

and a further penalty of twenty shillings for each and every day such offence may be continued.

XXXV. And be it enacted, That no horse or horses, goat or goats, sheep or swine, shall be permitted to run or go at large in any of the streets, lanes, alleys, highways or public squares, in any part of the said City, under the penalty of five shillings for each and every offence, to be paid by the owner or owners, person or persons having the care of any such horse or horses, goat or goats, sheep or swine; and in case the owner or owners of such horse, goat, sheep or swine cannot be found, such horse, goat, sheep or swine shall and may be impounded until all legal expenses are paid.

XXXVI. And be it enacted, That this Law shall come into operation and be in force on the fifth day of July next.

J. HENRY PHAIR, *City Clerk.*

A LAW

Directing the mode of recovering the Fines, Penalties and Forfeitures imposed by the City Council of the City of Fredericton.

I. **B**E it enacted by the City Council of the City of Fredericton, That all Fines, Penalties and Forfeitures imposed by any of the Laws of this Corporation now in force, or which may hereafter be enacted and come in force, shall and may be sued for, recovered and levied by and in the name of the Surveyor of Highways, Streets and Bridges, Wharfinger or Harbour Master, for the time being, in all cases where the offence committed is against any of the provisions of the Laws which it is their duty respectively to enforce, by or in the name of the City Treasurer for the time being, or any Constable of the said City, upon conviction of the offender or offenders before the Mayor or any one of Her Majesty's Justices of the Peace for the County of York, upon the oath of one or more credible witness or witnesses, the confession of the party offending, or view of the Mayor or Justice of the Peace before whom such conviction shall be had, or by action of debt in any Court of Record, to be prosecuted or in any other lawful method obtained, in the manner and for the uses directed in and by, or under the authority of an Act made and passed in the eleventh year of Her present Majesty's Reign, intituled "An Act to Incorporate the City of Fredericton."

II. And be it enacted, That in default of payment of any Fines imposed by any Law or Laws of the said

Corporation now in force, or which may hereafter be enacted and come in force, together with the costs attending the same, within the period specified for the payment thereof at the time of conviction, by the Mayor or Justice of the Peace before whom such conviction shall have taken place, it shall and may be lawful for the said Mayor or Justice of the Peace (if he deem it expedient so to do) to issue his Warrant, directed to any Constable of the said City, to levy the amount of such fine and costs within a certain time, to be in the said Warrant expressed; and in case no distress sufficient to satisfy the amount shall be found, it shall and may be lawful for the said Mayor or Justice of the Peace as aforesaid, to commit the offender to the Common Gaol of the said City for any term not exceeding thirty days, unless the said fine and costs be sooner paid.

III. And be it enacted, That nothing in this Law contained, shall extend or be construed to extend to prevent the recovery of any fine, penalty or forfeiture imposed by any Law of the said Corporation, by any person or persons in said Law specially authorized to sue for and recover the same.

IV. And be it enacted, That in all cases where a penalty is imposed for the breach of any Law or Laws of the said Corporation for doing any matter or thing whereby any street, highway, bridge, open plot of ground, public landing or wharf is obstructed, or any nuisances committed thereon, the officer or officers whose duty it shall be respectively to enforce the provisions of said Law or Laws, shall and may, and they are hereby authorized and empowered, in all cases where the said obstruction is not removed or nuisance abated, to cause such obstruction to be removed, or nuisance to be abated forthwith.

V. And be it enacted, That in addition to the powers and authorities conferred by this Law for the recovery of any fines, penalties or forfeitures imposed by any Law of the said Corporation, such fines, penalties or forfeitures may be sued for, levied, collected and recovered in the manner provided in and by an Act passed in the fourth year of the Reign of His Majesty King William the Fourth, intituled "An Act to facilitate summary proceedings before Justices of the Peace, and the execution of Warrants by Constables."

VI. And be it enacted, That this Law shall come into operation and be in force from the publication thereof, and continue for one year and no longer.

J. HENRY PHAIR, *City Clerk.*