

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1812. Saint John, NB: Jacob Mott, Printer to the King's Most Excellent Majesty, 1812.

52 George III – Chapter 9

An Act for erecting a Court House and Gaol in the County of Northumberland. Passed the 7th of March, 1812.

Whereas the buildings lately occupied as a Court House and Gaol in the town of Newcastle, in the County of Northumberland, are gone to decay, and it is necessary to erect new buildings for the same purpose, and the Justices of the General Sessions of the Peace in said County, have already assessed the inhabitants of said County to the amount of three hundred pounds, and granted Warrants of Assessment for collecting the same, and such further sum will be required for completing the said proposed buildings, as cannot be assessed agreeably to the laws now in force.

I. Be it enacted by the President, Council, and Assembly That the Justices of the Peace, in and for the County of Northumberland, in their General Sessions, or the major part of them be, and they are hereby authorised and empowered to contract and agree with able and sufficient workmen for building and finishing a public Court House and Gaol in the Said town of Newcastle, in the County aforesaid, on or near the site of the former buildings, or to appoint contractors for that purpose, and to agree for such sum or sums of money as to them shall seem meet, and such Justices shall and may apportion, and assess such sum or sums as may be necessary upon the respective towns or parishes, in 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 others as by law are liable to be taxed, as the said assessors in their discretion shall think just and reasonable, and the said Justices as aforesaid, shall and may appoint such collectors as they shall think fit and necessary, 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 of any collector, another may be appointed in his stead, at any General or Special Session, who shall be subject to the same penalty in case of refusal to accept such appointment, or be guilty of neglect of duty, provided such assessment do not exceed three hundred pounds.

II. 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 in a summary way, before any Justice of the Peace for the same County with costs of suit.

III. 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 list respectively; of the several sums on them assessed, and in case any person so notified, shall refuse or neglect to make payment 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, Tendering the overplus, if any there be, to the owner or owners thereof.

IV. 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 collecting; and in case any collector 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 Justice of the Peace, who shall, on conviction, issue his warrant against the goods and chattels of such delinquent as in other cases of distress.

V. And be it further enacted, That all penalties to be incurred by or under this Act, shall be applied for the purpose of building the said Court House and Gaol.

VI. And be it further enacted, That the proceedings of the said Justices of the Peace, in the said County of Northumberland, in making and collecting an assessment for the purpose aforesaid, and in issuing their warrant of assessment, and levying said sum of three hundred pounds, upon the towns and parishes in said County be, and the same are ratified and confirmed, and rendered firm and valid in the law, in the same manner, and to all intents and purposes; as if there had heretofore been no Gaol or Court House in said County.