21st of February, 1801.

Whereas the Court-House and Gaol in the County of Westmoreland have been lately consumed by fire, and the place where the same stood is not in a central situation for the accommodation of the Inhabitants—

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, That after the passing of this Act, the Town of Dorchester shall be the Shire-Town of the said County, where all the Courts of Record shall be held instead of the Town of Westmorland in the same County.

II. And be it further enacted, That the Justices of the Peace in and for the said County, at the next or any future General Sessions, be and they are hereby authorized and empowered, or the major part of them, to contract and agree with able and sufficient workmen for building and finishing a public Court-House and Goal near the Brook by John Kieller's dwelling house, or to appoint contractors for that purpose for such sum or sums of money, as to them shall seem meet, and to apportion and assess such sum or sums as may be necessary upon the respective Towns or Parishes in the said County and by Warrant under the hand and seal of such Justices or the major part of them, to be directed to the Assessors of the several and respective Towns or Parishes, order such Assessors to apportion and assess on their respective Towns or Parishes their respective quota or proportion to be paid by the several and respective inhabitants of such town or Parish, and such as by Law are liable to be taxed as they in their discretion shall think just and reasonable, and the said Justices as aforesaid shall appoint such Collectors in the respective Towns or Parishes, as they shall think fit, who shall be sworn to a faithful discharge of their duty, and in case of refusal after notice of such appointment, every Collector so refusing shall be subject to the penalty of five pounds, and in case of death or refusal another Collector may be appointed in his stead, at any General or Special Sessions, who shall be subject to the same penalty in case of refusal to accept such appointment.

III. And be it further enacted, That in case any Assessor or Assessors shall neglect or refuse to make such assessment as aforesaid, such Assessor or Assessors so neglecting or refusing, shall forfeit and pay to the Treasurer of the same County the sum of five pounds, to be recovered by bill, plaint or information with cost of suit in any Court proper to try the same.

IV. And be it further enacted, That it shall be the duty of every such Collector appointed as aforesaid, within ten days after receiving his Warrant of Assessment, to give notice to the several persons contained in his lift respectively, of the several sums on them assessed, and in case any person so notified shall refuse or neglect for other ten days, it shall be the duty of such Collector forthwith to collect the sums so assessed, and by Warrant under the hand and seal of any two

Justices of the Peace for the said County, to make distress on the goods and chattels of such person or persons refusing, and within ten days thereafter shall make sale of such distress to the amount of such assessment with costs, rendering the overplus, if any there be, to the owner or owners thereof.

V. And be it further enacted. That every such Collector shall forthwith pay over the monies by him collected to the Treasurer of the County, deducting five per cent, for collection; and in case any Collector Shall neglect or refuse to make such collection, or when collected shall neglect or refuse to pay the same to the County Treasurer, every such delinquent Collector shall incur the penalty of five pounds per month, to be paid to the County Treasurer, who may sue for the same penalty before any two Justices who shall on conviction issue their Warrant against the goods and chattels of such delinquent.

VI. And be it further enacted, That until a good and sufficient Gaol Shall be erected in the said County, it shall be lawful to send any Felon to the Gaol in the City of Saint John, provided that no cost or charge be incurred by the City or County of Saint John upon such commitment.

VII. And be it further enacted, That all penalties to be incurred by this Act Shall be applied for the purpose of the building of the said Court-House and Gaol.