

thereunto, and which shall have been suffered to remain in that situation for the space of Two hours, or shall be left in any Street or the Square after sun-set, the Owner or Owners of any such Carriage, shall for each offence forfeit and pay a sum not exceeding Five Shillings.

Persons breaking up street either for public or private purposes to enclose the same within a fence not less than 4 feet high.

Penalty on persons not so doing.

Penalty on persons removing earth from streets or square without authority.

XXX. And be it enacted, That all persons breaking up any portion of the Streets of the said Town, either under a Public Contract with the Road Commissioner of the District, or by directions of the Assessors of the Town, or at their own private cost, for the purpose of opening, laying down or making Sewers or Drains, below the surface of the Street, shall be obliged to enclose such Sewer or Drain, and the materials thrown up or deposited for the said work, within a Fence not less than Four feet in height, under a penalty not exceeding Two Pounds and the costs of recovery, besides being liable to an Action by any person who may sustain any injury or damage from a neglect to comply with the provisions of this clause; and any person or persons, removing the earth from the Square or any of the Streets of the Town (unless directed so to do, by the Road Commissioner of the District, or Assessors of the Town, for the purpose of improving or clearing the said Square or Streets,) shall be liable to the like amount of Penalty with costs, as before imposed by this clause.

Overseers appointed to keep streets and squares free from nuisances to be exempt from Statute Labor.

Penalty on such overseers refusing appointment or for neglect of duty, &c.

Mode of recovery thereof.

XXXI. And be it enacted, That the Overseers aforesaid shall, during their continuance in office be exempt from performing or contributing to their yearly labour on the Streets and Highways, required by the Statutes of this Island, and that in case any of the said Overseers shall refuse to accept his appointment, or shall wilfully neglect or delay to prosecute, for any of the foregoing Penalties, or in any other respect to perform his duty under this Act, each and every Overseer so offending, shall forfeit and pay a fine of Twenty Shillings, for every such neglect, to be recovered on the Oath of any one credible Witness, in man-