

the said Town, and of such parts of highways and bye roads (if any) as may be within the limits thereof; and of putting, building drains, sewers, culverts, and bridges therein, and to prevent the encumbering of the same in any manner, and to protect the same and every part thereof from encroachment and injury, by such laws and ordinances as the said Council may from time to time enact and establish for the purposes aforesaid; and for making, flagging, planking, macadamizing, paving, raising, repairing, lighting, watching, planting, and draining any or any part of the streets, squares, commons, lanes, alleys, walks, sidewalks, crossings, roads, bridges, wharves, docks, slips, and shores now laid out or erected, or hereafter to be laid out, executed, or erected either within the limits of the said Town, and to regulate or prevent the encumbering, injuring, or fouling of the same by any animals, vehicles, vessels, crafts, lumber, building, or other materials or things in any way or manner whatsoever; and to make, ordain, and enforce bye laws and regulations for the confiscation, sale, removal, or destruction of any such encumbrances, or any such nuisance, and to impose penalties on the owners or persons placing the same in such places, and to levy and recover the same by distress and sale of goods, or to award punishment therefor by the imprisonment of the party offending as may seem discreet and proper in the respective cases; and to regulate the breaking of the roads and streets of the said Town in the winter, and to require the owners of horses, sleds, and other teams to assist thereat, and to provide for erecting, making, or repairing any common sewer, drain, flagging, posts, or pavement of stone, deal, plank, or other material, in any public square, street, or place, or for assessing the proprietors or lessees of such real property as will be immediately benefited by such improvements, and to regulate the time and manner in which such assessment shall be collected and paid, and for directing and causing the removal at any time of any erections, projections, or obstructions whatsoever which may project into or over any public street, square, or road, at the expense of the proprietors or of the occupants of the real property in or near which such erection, projection, or obstruction may be found; provided that nothing in this Act contained shall extend or be construed to extend to authorize the opening of any streets, roads, or highways through the private property of any person or persons, without complying with the provisions of any Act or Acts of this Province for providing for the awarding of damages to any person or persons who may be injured thereby.

46. That it shall be lawful for the said Council at any meeting or meetings to be held as hereinbefore provided to direct the raising, assessing, levying, collecting, and applying such moneys as may be required for the execution of the powers with which the said Council is hereby invested, and for maintaining a good and efficient system of Police in such manner as may by any bye law of the said Council be provided, either by imposing tolls and rates to be paid in respect of any public works, or in respect of any other matter or thing within the said Town, or by means of any rate or assessment to be assessed or levied on real or personal property, or both, within the Town, or upon the owners or occupiers thereof in respect of such property, or upon the income of the inhabitants of the said Town derived from any trade, employment, profession, or calling within the Province, or upon the poll of the inhabitants, or upon the sale of goods by public auction within the said Town, or upon the capital stock or other trading capital of any Bank, Banking

Company, Insurance or other trading or joint stock Company or Corporation, or upon the agencies of Foreign Companies being Companies whose principal place of business is not within this Province; provided that not more money in the whole than five hundred pounds shall in any one year be assessed or levied, or be collected and raised from the said Town, whether by rents of property or otherwise, in any way or manner whatever, by authority of the said Council, over and above such amount as may be necessary for the relief of the poor, the support of the fire department, lighting the Town, and making and repairing the streets and roads; and provided also that the Council may at their discretion remit so much of the rates imposed upon mills and other manufacturing establishments within the said Town as they shall deem just and reasonable.

47. That immediately upon the annual election of Assessors as hereinbefore provided, and after they have been sworn into office, the said Assessors shall give public notice of their appointment in one or more of the public Newspapers printed within the said Town, and any inhabitant or person owning property in the said Town may at any time within forty days after the date of such notice, give in to the said Assessors or any one of them, a statement of his property and income in the manner prescribed by the Act relating to the government of Counties, Towns, and Parishes; and the Assessor, if such statement be attested before a Justice of the Peace, or the Mayor, who are severally hereby authorized to administer such oath, shall estimate or assess the property and income of such person at the amount mentioned in such statement, and no more; and the Assessors at the expiration of forty days as aforesaid, shall proceed to assess or appraise the real and personal estate of the several inhabitants of the Town, and of non-residents having property therein, and the income of the said inhabitants derived from any trade, employment, profession, or calling, within the Province, (but not from real or personal property), and shall file with the Clerk a roll or list of such assessment, to be prepared in such form as the Council may determine.

48. That whenever the said Council may order any sum of money to be raised by rates or assessment upon the Town as aforesaid, they may appoint one or more of the Assessors then in office to make the apportionment of such rates according to the list so filed by the Assessors with the Clerk.

49. That the said Council by any bye law made for that purpose, shall have power to regulate the time and manner of collecting the rates upon any assessment within the said Town, and to allow a reasonable discount for the prompt payment of such rates before the list or book shall be placed in the hands of the collector, and establish a summary method for recovering the rates due from defaulters residing within the said Town, by writ, in the nature of a *levari facias*, in the manner used for recovering fines from jurors for non-attendance; provided that no such process shall issue for the recovery of rates due by any person rated and residing within the said Town until at least ten days after a printed or written notice shall have been delivered to such person, or left at his dwelling house or last known place of abode, either with his wife or some adult member of his family, if any such can be found, which notice shall contain a statement shewing the several amounts assessed or rated against such person, and the time at which the same is to be paid, nor until the default shall be made to appear by the affidavit of the collector or other satisfactory testimony.