

liquors so sold, the same shall be deemed to be fraudulent and void in all Courts of Justice; and if any pawn or pledge shall be left by any person with any tavern keeper or inn keeper, or any other person whomsoever within the said Town, for liquors so sold, or if any person whomsoever shall aid, abet or assist any such inn keeper, tavern keeper or other person whomsoever, to sue for or recover by threat of suit or otherwise any sum of money for liquors sold upon trust or credit as aforesaid, the Police Magistrate either of the City of Saint John or of the said Town of Portland, or any Justice of the Peace of the City and County of Saint John, on complaint and proof of the same, shall order the said pawn to be restored, and shall further convict the tavern keeper or inn keeper, or other person who may have received or recovered the same, and such his aiders, abettors or assistants respectively, in a penalty not less than ten dollars nor exceeding twenty dollars for each offence.

PEDLERS.

114. The Town Council shall also have the sole power and authority to grant licences for Peddling within the said Town of Portland, under and subject to the provisions of an Act passed in the thirtieth year of the Reign of Her present Majesty, intituled *An Act to prevent non-resident Pedlers travelling and selling within this Province without licence.*

FINES, PENALTIES, &c., AND RECOVERY.

115. All fines, forfeitures, penalties, licence moneys and other charges imposed by and under the terms of this Act, except as herein otherwise provided, and all fees to be paid to or received by any Police Magistrate or Sitting Magistrate of Portland aforesaid, or any officer whatever appointed by the said Town Council, or holding office under authority of the same, except when such fees shall be paid to any such officer to his own use by the terms of this Act, or pursuant to any bye law of the said Council for that purpose to be made for payment of any officer for whom no other salary or remuneration is provided by the terms of this Act, or any bye law as aforesaid, shall be recovered and received to and for the use of the said Town; and all such fees, fines or other moneys as are not paid directly to the Treasurer of the said Town shall be accounted for and paid over weekly or oftener as by this Act or any bye law or regulation of the said Council provided, to the Treasurer of the said Town; and every such fine, forfeiture, penalty or other moneys may be sued and proceeded for and recovered with costs in any Court of competent jurisdiction whether within the said Town or without the limits thereof, and if no other provision shall be made by the terms of this Act, may be proceeded for in the name of the Treasurer for the time being of the Town of Portland, or in the name of the said Town.

SUITS WHERE TOWN A PARTY.

116. The Police Magistrate of Portland, or the Sitting Magistrate at the Police Office therein, whether sitting in the Police Court or the Court for trial of civil causes hereinbefore mentioned, and also the Police Magistrate for the City of Saint John, or the Sitting Magistrate at the Police Office therein, shall have jurisdiction in all cases of debt and in all suits and proceedings whatsoever for any such fine, penalty, forfeiture or other moneys in which the said Town of Portland or any officer thereof may be a party or concerned, when the amount sought to be recovered shall not exceed the sum of eighty dollars, and shall proceed in all such cases, suits and proceedings in like manner as in other like cases, suits and proceedings before the said Magistrates, or any of them respectively; and in any action, suit or other proceedings at law or in equity, or otherwise howsoever, in which the said Town of Portland shall be a party or concerned, no officer, elector, rate payer or inhabitant of the said Town, shall in consequence thereof be deemed incompetent as a witness, constable, juror, or summoning officer of such jurors therein.

ASSESSMENTS.

117. The Town Council shall have power at their first meeting after the annual election of Councillors in the pre-

sent and each succeeding year, or so soon as may be thereafter, to determine and direct, and to signify by Warrant to the Assessors by them to be appointed as aforesaid, what sum of money shall be raised and levied in the said Town of Portland, for the following purposes, or for any of them, that is to say:—

For making and repairing the roads, streets, public wharves, docks, slips, squares, bridges and highways within the said Town, and for the scavenger work thereon:

For supporting and maintaining the Police establishment and Court for trial of civil causes in the said Town:

For the maintenance of the Fire Department, including the purchase of fire engines and other necessities, within the said Town:

For lighting the streets of the said Town:

For the salaries of officers and other contingent expenses of the said Town:

Provided that the whole amount so be raised and levied by the Town Council in any one year shall not exceed the sum of fifteen thousand dollars; and all moneys so ordered to be raised and levied shall be assessed as hereinafter provided, and collected and paid into the general revenues of the said Town, and, together with all other moneys from what source soever derived, included in such revenues, shall be paid out and applied under direction of the said Council to the purposes in this Act mentioned and provided, or to some of such purposes, and to no other purposes whatsoever; provided also, that separate accounts shall be kept of the receipts in respect of every such assessment and every department or source of income whatsoever within the said Town, and also of the expenditures in every such department; and provided further, that the sums so ordered to be assessed in the present year shall be in lieu of any assessments already ordered for any such purposes by the General Sessions of the Peace for the City and County of Saint John.

118. Separate detailed estimates shall be made up by the Town Council of the amount of money required for any objects for which they may be authorized to levy an annual assessment, and approved of previous to their ordering any such assessment.

119. The Assessors of rates and taxes, appointed as hereinbefore provided, shall be severally sworn to the faithful discharge of their respective duties before the Chairman of the Town Council or any Councillor, and such oath shall be subscribed by them respectively and filed with the Town Clerk; and every Assessor who shall be guilty of any neglect of duty shall forfeit therefor the sum of twenty dollars to the use of the said Town.

120. The Assessors shall make all assessments of taxes for Town or County purposes chargeable on the said Town, and all warrants of such assessments shall be directed to them.

121. The term "taxes for Town purposes" shall include all rates and assessments imposed by the Town Council of the said Town, and every such assessment ordered by the Commissioners of sewerage and water supply for fire hydrants therein: and the term "taxes for County purposes" shall include all rates and assessments for the General Public Hospital, and for the County Gaol, County contingencies, support of the Poor, and any other assessments ordered by the General Sessions of the City and County of Saint John, or any Special Sessions, upon the said Town by virtue of any Act or Acts of Assembly in such case made and provided; and until otherwise agreed between the said Court of Sessions and the said Town Council, all such assessments for County purposes shall respectively be levied and imposed in such proportions as to the amount thereof, payable by the Town or Parish of Portland, as the same were levied and imposed in the year preceding the passing of this Act.

122. All debts that become due and payable to the said Town of Portland for any rate or assessment in the said Town, shall be privileged debts, and shall be paid in preference to all other debts excepting debts due to the Crown, and shall in the distribution of the proceeds of property of