

such part or parts of the said tracts of Marshes, Low Lands or Meadows as may be in his or their possession, contrary to the rules and regulations aforesaid, they, the said owner, proprietor or person occupying the same, shall be and they are hereby authorized and empowered to drive the said Neat Cattle, Horses, Sheep or Hogs so trespassing, to any Pound in the Parish where such offence shall be committed, but shall not be entitled to recover any fine from the owner or owners thereof, any thing in this Act contained to the contrary thereof notwithstanding.

but not fines to be recovered.

IV. And be it enacted, That in all cases where Neat Cattle, Horses, Sheep or Hogs shall be found trespassing, and are impounded under and according to any of the provisions of this Act, the owner or owners of any such Neat Cattle, Horses, Sheep or Hogs so trespassing, shall pay to the party injured the amount of any damages sustained by such trespasses, to be ascertained by three credible and disinterested Freeholders, where such lands lie, to be approved by and sworn before any Justice of the Peace of the said County, truly and impartially to value the same, together with all costs attendant upon such valuation so made.

Damages for trespasses to be ascertained by three Freeholders, and paid to party injured.

V. And be it enacted, That in case the owner or owners of such Neat Cattle, Horses, Sheep or Hogs so impounded as aforesaid, shall neglect or refuse to pay the aforesaid penalties, charges and damages accruing under any of the provisions of this Act or the Act to which this Act is an amendment, then the said Pound Keeper, having first given ten days previous notice of the sale, is hereby authorized and required to sell publicly the said Neat Cattle, Horses, Sheep or Hogs, or so many of them as may be necessary for that purpose, and the overplus money arising from such sale, shall be paid by the said Pound Keeper to the owner or owners thereof, whenever he or they shall appear to claim the same.

Recovery of penalties.

VI. And be it enacted, That this Act shall be and continue in force for and during the continuance of the Act to which this is an amendment.

Limitation.

CAP. XII.

An Act to authorize the Justices of the Peace in the County of Carleton to levy an assessment to pay off the County Debts.

Passed 25th March 1844.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Justices of the Peace for the said County of Carleton, at any General Sessions of the Peace to be hereafter holden, or any Special Sessions to be for that purpose convened, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding two hundred pounds, as they in their discretion may think necessary, for the paying off the Debts due from the said County; the same to be assessed, levied, collected and paid, agreeably to, and under and by virtue of any Act or Acts which are now or hereafter may be in force in this Province, for assessing, levying and collecting of rates for public charges.

Justices may assess the County, not exceeding £200. to pay off the County Debts.

CAP. XIII.

An Act to remove the Old Gaol of the City and County of Saint John.

Passed 25th March 1844.

‘ WHEREAS the Old Gaol of the City and County of Saint John is in a ‘ ruinous state, and being built of Wood, and standing within a few feet ‘ of the Court House and the New Gaol, greatly exposes those buildings to the ‘ risk of Fire; and doubts are entertained whether the same can be pulled down ‘ by the local authorities;’

Preamble.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace of the City and County of Saint John, at any General or Special Sessions hereafter to be holden for the said City and County, to order the Old Gaol of the said City and County of Saint John to be taken down and removed, and dispose of the same, or of the materials thereof, as they in their discretion shall think fit.

The old Gaol may be taken down by order of a General or Special Sessions.

CAP. XIV.

An Act to continue and amend the Act incorporating the Charlotte County Bank.

Passed 25th March 1844.

I. BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the nineteenth section of an Act made and passed in the

6 G. 4, c. 12, s. 19, repealed.