

That it shall and may be lawful for the Justices of the Peace in and for the County of Charlotte, at any General or Special Sessions called for that purpose, to order and levy an assessment on the inhabitants of the Parish of Saint David, in said County of Charlotte, for such sum not exceeding three hundred dollars, as may be necessary for the completion of the building known as the Town Hall, situate at Oak Bay in said Parish, together with the expense of assessing and collecting the same, to be assessed, levied and collected as other Parish rates.

CAP. LXXIX.

An Act relating to certain Islands in the River Saint John, lying in front of the Parishes of Kingsclear and Douglas, in the County of York.

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| Sec. | Sec. |
| 1. Owners of Islands, where taxed. | 3. Act 30th Victoria repealed. |
| 2. Assessments, how levied. | |

Passed 21st April, 1869.

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

1. All the Islands in the River Saint John, between Crock's Point and Fredericton, shall, for the purposes of taxation in the respective Parishes of Kingsclear and Douglas, be deemed to belong to the said Parishes respectively; and the assessment thereon shall be made in the following manner, namely—All persons owning any portion of said Islands residing on the eastern side of the River Saint John shall be assessed in the Parish of Douglas, for the benefit of the said Parish; and all persons residing on the western side of the said River shall be taxed in the Parish of Kingsclear, for the benefit of the said Parish, any law to the contrary notwithstanding.

2 The respective assessments so made by virtue of this Act, may be made, levied and collected as any assessments are now made, levied and collected under and by virtue of any law now or hereafter to be in force, relating to assessments for Parish or County purposes.

3. An Act made and passed in the thirtieth year of the Reign of Her present Majesty, intituled *An Act to alter and amend Chapter 1, Title i, of the Revised Statutes, 'Of the division of the Province into Counties and Parishes,'* is hereby repealed.

CAP. LXXX.

An Act to protect Butter and Cheese Manufacturers.

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| Sec. | Sec. |
| 1 Selling or using impure milk; penalty. | 4 Justice interested in manufacturing debarred from acting. |
| 2 & 3 Complaint, before whom tried; penalty, how collected. | 5 Right of appeal. |
| | 6 When prosecutor liable for defendant's costs. |

Passed 21st April, 1869.

WHEREAS it is expedient and necessary to encourage and protect Butter and Cheese Manufacturers in this Province;—

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

1. Whosoever shall knowingly and fraudulently sell, supply, bring, or send to be manufactured to any Cheese or Butter Manufactory in this Province, any milk diluted with

water, or in any way adulterated, or milk from which any cream has been taken, or milk commonly known as "skimmed milk," or milk from which any part of the milk known as "strippings" has been kept back, or whoever shall knowingly and fraudulently sell, send, bring or supply milk to any Cheese or Butter Manufactory that is tainted or partly sour from want of proper care in keeping pails, strainers, or any vessel in which said milk is kept clean and sweet, after being notified of such taint or carelessness, either verbally or in writing, or any Butter or Cheese Manufacturer who shall knowingly and fraudulently use, or direct any of his or her employees to use for his, her, or their individual benefit, any cream from the milk brought to any Cheese or Butter Manufactory, without the consent of all the owners thereof, shall for each and every offence forfeit and pay a sum not less than two dollars nor more than eight dollars in the discretion of the presiding Justices before whom the case shall be heard, under the provisions of the Summary Conviction Act.

2. Any two or more Justices of the Peace having jurisdiction within the locality where the offence has been committed, may hear and determine such complaint upon the oath of one or more credible witnesses, and shall have power, in case the penalty and costs awarded by them be not forthwith paid, upon conviction, to levy the same by distress and sale of the goods and chattels of the offender, by warrant under their hands and seals, or the hands and seals of any two of them; and the penalty, when recovered, shall be paid over by such Justices to the overseers of the poor of the Parish where the offence has been committed, to be appropriated towards the support of the poor of said Parish; and in default of payment, or sufficient distress, the offender may, by warrant signed and sealed as aforesaid, be imprisoned in the common gaol for a period not less than two days nor more than eight days, at the discretion of such Justices, or any two of them, unless such penalty, costs, and the charges of commitment, be sooner paid.

3. Any party aggrieved by such fraudulent conduct as aforesaid may, at his or their election, sue the offender in any Civil Court of competent jurisdiction, and recover from him the amount of damages sustained, and levy the same, with the costs, according to the ordinary practice of the Court in which such suit shall be brought.

4. Provided always, that no Justice or Justices having any pecuniary interest in any such Butter or Cheese Manufactory as aforesaid, shall hear or determine any such complaint.

5. In case of summary proceedings under this Act, any person, complainant or defendant, shall have the right of appeal, as provided for other summary proceedings.

6. That any person prosecuting under this Act, on failing to sustain the prosecution, shall be personally liable to the defendant for his costs, to be taxed by the Justice presiding under the Act relating to Summary Convictions, and shall not have any claim upon the County or any Parish for any such charges.