

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1847. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1847.

10 Victoria – Chapter 58

An Act to amend an Act, intituled *An Act for the appointment of Town and Parish Officers in the several Counties in this Province.* Pasted 14th April 1847.

Whereas by the first section of an Act, intituled *An Act for the appointment of Town and Parish Officers in the several Counties in this Province*, power is given to any two of Her Majesty's Justices of the Peace in the County where any Town or Parish lies, to impose a fine of forty shillings upon any Town or Parish Officer who shall neglect to qualify as therein stated, or having qualified for any Town or Parish Office, shall neglect or refuse to do his duty, or misbehave in the execution of his office, to be recovered and applied as is mentioned in the said Act: And whereas it is necessary to extend the power given to two Magistrates by the said in part recited Act, to the several Courts of General Sessions of the Peace in this Province;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the same power given by the said hereinbefore in part recited Act, to two Magistrates, shall be and the same is hereby given to the several Courts of General Sessions of the Peace in the several Counties in this Province.

II. And be it enacted, That all fines or penalties imposed by the Justices in General Sessions by virtue of this Act, together with costs of prosecution, shall be levied by Warrant of distress and sale of the offender's goods and chattels, directed to the Sheriff of the County within which the offence shall have been committed, rendering the overplus, (if any) after deducting the costs and charges of such distress and sale, to the offender; and if no goods shall be found whereon to levy, it shall and may be lawful for such Sheriff to commit such offender to the Common Gaol of the County where such offence may be committed, there to remain without bail or mainprise, the period to be specified in such Warrant, not exceeding thirty days, unless such fine, costs and charges are sooner paid.

III. And be it enacted, That the costs of prosecution under this Act, had before the Justices in General Session of the Peace, shall be regulated by the Ordinance of Fees established in this Province.