

present Majesty Queen Victoria, intituled *An Act relating to the collection of Duty on Timber and other Lumber*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

## CAP. IV.

An Act to remove doubts respecting the competency of Witnesses in certain cases.

*Passed 7th March 1846.*

**‘ W** HEREAS doubts have arisen as to the competency of persons rated, or liable to be rated, or otherwise, for rates and taxes in the several Towns and Parishes in this Province, as Witnesses in cases where the Officers of the said Town or Parish, or any one or more of them, acting for and on behalf of such Towns or Parishes, be a party, or where the said Towns or Parishes may in any manner be affected, and also in cases where any pecuniary penalty, or part of such penalty, may be given to the use of the Poor of such Town or Parish, or otherwise, for the benefit thereof ;

Be it declared and enacted by the Lieutenant Governor, Legislative Council and Assembly, That no person by reason of being rated, or liable to be rated, or otherwise, for rates and taxes in any Town or Parish within this Province, shall be deemed and taken thereby to be an incompetent Witness in any case in which the Officers of such Town or Parish, or any one or more of them, acting for and on behalf of such Town or Parish, shall be a party, or where the said Town or Parish may in any manner be affected, nor in any case wherein a pecuniary penalty, or any part thereof, shall be given to the use of the Poor of such Town or Parish, or otherwise, for the benefit or exoneration of such Town or Parish.

Preamble.

Rate payers to be competent witnesses in cases where Parishes or Parish Officers may be concerned.

## CAP. V.

An Act to amend and explain an Act, intituled *An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provision for the same.*

*Passed 7th March 1846.*

**‘ W** HEREAS by an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provisions for the same*, it is enacted, that it shall and may be lawful for the Justices of the Peace in their General Sessions, to divide each Town or Parish into as many districts as shall be thought necessary, and that a sufficient Pound shall be built in each district ; and in case the inhabitants of such districts shall not build the pound by subscription or otherwise, the Justices may authorize an assessment upon the inhabitants of such district for the building of a pound : And whereas in several districts where pound keepers have been appointed, and when no such pounds have been built, the said pound keepers have been in the habit of using barns, barn yards, and other enclosures as Parish pounds, for the impounding of horses, swine, sheep and other domestic animals found trespassing, contrary to the provisions of the above in part recited Act : And whereas doubts have arisen with regard to the legality of such proceedings ;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That nothing contained in an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provisions for the same*, shall prevent, or be construed to prevent any pound keeper in any district of any Parish in this Province, where no public pound has been built, or having been built shall not be in a proper state of repair, from using a proper barn, barn yard or other proper enclosure, as a pound for the time being.

II. And be it enacted, That all the other provisions of the above in part recited Act shall be as applicable to a barn, barn yard, or other proper enclosure, when so used as a pound, as they are to any public pound erected under the provisions of the fifth section of the same.

Preamble.

1 W. 4, c. 9.

Barns, barn yards or enclosures may be used as Pounds where such are not provided.

Provisions of 1 W. 4, c. 9, to apply to barns, &c. so used.

## CAP. VI.

An Act to repeal *An Act to revive and continue an Act for the naturalization of Aliens in this Province*, and to make further provision for the same.

*Passed 7th March 1846.*

I. **‘ B** E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of

8 V. c. 106, repealed.