

their discretion, and for non-payment thereof to commit him to the common Gaol or Provincial Penitentiary for a term of not more than three months.

3. The Mayor or Recorder, or any Alderman or Councillor, or the Police Magistrate, or any of the Police force of the said City, or any Justice of the Peace for the City and County of Saint John, may request any three or more persons found standing together in any street, square, highway, alley, or wharf, in the said City of Saint John, or any person who may be in any of the places aforesaid, using indecent or offensive language towards or in the presence and hearing of passers-by, or who shall be otherwise misbehaving, to move on or away; and such person or persons shall move on or away accordingly, under penalty upon each and every of them of not less than two nor more than twenty dollars, to be recovered, with costs, by summary conviction as aforesaid.

4. If such persons or any of them so requested to move shall, after so doing, return to the same place or near thereto, so as to renew such annoyance, obstruction, or offensive behaviour, they shall be severally liable to a penalty of not less than five dollars nor more than twenty dollars, to be recovered, with costs, on summary conviction as aforesaid.

5. It shall be the duty of the Chief of the Police force of the said City to report in writing to the Police Magistrate or Justice aforesaid, any person selling or suspected of selling liquor without licence, or on a Sunday, and such person may thereupon be put upon his trial for such offence without any other information or complaint.

6. The said Magistrate or Justice may, in default of payment of the fine, sentence any person convicted before him of any assault or battery committed within the jurisdiction of the said Court in the night time, for a period of not more than three months.

7. All persons found guilty of fighting on any of the public streets, market-places, alleys, ways, squares, wharves, or ferry-boats, or at or near any place of public worship in the said City during the time of Divine service therein, shall be liable to a penalty of not less than five nor more than twenty dollars, and in default of payment, shall be imprisoned in the common Gaol or Penitentiary for a period not exceeding three months.

8. Nothing herein contained shall prevent the Police Magistrate or Justice aforesaid from proceeding by information or otherwise, as directed by any other Act of Assembly relating to such offences as aforesaid.

9. The said Police Magistrate or Justice shall have the same power to compel the attendance of parties and witnesses for the purposes of any trial under this Act, as in any other case or offence cognizable before the Police Court of the said City.

#### CAP. XXXI.

An Act for defraying the expenses of laying down a Sewer in Union, Saint Patrick, and Clarence Streets, in the City of Saint John.

##### Section.

1. Authority to borrow \$4,800 and issue debentures;
2. Which shall be negotiable and bear interest.
3. Receipt and application of money borrowed.
4. Annual assessment to pay interest and cost of assessing, &c.

##### Section.

5. Money collected to be paid to the Chamberlain: Accounts and application of such money.
6. Balance to be transferred to Sewer repair fund.
7. No right of drainage into common sewer without permission and payment.

Passed 12th April 1861.

WHEREAS the Mayor, Aldermen and Commonalty of the City of Saint John have been obliged, at an expense of one thousand two hundred pounds, to lay down a Common Sewer through parts of Union, Saint Patrick, and Clarence Streets, in the said City, from the Main Sewer at the corner of the property owned by Michael Riley in Union Street, to Courtney Bay, for the purpose of carrying off the water flowing from other parts of the said City;—

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

1. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, to borrow the sum of four thousand eight hundred dollars in loans of not less than four hundred dollars each, and to issue Debentures to the lender or lenders thereof, with or without Coupons for interest, in such form as they may deem expedient, which Debentures shall be sealed with the Common Seal of the said Corporation, and signed by the Mayor and Common Clerk, and consecutively numbered according to the times at which they shall be issued, and a record of the same shall be entered by the Common Clerk in the Minutes of the Common Council.

2. The said Debentures shall be negotiable in the same manner as promissory notes payable to bearer, and the respective holders thereof shall be entitled to receive interest upon the same semi-annually at a rate not exceeding six per cent per annum, to be paid by the Chamberlain as hereinafter provided.

3. All moneys loaned to the said Corporation under this Act, shall be paid by the lenders thereof to the Chamberlain, and shall be by him paid to the contractors or workmen who have been or shall be employed by the Common Council to lay down, complete, finish or repair the said Sewer, or the same shall be employed by the said Mayor, Aldermen and Commonalty of the City of Saint John, in repaying or reimbursing any money, or redeeming or paying off any debenture or security that may have been paid, issued, or appropriated for the purposes of the said Sewer.

4. The said Mayor, Aldermen and Commonalty of the City of Saint John, shall have power to order and direct a yearly assessment on that part of the City of Saint John lying on the eastern side of the Harbour, and the inhabitants thereof, of the sum of four hundred dollars, and such sum as shall from time to time be found necessary to meet the yearly interest on the said Debentures, besides the costs and charges of assessing and collecting the same; which assessment shall be assessed, levied, and collected in the same manner as any assessment made under and by virtue of an Act of Assembly made and passed in the twenty second year of the Reign of Her present Majesty, intituled *An Act relating to the levying, assessing, and collecting of Rates in the City of Saint John*.

5. The moneys so assessed and collected shall be paid to the Chamberlain of the said City, who shall keep a separate account thereof, and the same shall be applied from time to time to the payment of the principal and interest of the said Debentures, one of which shall be redeemed every year in due order according to the number, beginning with the number one; and the Chamberlain so often as he shall be required by the Common Council, shall give one month's notice by advertisement in one or more of the public newspapers of the said City,