

6. At the expiration of such one month's notice, if any proprietor shall not have paid to the Commissioners, or one of them, the amount that he or she may be assessed as aforesaid, the said Commissioners shall and may within ten days thereafter, by warrant under their hands and seals, order and direct the Sheriff of the City and County of Saint John to levy the said assessment by a sale of so much of the said land, or such of the said lot or lots of the party whose assessment shall be so in arrears, as the said Commissioners shall think sufficient for that purpose; and the Sheriff is hereby authorized and required to proceed under any such warrant, which shall have in his hands as against the land or lot or lots so mentioned the same force and effect as any execution issued out of the Supreme Court; and the sale thereunder shall be attended with the same formalities, and subject to the same rules and restrictions in every respect, except that the same shall be advertised for three months only instead of six; and after deducting poundage and other lawful expenses, the Sheriff shall pay over the amount so to be levied to the Commissioners, and the balance to the party lawfully entitled thereto.

7. The Commissioners shall keep regular accounts and vouchers of and for all moneys received and disbursed by them under the provisions of this Act, and exhibit the same at all reasonable and seasonable times to any parties interested who may require to see the same; and after the completion of the said work shall file the same with any other papers in their possession connected with their duties under this Act, in the office of the Clerk of the Peace aforesaid.

8. Any of the said moneys that may chance to remain in the hands of the Commissioners over and above the cost of the said work, shall be expended by them in the repair of the said Street and the Bridges thereon, as may be necessary from time to time, and shall be accounted for after such expenditure in the same manner as in the last preceding Section required; and the said Street and the Bridges thereon shall be thenceforth kept in repair at the expense of the owners for the time being of the said lands, to be assessed for, raised and applied as may be hereafter enacted in that behalf.

9. The Commissioners shall not be answerable the one for the other of them, nor for the fault or misdoing of each other; and in case of any default, embezzlement or misapplication of the moneys received by any Commissioner by virtue of this Act, and in case after being required to do so by notice in writing from any party interested, any Commissioner shall neglect to render and file such accounts, vouchers and papers as hereinbefore required, such Commissioner shall be liable to the same pains and penalties as any Commissioner of Highways is now liable by law for similar neglect or refusal, default or embezzlement; and any party aggrieved or injured by any unlawful exercise by the said Commissioners, or either of them, of the powers in them vested by this Act, may have his action on the case for damages against such Commissioner or Commissioners as the case may be, in any competent Court of Record in this Province, or wherever else the said Commissioner or Commissioners shall then reside.

CAP. XLVIII.

An Act to authorize investigation in cases of Fire in the City of Saint John and Parish of Portland in the County of Saint John.

Section.

1. & 2. Inquiry as to the origin of fires to be instituted.

Section.

3. Attendance and answering of witnesses, enforcement of.

4. False swearing made perjury.

Passed 6th April 1858.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. It shall be the duty of the Police Magistrates and Superintendents of Police for the City of Saint John and Parish of Portland respectively, when any fire shall occur whereby any house or building, vessel, ship, structure or property in such City or Parish respectively, shall be wholly or in part consumed, to institute an inquiry into the cause or origin of such fire, and for that purpose they are hereby authorized and required to summon and bring before them all persons whom they or either of them may deem capable of giving information or evidence touching or concerning such fires, and to examine such persons under oath, and to reduce their examinations to writing, and return the same to the Clerk of the Peace for the City and County of Saint John.

2. Such Police Magistrates and Superintendents of Police shall inquire into the cause or origin of the fire, and whether the same was kindled by design or was the result of accident or of negligence, and act accordingly.

3. If any person summoned to appear before the Police Magistrates and Superintendents of Police in virtue of this Act, shall neglect or refuse to appear at the time and place specified in the summons, or if any person appearing in obedience to any such summons shall refuse to be examined, or to answer any question that may be put to him in the course of his examination, it shall be lawful for such Police Magistrates and Superintendents to enforce the attendance of such person, or to compel such person to answer, as the case may require, by the same means as are used by them for such purposes in other cases.

4. Any person guilty of false swearing under this Act shall be guilty of perjury, and subject to all the pains and penalties therefor.

CAP. XLIX.

An Act to regulate the Public Slip near Portland Point.

Section.

1. Slip at foot of Simonds' Street to be under control of Commissioner of Highways.

Section.

2. Slip to be kept unencumbered.

3. Penalty; recovery and application.

Passed 6th April 1858.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Public Slip or Landing in the Parish of Portland, extending from the foot of Simonds' Street to low water mark, shall be under the control and direction of the Commissioner of Highways for the time being, in as full and ample a manner as the Public Streets and Highways are under his control and direction; and it shall be his duty to keep the said Public Slip clear of all obstructions of every nature and kind whatever, in order that the whole of the said Slip or Landing may be at all times available for public use as originally intended.

2. No ship, vessel, boat, scow or other craft shall be allowed to come into the said Public Slip except for the purposes of discharging or taking in freight, nor shall any raft of timber, logs, knees, deals, boards, spars, or poles, or any single pieces of timber, logs, knees, deals, boards, spars or poles be suffered to lie in the said Slip upon any pretence whatever, except so much thereof as may be required for immediate use in the