

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1867. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1867.

30 Victoria – Chapter 36

An Act to amend an Act intituled *An Act to amend the Law relating to the collection, of Taxes and small debts in the Parish of Portland, in the City and County of Saint John, and for other purposes in the said Parish.* Passed 17th June 1867.

Section.

1. Police to report offenders against 24th Vic. cap. 23.
2. Sec. 14, cap. 23, of 24th Vic. partly repealed. List to be furnished to Police Magistrate.
3. Police to collect dog tax; money to go to Police and Light fund.

Section.

4. Jurisdiction of Magistrate in civil cases.
5. Persons injuring water works to be fined or imprisoned.
6. Jurisdiction of Magistrate in criminal cases. Sec. 2 of 19th Vic. cap. 57, partly repealed.

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

1. In addition to the sixth Section of the said recited Act, it shall be the duty of the several Policemen belonging to the Police Force in the Parish of Portland aforesaid, to report to the Police Magistrate all persons guilty or suspected of being guilty of any breach of the provisions of an Act passed twenty fourth Victoria, Chapter twenty three, to regulate the sale of Spirituous Liquors in the City and County of Saint John; and all persons so offending against the said last recited Act shall and may be dealt with by the said Police Magistrate, in all respects as at present under the said last recited Act.

2. So much of the fourteenth Section of Chapter twenty three, of twenty fourth Victoria, as is inconsistent with this Act, shall be and the same is hereby repealed, and the list therein required to be transmitted to the Town Clerk of the said Parish by the Clerk of the Peace, shall in lieu thereof be furnished to the Police Magistrate of the said Parish.

3. It shall be the duty of the Police in the said Parish of Portland to carry into effect any regulation of Sessions of the City and County of Saint John, imposing a tax on dogs in the Parish of Portland, and to collect any tax so imposed, and pay the same over to the Portland Police Magistrate, and to report to the said Police Magistrate all persons in the said Parish refusing or neglecting to pay such tax after such notice as may be provided for in the said regulation, and to report all persons keeping dogs in the said Parish contrary to any such regulation, all of whom shall and may be dealt with by the said Police Magistrate, and fined in accordance with the provisions of such regulation, and all moneys collected under any such regulation, whether for fines or taxes, shall go into and form a part of the Police and Light Fund for the said Parish of Portland.

4. And the said Magistrate mentioned in the thirteenth and fourteenth Sections of said Act shall have jurisdiction in actions for any kind of debt, and in actions of debt upon specialty for a sum certain to be paid at a specified time where the amount claimed does not exceed eighty dollars; and where the dealings between the parties have exceeded eighty dollars, the plaintiff's claim may be reduced by payment or abandonment so as to bring it within the jurisdiction hereby created; the said Magistrate shall also have jurisdiction in all actions of tort to real and personal property whether the damages shall be immediate or consequential, where the damages claimed do not exceed sixteen dollars.

5. Any person who shall wilfully break or cause to be broken any water pipe, water hydrant, fire hydrant, or any other thing belonging to or in connection with the Water Works in the Parish of Portland, shall, on conviction thereof before the Police Magistrate sitting at the Police Office in the Parish of Portland, be liable to a fine of not more than fifty dollars nor less than eight dollars, and for non-payment thereof, it shall be lawful for the Police Magistrate to commit the offender to the common gaol or Provincial Penitentiary for any term not exceeding three calendar months.

6. When any person shall be charged with any larceny, or any offence of receiving stolen goods, whenever the value of the property stolen shall not exceed twenty dollars, it shall be lawful for the said Police Magistrate forthwith to hear and determine such offence, and upon conviction to commit the offender to the common gaol of the City and County of Saint John, or to the Provincial Penitentiary, in the discretion of the said Magistrate, for any term not exceeding six months; and any thing in Section two of an Act passed nineteenth Victoria, Chapter fifty seven, inconsistent with this Act, shall be and the same is hereby repealed.