

FATION.

Rooms.

John, N. B. 1837.

consists of WOOL quality Pilot Cloths,...

double milled, and all other kinds; also...

coloured and white do., dark...

THE ST. ANDREWS STANDARD. PUBLISHED EVERY SATURDAY.

AT SAINT ANDREWS, NEW BRUNSWICK BY GEO. N. SMITH.

TERMS. 15c. a year, delivered in town or called for.

ADVERTISEMENTS. Inserted according to written orders, or continued till forbid if no written directions.

CAP. VII. An Act to provide for the collection of County and Parish Rates.

Passed 1st March 1839. Clerks of the Peace to make out and transmit within fourteen days the warrants of Assessments to the assessors.

I. Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, That whenever the Justices of the Peace for the several Counties in this Province shall, under and by virtue of any Act or Acts of the General Assembly for that purpose made or to be made, order any sum or sums of money to be raised, levied and assessed, for the purpose of defraying any county, town or parish charge or expense, it shall be the duty of the Clerks of the Peace for the respective counties to make out the warrants, under the hands of such Clerks respectively and the seal of the said court, for assessing such sum or sums of money as ordered to be raised as aforesaid, and within fourteen days from the date of the order for the assessment to transmit such warrants to the assessors of rates for the several towns and parishes in the said counties respectively, under the penalty of ten pounds for each and every neglect.

Assessment to be made and delivered to the Collector within forty days. II. And be it enacted, That it shall be the duty of the said assessors, without delay, after receiving the said warrants of assessments, to make a rate and assessment on their respective towns and parishes, in such manner as shall be authorized by the laws then in force, and within forty-five days to deliver to the several collectors of rates within the respective towns or parishes a list containing the christian and surname of all persons rated within the several districts to which the said collectors may have been appointed, with the several amounts to be collected for every such person, such list being signed by the said assessors, and having endorsed thereon a precept under their hands in the form following, that is to say:

Form of Precept. To A. B. one of the Collectors of Rates in the Town or Parish of, or to any other Collector of Rates in the Town or Parish of, I, the undersigned, do hereby require you to collect from the several persons named in the enclosed assessment, the sums set against their names respectively, under the sanction of the said assessment, and to pay the same when collected into the hands of the County Treasurer, (or overseers of the poor or otherwise as the case may be.) Given under our hands this day of the year of our Lord one thousand eight hundred and

Duplicate of assessment and the warrant to be transmitted to the Clerk. Penalty. And further it shall be the duty of the said assessors to make out a duplicate of all and every of their respective assessments, and to transmit the same together with the warrant of assessment within ten days to the clerks of the Peace of their respective counties, to be filed of record; and if any assessor shall neglect or omit to perform the duty herein required of him he shall be liable to the penalty of ten pounds.

Collectors to proceed without delay, and pay over their collections monthly. To proceed against defaulters and render a full account within four months. Proceedings against collectors for neglect of duty. III. And be it enacted, That it shall be the duty of the several collectors of rates in the several Towns and Parishes without delay after the receipt of such assessment and precept as aforesaid, to demand the several sums contained in the said list, of the several persons therein named, and shall it required give a written statement shewing the several amounts assessed on such person; and such collectors shall, on the first Monday in every month, pay over to the person or persons authorized by law to receive the same, the several sums of money which may have been received by such collectors during the preceding month, with a list of the persons from whom the same may have been received; and upon neglect or refusal of any person or persons to pay the amount demanded of him or them, the said collectors shall within ten days after such demand proceed against such person or persons so neglecting or refusing, according to the powers hereinafter given to the said collectors, and also within four months after the receipt of the precept for collecting the said assessment, render to the Clerk of the Peace, under oath, a full and true account of all and every sum or sums of money, which may have been received by them on account of the said assessments, with proper vouchers for all sums paid by them, and also a correct list of all defaulters in paying their said assessment; and if any collector shall neglect, refuse or omit to pay over the several sums so collected as aforesaid, or to proceed against all or any of the defaulters as aforesaid, or to render such account or list as aforesaid, it shall or may be lawful for the Justices of the Peace in the respective Counties, at any General Sessions or at any special Sessions, or the major part of

them then and there assembled, to order such collector to be brought before them; and the constable or other officer who may advise such order is hereby empowered to arrest him and bring him forthwith before the said Justices, and thereupon, if they see fit, to commit such collector to the common goal of the County, there to be held rona, without bail or mainprize, until he shall have made full payment and satisfaction for all and every such sum or sums of money as may have been received by him, and shall have rendered a full and correct account of the collections as aforesaid, and whether proceeded against or not, unless the said Justices, for some sufficient cause shown by such collector may deem it proper sooner to discharge him.

Proceedings by collectors against persons neglecting to pay within ten days after assessment. IV. And be it enacted, That if any person assessed within any Town or Parish shall refuse or neglect to pay the amount of his rate or assessment, by the special ten days after such demand as aforesaid, then and in such case it shall be the duty of the collector of rates for the district where such default is made to make application to any Justice of the Peace who is hereby required, upon complaint made to him under oath by such collector that the amount assessed upon any person has not been paid as aforesaid, and that demand had been made as required by the third section of this Act, to issue warrant of distress and execution against the party complained of, in the form following: County, ss. You are hereby required to levy of the Goods and Chattels of A. B. within your Parish, which sum has been assessed upon, and also costs, amounting in the whole to, besides costs of levying this execution, and have the money before me at my dwelling house, on the day of to be rendered to C. D. Collector of Rates for the district of, for want of goods and chattels whereon to levy you will take the body of the said A. B. and him safely keep for days, unless the said and costs be sooner paid, and how you shall have executed this precept, make return to me at the day and place aforesaid. Given under my hand this day of one thousand eight hundred and

E. F. Justice of the Peace for the County of And the Constable to whom any execution as aforesaid shall be delivered, shall forthwith proceed to levy the same, in the same manner as is provided for the levying executions in the Act made and passed in the fourth year of His present Majesty's reign, intituled "An Act to regulate proceedings before Justices of the Peace in civil suits." Provided always that if a person so committed to goal shall be liable to be detained more than one day for every two shillings of the amount assessed, and costs required by such execution to be levied, or more than fifty days in the whole if the amount exceed five pounds; and every person so committed shall be entitled to his discharge at the expiration of such time; and provided further, that notwithstanding the discharge of the defendant as aforesaid, the judgment upon which such execution issued shall remain good against the property of the defendant, and a new execution may be issued against his property in like manner as if he had not been imprisoned.

Companions to the Assessors and collectors to be entitled by the Sessions. Amount limited. V. And be it enacted, That there shall be allowed to the assessors and collectors respectively in the several Towns and Parishes, such compensation or fees for their services as the Justices of the Peace for the several Counties shall, at their General Sessions at which such respective assessments are ordered to be made, determine; and then and there order and establish: Provided always, that no assessor shall in the whole be allowed at a greater rate than five per cent, and no collector at a greater rate than ten per cent, on the amount ordered to be assessed; provided also, that no assessor shall be allowed a percentage unless the provisions of the second section of this Act shall have been fully complied with, and no collector shall be allowed a percentage on any greater sum than he may actually collect and pay over, nor be entitled to receive such percentage until he shall have collected the whole amount mentioned in the precept in him directed, or assigned sufficient reasons satisfactory to the Sessions for not collecting the same, nor until such collector shall have rendered a full account, shewing the several sums as by the said section of this Act is required; and by the third section of this Act.

Expenses of assessing and collecting to be included in the assessors' payments. VI. And be it enacted, That a sum equal to the percentage on the several amounts ordered to be assessed as aforesaid, shall be included in every assessor's account, for defraying the expenses of assessing and collecting, and when collected shall be paid into the hands of the respective County Treasurers for the purpose of paying the assessors and collectors, at the Justices may by their order in Sessions from time to time direct.

Assessment to be legal, although it may exceed the sum ordered by law per cent. VII. And whereas it is difficult in many cases for the assessors to appon the rate or assessment to be made by them so that the amount thereof shall correspond with the exact sum ordered to be assessed; Be it enacted, That in all assessments for Towns or Parishes, now made or hereafter to be made, such assessment shall be deemed and taken to be legal, although the aggregate amount thereof shall exceed the sum ordered to be assessed; provided the difference shall not be more than ten per cent, on the sum so ordered.

Assessors and collectors to be appointed annually by the Sessions. To be sworn. Penalty for refusing to accept of office or neglecting or omitting to perform the duties thereof. VIII. And be it enacted, That the Justices of the Peace in the several Counties in this Province, shall at their General Sessions in each year at which Town or Parish officers are appointed have power and authority, and they are hereby required to nominate and appoint three or more fit persons to be assessors, and one or more fit persons or persons to be collectors of the several rates or assessments which may be ordered to be made on the several Towns or Parishes in each respective County, which persons shall be sworn assessors or collectors of rates (as the case may be), for the Town or Parish for which they may have been appointed as aforesaid; and every such assessor or collector shall, within ten days after receiving notice of such his appointment, notify the Town Clerk of his acceptance of the office, and be sworn to the faithful discharge of his duty before some Justice of the Peace, who shall forthwith transmit to the Clerk of the Peace of the County, a memorandum that such oath hath been administered, and if any person so appointed shall refuse to accept of the office or neglect to be sworn as aforesaid, within the time specified for the purpose, he shall be liable to the penalty of two pounds, except in the City of Saint John and Parish of Portland which shall be ten pounds for any such neglect or refusal, and upon such refusal or neglect as aforesaid, or upon any vacancy occasioned by the death or removal from the parish of any assessor or collector appointed as aforesaid, it shall and may be lawful for any two Justices of the Peace for the County, when such vacancy may occur, forthwith to appoint another fit person to fill the office of assessor or collector, and the person so appointed shall be sworn to the faithful discharge of his duty, and to be sworn in within ten days after such notification, as if he had been appointed by the sessions as aforesaid, and in case of such refusal or neglect, it shall and may be lawful for the said two Justices or any other two to appoint another fit person or persons to fill the vacancy thus occasioned until so as persons may be found who will accept of the office, and it shall be the duty of the Town Clerk of any Town or Parish, to give notice to the nearest Justice of the Peace of the neglect or refusal of any assessor or collector to accept of the office, under the penalty of two pounds: Provided always that the appointment of assessors and collectors of rates in the City of Saint John shall be and remain with the Mayor, Aldermen and Commonalty of the City of Saint John as heretofore accustomed.

Recovery of Penalties. 4 R. 4. C. 45. IX. And be it enacted, That the several and respective penalties imposed by this Act shall and may be recovered upon complaint made to any one of Her Majesty's Justices of the Peace for the County where such offence shall be committed, upon the oath of one or more credible witnesses, and as levied as is provided in and by an Act made and passed in the fourth year of Her present Majesty's reign, intituled "An Act to facilitate summary proceedings before Justices of the Peace, and the execution of warrants by constables," and paid in the hands of the County Treasurer for the use of the County.

Fees to Justices and Constables. X. And be it enacted, That the fees to be taken by Justices of the Peace shall be as follows: For every affidavit of collector, including the oath one shilling. For every warrant of distress, &c. nine pence. And the fees to constables for serving each and every warrant of distress and sale, the same as are now allowed to constables, under the Act to regulate proceedings before Justices in civil suits. 25 G. 3. C. 42. in part suspended. XI. And be it enacted, That the operation of the third section of an Act made and passed in the twenty sixth year of the reign of His Majesty King George the third, intituled "An Act for assessing, collecting and levying County rates," except so much as relates to the appointment and duties of County Treasurers, and also the operation of the fifth and sixth sections of the said recited Act, be and the same is hereby suspended while this Act shall continue and be in force.

Receipts by County Treasurers, and discharge by the General Sessions to be good in Law or Equity. XII. And be it enacted, That the receipts of the respective County Treasurers, or other persons authorized to receive the monies collected shall be sufficient discharges to all collectors, and the discharges of the Justices of the Peace or the greater part of them by their orders made at their respective General Sessions to such Treasurers, shall be deemed and allowed as good and sufficient releases and discharges of law or equity. Clerks, assessors or collectors to perform their duties although neglected to be done within the prescribed time. XIII. Provided always and be it enacted, That when any Clerk of the Peace, assessor or collector may have neglected to perform any of their duties within the time prescribed by this Act, it shall nevertheless be lawful for such clerk, assessor or collector to perform such duty after the time so prescribed, and all such subsequent proceedings shall be held and deemed good and valid to all intents and purposes as if done within the said prescribed period. Previous assessments to be in force. XIV. And be it enacted, That all assessments now made, or which shall be made before the passing of this Act shall continue and be in force in the same manner as if this Act had been made. Limitation. XV. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty.

CAP. XXV. An Act to authorize the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt. Passed 9th March 1833. BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte at any General Sessions of the Peace hereafter to be holden therein, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding one thousand pounds, as they in their discretion may think necessary for the purpose of paying the County debt, and contingent expenses of the County, the same to be assessed levied collected and paid, agreeably to any acts now or hereafter to be in force for the assessing, collecting and levying of the County Rates.

CAP. XXIX. An Act in addition to an Act intituled "An Act to make more effectual regulations, relating to Pilots within this Province," so far as regards the County of Charlotte. Passed 9th March 1833. WHEREAS Branch Pilots are now by law not entitled to any pilotage from any ship or vessel outward bound, from any port or place within the inner Bay of Passamaquoddy, refusing to receive the same; And whereas it is right that such Pilots should receive half Pilotage from such ships or vessels, so refusing to receive them; for remedy whereof: Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, if any Branch Pilot for the County of Charlotte, shall in any case make it appear that he has discharged his duty, by offering his service to pilot any ship or vessel that shall depart outward bound, from any port or place within the County of Charlotte, in proper time and place, agreeably to the regulations which may be made by virtue of the above recited Act, made and passed in the second year of the reign of His late Majesty King George the Fourth, intituled "An Act to make more effectual regulations relating to Pilots within this Province," and the master of such ship or vessel not having any other Pilot on board authorized to act as such under and by virtue of the said recited Act, shall not employ such Pilot offering his service as aforesaid, (and in such case such Pilot upon due proof, by the oath of one or more credible witnesses, that he did so offer his service, shall be entitled to demand, and recover from the Master of such ship or vessel, one moiety of such rates and fees as shall be so established as aforesaid, for the Pilotage of such ship or vessel, in the same manner and in all respects, subject to the same provisions, as Pilots are by the provisions of the herebefore in part recited Act, who attend upon outward bound vessels.

CAP. XXXVII. An Act to amend an Act, intituled "An Act establishing the rates to be taken for Wharfe and Cranes of Ships and other Vessels within the limits of the Province." Passed 9th March 1838. WHEREAS by the fifth section of an Act made and passed in the twenty sixth year of the reign His Majesty King George the Third, intituled "An Act estab-

The Standard.

NEW-BRUNSWICK.

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MONTHLY ALMANAC

1838.	First week	Second week	Third week	Fourth week	5th week
Tuesday	1	8	15	22	29
Wednesday	2	9	16	23	30
Thursday	3	10	17	24	31
Friday	4	11	18	25	
Saturday	5	12	19	26	
Sunday	6	13	20	27	
Monday	7	14	21	28	

Uranus in Leo. Average time of Sun rise this day, 6m. after 6. Do. Sun set 6m. before 6. Moon's First Quarter, on the 23 at 6m. after 6. Do. Full moon 10th 25m. before 6. Do. Last Quarter 18th 10m. before 6. Do. New moon 25th 7m. after 1. High Water at Full Moon 6m. after 11.

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