

and pay the Surplus to the late Proprietor.

as aforesaid, and shall pay the Surplus, if any there be, to the late Proprietor or Proprietors thereof, their Heirs or Assigns, or to their Attornies or Agents, upon the same being legally demanded, without any further Charge or Deduction whatever.

Treasurer, Sheriff, &c. on Failure of

XVI. *And be it further enacted,* That if the said Treasurer, or the said Person so appointed by him, or the Sheriff, or his Deputy, or the said Coroner, shall neglect to comply with the Directions in this Act contained, in respect to the posting the said Advertisements, making Proclamation, and giving Notice of Sales as aforesaid, so that any Proprietor or Proprietors shall be thereby prevented from discharging and paying the Sums due upon their respective Lots, such Treasurer, or Person so authorized by him, or the Sheriff or his Deputy, or the said Coroner, shall forfeit, for every Default therein, the Sum of *Ten Pounds*, to be recovered in the said Supreme Court, and to be applied to and for the Use of the Proprietor or Proprietors injured thereby: And any Person whatever, authorized by him or them thereto, may sue for the same, over and above the further Remedy by Action for the Recovery of Damages.

Duty, to forfeit 10l.

Mode of Recovery.

Appropriation for Fine. Also to be subject to an Action of Damages.

Appropriation of Fines. Exception

XVII. *And be it further enacted,* That all Fines and Forfeitures which shall or may be recovered by Operation of this Act, except those last mentioned, shall be paid into the Hands of the Public Treasurer, to be laid out for making and repairing of public Pumps, Wells, Streets, and Shores leading to and from the said Pumps and Wells in Charlotte-Town.

Monies to be accounted for in the Treasury in Great Britain.

XVIII. *And be it also enacted,* That all the Monies which may arise by the Operation of this Act shall be accounted for unto His Majesty, in the Kingdom of Great Britain, and to the Commissioners of His Majesty's Treasury, or High Treasurer for the time being, and audited by the Auditor General of His Majesty's Plantations, or his Deputy.