

Ward of the Court

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ACTS

OF THE

GENERAL ASSEMBLY

OF

HIS MAJESTY'S PROVINCE

OF

NEW-BRUNSWICK,

PASSED IN THE YEAR

1826.



FREDERICTON :

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MDCCLXXVI.

MAR 9 1909

ANNO REGNI

GEORGH IV.

Britanniarum Regis, Septimus.

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**A**T the General Assembly of the Province of New-Brunswick, begun and holden at Fredericton, on the nineteenth day of January, Anno Domini one thousand eight hundred and twenty-six, in the seventh Year of the Reign of our said Sovereign Lord George the Fourth, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, King, Defender of the Faith, &c. &c. &c. being the sixth Session of the Eighth General Assembly, convened in the said Province.



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THE  
**ACTS**  
OF THE  
**GENERAL ASSEMBLY,**  
&c.

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CAP. I.

An Act for appointing Commissioners to inquire into the losses occasioned by the late destructive fires in this Province.

*Passed 24th February, 1826.*

**W**HEREAS, in the month of October last, divers destructive Fires occurred at Fredericton, on the River Miramichi, on the River Oromocto and other parts of this Province, which destroyed Property to a very large amount, reduced many persons to a state of want and materially impaired the condition and circumstances of many others. And Whereas  
Preamble.  
very

very extensive and benevolent contributions have been made in the true spirit of christian Charity in this Province, and the other British Colonies, and also in the United States of America and in the Mother Country, for relieving the sufferings and repairing the losses occasioned by such Fires, and a large amount of the contributions made in the British Colonies and the United States, remains in the hands and under the direction and control of His Excellency the Lieutenant-Governor, to be distributed among the sufferers; and still further and larger sums raised in the Mother Country, will probably be placed in his hands for the same purpose: And Whereas in order to make a just and proper distribution of these extensive Charities, it is necessary that a faithful inquiry should be made into the losses sustained by the persons who may have suffered by the said Fires.

Commissioners  
appointed.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly.* That The Honorable GEORGE SHORE, The Honorable WARD CHIPMAN, HARRY PETERS, Esq. RICHARD SIMONDS, Esq. and THOMAS HORSEFIELD PETERS, Esq. shall be, and they are hereby constituted Commissioners, for inquiring into the respective losses, actually sustained by all such person or persons, who may have suffered by the said Fires.

Commissioners or  
any two or more  
of them to repair  
to such parts of  
the Province as  
the Governor  
may direct,

II. *And be it further enacted,* That the said Commissioners or any two or more of them, shall with all convenient speed, repair to such parts of the Province, where  
the

the said Fires have happened as shall in that behalf be directed and pointed out by the Lieutenant-Governor, for the purpose of making such inquiries, and that it shall and may be lawful for the said Commissioners or any two or more of them, and they are hereby authorized, empowered and required to examine upon oath (which oath they or any two or more of them are hereby authorized to administer) all persons whom the said Commissioners or any two or more of them shall think fit, touching all such matters and things as shall be necessary for the execution of the powers vested in the said Commissioners by this Act. And all such persons are hereby directed and required punctually to attend the said Commissioners at such time and place as they or any two or more of them shall appoint.

to examine Persons on Oath touching all such matters as may be necessary.

Such Persons to attend the Commissioners.

III. *And be it further enacted,* That as soon as the said examinations into the said losses shall be completed, the said Commissioners shall all meet at Fredericton, and shall make out in writing a full and detailed report of the actual losses ascertained in manner aforesaid, and present the same to His Excellency the Lieutenant-Governor, together with a scheme of distribution of the funds contributed for this purpose and remaining undisposed of; having regard in all cases to the specific intentions of the donors, where any such intentions have been expressed.

When the examinations shall be completed, the Commissioners to meet at Fredericton and make a detailed report to the Governor with a Scheme of distribution of the Funds.

IV. *And be it further enacted,* That if it shall appear upon sufficient evidence to the said Commissioners that any person shall have delivered in an account or claim beyond

Persons delivering accounts of Claims beyond the real loss with intent to obtain more than a just compensation to

be excluded from  
any share of the  
charitable Funds.

yond the real loss, with an intent to obtain more than a just compensation, such account or claim shall not be included in the report so to be made to His Excellency the Lieutenant-Governor, and such person shall be absolutely excluded from any compensation or share of the charitable funds before mentioned.

False swearing  
made Perjury:

V. *And be it further enacted*, That if any person or persons shall be guilty of false swearing in any examination made by the said Commissioners respectively under and by virtue of this Act such person or persons so offending shall upon conviction thereof before the Supreme Court or any Court of Oyer and Terminer or Gaol Delivery, be liable to suffer the pains and penalties by Law imposed for wilful and corrupt perjury.

The Governor to  
appoint a Secretary  
to the Commissioners  
and to fill vacancies.

VI. *And be it further enacted*, That it shall and may be lawful for the Lieutenant-Governor to appoint a suitable person to be Secretary to the said Commissioners, and also in case of a vacancy or vacancies by death or resignation of any one or more of the said Commissioners, to nominate and appoint such person or persons as he may think proper to supply such vacancy or vacancies, and that every person so nominated and appointed shall be held and considered to be invested with all the powers delegated to the Commissioners appointed by this Act.

## CAP. II.

An Act to continue an Act intituled "An Act, to regulate the cutting of Saw Logs, on the River Magagaudavis, and its various branches."

*Passed the 7th March 1826.*

**B**E it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act passed in the third year of the Reign of His present Majesty King George the Fourth, intituled "An Act to regulate the cutting of Saw Logs on the River Magagaudavic and its various branches," be and the same is hereby continued and declared to be in full force until the first day of April one thousand eight hundred and thirty-one, and no longer.

Act 3, Geo. 4 c. 19, continued till 1st of April 1831.

## CAP. III.

An Act to continue an Act intituled "An Act to empower and authorize the Justices of the County of Westmoreland, at their General Sessions of the Peace, to regulate the grazing and depasturing the several Marshes Low Lands or Meadows, within the said County."

*Passed the 7th of March 1826.*

**B**E it enacted by the Lieutenant-Governor, Council and Assembly, That an Act made and passed in the fifty-fourth year of the Reign of His late Majesty King George the Third, intituled, "An Act to empower and authorize the Justices of the County of Westmoreland at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, Low Lands or Meadows within the said County." be, and the same is hereby continued and declared to be in full force for five years and no longer.

54, Geo. 3, c. 12, continued for five years.

CAP.

## CAP. IV.

An Act to amend the Act, to prevent the bringing of Infectious Distempers into the City of Saint John.

Passed the 7th of March, 1826.

**W**HEREAS by the eighth Section of an Act made and passed in the thirty-ninth year of the Reign of His late Majesty King George the Third, intituled, "An Act to repeal an Act made and passed in the thirty-sixth year of His Majesty's Reign, intituled, " an Act to prevent bringing infectious distempers into the City of Saint John, and to make more effectual provision for preventing the importation and spreading of such contagious distempers," it is enacted and provided " that all the penalties and forfeitures in the said Act mentioned, may be prosecuted, sued for, and recovered by action of debt, bill, plaint or information in the Supreme Court, by any person who shall prosecute and sue for the same, and shall be divided, One moiety to the person so suing and prosecuting, and the other moiety to the use of the Mayor, Aldermen and Commonalty of the City of Saint John," *And whereas* the manner of disposing of the said penalties and forfeitures has been found inconvenient, and to render the recovery thereof very difficult, and in some cases impossible,

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the said Eighth Section of the said Act, be, and the same is hereby repealed, and that henceforth all the said penalties and forfeitures, in the said Act mentioned, may be prosecuted, sued

8th section repealed.

Repealed by  
10 & 11. G. 4. c.

27.

Preamble.

3 of G. 3. c. 9

ed for, and recovered, by action of debt, bill, plaint or information in the Supreme Court, by any person who shall prosecute for the same within twenty days after the commission of the offence, and when recovered shall be paid one moiety to the person so suing and prosecuting, and the other moiety to be paid into the Treasury of the Province for the use and support of the Government thereof, and if no person shall so sue and prosecute within twenty days, then that the same penalties and forfeitures shall be sued for and recovered by information of His Majesty's Attorney General in the said Court, and when recovered, to be paid, after deducting the costs and charges of prosecution, into the said Treasury for the use as aforesaid.

Penalties to be sued for in the Supreme Court by any Person within twenty days after offence committed, and paid half to the Prosecutor, remainder to the Province Treasury.

If no Person shall sue within twenty days Penalties to be sued for by the Attorney General and paid into the Treasury.

CAP. V.

An Act for further regulating Servants and Apprentices.

Passed the 7th of March 1826.

*Vol. 26 G. 3. C. 37*

**W**HEREAS it is expedient to make further regulations respecting indentured Servants and Apprentices absenting themselves from their Master's Service, or otherwise ill behaving themselves,

Preamble.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful, to and for any two Justices of the Peace in any County in this Province, upon application or complaint made upon oath by any Master or Mistress, against any indentured Servant or Apprentice for absenting themselves from his or her service, or touching or concerning any misdemeanor, miscarriage or ill behaviour in such his or her service

Two Justices upon complaint of a Master or Mistress against an Indented Servant or Apprentice may issue a Warrant and bring up the offender and punish by commitment to the Gaol or House of Correction.

vice

vice (which Oath such Justices are hereby empowered to administer) to issue their Warrant for bringing the offender before them, and to hear, examine and determine such complaint, and to punish the offender by commitment to the common Gaol or House of Correction, there to remain and be corrected and held to hard labour for a reasonable time not exceeding one Calendar month.

## CAP. VI.

An Act to maintain an armed Cutter for the protection of the Revenue of the Province.

*Passed the 7th of March 1826.*

**W**HEREAS it is expedient to maintain an Armed Cutter for enforcing the Revenue Laws of this Province.

Preamble.

Vessels arriving from Foreign Countries to land their Cargoes in the Harbours of the Free Ports under Penalty of £200,

to be recovered as directed by 3 sec. of the Act 3, Geo. 4. c. 9.

Tide Surveyors to attend to the unloading of Vessels arriving from foreign countries.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That all vessels, arriving from Foreign Countries, with Cargoes, shall land the same, in the Harbours of the respective Free Ports, in this Province, and at no other place; under the penalty of two hundred pounds, to be recovered in the same manner as is prescribed in the third Section of an Act made and passed in the third year of His present Majesty's Reign, intituled, an "Act for raising "a Revenue in this Province," and to be paid as follows:---One moiety to the Informer, and the other moiety into the hands of the Treasurer of the Province, for the use thereof, and that it shall be the duty of the Tide Surveyors for the City and County of Saint John, and for the County of Charlotte respectively, to attend to the unloading of any



any vessel or vessels so arriving from any foreign Country with Cargoes as aforesaid, in the same manner, and under the same regulations as is prescribed in the eighth section of the before recited Act.

II. *And be it further enacted,* That it shall and may be lawful for the Lieutenant-Governor and Commander-in-Chief, for the time being, to appoint four or more Commissioners, who shall have power to make all necessary contracts for the arming, furnishing and provisioning a proper vessel to be employed, in more effectually enforcing the Revenue Laws of this Province, and to retain and pay such Master and other officers as may be appointed by the Lieutenant-Governor or Commander-in-Chief, and a sufficient Crew for the said Cutter, and also to direct from time to time, how the said vessel shall be employed; and the said Commissioners shall render a yearly account of the money so expended by them for the purposes aforesaid, to the Lieutenant-Governor or Commander-in-Chief, and His Majesty's Council, and the amount of such expenditure shall be paid to the said Commissioners by the Treasurer, on the Warrant of His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council.

III. *And be it further enacted,* That the Master of the said Cutter, so to be appointed as aforesaid, shall have the same powers to enter and search for uncustomed Goods, as belong to the Treasurer or Deputy Treasurer

Lieutenant-Governor to appoint four or more Commissioners,

who shall contract for arming and furnishing a proper vessel,

and retain and pay the Master and Officers, to be appointed by the Governor,

and direct how the vessel shall be employed.

To account yearly to the Governor and Council.

Expences to be paid by the Governor's warrant with consent of the Council

Master to have the same powers to search for uncustomed goods as belong to the Treasurer,

surer

may seize dutiable articles,

may detain and examine Vessels and Boats suspected of violating the Revenue laws,

may bring or send Vessels or Boats to a convenient Harbour to unload uncustomed goods.

Master to give Bond to the King.

To be subject to orders of the Lieutenant-Governor.

To account monthly to the Commissioners for disbursements

Limitation.

surer of this Province, and in like manner to detain or seize all dutiable articles imported or landed contrary to the provision of this or any other Act; and the said Master shall have power to bring to, detain and examine any vessel or boat which may be found hovering around the coast and bays or rivers of this Province, or at anchor off, or in the same, or otherwise suspected of violating the Revenue Laws of this Province, and to bring in or send such vessel or boat to some convenient place or harbour, in order that any uncustomed Goods which he may have found and seized on board the same, may be unloaded and removed; and the said Master so to be appointed, shall, before the exercise of his said office, enter into Bonds to His Majesty with good and sufficient Sureties, for the faithful discharge of the duties and services hereby enacted and required, and shall be subject to such orders and regulations as His Excellency the Lieutenant-Governor or Commander-in-Chief, for the time being, shall from time to time be pleased to make and give, and shall monthly render a just and true account to the said Commissioners of the money expended by him, for the necessary disbursement of the said Cutter.

IV. *And be it further enacted,* That this Act shall continue and be in force until the thirty-first day of March one thousand eight hundred and twenty-seven.

## CAP. VII.

An Act to authorize and empower the Magistrates of the County of Charlotte, to sell the County Gaol and Gaol Lot, in the Town of Saint Andrews, and to erect a more suitable Building in the said Town, in lieu thereof.

*Passed the 7th of March, 1826.*

**W**HEREAS the County Gaol in the Town of Saint Andrews has but two apartments wherein Debtors and Criminals of every denomination can be imprisoned,

Preamble

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the Magistrates of the County of Charlotte, be authorized and empowered, and they are hereby authorized and empowered accordingly, to sell the Gaol and Gaol Lot in the Town of Saint Andrews, and appropriate the money derived from such sale, towards the erection of a County Gaol in the said Town, that shall be considered by the said Magistrates or the major part of them, adapted to the better preservation of the health of the Prisoners, and accommodation of Debtors, and every denomination of Criminals, who may be imprisoned therein.

Magistrates may sell the Gaol and Gaol Lot in Saint Andrews and appropriate the money towards the erection of another Gaol.

## CAP. VIII.

An Act for the better extinguishing of Fires that may happen within the City of Saint John, and to repeal all the Acts now in force relating to the same.

*Passed the 7th of March, 1826.*

**W**HEREAS it is an object of the greatest importance to the City of Saint John to have skilful Firemen, to take charge of, direct, and work, the Fire-Engines, within the said City; and whereas such Persons are not to be procured without some further exemptions

Preamble

*See 2<sup>d</sup> 10<sup>th</sup> 11<sup>th</sup>  
ch. 11.*

exemptions from public duties than are at present extended to them by the several Acts now in force, for the better extinguishing of Fires that may happen within the City of Saint John.

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,* That an Act made and passed in the twenty-sixth year of of the Reign of His late Majesty King George the Third, intituled "An Act for the better extinguishing Fires that may happen within the City of Saint John;" and also an Act made and passed in the twenty-eighth year of the same Reign, intituled "An Act in addition to an Act, intituled an Act for the better extinguishing Fires that may happen within the City of Saint John," and also an Act made and passed in the fifty second year of the same Reign, intituled, "An Act in further addition to an Act intituled an Act for the better extinguishing Fires that may happen within the City of Saint John," and also an Act made and passed in the fifty-sixth year of the same Reign intituled "An Act to increase the number of Firemen in the City of Saint John," be and the same are hereby repealed, and this Act shall come and be in force from and after the first day of May next.

II. *And be it further enacted,* That it shall and may be lawful to and for the Mayor, Aldermen and Commonalty, of the City of Saint John, or the major part of them, in Common Council convened, and they are hereby required to elect, nominate and appoint a sufficient number of strong, able, discreet,

Common Council to elect and appoint proper persons not exceeding 20 to take charge of the Fire Engines.

36, Geo. 3 c. 47.

28, Geo. 3 c. 3.

33, Geo. 3 c. 17.

56, Geo. 3 c. 9.  
repealed.

discreet,

discreet, honest, and sober men, willing to accept, not exceeding eighty, in number, being Freemen or Freeholders of the said City, to have the care, management, working and using of the Fire Engines, belonging to the City of Saint John, and the other tools and instruments for extinguishing of Fires that may happen within the said City; which Persons so to be elected, nominated, and appointed as aforesaid, shall be called the Firemen of the City of Saint John, and who are hereby required and enjoined always to be ready at a call, by night, as well as by day, to manage, work and use the same Fire Engines, and others that may hereafter belong to the same City, and the other tools and Instruments for extinguishing of Fires that may happen or break out in the City aforesaid.

To be called the  
Fire Men

III. And in order to compel and oblige the Firemen, so to be elected, nominated or appointed as aforesaid, to be diligent, industrious and vigilant in the execution and discharge of their office and duty; *Be it further enacted*, That the Mayor, Aldermen and Commonalty of the said City, for the time being, in Common Council Assembled, or the major part of them, are hereby authorized and empowered to remove and displace all or any of the Firemen so as aforesaid to be elected, nominated, or appointed, when and as often as they shall think fit, and others in the room or places of such as they shall remove or displace, to elect, nominate, or appoint, and put in, and so from time to time as they the Mayor, Aldermen and Commonalty

Common Council  
may remove Fire  
Men and appoint  
others.

alty aforesaid, for the time being, in manner aforesaid shall see convenient.

Firemen exempted from the offices of Constable and Surveyor of Highways.

from serving in the Militia except in case of Invasion, and from serving on Juries,

and from Statute Labour on the Streets.

Names of Firemen to be registered in the office of the Clerk of the Peace.

Firemen being chosen or appointed to any office or duty from which they are by this Act exempted, to be discharged, upon producing a Certificate

IV. *And be it further enacted*, That the Persons so to be elected, nominated or appointed Firemen as aforesaid, and each and every of them from time to time, during the continuance of being in the office of Firemen, and no longer, shall and are hereby declared to be freed, exempted and privileged from the several offices of Constable, and Surveyor of the Highways, and from being compellable to serve in the Militia, except in case of invasion or other imminent danger, and from serving upon any Jury in the Court of Quarter Sessions, or in the Inferior Court of Common Pleas, or in the Courts of Nisi Prius and Oyer and Terminer to be holden in and for the City and County of Saint John; or in the City Court of the said City of Saint John; and also shall be exempt and free from all Statute Labour on the Highways and Streets within the said City; and the names of such Persons elected, nominated or appointed Fireman by virtue hereof, from time to time, shall be registered and entered with the Clerk of the Peace for the said City; and if at any time after this Act shall come into operation, and the electing or appointing Firemen, by virtue hereof, any such Person or Persons, elected or appointed Firemen as aforesaid, shall be chosen, elected or appointed into any of the said offices, or to serve in the Militia (except as before excepted) or upon any of the said Juries, or to perform Statute Labour, or be disquieted or disturb-  
ed

ed by reason thereof, that then such Person or Persons, producing a testimonial or certificate under the hand of the Mayor, Recorder, or any one Alderman of the said City for the time being, of such his election, nomination or appointment, to the Person or Persons by whom he shall be so elected or appointed, or by or before whom he shall be summoned, returned or required to serve, execute or hold any of the said offices or duties, shall be absolutely discharged from the same, and such election, nomination, return and appointment, shall be utterly void and of none effect, unless such Person or Persons shall voluntarily consent and agree to hold such office, or serve in such Militia, or to perform either of the other duties, from which he is hereby exempted, any order, custom, law or practice to the contrary hereof in any wise notwithstanding.

under the Hand of the Mayor, Recorder or an Alderman,

unless such Firemen shall voluntarily consent to serve.

V. *And be it further enacted,* That it shall and may be lawful to and for the Mayor, Aldermen and Commonalty of the said City for the time being, or the major part of them, met as aforesaid, to make, establish and ordain, such rules, orders, ordinances and regulations in respect of the Government, conduct, duty and behaviour of the Persons from time to time to be by them elected, nominated or appointed Firemen, by virtue of this Act, in the working, managing and frequent exercising, trying and using the same Fire Engines, tools and other Instruments, and to impose and establish such reasonable fines, penalties and forfeitures upon them or any of them for default or neglect of the duties

Common Council to make rules and regulations for the conduct of Firemen,

and impose Fines for neglect of duty.

duties, business and services, thereby to be enjoined or required from them, as the Mayor, Aldermen and Commonalty of the same City for the time being, or the major part of them, met as aforesaid, shall from time to time think meet and convenient.

All Sheriffs &c.  
to repair to places  
where Fires shall  
happen with their  
Rods, &c.

and assist in ex-  
tinguishing the  
Fire.

VI. *And be it further enacted,* That upon the breaking out of any Fire, within the City of St. John aforesaid, all Sheriffs, Under or Deputy Sheriffs, High Constables, Petty Constables and Marshalls, upon notice thereof, shall immediately repair to the place where the said Fire shall happen, with their rods, staves and other badges of their authority, and be aiding and assisting as well in extinguishing the said Fires, and causing the People to work, as also in preventing goods from being stolen, and shall seize and apprehend all ill disposed Persons that they find stealing or pilfering from the Inhabitants, as also that the said officers, shall give their utmost assistance to help the Inhabitants to remove and secure their said Goods.

VII. *And be it further enacted,* That this Act shall continue and be in force until the first day of May, which will be in the year of our Lord one thousand eight hundred and thirty and no longer.

Limitation.  
Com. 10. 59. 1  
1826. 5. 4. 1

### CAP. IX.

An Act to authorize the Justices of the Peace for the County of Northumberland, to levy an assessment to pay off the County Debt.

Passed the 7th of March, 1826.

**B**E it enacted by the Lieutenant-Governor, Council, and Assembly, That the Justices of the Peace for the County of Northumberland,



umberland, or the major part of them, at any General Sessions of the Peace, or at any Special Session for that purpose expressly convened and holden, be and they are hereby authorized and empowered to make a rate and assessment of a sum not exceeding Six hundred pounds for the purpose of paying off the debt due by the said County; the said sum to be assessed, levied, collected and paid, in such proportion and in the same manner as any other County Rates for public charges, can or may be assessed, levied, collected and paid, under and by virtue of any Act or Acts in force in this Province, for assessing, levying and collecting of Rates for public charges.

may make an assessment not exceeding £600.

## CAP. X.

An Act to authorize the Justices of the County of Northumberland, to regulate the Grazing and Depasturing of certain tracts of Land within that County.

*Passed the 7th of March, 1826.*

**W**HEREAS the Inhabitants of those Districts of the County of Northumberland, which have been desolated by the destructive fire of the seventh of October last will not be able to erect new fences for the security of their Crops, during the present year and regulations to restrain certain descriptions of domestic animals from running at large in those Districts are therefore necessary.

Preamble.

I. *Be it enacted by the Lieutenant-Governor Council and Assembly,* That the Justices of the Peace for the County of Northumberland, or the major part of them at their General Session, be, and they are hereby authorized

Justices in Sessions may make Regulations for the grazing and depasturing of Land in Districts where the Fences have been destroyed by Fire.

thorized to make such regulations for the Grazing and Depasturing of the Lands in those Districts, in which most of the Fences have been destroyed by fire, as to them shall seem most conducive to the general interests of the Inhabitants thereof, and if any neat Cattle, Horses, or Sheep shall be found running at large, or grazing in those districts contrary to any regulations so to be made as aforesaid, the owner or owners thereof, shall forfeit and pay to the informer, the sum of two shillings for each and every Sheep, and the sum of ten shillings for each and every animal of the other kinds before mentioned, that may be found so running at large or grazing as aforesaid, to be recovered upon conviction, before any one of His Majesty's Justices of the Peace for the said County, and levied upon the Goods and Chattles of the owner or owners of such animal or animals, and in case the owner or owners be not known, then it shall be lawful for the person or persons, who shall find such animal or animals so running at large, or grazing contrary to the regulations so to be made as aforesaid, to drive the same to the nearest Pound in the Parish, where the animal or animals shall so be found, and it shall be the duty of the Pound-Keeper to receive and detain such animal or animals, until the owner or owners thereof shall pay to the use of the informer the aforesaid fines, and to the Pound Keeper the sum of six-pence per day for feeding each Sheep, and one shilling and six-pence per day for feeding each animal of the other kinds, mentioned

Penalty upon Owners of Cattle found running at large contrary to Regulations,

to be recovered before a Justice.

If the Owner be not known the Animals to be impounded and detained until the Owner shall pay the Fines and Expenses.

ed in this Act, together with the usual charges for impounding the same.

II. *And be it further enacted,* That if the owner or owners of such Neat Cattle, Horses or Sheep so impounded, shall neglect or refuse to pay the aforesaid penalties and charges, then the said Pound-Keeper is hereby authorized to sell publicly (first giving ten days previous notice of the sale) the said Neat Cattle, Horses or Sheep, or so many of them as may be necessary for that purpose, and the overplus (if any there be) shall be paid by the Pound Keeper to the owner or owners thereof, whenever he or they shall appear to claim the same.

If the Owner of Cattle impounded neglect or refuse to pay the Penalties and Charges the Cattle to be sold.

III. *And be it further enacted,* That this Act shall be in force for one year and no longer.

Limitation.

*Continued for one  
y. by 2. 9. 4. C. 1.*

## CAP. XI.

An Act to extend the Power of the Firewards in the Parish of Fredericton, and to make further regulations for the better extinguishing of Fires that may happen in the said Parish.

*Passed the 7th March, 1826.*

**W**HEREAS serious inconveniences and disorders have arisen at Fires in the Town of Fredericton, from the want of a prompt obedience to the Firewards, and from a great deficiency in the supply of Buckets, for remedy whereof,

Preamble.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act, upon every alarm of Fire in the said Town, or in its vicinity either in the night or day time, it shall be the duty of every Constable resident within the said Town or in its immediate vicinity, knowing of such alarm, immediately

Constables residing in Fredericton, upon any alarm of Fire to repair to the place and report themselves to the Firewards.

to repair (with a Staff to be provided by the Firewards for that purpose as herein after directed) to the place where the Fire may be, and there to report himself to some one or more of the Firewards there present, or if no Fireward be present on his arrival, then to the first Fireward that shall thereafter arrive at the Fire, and to place himself under the immediate orders and directions of such Firewards, and to use his utmost exertions to aid and assist the said Firewards, and to obey and carry into effect all orders and directions that may be given to him by the said Firewards or any of them at the time of such Fire.

To assist in extinguishing the Fire and obey orders of the Firewards.

II. *And be it further enacted,* That for every refusal or neglect by any Constable, resident in the said Town or in its immediate vicinity, to perform and fulfill any of the duties by this Act imposed upon him, such Constable shall forfeit and pay the sum of forty shillings, together with the costs of recovering the same, to be recovered and applied in like manner as the penalties and forfeitures mentioned in an Act made and passed in the fifth year of His Majesty's Reign, intituled "An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires, so far as relates to the Town of Fredericton and to make Regulations more suitable to the said Town," are by the fifth section of the same Act directed to be recovered and applied, and for the want of sufficient distress, such offender shall suffer eight days imprisonment, unless the penalty and costs shall be sooner paid.

Constables for neglect of duty to forfeit 40s.

5-9-4-6-5

for want of sufficient distress to be imprisoned.

III.

III. *And be it further enacted,* That the Firewards are hereby authorized and required to provide a sufficient number of such proper and necessary Staves for the Constables, herein-before mentioned, as the said Firewards or the major part of them may deem most fit and convenient, for the said Constables to carry with them at all times of their attendance at Fires as herein-before is directed, which Staves shall be kept at such convenient place or places as the said Firewards or the major part of them may direct to be in readiness at all times when required.

Firewards to provide Staves for the Constables.

IV. *And be it further enacted,* That at, and during the raging or continuance of any Fire that may hereafter happen, either in the said Town or in its immediate vicinity, if any person or persons shall refuse or wilfully omit to obey the orders of any Fireward there present for his falling into line or for his doing any other Act that such Fireward may think necessary, towards aiding and assisting in extinguishing such Fire or in preserving of any property endangered by such Fire, or who shall be guilty of any disorderly conduct in defiance of the orders of any Firewards there present, or shall in any way wilfully obstruct or endeavour to obstruct the carrying into effect any orders or regulations that may be then given or made by the Firewards present, or any of them, for the better extinguishing of such Fire. The Firewards present at any such Fire or any of them shall have full power, if he or they see fit, and he and they are hereby authorized

Any Person who during the raging of a Fire, shall disobey the order of a Fireward, or be guilty of any disorderly conduct or obstruct the carrying into effect any orders then given, may be committed by a Fireward to the custody of a Constable who shall convey such Person to Goal.

zed

Gaoler to keep  
the offender in  
close confinement

Firewards after  
such Fire and  
within twenty-  
four Hours to  
cause the offender  
to be brought be-  
fore a Justice and  
prosecuted.

All persons pre-  
sent to be aiding  
and assisting to  
the Constables or  
Firewards.

Penalty for refu-  
sal or neglect.

zed to order any Constable present forth-  
with to take such offender or offenders into  
custody, and to convey such offender, or of-  
fenders, if such Firewards or any of them  
see fit, to the common Gaol of the County  
of York, and the Gaoler of such Gaol; is  
hereby required to keep such offender or  
offenders so committed, in close confinement  
until delivered in manner herein after men-  
tioned, and the Fireward or Firewards who  
may have committed any such offender, shall  
immediately after such Fire shall be extin-  
guished, and at the latest within twenty-four  
hours, cause such offender or offenders to  
be brought up by the Gaoler or other per-  
son appointed for that purpose, before any  
one of His Majesty's Justices of the Peace,  
(not being a Fireward) resident in the said  
Town, to answer for such offence, and to  
be proceeded against, for any forfeiture or  
penalty thereby incurred either by this or  
any other Act then in force, according to  
Law; and all persons present at any such  
offence, are required to aid and assist any  
Constable or Fireward in carrying into effect  
the directions and provisions of this Act  
as such Firewards or any of them may direct,  
and any Constable or other person refusing  
or neglecting to obey any orders or  
directions of the Firewards or any of them,  
for carrying into effect the provisions of  
this Section of this Act, shall for every such  
offence, be subject and liable to the like for-  
feiture or penalty, as is imposed by the second  
Section of this Act, for the offences therein  
mentioned, to be recovered and applied as  
in the said second Section is directed. V.

V. *And be it further enacted,* That as soon after the passing of this Act, as the same can be procured, every Householder in the said Town, or in its immediate vicinity, shall provide himself with two good Leather Buckets of sufficient size to hold two and a half gallons of water, with the name of the proprietor thereof, painted on the side of each of the said Buckets, to be kept always ready, in some convenient place in his House, and shall also provide himself with two good and sufficient Ladders, one to reach from the ground to the roof of his House, and the other to lay on the Roof and held at the top by two substantial Iron hooks, fastened to the end of such Ladder which shall extend down the roof, until it meets the Ladder standing on the ground; which said Ladders, every such Householder shall keep stationary at his House, in such convenient situation as will at all times afford a ready access to the top of his House when necessary, and that on every alarm of fire in the said Town, or in its immediate vicinity, every Householder in the said Town or in its immediate vicinity, knowing of such alarm, and not being a Fireward, shall forthwith carry his Buckets so provided as above directed, or cause the same to be carried to the place where the Fire may be, to be there used as occasion may require, and every person wilfully refusing or neglecting to perform any of the duties by this Section of this Act imposed, shall for every such offence forfeit and pay the sum of forty shillings, to be recovered and applied in like manner

Householders in  
Frederickson to  
provide them-  
selves with Buck-  
ets.

To have Ladders  
kept stationary to  
afford a ready ac-  
cess to the top of  
the House.

Householders  
knowing of an  
alarm of Fire to  
carry or send his  
Buckets, to the  
place to be there  
used.

forty shillings  
penalty for ne-  
glect.

manner as the forfeitures mentioned in the second Section of this Act, are herein before directed to be recovered and applied.

VI. *And be it further enacted,* That after every Fire that shall hereafter happen in the said Town, or in its immediate vicinity, it shall be the duty of the Captains and Firemen, of the Engine now belonging to the said Town there present, to collect all the Buckets that may be found at the place where the Fire may be, and to take such as are not there claimed by the owners thereof to the Engine house, with the Buckets belonging to such Engine, and to keep them there in safe custody until the same shall be applied for by the owners thereof, when the same shall be delivered to such owners respectively.

Captains and Firemen of the Engine now belonging to the Town, to collect the Buckets after a Fire, and keep them in the Engine House until claimed.

VII. *And be it further enacted,* That the Justices of the Peace for the County of York in their General Sessions, or the major part of them, are hereby authorized and empowered to raise by assessment such sum as the Firewards shall shew to be necessary for purchasing another Engine. out by them in writing and produced to the said Justices of the Peace, or the major part of them, in their General Sessions, shew to be necessary for the purchasing or providing another Engine for the said Town, such assessment to be made in due proportion upon all and every the person or persons, who do or shall inhabit, hold, occupy, possess, and enjoy any House, Shop, Ware-House or other Tenement, or Property liable to be consumed by Fire, within the said Town, or in its immediate vicinity.

Justices in Sessions may raise by assessment such sum as the Firewards shall shew to be necessary for purchasing another Engine.



VIII. *And be it further enacted,* That such sum or sums shall be assessed, levied, collected, and paid in like manner, as the assessments mentioned and provided for in the herein-before in part recited Act, are by the twelfth Section of the same Act directed to be assessed, levied, collected, and paid, for the purpose above mentioned.

Assessments how to be made and levied.

IX. *And be it further enacted,* That this Act shall continue and be in force for and during the continuance of the said herein-before in part recited Act and no longer.

Limitation  
 Contin. to 1st April  
 1835. by 10. 11. 34.  
 C. 9.

## CAP. XII.

An Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose.

Passed the 7th of March, 1826.

**W**HEREAS the several Acts for the regulation of Seamen, require some alteration and amendment, and it is expedient that the said Acts should be consolidated;

Preamble

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,* That an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for the regulation of Seamen;" and also an Act made and passed in the thirty-eighth year of His said late Majesty's Reign, intituled, "An Act in addition to and in amendment of an Act intituled an Act for the regulation of Seamen," and also another Act made and passed in the fiftieth year of His said late Majesty's Reign, intituled, "An Act in amendment of the Acts now in force for regulating

26, Geo. 3. c. 23.

28, Geo. 3. c. 9.

30, Geo. 3. c. 19.  
 repealed.

gulating Seamen," be and the same are hereby severally repealed.

II. *And be it further enacted,* That if any Innholder, Shopkeeper, or any other person whatsoever, shall trust or give credit to any Mariner or Seaman belonging to any Ship or Vessel, without the knowledge and allowance of the Master or Commander thereof, no *capias* or other process for the arrest of the person of such Mariner or Seaman for any debt so contracted, shall be issued against or served upon the person of such Mariner or Seaman until he shall have performed the voyage which he may be then entered upon, and be discharged of the same, and every such process so issued shall be deemed and adjudged utterly void in Law, and any one Justice of the Court from whence such process shall issue, or Justice of the Peace, in case the debt demanded may not exceed Five Pounds, to whom it shall be made to appear that any Mariner or Seaman is committed or restrained upon process granted for any such debt or pretence of debt made whilst he was engaged and actually entered and in pay on any voyage, shall forthwith order his release.

III. *And be it further enacted,* That if any Mariner or Seaman having shipped himself on board of any ship or vessel which hath been launched, or is actually preparing for sea, to proceed on any voyage, or belonging to any vessel arriving in the Province, and upon pay, shall neglect his attendance or refuse to do his duty on board, or shall absent himself, without leave, from his said

No *Capias* or other Process to be issued for arrest of the Person of a Mariner, for any debt contracted without knowledge or allowance of the Master of the Vessel until the voyage shall be performed.

Mariners arrested by Process so issued may be discharged by order of any Justice of the Court from which Process issued, or by order of a Justice of the Peace if the debt do not exceed five pounds.

Any Mariner having shipped himself on board of any vessel launched or preparing for Sea, or belonging to a vessel arriving in the Province and upon pay, and who shall neglect his duty or absent himself without

said service, upon complaint thereof made on oath by the owner or Master or other officer of said Ship or Vessel, to any Justice of the Peace within the said County, such Justice is hereby empowered to cause such Mariner or Seaman to be forthwith brought before him by warrant, and upon conviction of his neglecting his attendance, or refusing to do his duty on board, or absenting himself without leave as aforesaid, to commit such Mariner or Seaman to prison, that he may be secured and forthcoming to proceed on the voyage he has so agreed for, and to be delivered by order of the Justice that committed him, or some other Justice in the same County, and all necessary charges attending his being so secured, and which have been actually paid by the said Owner or Master, may be deducted from such Mariner's or Seaman's wages, as the same may become due.

leave, may on conviction before a Justice be committed to Prison.

And all charges attending his being secured may be deducted from his pay.

IV. *And be it further enacted,* That if any Master or Commander of any Ship or Vessel, or any other person or persons shall hire or engage, harbour or conceal any Mariner or Seaman who shall have signed any former contract or articles, knowing him to have deserted from any Ship or Vessel within the Province, every such Master Commander, or other person or persons so offending, and being thereof convicted before any two of His Majesty's Justices of the Peace for the County where the offence is committed, upon the oath of one or more credible witness or witnesses, or confession of the party, shall forfeit and pay such sum

Any Master of a vessel or other person engaging or concealing any Mariner who shall have signed former articles, knowing him to have deserted shall on conviction before two Justices, pay such sum as the Justices shall award, not more than ten nor less than five pounds,

as the said Justices shall adjudge, not exceeding Ten Pounds, and not less than Five Pounds; to be levied by warrant of distress and sale of the offenders goods, under the hand and seal of such Justices, and when recovered one moiety to be paid to the person so prosecuting for the same, and the other moiety to the County Treasurer where the offence is committed, for the use of such County; and if there shall be no goods or chattles of such offender, whereof the said penalty may be levied, it shall and may be lawful for such Justices, by warrant under their hands and seals, to commit such offender to the Gaol of the County where such offence shall be committed, there to remain for a space of time not exceeding Sixty Days: and not less than Thirty Days: And such Mariner or Seaman who shall desert at any time during the voyage on which he is engaged by written contract or articles, shall over and above the penalties and forfeitures to which he is now by law subject, forfeit all the wages he may have agreed for, or be entitled to, during the voyage from the Owners or Master of the Ship or Vessel on board of which he shall have entered, after such desertion, to the use of the Owner or Owners of such Ship or Vessel as he shall have deserted from, to be sued for and recovered by action of debt, in any Court competent to try the same.

to be levied by  
distress and sale of  
Goods,

half to the Prose-  
cutor & half to the  
Treasurer of the  
County where  
the offence is com-  
mitted.

For want of  
Goods, Offender  
to be imprisoned  
not more than six-  
ty nor less than  
thirty days.

Mariner deserting  
shall, beside the  
penalties to which  
he is by law li-  
ble, forfeit his  
wages to the use  
of the owner of  
the Ship.

Upon Proof, on  
Oath, before a  
Justice that a  
Mariner who  
may have deser-

V. *And be it further enacted,* That if proof be made upon oath, by the Owner, Agent, or Master of any ship or vessel, before any of His Majesty's Justices of the Peace in  
this

this Province, that any Seaman or Mariner belonging to such ship or vessel, and who may have deserted or absented himself from the same, be kept or concealed on board of any other ship or vessel within any of the Harbours of this Province, or in any Tavern, Pot-House, or other house or place within the County for which such Justice shall be appointed; or if oath be made that such Owner, Agent or Master hath good reason to suspect, and doth verily believe that such Seaman or Mariner is so concealed as aforesaid, it shall and may be lawful for such Justice to issue his warrant to any of the Constables or Peace Officers within the said County, to make search on board such ship or vessel, or in such Tavern, Pot-House, or other place, and if such Seaman shall be found in such suspected place, that such Justice shall cause such Seaman to be brought before him; and upon conviction of his having so deserted or absented himself, shall cause such Seaman to be delivered over to the Owner or Master of the ship or vessel to which such Seaman shall belong, to be carried on board such ship or vessel or to be committed to prison, as directed in the third section of this Act,

ted from any vessel is concealed in any other vessel in Harbour or in any Tavern or other House or Place, or that there is good ground of belief that he is so concealed.--The Justice may issue his Warrant to a Peace Officer to make search.

If such Seaman be found in such suspected place he shall upon conviction of having deserted, be delivered to the Owner or Master of the vessel to which he belongs.

VI. *And whereas* the practice of enticing Seamen to desert their ships, is greatly promoted by the encouragement given to Tavernkeepers and others, by giving large sums to them for procuring Seamen; --- *Be it further enacted*, That from and after the first day of April next, it shall not be lawful for any owner, Master or Agent of any ship or vessel

No money or reward shall be given to or received by any Person whatever for procuring Seamen.

Monies so paid to be considered as paid without consideration and may be recovered back.

Bonds, Notes &c. given for the above purposes to be void.

If action brought upon such Bonds Judge to certify after the Trial &c. Plaintiff to pay double costs.

Mariners not to be bound unless Agreement be in writing, and stating the amount of wages and expressing the voyage.

vessel, or other person, either directly or indirectly, to pay or give any money, hire or reward, to any Innholder, Tavernkeeper, Shopkeeper, or other person or persons, for the procuring of any Seaman or Seamen for any ship or vessel; and that it shall not be lawful for any Innholder, Tavernkeeper, Shopkeeper, or other person or persons to receive any money, hire or reward, either directly or indirectly, for the procuring such Seaman or Seamen; and that any monies so to be paid, shall be considered as paid without consideration, and may be recovered back by action or suit in any Court having competent jurisdiction; and that all bonds, notes, bills, agreements, promises or engagements for paying or giving any money, hire or reward for the abovementioned purposes, shall be absolutely null and void to all intents and purposes whatsoever; and if any suit or action is knowingly brought upon any such bond, note, bill, agreement or engagement; and the same shall appear to the satisfaction of the Judge who shall try the cause, he shall grant a certificate of the same immediately after the trial; and the Plaintiff in such action shall thereupon be liable to pay double costs of suit to the Defendant in such action.

*VII. Provided always, and be it further enacted,* That no Mariner or Seaman shall be bound by entering or shipping himself on board of any ship or vessel, unless the agreement shall be in writing, and declare what

wages

wages such Mariner or Seaman is to have forso long a time as he shall ship himself for; and also shall express the voyage for which such Mariner or Seaman was shipped; any thing hereinbefore contained to the contrary notwithstanding.

VIII. *And be it further enacted*, That this Act shall continue and be in force until the thirty-first day of March, which will be in the year of our Lord one thousand eight hundred and twenty-nine, and no longer.

Limitation.

*Amended to 1. April 1825 by 4 Geo. 4. c. 10*

CAP. XIII.

An Act in further amendment of the Laws in force, for the support and relief of Confined Debtors.

*Repealed by 18. 11 44. c. 30.*

Passed the 7th of March, 1826.

*Vid. 41. 53. c. 5*

*47. 53. c. 2*

*50. 53. c. 30*

*59. 53. c. 12*

*3. 54. c. 15*

*4. 54. c. 10*

**W**HEREAS in the Acts in force for the support and relief of confined Debtors, no power is given to the Judge or Justice who may take the examination of the confined Debtor, on application for a weekly support, to order such confined Debtor to be brought up before him for the purpose of taking such examination,

Preamble.

*I. Be it enacted by the Lieutenant-Governor, Council and Assembly*, That in all cases, in which any Judge or Justice has power by the Laws in force for the support and relief of confined Debtors, to examine such confined Debtor as to the ability of such Debtor to support him or herself, it shall and may be lawful for such Judge or Justice, to make an order under his hand and seal, to the She-

Judge having power to examine confined Debtors may make an order to the Sheriff, or Gaoler, to bring such Debtor before him.

riff

Sheriff or Gaoler  
not liable to an  
Action for an es-  
cape for bringing  
up such Debtor.

riff or Gaoler in whose custody such confined Debtor may be, to bring up such confined Debtor before him for the purpose of such examination; and that such Sheriff or Gaoler shall not be liable to any action of escape, or other suit or information for, or on account of his obeying such order according to the true intent and meaning of this Law. *And whereas* by the Laws now in force, the examination of the confined Debtor, on application for a weekly support, must in all cases be made before the Judge or Justice from whom the notice of examination may have issued, which is sometimes inconvenient:

Examination may  
be by the Judge  
giving the notice  
or any other  
Judge of the  
same Court.

II. *Be it further enacted*, That such examination may be taken either by the Judge or Justice from whom the notice of examination may have issued, or any other Judge or Justice of the same Court.

Provisions of the  
several Acts in  
force for relief  
of confined Debt-  
ors, extended to  
Debtors who are  
confined within  
the limits of any  
Gaol.

III. *And whereas*, doubts have arisen whether the several Acts of Assembly now in force for the relief and support of confined Debtors, extend to such Debtors as may have the benefit of the Gaol limits: *And whereas* it is expedient to extend the provisions of the said Acts to such Debtors as may be able to obtain security for the Gaol limits, but have no means of supporting themselves within such limits: *Be it therefore enacted and declared*, that the several Acts of Assembly now in force for the relief and support of confined Debtors shall extend and be construed to extend to Debtors who are confined within the limits of any Gaol, and who are utterly unable to provide



provide or procure their necessary support to such confinement, in the same manner as if confined within the walls of any Gaol, any Law, usage or practice to the contrary notwithstanding.

IV. *And be it further enacted,* That in addition to the oath now required to be taken by confined Debtors applying for support; such Debtors before they shall be entitled to support, shall swear that they have not since being served with process, or since they have had notice of the suit being commenced, made over, assigned, transferred or put out of their hands, power, or disposal, any property real or personal whatsoever, except so much as was actually necessary for their support and maintenance.

Additional Oath to be taken by confined Debtors.

V. *And be it further enacted,* That in case it shall be made to appear to the satisfaction of any Judge who may order support to be granted to any confined Debtor, or to any other Judge of the same Court or Judge of the Court out of which the process may issue upon which such Debtor shall be confined, after such support granted, that the said Debtor has means of procuring or providing his necessary support, whether from property possessed at the time, or subsequently obtained, or in some other sufficient way, that then and in either of such cases upon application made to him by the Creditor, his lawful Agent or Attorney; such Judge shall and he is hereby fully authorized and empowered by an order under his hand and seal, to suspend the payment of such support so granted, either for such stated period of time as

If it shall appear, after order for support made to any Judge of the Court from which Process issued upon which the Debtor is confined, that such Debtor has the means of procuring his support.

Such Judge may by order suspend the payment of the support.

If support suspended until further orders the Court at any future sitting may hear and determine the same.

Court not to direct the payment of any greater support than is now by Law authorized.

No order for suspending support to be made without notice to Debtor.

If Persons having liberty of Gaol limits may have heretofore received support, or been discharged for non payment thereof, or after twelve months confinement. All persons indemnified

to him may appear just and proper, or until further order is given in that behalf by such Judge or by the Court out of which the process shall have issued; *Provided always*, that in case the Judge shall direct the suspending or withholding support, until further order from the Court is given in that behalf; it shall and may be lawful for such Court at the next, or any future sitting, to hear and determine upon the same, and make such order as to such Court may appear fit and proper: *Provided* that such Court shall not direct the payment of any greater support than by the Laws now in force is authorized: And further provided, that no order shall be made for suspending the payment of support without due notice being given to the confined Debtor, of the application for that purpose being made, in order that such Debtor may attend if he think proper; and any Judge may order and direct the Sheriff or Gaoler to cause such Debtor to be brought before him for that purpose, in the same manner as directed in and by the first section of this Act.

VI. *And be it further enacted*, That in case any person having the liberty of the Gaol limits, may have heretofore received support and relief, or may have been discharged, in consequence of such support not having been duly paid, or after a twelve months confinement under the said Laws for the support and relief of confined Debtors, all Persons whatsoever shall be indemnified, and are hereby freed and discharged against and from all Suits, Actions, Prosecutions, Informations

Informations or Judgments whatsoever, that may be had, moved, prosecuted or adjudged against them, or any of them, for or by reason, or on account of such Person who may have had the liberty of the Gaol limits, having received such support and relief, or having been discharged as aforesaid.

## CAP. XIV.

An Act in addition to and in amendment of the several Acts now in force, to provide for Sick and Disabled Seamen, not being paupers belonging to this Province.

*Passed the 7th of March, 1826.*

**W**HEREAS in and by the first Section of an Act of the General Assembly made and passed in the Sixtieth year of the Reign of His late Majesty, intituled "An Act to provide for sick and disabled Seamen, not being Paupers belonging to the Province, it is enacted, that every Ship or Vessel that shall arrive at any port or place within the Province, and shall be of the burthen of sixty tons or upwards, shall pay to the Treasurer of the Province or his deputy, at the port or place where such Ship or Vessel may arrive, the sum of one penny per ton, for every registered ton, such Ship or Vessel shall be rated at:"

*h. c. 9. s. 2. 15.*

Preamble.

*And whereas* the sum paid upon Vessels arriving at the Harbour of Saint John, and and out bays of the port of Saint John, within the Bay of Fundy has been found two small;

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly, That from and after the first day of April next, every Ship or Vessel that shall arrive at the said Harbour*

Vessels of 60 tons  
or upwards, ar-  
riving at Saint  
John, or the out  
Bays of that Port  
shall pay an addi-  
tional penny per  
ton,

to be paid and re-  
covered as direct-  
ed by the several  
Acts now in force  
for providing for  
sick Seamen.

Harbour of St. John, or said out Bays of the Port of Saint John, and shall be of the burthen of sixty tons or upwards, shall pay an additional sum of one penny per ton, making in the whole, two pence per ton, for every registered ton such Ship or Vessel; shall be rated at; the same to be paid, recovered and received, in the manner directed in and by the several Acts in force, for providing for sick and disabled Seamen, and subject to the Rules, Regulations, and Restrictions therein contained.

II. *And whereas* in and by the second Section of the before recited Act, it is provided that the duty imposed by the said Act, shall be paid to the Overseers of the Poor, for the place where the same is collected: *And whereas* it is expedient to make other and more effectual regulations for providing for such Seamen in the ports or harbours of Miramichi and Saint Andrews: *Be it therefore enacted*, that the second Section of the above mentioned Act, so far as it relates to, or concerns the Ports of Miramichi and St. Andrews, be and the same is hereby repealed.

Second Section of  
the Act, 65. Geo  
3. c. 15 repealed.

III. *And be it further enacted*, That it shall and may be lawful for the Lieutenant Governor or Commander-in-Chief, by and with the advice of His Majesty's Council, to appoint three or more fit Persons to be Commissioners, and to displace, re-appoint or supply all or any of the said Commissioners, as from time to time may be necessary or expedient; and that the duty imposed by the above mentioned Act, and collected at the said ports of Miramichi and Saint Andrews,

Governor with  
advice of Council  
to appoint  
Commissioners.

draws, respectively, or so much thereof as shall be necessary, shall be paid over by the Treasurer or Deputy Treasurer, to such Commissioners, so to be appointed respectively, by warrant of the Lieutenant-Governor or Commander-in-Chief for the time being, by and with the advice of His Majesty's Council, to be by them applied, for the necessary care, cure, support and maintenance, of sick and disabled Seamen, at their respective ports, in such manner as they may deem advisable; and that such Commissioners shall have the same rights, power and authority at the said respective ports of Miramichi and Saint Andrews, and subject to such rules and regulations as are, in and by any of the Acts now in force, for relief of sick and disabled Seamen, granted to, or imposed on, the Overseers of the Poor as hereby expressly altered.

Duties collected at Miramichi and Saint Andrews to be paid by the Treasurer to the Commissioners by the Governor's Warrant for the support of Sick and disabled Seamen at those Ports.

Commissioners to have the same Powers at Miramichi and Saint Andrews, as the Overseers of the Poor.

IV. *And be it further enacted*, That the Waters, Creeks and Places lying between Point Escuminac and Tabasintac, shall be taken, and considered as forming the Port of Miramichi, as far as regards the purposes of this Act, and no further.

Port of Miramichi described.

V. *And be it further enacted*, That the Waters, Creeks and Places of the County of Charlotte, be considered as forming the port of Saint Andrews, for the purposes of this Act, but no farther.

Port of Saint Andrews described.

VI. *And be it further enacted*, That the said several Acts now in force, for the support of sick and disabled Seamen, except so far as they are hereby expressly altered or repealed, shall be and remain in full force.

Former Acts to remain in force.

## CAP. XV.

An Act further to prevent Illicit and Clandestine Trade in this Province.

Passed the 7th of March, 1826.

**W**HEREAS in order to check and prevent the practice of Smuggling in many parts of this Province, it is expedient to authorize the Supreme Court to grant and issue writs of assistance, to the Treasurer of this Province, and his Deputies in the same manner as to officers of His Majesty's Customs.

*Be it enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act, it shall and may be lawful for the said Supreme Court to grant and issue writs of assistance to the said Treasurer of this Province and his respective Deputies, in the same manner as is now in use under any Act or Acts of Parliament, with regard to the officers of His Majesty's Customs, and such Treasurer or any of his Deputies, to whom such writ or writs of assistance shall or may be granted or issued, as aforesaid, shall and may have and exercise, by virtue thereof, such and the like powers and authorities, in all respects as any officer or officers of His Majesty's Customs, can or may have and exercise, by virtue of any writ of assistance to him, or them granted and issued in manner aforesaid, by virtue of any Act or Acts of Parliament in force, for that purpose, within this Province.

Supreme Court may grant writs of assistance to the Treasurer, and his Deputies, as is now done to the officers of the Customs.

Treasurer and his Deputies to have the like Powers under such writs as the officers of the Customs.

*Disallowed by the King in Council. 16<sup>th</sup> Nov. 1827.*

CAP.

## CAP. XVI.

An Act to regulate the Manufacturing and Shipment of Grindstones from the County of Westmorland.

*Passed the 7th of March 1826.*

I. **B**E it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the first day of April next, all Grindstones, made in the County of Westmorland, and intended for Shipment therefrom, shall be free from spalts, shakes, cracks, bulls eyes or seams, and shall be made exactly round, of equal thickness, square on the edges, neatly and smoothly cut, with the eyes properly fitted, and finished in such manner, as to be fit for immediate use.

Grindstones for Shipment: described.

II. *And be it further enacted,* That the Justices of the Peace, in and for the said County of Westmorland, or the major part of them, at any General Sessions of the Peace or Special Sessions for that purpose, to be holden, shall and may appoint such, and so many fit persons, to be Surveyors of Grindstones, in the several Parishes in which it may be found necessary, as they, in their discretion may think fit, and to add to, remove, or displace the same or any of them, and others to appoint in their room, in such manner as other Parish Officers are appointed; which said Surveyors, and every of them, before entering upon their office, shall be duly sworn, to the faithful discharge of the duties of such office.

Justices in Sessions to appoint Surveyors of Grindstones.

and remove or displace them.

Surveyors to be Sworn.

III. *And be it further enacted,* That it shall be the duty of such Surveyors, in their several

Surveyors to measure and Survey Grindstones for Shipment and mark such as he may deem merchantable.

No Grindstones to be shipped unless made, Surveyed and marked as herein directed on pain of forfeiture.

Surveyors to seize Grindstones shipped contrary to this Act.

and after twenty days notice, to sell them.

Proceeds after deducting expences, to be paid half to the Surveyor, half to the Overseer of the Poor.

If Grindstones shipped contrary to this Act, be removed from the County, the Person carrying them away

veral Parishes respectively, to measure, examine, and Survey all Grindstones, intended for shipment, when called upon for that purpose, and that every Surveyor shall mark every Grindstone which he may so Survey, and deem Merchantable, and made in the manner directed by the first Section of this Act, with the initial Letters of his name; and that no Grindstones shall be shipped on board of any Vessel or Boat in order to be carried or removed from the said County, unless made, examined, surveyed, and marked, in the manner directed in and by this Act, upon pain of forfeiture thereof; and if any Grindstones are so shipped contrary to the provisions of this Act, it shall be the duty of the Surveyors, to be appointed as aforesaid, to seize and secure the same, and after advertising the same, together with the time and place of such intended Sale, in some public place, near to the place where such Grindstones shall be deposited, for at least twenty days, to sell the same by Public Auction to the highest bidder, and the proceeds thereof, after deducting the necessary expences of making such seizures, and sale, shall be paid, one half to the said Surveyor, who shall seize the same, and the other half to the Overseers of the Poor of the Parish where the seizure shall be made, to the use of the Poor of such Parish. *Provided always*, that in case any Grindstones, shipped contrary to the Provisions of this Act, shall be carried or removed from the County aforesaid, so that the same cannot be seized, as before directed,



directed, that then the Person or Persons removing or carrying away, such Grindstones, or selling such Grindstones, for the purpose of being removed or carried away; shall forfeit and pay the sum of four shillings for every Grindstone in measurement, according to the tables now in use, so shipped, contrary to the provisions of this Act, upon due conviction thereof, before any two of His Majesty's Justices of the Peace, in and for the said County, upon the oath of one or more credible witness or witnesses, or confession of the party, to be levied by Warrant of distress, and sale of the offenders goods and chatties, and such penalty, when recovered, to be applied in the following manner, that is to say, one half thereof, to be paid to the person who shall inform and prosecute for the same, and the other half to be paid to the Overseers of the Poor, in and for the Parish, where such offence shall be committed, for the use of the Poor of such Parish.

or selling them, to forfeit four shillings, for each Stone in measurement, upon conviction before two Justices.

IV. *And be it further enacted*, That no sheets or blocks of Stone, rounded or perforated, and intended for making Grindstones, shall be shipped or put on Board of any Vessel or Boat, for the purpose of being carried out of the said County of Westmorland, unless completely manufactured, surveyed and marked, as aforesaid, upon pain of forfeiture thereof, as directed by the third Section of this Act; and any person or persons selling such Stones, for the purpose of shipment thereof, shall forfeit and pay the sum of five shillings for every sheet

No Sheets or blocks of Stone, prepared and intended for Grindstones, shall be shipped, unless completely manufactured, surveyed and marked.

Penalty for selling such Stones for the purpose of shipment.

or block of Stone, so shipped, to be recovered, levied and applied in the manner directed, in and by the third Section of this Act.

Surveyors to receive one penny for each Grindstone in measurement,

and seven shillings per day for attendance.

V. *And be it further enacted*, That Surveyors of Grindstones, shall be entitled to receive one penny for each and every Grindstone in measurement, as aforesaid, which shall be surveyed by them, and also, at the rate of seven shillings per day, during the time they are employed in attending to said Survey, the same to be paid by the person or persons, who may require them to make such Survey.

Surveyors guilty of neglect or wilful default, to forfeit three pounds.

VI. *And be it further enacted*, That if any Surveyor, to be appointed in pursuance of this Act, shall be guilty of any neglect, or wilful default, in the performance of this duty, he shall forfeit and pay the sum of three pounds for every such neglect or default, to be recovered, levied and applied in the manner directed, in and by the third Section of this Act.

Limitation  
Consolidated by Act of 1833  
1833 by 9. 4. 2  
29.

VII. *And be it further enacted*, That this Act shall continue and be in force until the first day of April, one thousand eight hundred and twenty eight, and no longer.

CAP. XVII.

An Act to incorporate the Minister and Elders of the Kirk of Scotland in the Town of St. Andrews.

Passed the 7th of March, 1826.

Proposed by  
2. D. 6 St. 2  
cl. 2.

**W**HEREAS sundry Inhabitants of the Town of Saint Andrews, in the County of Charlotte, being of the Profession of Worship, approved of by the General Assembly, of the Church of Scotland, have procured a commodious and handsome

Preamble.

handsome building, for a place of Public Worship, in connection with the said Church of Scotland: *And whereas* a Minister and Elders have been duly appointed and chosen, according to the usages of the said Church of Scotland, and the said Minister has been duly licenced to officiate in the said Church.

*Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the said Minister and Elders, shall be, and they are hereby Incorporated by the name of the "Minister and Elders of the Kirk of Scotland," in the Town of Saint Andrews, and shall by that name, have perpetual succession, and be enabled to sue, and be sued, implead, and be impleaded; answer and be answered unto, and to receive, take and hold Gifts and Grants of Land, and real Estate; the annual income of which not to exceed five hundred pounds, and also, to accept of, and receive donations for the endowment of the same.

Minister and Elders incorporated

may hold real Estate to the amount of five hundred Pounds

### CAP. XVIII.

An Act to provide for the expences of the Judges holding the Circuit Courts and Courts of Oyer and Terminer, in this Province, and of the Clerk in those Courts,

*Passed the 7th of March, 1826.*

**W**HEREAS by an Ordinance of His Excellency the Lieutenant-Governor, by and with the advice and consent of His Majesty's Council, Circuit Courts, have been appointed, to be holden at stated times, in the several Counties of this Province, by the Judges of the Supreme Court of Judicature, and it is occasionally found necessary,

Preamble.

to appoint Special Circuit Courts, and Courts of Oyer and Terminer: *And whereas*, it is considered expedient and proper, that Provision should be made for the expences of such Judges, holding such Courts.

Grants to the Govern-  
ment, a sum not  
exceeding £250  
per annum, to de-  
fray the expences  
of the Judges in  
holding the Courts

I. *Be it therefore enacted by the Lieutenant, Governor, Council, and Assembly*, That there be granted to the Lieutenant-Governor, or Commander-in-Chief of this Province, a sum not exceeding two hundred and fifty pounds in each year, for the purpose of enabling him to defray the necessary expences of the Chief Justice, and assistant Judges of the Supreme Court, in holding the Circuit Courts and Courts of Oyer and Terminer, now appointed, or hereafter to be appointed, to be holden in the several Counties of this Province, to be paid out of any monies in the Treasury, not specifically appropriated for particular purposes.

Grants to the  
Clerk of the Cir-  
cuits, £250 per  
annum, in lieu of  
travelling charges

II. *And whereas* very great expences are incurred by suitors in the Courts of Justice, in consequence of the travelling charges, paid to the Clerk of the Circuits; and it is expedient, that the said Clerk should be paid out of the Public Funds of the Province. *Be it therefore enacted*, that there shall be paid to the Clerk of the Circuits, for his services, in attending the several Circuit Courts, the sum of two hundred and fifty pounds per annum, in lieu of all travelling charges, to which he is now entitled, under the Ordinance of Fees established in this Province, to be paid by Warrant of the Lieutenant-Governor or Commander-in-Chief, by and with the advice and consent

of His Majesty's Council, on the Province Treasurer.

III. *And be it further enacted,* That this Act shall continue and be in force for five years, and no longer.

Limitation  
 Continued for two  
 years by 1 W. 4. c. 27  
 & for 2 years by 3. Geo. 4.  
 c. 22.

CAP. XIX.

An Act for granting Bounties on Grain raised on new land.  
 Passed the 7th of March 1826

**W**HEREAS the allowing of Bounties on Wheat, Rye, Indian Corn, Buck-Wheat, Barley and Oats, will tend to the encouragement of Agriculture, in this Province.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That there shall be allowed and paid for every Bushel of Wheat, Rye, Indian Corn, Buck-Wheat, Barley and Oats, which shall be raised on any new Land in this Province, within two years from the time when the Wood growing thereon, shall have been cut down, burnt, and cleared off, and the said Land be laid down with Grass-Seed, or prepared for a second Crop, the following Bounties, namely, for every Bushel of Merchantable Wheat, Rye, and Indian Corn, the sum of one shilling, for every Bushel of Merchantable Buck-Wheat and Barley, nine pence, and for every Bushel of Merchantable Oats, four pence.

Bounties on  
 Wheat, Rye, In-  
 dia Corn, Buck-  
 Wheat, Barley,  
 and Oats raised  
 on new L. d.  
 within two years  
 after the wood  
 shall have been  
 cut off.

II. *And be it further enacted,* That to entitle any owner or occupier of Land, to the foregoing Bounties, he shall first take the following Oath, the same to be set down in writing, and his name thereto subscribed, namely, I, A. B. do swear, that  
 Bushels the same being clean-

Proof to be made  
 by the owner or  
 occupier of the  
 Land.

ed

ed, and measured, and of a good Merchantable quality, were really and truly raised on the Land occupied by me, and are actually of the Crop of the year            and that the Wood was cut down, burnt and cleared off, from the Land on which the same was raised within two years previous to the time the said Crop was taken off, and they were of the first and only Crop of Grain, raised on Land from which the Wood was so cut down, burnt and cleared off, as aforesaid; and that the Land is laid down with Grass-Seed, or prepared for a second Crop; and that some respectable Farmer, shall also make Oath, that he was present and saw the said Grain duly measured, that it was clean and of a good and Merchantable quality, and that he verily believes it was grown in manner set forth in the affidavit of the applicant for the said Bounty; which said Oaths shall be made before any Justice of the Peace, of the County wherein such person shall reside, who is hereby authorized to administer the same, and which Oaths shall be accompanied by a certificate of such Justice, that he verily believes the facts stated therein, to be true, for which said Oaths and certificates, no fee or reward, shall be taken by the said Justice.

III. *And be it further enacted*, That it shall and may be lawful, for the Justices of the Peace, in the several Counties, at their General Sessions, or at any Special Sessions holden for that purpose, first giving six weeks previous notice of such Special Sessions, to determine and settle all claims for  
Bounties

Justices at a General or Special Sessions to determine and settle Claims for Bounties.

Bounties given by this Act; and they shall determine the same, on the Oaths and certificate herein-before required to be made, being produced before them, on the Oath of the person claiming the Bounty, and of some respectable Farmer as aforesaid, being made before them, at such General or Special Sessions, and shall certify in one General Schedule, all such claims as they shall then and there allow, and transmit the same to the Secretary of the Province, on or before the first day of September, in the year next after the time when the Grain therein mentioned, shall have been harvested.

and transmit certificates to the Secretary's office.

IV. *And be it further enacted*, That it shall and may be lawful for the Governor or Commander-in-Chief, for the time being, to draw by Warrant on the Treasurer, by and with the advice and consent of His Majesty's Council, the amount of such Schedules, in favour of the Clerk of the Peace of the County, to be by him paid and distributed to the respective claimants.

Bounties to be drawn from the Treasury, by the Governor's Warrant.

V. *And be it further enacted*, That no person or persons, shall be entitled to any of the Bounties allowed in and by this Act, unless the quantity of the different kinds of Grain, so raised by such person or persons, and for which the said Bounties are claimed, shall amount in the whole to ten Bushels.

No Bounty for a less quantity than ten Bushels.

VI. *And be it further enacted*, That nothing in this Act shall extend, or be construed to extend to invalidate any claims for Bounties on Grain, raised on new Lands, under and by virtue of an Act, "to encourage the raising of Bread-Corn on new Land," passed the

Not to invalidate Claims for Bounties under former Laws.

twenty-second day of March, one thousand eight hundred and seventeen, and an Act, to explain an Act passed the twenty-second day of March, one thousand eight hundred and twenty, which Acts will expire at the end of this Session.

VII. *And be it further enacted*, That this Act shall continue and be in force until the thirty-first day of March, which will be in the year of our Lord one thousand eight hundred and twenty-nine.

*Amendment  
Continued to 1. May  
1833 by 98th C. 5.*

## CAP. XX.

An Act to authorize the Rector, Church Wardens and Vestry of Christ Church in the Parish of Saint Stephens, to dispose of a part of a Tract of Glebe Land in that Parish, and to vest the proceeds in other Lands more productive to the Rector.

*Passed the 7th of March 1826.*

**W**HEREAS a certain tract of Land, situated in the Parish of Saint Stephens in the County of Charlotte adjoining the Village of Mill-Town heretofore granted by Letters Patent under the Great Seal of this Province, to the Churchwardens and Vestry of the Parish of Saint Stephens for the use, benefit and behoof of the Rector, Parson or Minister for the time being, lies now almost a common, yielding but a trifling income to the incumbent: *And whereas* from the contiguity of the front of the said Tract to the said Village, a part of the same Tract would sell in Building Lots for high prices, and the money arising from such sales being vested in other lands would improve the state of the Glebe, and render the same more profitable to the incumbent.

Preamble.



I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly, That the Rector, Church Wardens and Vestry, of Christ Church in the Parish of Saint Stephens, be and they are hereby empowered to sell in Building Lots the front of the said Glebe Lot (not exceeding thirty acres) and to make good and sufficient Deeds of conveyance of the same, with the concurrence of the Arch Deacon or Ecclesiastical Commissary of this Province, who shall be a party to every such Deed of conveyance and sign and seal the same.*

Corporation with concurrence of the Ecclesiastical Commissary may sell a part of the Glebe.

II. *And be it further enacted, That the amount arising from such sale shall be expended by the said Rector, Churchwardens and Vestry in the purchase of other Lands to them and their Successors, for the use benefit and behoof of the said Rector of Christ Church in the Parish of Saint Stephens, and his Successors, as a Glebe, in such manner as shall be directed by Commissioners to be for that purpose nominated and appointed by the Lieutenant-Governor or Commander-in-Chief for the time being, by warrant under his hand and seal, which Commissioners or the major part of them shall signify their assent to any Deed or Deeds of conveyance of Lands so purchased under and by their directions, by signing and sealing the same.*

Proceeds of the Sale to be expended in the purchase of other Lands for the use of the Rector under the direction of Commissioners to be appointed by the Governor.

CAP. XXI.

An Act to authorize the Justices of the Peace for the County of Sunbury to levy an assessment, to enable them to pay off the County Debt. *Passed the 7th of March, 1826.*

**W**HEREAS it is necessary and expedient that the Justices of the Peace  
 6 for

for the County of Sunbury should be authorized and empowered to levy a sum by assessment on the said County for paying off the debts of the said County,

Justices in Sessions may make an assement not exceeding £300 for paying the Debts & for other purposes that the necessities of the County may require.

*Be it enacted by the Lieutenant-Governor, Council and Assembly,* That the said Justices of the Peace for the said County be and they are hereby authorized and empowered at any General Session of the Peace to be hereafter holden, to issue their warrant for assessing a sum not exceeding three hundred pounds, for the purpose of paying off the debts that are due by the said County, and for such other purposes as the necessities of the County may require, the same sum to be assessed, levied, collected and paid in such proportion and in the same manner as any other County rates can or may be assessed, levied, collected and paid under and by virtue of any Act or Acts in force, in this Province, for assessing, levying and collecting of rates for public charges.

### CAP. XXII.

An Act for regulating the Salmon and Shad Fisheries, so far as the same may relate to the River Petuicodiac in the County of Westmorland.

*Passed the 7th of March 1826.*

**W**HEREAS it is expedient in order to prevent the destruction of the breed of Salmon and Shad in the River Petuicodiac and its Branches, that an opportunity should be afforded to Fish of those species to pass up the said River without obstruction

Preamble.

*I. Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That no Salmon

mon

*Vid. further  
1 W. 4. ch. 25*

mon or Shad, during the continuance of this Act shall be taken or killed in the said River and its Branches, either with Nets or Spears, or in any other way on Sunday, Monday, Tuesday and Wednesday in every week, and that no Salmon shall be taken or killed by any ways or means in any part of the said River and its Branches, after the twentieth day of August in each and every year, and that any person or persons guilty of a breach of this Act upon due conviction thereof by the oath of one or more credible witness or witnesses, before any one Justice of the Peace of the said County, shall forfeit the sum of three pounds, to be levied by warrant of distress and Sale of the offenders goods and chattles, rendering to him the overplus if any, after deducting the Costs and charges of prosecution, and if no goods and chattles can be found whereon to levy the same, then the offender to be committed by warrant, to the County Gaol, there to remain for any time not exceeding twelve days, unless the penalty and costs shall be sooner paid, and the said penalty when recovered, shall be paid, one moiety into the hands of the Overseers of the Poor of the Parish where the offence may have been committed and the other moiety to the person, who shall prosecute for the same.

II. *And be it further enacted,* That no person or persons, during the continuance of this Act, at any time or under any pretence whatsoever, shall for the taking or killing of Salmon or Shad in the said River

No Salmon or Shad to be taken or killed on Sunday, Monday, Tuesday & Wednesday in every week.

No Salmon to be killed in any way after the 20th of August in each year.

Penalty upon conviction.

Penalty half to the Overseers of the Poor half to the Prosecutor.

No Person to make use of Seins or Set Nets or erect Weirs for taking Fish above the Bend of the River.

OR

or its Branches, make use of any Sein or Seins, set Net or set Nets, or erect any Wear or Wears for the taking of such Fish above the Bend of the said River or above a place called Dupnack's Landing; and that any person or persons making use of any of the means herein specified and prohibited for the procuring of the said Fish, shall, upon conviction as aforesaid, incur the same penalties, to be sued for, prosecuted and recovered in the same manner as directed by the first section of this Act.

Penalty on conviction

III. *And be it further enacted*, That this Act shall continue and be in force until the thirty-first day of March, which will be in the year of our Lord one thousand eight hundred and thirty-one.

Limit. Con.

Contd. to 1st April 1841  
by 1. W. 4. c. 25.

### CAP. XXIII.

An Act in amendment of "An Act, for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns and Parishes within this Province."

Passed the 7th of March, 1826,

I. **B**E it enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Commissioners of Roads, in the several Towns and Parishes in this Province, when they may think it expedient and necessary, to direct the Surveyors of Roads to provide such materials as may be necessary for making or repairing the Roads and Bridges within their respective Districts, and the said Surveyors are hereby authorized, when so directed, to summon so many of the inhabitants of the said Parish, as the said Commissioners shall

Commissioners when they think expedient may order Surveyors to provide materials for repairing Roads & Bridges. Surveyors to summon Inhabitants to work.

Repealed by  
1. W. 4. c. 33.

in their discretion think necessary, to work after such manner as they the said Surveyors shall direct, in providing materials as aforesaid, and the number of hours which any person shall work as aforesaid, shall be deducted from, and allowed as a part of the number of hours he is obliged by Law to work on the Highways, and any person or persons not attending, or refusing to work, when summoned as aforesaid, shall forfeit the sum of four shillings for each day's neglect; and that all persons keeping any Waggons, Carts, Trucks, Sleds or Teams, shall, when called upon by such Surveyor, for the purposes aforesaid, attend with the same in the manner directed in and by the tenth section of the above recited Act, and subject to the same penalties and forfeitures for neglecting and refusing to attend as in and by the said Section is provided.

Persons so working to have credit therefor.

Penalty for refusal.

Waggons, Carts, &c. may be called for.

50. 9. 2. 6

III. *And be it further enacted*, That it shall be the duty of the Surveyors of Highways in the several Parishes in this Province when so directed by the Commissioners, to summon the Inhabitants thereof, to perform their several proportions of Labour on the Highways in the most fit and suitable time between the first day of May and the first day of September, in each and every year, and shall proceed to expend the Labour on the Roads and Highways in the manner directed by the eighth Section of the Act to which this is an amendment, subject nevertheless to such orders and directions as they may from time to time receive from the Commissioners; and the said Surveyors are hereby

Surveyors when ordered by the Commissioners to summon Inhabitants to work between the first of May and first of September.

Subject to the directions of the Commissioners.

Surveyors to report within six days.

Delinquents to be prosecuted without delay.

Persons having worked in any other Parish, to produce Certificates within six days after summons or to have no benefit therefrom.

hereby required within six days after the said labour has been performed as aforesaid; to report to the Commissioners of Roads, such person or persons as have refused or neglected to perform their proportions of labour on the Highways, and the said Commissioners are hereby required without delay, after receiving such report, to proceed against such delinquent or delinquents as directed by the ninth Section of the hereinbefore recited Act.

III. *Provided always, and be it further enacted,* That if any person who may be summoned to do his labour, or any part thereof, in any Parish in this Province, shall have done his tour of labour, or any part thereof, in any other Parish, he shall produce a certificate thereof from the Commissioner of such last mentioned Parish, to the Surveyor by whom he shall be so summoned, within six days after such summons, and if he shall neglect to produce such Certificate within the time so specified, he shall not be allowed to derive any benefit or exemption therefrom, and that no Justice of the Peace shall receive any such Certificate in evidence upon any prosecution to be brought under the provisions of this Act, or the Act to which this is an amendment, as a defence to such prosecution, unless it shall be made to appear to his satisfaction, that such certificate was produced to, or left at the dwelling House of such Surveyor, within the time above specified.

IV. *And be it further enacted,* That the returns which the Commissioners are required

ed by the eleventh Section of the herein-before recited Act, to make into the office of the Clerks of the Peace for the several and respective Counties, shall from henceforth be made on or before the first day of December in each and every year:

Returns to be made by the Commissioners before the first of December.

V. *And be it further enacted*, That any person or persons when called upon by the Surveyor of any Parish, shall within twenty-four hours give and render to the said Surveyor a particular Account and statement in writing containing the names of all persons who may be in his employ, and who may be liable to perform labour on the Highways, and if any person or persons shall neglect or refuse to render such account when so called upon, or shall give and render a false or incorrect account or statement, he shall forfeit and pay the sum of twenty pounds, to be sued for and recovered before any two justices of the Peace in and for the County in which the said Parish is situate, and the penalty when recovered, to be by them applied in making and repairing any road in their Parish.

Persons when called upon by the Surveyors to give a statement in writing of the Persons in their employ who are liable to work.

Penalty for refusal.

VI. *And whereas* the Laws now in force have been found insufficient to prevent the laying of Wood, Stones and Rubbish on the Streets and Highways, in many parts of this Province; *Be it further enacted*, That it shall be the duty of the several and respective Commissioners and Surveyors in the several Towns and Parishes of the Province to cause all Wood, Stones, Rubbish and Incumbrances of any kind which may be laid upon any

Commissioners may order abstractions on the Roads to be removed.

Offenders to be prosecuted.

Articles if saleable to be forfeited and sold.

Proceeds applied to repair Roads.

If not saleable Surveyors to employ Persons to remove them who shall be allowed therefor as part of their Statute Labour.

any Street, or Highway, to be forthwith removed, and in case the person who shall have laid the same thereon be known, to cause him to be prosecuted as directed by the third section of the said herein-before recited Act, and in case such person be not known, the said articles if saleable, shall be forfeited and sold by order of the said Commissioner or Surveyor, after three days public notice; unless sooner claimed, and the proceeds arising from such sale, shall be applied to the repairing of such Streets or Highways; after deducting the charges of removing the said Incumbrances, and in case such Incumbrances be of a nature not to produce any thing by the sale thereof, then the said Commissioners or Surveyors shall be empowered to employ any person liable to labour on the Highways, to remove such Incumbrances, which person shall be allowed therefor according to the time he may be employed, to be deducted from the time he shall be by Law liable to work on the Streets or Highways.

Former Act to continue in force.

VII. *And be it further enacted,* That the said recited Act, and every clause thereof, except wherein the same is altered and amended, shall continue and be in full force, any thing to the contrary herein contained notwithstanding.

Limitation.

VIII. *And be it further enacted,* That this Act shall continue and be in force as long as the said recited Act, of which this is an amendment and no longer.

*Cont. to 1. April  
1730 by G. 5. c. 13.  
to 1. April 1732 by  
10. 11. G. 4. c. 31.*



## CAP. XXIV.

An Act to repeal an Act intituled, "an Act to alter, and in addition to an Act intituled, An Act for establishing a Tender in all Payments to be made in this Province," and declaring in what manner certain past debts may be paid.

*Passed the 7th of March 1826.*

**W**HEREAS great inconveniences are felt in consequence of the increased value given to certain Foreign Coins, specified in an Act made and passed in the sixtieth year of His late Majesty's Reign intituled an Act to alter and in addition to an Act, intituled an Act for establishing a tender in all payments to be made in this Province, as compared with British Gold and Silver Coin.

Preamble.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That the said recited Act, made and passed in the sixtieth year of the Reign of His late Majesty King George the Third, be and the same is hereby repealed.

Act passed 6th Geo. 3. repealed.

II. *Provided always and be it further enacted,* That the several Coins mentioned in the said recited Act, shall be received in payment, and they are hereby declared to be a legal Tender at the respective values set upon them in the said Act, as far as regards any Debts, Damages. Contracts or Agreements already incurred or made, or which may be incurred or made previous to the time limited for this Act going into operation; and which shall actually become due or payable, and be paid or tendered for payment within one year from the said time, so limited as aforesaid.

Coins mentioned in the repealed Act, to be received at the rates therein mentioned.

for all Debts &c now due or that may become due previous to the first of May next, and be payable within one year.

Commencement  
of this Act.

III. *Provided also and be it further enacted*, That this Act shall not go into operation until the first day of May next.

### CAP. XXV.

An Act to provide for the re-building of Government House.

*Passed the 7th of March, 1826.*

Preamble

**W**HEREAS the Government-House of this Province was lately consumed by Fire; and it is highly expedient and proper to re-build the same of more permanent materials, and on a more extended scale: And that Commissioners shall be appointed to attend to, and direct the building of the same.

Commissioners  
appointed.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly*, That the Honorable GEORGE SHORE, RICHARD SIMONDS, CHARLES J. PETERS, GEORGE FREDERICK STREET, and HENRY G. CLOPPER Esquires, be Commissioners for the said purpose, which said Commissioners or the major part of them, are hereby authorized and required to procure proper plans of a House to be erected for the residence of the Governor Lieutenant Governor or Commander-in-Chief for the time being, at or near the place where the late Government-House stood, the walls of which are to be of Stone or Brick, and also, of all requisite out-houses and offices, appertaining to the same, with particular estimates of the expences of the materials and workmanship necessary to complete the said Buildings according to the price or sum, herein-after provided, together with any other monies which may be obtained for that purpose, and also to enter into Contracts with proper persons, for the erecting

Authorized to  
procure Plans for  
a House to be  
erected at or near  
the former site.

Walls to be of  
Stone or Brick.

erecting and completing the said Building, or for the materials and workmanship, or either of them or any part thereof, as in their discretion they may see fit; and to receive Bonds or other Securities, for the due performance of such Contracts, and also to enforce the performance of such Contracts and if necessary to sue, prosecute and recover upon such Contracts, Bonds or other Securities in any Court, having competent jurisdiction in the premises.

To make contracts.

Receive Securities for performance of Contracts.

and if necessary may prosecute.

II. *And be it further enacted*, That such residence when erected shall be called the Government-House of the Province of New-Brunswick, and shall be appropriated for the residence of the Governor, Lieutenant-Governor or Commander-in-Chief of this Province for the time being, and no other use and purpose whatsoever.

House when erected to be called the Government House, and be appropriated for the residence of the Governor.

III. *And be it further enacted*, That a sum not exceeding ten thousand pounds, shall be appropriated for the erection of such Buildings, and the Lieutenant-Governor or Commander-in-Chief for the time being, is hereby empowered to draw Warrants on the Treasury, by and with the advice and consent of His Majesty's Council at the requisition of the said Commissioners or the major part of them for the aforesaid sum or any part thereof, at such times and in such proportions as they may deem necessary.

£10,000 appropriated for the erection of the Building

To be drawn by Warrant as may be necessary.

IV. *And be it further enacted*, That it shall and may be lawful for the Lieutenant-Governor or Commander-in-Chief, to nominate and appoint other Commissioners to fill any vacancies occasioned by the death, removal

Governor may appoint other Commissioners to fill vacancies

removal or resignation of any of the Commissioners nominated in this Act, who shall have the like power and authority as the said Commissioners so nominated.

Plans &c to be approved by the Lieutenant-Governor before they are proceeded on

V. *And be it further enacted*, That all Plans, Estimates, Contracts or Agreements, procured or received by, or offered and proposed to the said Commissioners, shall before the same are approved of, agreed to, or entered into by the said Commissioners, be submitted to the Lieutenant-Governor or Commander-in-Chief for the time being, for his approbation; and no Plan or Contract, shall be agreed upon or entered into by the said Commissioners without such approbation.

Commissioners may appoint an Overseer to superintend the Work.

VI *And be it further enacted*, That the said Commissioners shall have power and authority, to appoint some fit and proper person to be approved of by the Lieutenant-Governor or Commander-in-Chief, as a Surveyor or Overseer, to superintend the erection of the said Buildings, and to pay to the said persons such reasonable and proper compensation or hire as they may deem expedient, which shall be reckoned and considered as part of the expences of such Building and be paid out of the sum so appropriated as aforesaid.

CAP. XXVI.

An Act to continue and revise the Revenue Laws of the Province. Passed the 7th of March. 1826.

*Vid: further 7. 5. 4. c. 27. repealed by 8. 5. 4. c. 24.*

**BE** it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made, and passed in the third year of His present Majesty's Reign, entitled "An Act for raising a Revenue in this Province," be and

Revenue Act continued for one year.

3. 5. 4. c. 9

and the same is hereby continued, and declared to be in full force, until the first day of April, which will be in the Year of our Lord one thousand eight hundred and twenty-seven, except such parts thereof as are hereby repealed.

II. *And be it further enacted*, That the first Section of the said herein-before recited Act, and so much of the fourteenth and fifteenth Sections thereof as relates to drawbacks on Wine, Brandy, Geneva and Cordials, be and the same are hereby repealed.

First sec. and part  
of 14th and 15th  
sections repealed.

III. *And be it further enacted*, That An Act made and passed in the fifth year of his present Majesty's Reign intituled "An Act to continue and amend an Act intituled an Act for raising a Revenue in this Province," and also an Act made and passed in the sixth year of His Majesty's Reign, intituled "An Act to continue and amend the Acts for raising a Revenue in this Province," be and the same are hereby repealed.

5 Geo. 4 c. 17.

6 Geo. 4 c. 21.  
repealed.

IV *And be it further enacted*, That from and after the first day of April next, there be and is hereby granted to the King's Most Excellent Majesty, His Heirs and Successors for the use of this Province, and the support of the Government thereof, the several rates and duties on the articles herein-after mentioned, which shall or may be imported into any port or place within this Province, to be paid by the importer or importers thereof, that is to say: for every Gallon of Rum and Whiskey, ten pence, where two thirds of such Rum or Whiskey, have

Duties granted.

Rum & Whiskey.

Shrub, Santa and  
Cordials.

Molasses, Coffee,  
Brown Sugar.

Short duty only  
demandable  
where articles  
have been wholly  
purchased with  
the produce of the  
Province and im-  
ported in the same  
vessel in which the  
produce was ex-  
ported.

have been purchased with the produce of this Province, and imported in a Vessel or Vessels, part of which is owned therein, and an additional rate or duty of two pence per Gallon, upon all Rum and Whiskey, otherwise imported : For every Gallon of Shrub, Santa and Cordials of any kind, three pence, where two thirds of such Shrub, Santa or Cordials, have been purchased with the produce of this Province, and imported in a Vessel or Vessels, part of which are owned therein, and an additional Rate or Duty of one penny per Gallon, upon all Shrub, Santa or Cordials otherwise imported : For every Gallon of Molassess, one penny : for every pound of Coffee, one penny : for every gross hundred weight of brown or Muscovado Sugar, on the amount of the original Invoice, allowing twenty-five per cent for tare and wastage, two shillings and six pence, where two thirds of such Sugar have been purchased with the produce of this Province, and imported in a Vessel or Vessels, part of which were owned therein, and four shillings per hundred weight, upon all Sugar otherwise imported. *Provided always,* that the short duty only, shall be demanded and taken, in all cases, where the duitable articles have been wholly purchased with the produce of this Province, and imported into the Province, in the same Vessel in which such Produce was exported therefrom, although no part of such Vessel may be owned therein.

V. *And be it further enacted,* That all duties collected by the Treasurer of the Province,  
or

or any of his Deputies, over and above the duties granted in and by the next preceding Section of this Act, between the fifth day of January, and the time of passing this Act, shall be returned to the party or parties paying the same; and all bonds given for the like duties, between the said two periods, shall be cancelled, or in cases where Bonds are given for the securing of duties, part of which only, are over and above the duties granted in the said next preceding Section of this Act as aforesaid, between the two periods as aforesaid, that then only so much shall be demanded and recovered, on such Bonds as may remain due, after deducting such excess of duty as aforesaid.

Duties to be returned.

Bonds given to be cancelled.

### CAP. XXVII.

An Act to impose a duty on Horses imported into this Province, and for other purposes.

*Passed the 7th of March 1826.*

I. **B**E it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the first day of April next, there be and is hereby granted to the King's Most Excellent Majesty His Heirs and Successors for the use of this Province, and the support of the Government thereof, the sum of Five pounds upon each and every Horse, imported into this Province, to be paid by the importer or importers thereof.

Duty granted on Horses.

II. *And be it further enacted,* That the above duty, and also all other rates and duties imposed upon any articles imported into this Province, by any Act made and passed during the present Session of the Legislature, or so much thereof as may remain to be collected

Duties to be collected as directed by the 3<sup>d</sup> Geo. 4. c. 9.

lected after the duties imposed thereon, by the Act of the Imperial Parliament of the United Kingdom, if any are paid to, or secured by the Officers of His Majesty's Customs, pursuant to the said Act of Parliament, shall be paid, levied, recovered or secured in the manner directed in and by an Act passed in the third year of His Majesty's Reign, intituled "An Act for raising a Revenue in this Province," and subject to all the Rules, Regulations and Directions, and liable to all the pains, penalties and forfeitures in the said Act of Assembly contained.

Limitation.

III. *And be it further enacted,* That this Act shall continue and be in force until the first day of April, one thousand eight hundred and twenty-seven, and no longer.

## CAP. XXVIII.

An Act to appropriate a part of the Public Revenue to provide for the Ordinary Services of the Province.

*Passed the 7th of March, 1826.*

**B**E it enacted by the Lieutenant-Governor, Council, and Assembly, That there be allowed out of the Treasury of the Province, for the services herein-after named, the following sums to wit :---

Chaplain.

To the Chaplain of the Council in General Assembly, the sum of twenty-five pounds.

To the Chaplain of the House of Assembly, the sum of twenty-five pounds.

Clerk.

To the Clerk of the Council in General Assembly, the sum of fifty pounds and twenty shillings per diem during the present Session.

To the Clerk of the Council the sum of  
twenty-



twenty five pounds for defraying the expences of an assistant during the present Session.

To the Clerk of the House of Assembly, the sum of one hundred pounds and twenty shillings per diem, during the present Session.

To the Clerk assistant of the House of Assembly; the sum of twenty shillings per diem during the present Session. Clerk Assistant.

To the Sergeant at Arms, attending the Council in General Assembly, the sum of twenty shillings per diem during the present Session. Sergeant at Arms.

To the Sergeant at Arms, attending the House of Assembly, the sum of twenty shillings per diem during the present Session.

To the Doorkeepers and Messengers of the Council and Assembly, the sum of twelve shillings and six pence per diem each, during the present Session. Doorkeepers and Messengers.

To John Chaloner, Tide Surveyor in the City of Saint John, the sum of one hundred pounds for his Services and expences, from the first day of March, one thousand eight hundred and twenty five to the first day of March, one thousand, eight hundred and twenty-six. John Chaloner.

To His Excellency the Lieutenant-Governor, for defraying the contingent expences of the Province a sum not exceeding two hundred and fifty pounds, for the year one thousand eight hundred and twenty-six. Provincial Contingencies.

To John Robinson, Esq. Treasurer of Province, for his services from the first day of March, one thousand eight hundred and Treasurer.  
I  
twenty-

twenty-five, to the first day of March one thousand eight hundred and twenty-six, the sum of six hundred pounds.

Speaker, and  
Members.

To the Speaker of the House of Assembly the sum of one hundred and fifty pounds, and to the Members of the said House of Assembly the sum of forty pounds each, for defraying their expences of attendance during the present Session, and twenty shillings per diem travelling charges, reckoning twenty miles for each day's travel, to be certified by the Speaker, agreeably to a Law of this Province.

John Chaloner.

To John Chaloner, for Gauging and Weighing in the year one thousand eight hundred and twenty-five, the sum of one hundred and twenty-six pounds sixteen shillings and six-pence.

Treasurer for  
Contingencies.

To the Treasurer of the Province, to defray the expences incurred by him for Stationary, Blanks, Advertising and Postages, the sum of twenty-four pounds and five-pence.

Richard Winter.

To Richard Winter, the sum of twenty pounds for airing and taking care of the Province Hall for the year one thousand eight hundred and twenty-five.

Alex. Miller.

To His Excellency the Lieutenant-Governor, for the purpose of enabling the Treasurer, to pay Alexander Miller a Tide Surveyor in the City of Saint John, for his services from the twenty-eighth day of March one thousand eight hundred and twenty-five, to the twenty-eighth day of March one thousand eight hundred and twenty-six, the sum of ninety-two pounds.

To His Excellency the Lieutenant-Governor

vernor, the sum of one hundred and seventy-five pounds for the support of a Master of the Grammar School in the County of Westmorland, for the year one thousand, eight hundred and twenty-six, agreeably to the two Acts of the General Assembly.

Grammar School.  
Westmorland.

To the President and Directors of the Public Grammar School in the City of Saint John, the sum of two hundred and fifty pounds, for the year one thousand eight hundred and twenty-six, agreeably to two Acts of the General Assembly.

Saint John.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seventy-five pounds, for the support of the Master of the Grammar School in Kings County, for the year one thousand eight hundred and twenty-six, agreeably to two Acts of the General Assembly.

Kings County.

To the President and Directors of the St. Andrews Grammar School, the sum of two hundred pounds, for the year one thousand eight hundred and twenty-six, agreeably to the Acts of the General Assembly.

Saint Andrews.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seventy-five pounds for the support of the Master of the Grammar School in Queens County, for the year one thousand eight hundred and twenty-six, agreeably to the two Acts of the General Assembly.

Queens County.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seventy-five pounds for the support of the Master of the Grammar School in the County of Sunbury, for the year one thousand eight hundred

Sunbury.

hundred and twenty-six, agreeably to the two Acts of the General Assembly.

Parish Schools.

To His Excellency the Lieutenant-Governor, for the encouragement of Schools, the sum of three thousand pounds, agreeably to a Law of this Province.

Keeper of the Light House.

To the Keeper of the Light House on Partridge Island, the sum of one hundred and fifty pounds, for his services for the year one thousand eight hundred and twenty-six.

Attorney-General.

To His Majesty's Attorney General, for his services for the year one thousand eight hundred and twenty-five, the sum of one hundred pounds.

Solicitor-General

To His Majesty's Solicitor General, for his services for the year one thousand, eight hundred and twenty-five, the sum of fifty pounds.

Provincial Agents

To John Bainbridge and Henry Bliss, Esquires, such sum as will procure Bills of Exchange on England, for the sum of two hundred pounds sterling, for their services as Agents for the Province, for the year one thousand eight hundred and twenty-five.

Auditor of Provincial Accounts

To the Auditor of Provincial Accounts for the duties of his office, the sum of one hundred pounds for the year one thousand eight hundred and twenty-six, agreeably to a Law of the Province.

Adjutant-General.

To the Adjutant-General of the Militia forces, the sum of one hundred pounds, for the duties of his office, for the year one thousand eight hundred and twenty-six.

College of New-Brunswick.

To the Governor and Trustees of the College of New-Brunswick, the sum of two hundred and fifty pounds for the year one thousand

thousand eight hundred and twenty-six agreeably to the two Acts of the General Assembly.

To the Governor and Trustees of the College of New-Brunswick for the present year, the sum of seventy-five pounds in further aid and support of the Grammar School in Fredericton.

Ditto.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seventy-five pounds for the support of a Master of a Grammar School in the County of Northumberland, for the year one thousand eight hundred and twenty-six, agreeably to two Acts of the General Assembly.

Northumberland  
Grammar School

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of five hundred pounds as a provision for two Officers to inspect and instruct the several Regiments and Battalions of Militia in this Province for the year one thousand eight hundred and twenty-six.

Staff Officers

To His Excellency the Lieutenant-Governor, the sum of one hundred pounds, to be applied towards the support of the Light House on Briar Island in the Province of Nova Scotia, for the year one thousand eight hundred and twenty-six.

Briar Island  
Light House

To the Adjutants of the Militia of the different Counties of this Province, a sum not exceeding two hundred and twenty five pounds, for the year one thousand eight hundred and twenty-six.

Adjutants of Mi-  
litia.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, a sum not exceeding one hundred and twenty-five pounds,

Sergeant-Majors

pounds, to pay the Sergeant Majors of Militia of this Province for the time being, who are actually employed. *Provided* that each Sergeant Major who shall appear by a certificate from his Commanding Officer, to have faithfully performed his duty, shall receive the sum not exceeding seven pounds and ten shillings in each year.

Fisheries.

To the Lieutenant-Governor or Commander-in-Chief, the sum of four thousand pounds, to be paid for the encouragement of the Fisheries of this Province, for the year one thousand eight hundred and twenty-six.

Bread Corn.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, a sum not exceeding three thousand pounds to be paid for the encouragement of raising Bread Corn on New Lands, agreeably to a Law of this Province.

Light House on Cranberry Island

To His Excellency the Lieutenant-Governor, such sum as he may consider an adequate provision for this Province to make towards the support of a Light House on Cranberry Island in the Province of Nova Scotia, for the year one thousand eight hundred and twenty-six.

Digby Packet.

To three such Commissioners as His Excellency the Lieutenant-Governor or Commander-in-Chief may appoint, the sum of one hundred and fifty pounds, for the support of a Packet to ply between Digby and Saint John, for one year, to commence the fifth day of April next, provided no packet is established at the exclusive expence of the General Post-Office.

To

To Doctor John Boyd, Innoculating Surgeon of the Vaccine Institution, the sum of forty pounds, for services performed in the year one thousand eight hundred and twenty-five.

Doctor John Boyd.

To the Sheriff of the County of Westmoreland, for returning Robert Scott, Esq. a member for that County, to serve in General Assembly, the sum of twenty pounds.

Sheriff of Westmoreland.

To the Sheriff of the City and County of Saint John, for returning Robert Parker, Esq. a member for that County, to serve in General Assembly, the sum of fifteen pounds.

Sheriff of St. John.

II. *And be it further enacted*, That all the before mentioned sums shall be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council, out of the monies now in the Treasury, or as payments may be made at the same.

To be paid by Warrant.

### CAP. XXIX.

An Act to provide for opening and repairing Roads, and erecting Bridges throughout the Province.

Passed the 7th of March 1826.

I. **B**E it enacted by the Lieutenant-Governor, Council and Assembly, That there be allowed and paid out of the Treasury of this Province, to such person or persons as His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being shall appoint, in addition to sums already granted, the following sums for the purposes hereinafter mentioned, that is to say :

The

Great Roads.  
From Fredericton  
to St. John, by  
way of the Nerepis.

The sum of seventeen hundred pounds for the great road from Fredericton to Saint John by the way of the Nerepis.

Fredericton to  
Finger Board.

The sum of two hundred pounds for the great road from Fredericton to the Finger-Board.

Fredericton to St.  
Andrews.

The sum of two hundred pounds for exploring and marking out the most suitable route for the great road between Fredericton and Saint Andrews.

St. John to the  
Missiguash.

The sum of one thousand pounds for the great road from Saint John to the river Missiguash.

St. John to Bell-  
isle.

The sum of two hundred pounds for the great road from Saint John to Bellisle.

St. John to St. An-  
drews.

The sum of one thousand pounds for the great road from Saint John to Saint Andrews, one hundred and fifty pounds part of the said sum to be expended between the Wellington bridge and Maguagadavic, and the remainder from thence to Musquash.

Chediac to Cha-  
tham.

The sum of one thousand pounds for the great road from Chediac to Chatham.

Fredericton to  
Restigouche.

The sum of one thousand pounds for the great road from Fredericton to Restigouche, to be laid out between the river Miramichi and Restigouche.

Chediac to Dor-  
chester.

The sum of one hundred pounds for the great road from Chediac to Dorchester.

Chediac to Petti-  
codiac.

The sum of one hundred pounds for the great road from Chediac to the bend of Peticodiac.

Bye-Roads.  
Musquash Har-  
bour to St. An-  
drews Road.

The sum of seventy-five pounds to improve the road from the entrance of the Harbour of Musquash to the Saint Andrews road.



The sum of twenty pounds to improve the road from Dipper Harbour to the Saint Andrews road: Dipper Harbour to St. Andrew's Road.

The sum of sixty-five pounds for the road from Little River Bridge to Black River Settlement. Little River to Black River.

The sum of fifty pounds for the road from Anthony's Farm below Red Head to the Settlement at Mispick. Anthony's Farm to Mispick.

The sum of twenty-five pounds for the road from Little River Bridge to Anthony's farm. Little River Bridge to Anthony's Farm.

The sum of fifty pounds for the road leading from the bridge at the foot of the large Lock Lomond, to the Black Settlement, thence to Gardner's Creek. Lock Lomond to the Black Settlement.

The sum of twenty-five pounds for the road for the Settlement at Tynemouth on the Bay of Fundy to the Quaco road. Tynemouth to Quaco Road.

The sum of one hundred pounds for the road from Daly's (late Thomas') Tavern to the lower Lock Lomond. Daly's Tavern to Loch Lomond.

The sum of thirty pounds for the road from the foot of Lock Lomond to Smith's Tavern at the head of the first Lake. Foot of Loch Lomond to head of first Lake.

The sum of fifty pounds for opening and improving the road from Smith's Tavern to the head of the third Lake. Smith's Tavern to head of third Lake.

The sum of seventy-five pounds for improving the road from Blakeslee's Farm on the Westmoreland road to Little River Bridge, and forming a road across the Marsh adjoining the same. Blakeslee's to Little River Bridge.

The sum of twenty-five pounds for the road from Little River to Lake Lomond. Little River to Lake Lomond.

The sum of one hundred and sixty pounds

Smith's Tavern to  
Quaco Settle-  
ment.

for the road from Smith's Tavern to the Quaco Settlement.

The sum of eighty pounds for the road from Stephen Ward's to the Bay of Verte.

Stephen Ward's  
to Bay Verte.

The sum of fifteen pounds for the road from Bay Verte to Tignish River.

Bay Verte to Tignish.

The sum of twenty-five pounds for the road from Gaspereau Bridge to Chemogue.

Gaspereau  
Bridge to Chemo-  
gue.

The sum of thirty-five pounds for the road from where it turns from the Chemogue road to William Peacock's,

Chemogue Road  
to Wm. Peacock's

The sum of fifteen pounds for the road from Chemogue to Teedish River.

Chemogue to Teedish.

The sum of twenty-five pounds for the road from the Bay of Verte to Gaspereaux Bridge.

Bay Verte to  
Gaspereaux bridge.

The sum of ten pounds to assist in building a bridge over Timber River.

Bridge over Tim-  
ber River.

The sum of thirty-five pounds for the road from Westcock to Cape Maringum.

Westcock to Cape  
Maringum.

The sum of twenty-five pounds for the road from Sackville to the Settlement back of the Mill Pond.

Sackville to the  
Mill Pond.

The sum of fifteen pounds for the road from Agreen Tingley's to Beech Hill.

A. Tingley's to  
Beech Hill.

The sum of twenty pounds for the Road from the main road to Westcock Hill.

From Main Road  
to Westcock Hill.

The sum of twenty pounds for the road from point Midgick to the Great Road on the Sackville Great Marsh.

Point Midgick to  
Great Marsh.

The sum of fifteen pounds for the road leading from the Great Road in Dorchester to Bonum Gould's.

Great Road in  
Dorchester to  
Bonum Gould's.

The sum of thirty pounds for the road from Frederick Le Blanc's to the Great Road leading from Dorchester to Chediac.

F. Le Blanc's to  
Great Road to  
Chediac.

The

The sum of ten pounds for the road from Israel Stiles' in Dorchester to the Fish Weir. I. Stiles' to Fish Weir.

The sum of one hundred and fifty pounds to assist in building a bridge over the Kouchibouguac River in Sackville. Bridge over the Kouchibouguac.

The sum of twenty-five pounds for the road from Young Sherman's to the Taylor Settlement. Sherman's to Taylor's.

The sum of ten pounds for the road from John Bowser's to Bell's Farm. Bowser's to Bell's.

The sum of ten pounds for the road from Job Steeves' to the Black Settlement. Job Steeves' to Black Settlement.

The sum of thirty pounds to assist in exploring and opening a road from the lower Mountain Settlement in Monkton to the Great Road. Lower Mountain Settlement to Great Road.

The sum of thirty pounds for the road from Lewis Steeves' on Turtle Creek to the Main Road in Hillsborough on the road established by a Jury, 1825. Lewis Steeves' to Main Road in Hillsborough.

The sum of fifteen pounds for the road from George Colpet's to Lewis Steeves'. G. Colpet's to L. Steeves'.

The sum of twenty pounds for the road from Robert Scott's to the North River. R. Scott's to North River.

The sum of twenty-five pounds for Stoney Creek Bridge. Stoney Creek Bridge.

The sum of twenty-five pounds for the road from Sinton's to John Gildert's the elder. Sinton's to Gildert's.

The sum of twenty-five pounds for the road from John Gildert's jun. to Thomas Colpet's. Gildert's to Colpet's.

The sum of twenty pounds for the road from George Colpet's mill to Robert Mitten's. Colpet's to Mitten's.

The sum of twenty-five pounds for the road from New-Horton to Cape Enrage. New-Horton to Cape Enrage.

The

New-Horton to  
Chepody Lake. The sum of twenty-five pounds for the road from New-Horton to Chepody lake.

D. Wheaton's to  
Lewis's Farm. The sum of ten pounds for the Road from Daniel Wheaton's on the North river to Andrew Wheldon's, jun. and from thence to Isaac Lewis's Farm.

R. Currie's to  
Maquapit Lake. The sum of one hundred pounds for the road from Richard Currie's, jun. to the thoroughfare between the Grand and Maquapit lakes.

Washademoak to  
the English Set-  
tlement. The sum of forty pounds for the road from Washademoak lake near Salmon Creek to the English Settlement.

Break Neck  
Mountain to Ne-  
repis Road. The sum of forty pounds for the road from Breakneck Mountain to the Nerepis Road.

New-Canaan to  
the Mill Stream. The sum of fifty pounds for the road from New-Canaan to Studholm's Mill stream.

Watson's Ferry to  
Carter's Point. The sum of thirty pounds for the road from Watson's Ferry to Carter's point.

Wm. Wiggins' to  
Cumberland Bay. The sum of sixty pounds for the road from William Wiggins' to the head of Cumberland Bay.

From the Main  
Road on the  
Western side of  
the River to New-  
Canaan, &c. The sum of sixty pounds to open a road from the main road on the western side of the river, to New-Ireland, and Jerusalem Settlement.

Maquapit Lake to  
Newcastle. The sum of one hundred pounds to improve the road from the North side of the Maquapit Lake to Newcastle at the head of the Grand Lake.

Shaw's to County  
Line. The sum of thirty pounds for the road from Shaw's to Kings County line.

Tyng's Brook to  
Oaknabog. The sum of ninety pounds for the road from Tyng's brook round the Oaknabog.

The

The sum of seventy-five pounds for the road in the Parish of Douglas, to commence where the sum granted last year will end, to the mouth of the Kiswick Creek.

Road in Douglas.

The sum of fifty pounds for the road and making bridges from the mouth of the Nashwalk in the Parish of Saint Mary's to Nashwalksis in the Parish of Douglas.

Road & Bridges from the mouth of Nashwalk to Nashwalksis.

The sum of forty pounds for the road from Esty's mill through the Cardigan Settlement in the Parish of Douglas.

From Esty's Mill through Cardigan.

The sum of forty pounds for the road from Estey's Mill to Pickard's Mill on the Nashwalksis.

Esty's Mill to Pickard's Mill.

The sum of fifty pounds for the road from the Mactuquac through the Scotch Settlement in the Parish of Douglas.

From Mactuquet through Scotch Settlement in Douglas.

The sum of twenty pounds for the road from Jesse Christie's to Darius Burt's Mill in the Parish of Douglas.

Jesse Christie's to D. Burt's Mill.

The sum of fifty pounds to cut down Hills on both sides of Enoch Currier's Creek in the Parish of Kingsclear.

Enoch Currier's Creek.

The sum of forty pounds for the road from Kelly's Creek to Long's Creek in the Parish of Kingsclear.

Kelly's Creek to Long's Creek.

The sum of fifty pounds for the road from the Scotch Settlement on Lake George to the river Saint John in the Parish of Prince William.

Lake George to the River St. John

The sum of twenty-five pounds for removing rocks from off the road from George Jones' to James Hoyt's in the Parish of Prince William.

George Jones' to James Hoyt's.

The sum of fifty pounds for the road from Palmer's to the Poquiock in the Parish of Prince William.

Palmer's to Poquiock.

The

Eel River to Bull's  
Farm.

The sum of fifty pounds for the road from Eel River to Captain Bull's Farm, to commence where the improvements left off last year in the Parish of Woodstock.

Isaac Smith's to  
Hillman's.

The sum of thirty pounds for the road from Isaac Smith's to Hillman's in the Parish of Woodstock.

Between the Main  
Road and Andrew  
Blair's.

The sum of forty pounds for the road to the Scotch Settlement between the Main Road and Andrew Blair's in the Parish of Woodstock.

Isaac Smith's to  
Wm. Graham's.

The sum of thirty pounds for the road from Isaac Smith's to William Graham's in the Parish of Woodstock.

Hannah's to Es-  
tabrook's.

The sum of twenty-five pounds for the road from Robert Hannah's lower line to Samuel Estabrook's in the Parish of Wakefield.

J Wolverton's to  
R. Phillips'.

The sum of forty pounds for the road from Joseph Wolverton's to Robert Phillips' in the Parish of Northampton.

R. Phillips' to  
Charles M'Mul-  
lin's.

The sum of forty pounds for the road from Robert Phillips' to Charles M'Mullin's in the Parish of Wakefield.

Wm. Orser's to  
a New Settle-  
ment.

The sum of twenty-five pounds for the road from William Orser's to a new settlement in the rear, in the Parish of Wakefield.

Samuel Kearney's  
to Jonas Fitzher-  
bert's.

The sum of fifty pounds for the road from Samuel Kearney's to Jonas Fitzherbert's in the Parish of Kent.

From the mouth  
of the Restook to  
the Settlement  
above the Falls.

The sum of forty-five pounds towards opening and making a road from the mouth of the Restook River to Settlements above the Falls on said river.

The sum of fifty pounds for the road from  
Covehill

Caverhill Settlement in the Parish of Queensbury to the River Saint John. Caverhill Settlement to the River.

The sum of sixty pounds for repairing the bridge over Long's Creek in the Parish of Kingsclear. Bridge over Long's Creek.

The sum of sixty pounds for the road from Pickett's Mill to the Kennebeckasis. Pickett's Mill to the Kennebeckasis.

The sum of forty pounds for the road from near Mabee's to the Kennebeckasis. Mabee's to Kennebeckasis.

The sum of thirty pounds for opening a new road from Nicholas Roache's to the North Branch of Hammond River. Roache's to N. Branch of Hammond River.

The sum of twenty pounds for the road from Benjamin Parlee's to the head of the Settlement on Trout Creek. Parlee's to Trout Creek.

The sum of twenty-five pounds for the new road from Daniel M'Lean's to Gidney's. M'Lean's to Gidney's.

The sum of forty-five pounds for the road from Hammond River to John Hennigar's. Hammond River to Hennigar's.

The sum of thirty pounds for the road from Henry Rupert's to the late William Spence's Farm. Rupert's to Spence's.

The sum of fifteen pounds for the road from Moses Innis's to Drummond's. Moses Innis' to Drummond's.

The sum of fifteen pounds for the road from Drummond's to William Rodgers's. Drummond's to Rodgers's.

The sum of fifteen pounds for the road from Sealey's Point on the Long Reach to the Kennebeckasis near Whelpley's. Sealey's to Whelpley's.

The sum of fifteen pounds for the road from the Salmon River near Hallet's to Joseph Darling's. Salmon River to Darling's.

The sum of ten pounds for the road from William Sharp's to Keirstead's. Sharp's to Keirstead's.

The sum of forty pounds for the road from Snider's to Keirstead's Mill Stream on the Kennebeckasis. Snider's to Keirstead's Mill Stream.

The

- Nelson's to Perry's. The sum of twenty pounds for the road from Nelson to Isaac Perry's.
- Barns's to Smith's Mill. The sum of fifteen pounds for the road from Barns's to the road near Smith's Saw mill.
- Holden's to Water's. The sum of fifteen pounds for the road from Holden's to Water's in Westfield.
- Old Church to Wetmore's, &c. The sum of twenty pounds for the road from the Old Church in Springfield to William Wetmore's, and thence to the Scotch Settlement.
- J. Campbell's to Kennebeckasis. The sum of twenty pounds for the road from near James Campbell's on the North Stream to the Kennebeckasis.
- Stockton's to Beach's. The sum of twenty pounds for the road from Henry Stockton's to Beach's.
- Bridge over the Mill Stream, New Canaan Road. The sum of twenty pounds to assist in building a Bridge over the Mill Stream near Henry Sharp's on the New-Canaan Road.
- Bridge over Kennebeck Brook. The sum of fifteen pounds to assist in building a Bridge over the Kennebeck Brook near Belding's.
- J. Folkins' to R. Folkin's. The sum of ten pounds for the road from Joseph Folkins' to Richard Folkins'.
- Darling's to Phenwick's. The sum of ten pounds for the road from Darling's to Jonathan Phenwick's.
- Bridge and Road near Brittain's Mill. The sum of thirty pounds for the Bridge and Road near Brittain's Mill near the Ne-repis.
- Asakake to James M'Cann's. The sum of ten pounds for the road from the Asakake to the Settlement of James M'Cann and others.
- Fowler's to Ryan's. The sum of fifteen pounds for the road from Gabriel Fowler's to William Ryan's.
- Belleisle to Guthrie's. The sum of twenty pounds for the road from the head of Belleisle to Guthrie's.

The



The sum of twenty pounds for the road from the Lake on the North Branch of Hammond River to the Main Road near to Barns'. North Branch of Hammond River to Barns's

The sum of twenty pounds for the road from Widow Smith's to Upham's. Widow Smith's to Upham's

The sum of fifteen pounds for the road from Alexander Burnett's to the road near Crawford's Mill Brook. Burnett's to Crawford's Mill Brook

The sum of ten pounds for the road from John Duff's to Northrop's. Duff's to Northrop's

The sum of twenty pounds for the new road from Rulof Rulofson's to Samuel Ketchum's. Rulofson's Ketchum's.

The sum of fifteen pounds for the road from the lower line of Kingston through the new Settlement of Patrick Ryley and others. From lower line of Kingston thro' Ryley's settlement

The sum of fifteen pounds for the road from John Brown's to the Main Road near Jeffrey's Mill. Brown's o Jeffrey's Mill.

The sum of ten pounds for the road from Crawford's Brook to John Perkins'. Crawford's Brook to Perkins'.

The sum of fifteen pounds for the road from the Widow Shaw's to the Main Road near Worden's Ferry. Widow Shaw's to Worden's Ferry.

The sum of ten pounds for the road from Gondola Point to the French Village. Gondola Point to French Village.

*Provided always and be it enacted, That* Warrants shall not be issued for payment of monies granted for Bye Roads and Bridges in such of the Parishes in Kings County, as have not forwarded proper certificates of the statute Labor having been performed therein, until such certificates be sent to the Secretary Office. No Warrants to issue for Road & Bridges in such Parishes as have not forwarded proper certificates of Statute Labour &c. until such certificates be sent to Secretary's office.

From New Settlement in Saint James's, thro' the Burnt Land.

The sum of fifty pounds for the road from the New Settlement in the Parish of St. James's through the burnt land to the main communication in the Parish of St. Stephen.

From Marshall's to the Main River.

The sum of twenty-five pounds for the road from the New-Settlement at Marshall's to the Main River in the Parish of Saint James.

Saint Stephen's to the Ledge.

The sum of thirty pounds for the road from Saint Stephens to the Ledge in aid of Statute labour, to replace Bridges destroyed by fire.

Meadow Brook to Croker's.

The sum of twenty pounds for the road from Meadow Brook to Croker's in the Parish of Saint Stephens, to rebuild a Bridge destroyed by fire.

Linnikin's to Sullivan's.

The sum of forty pounds for the road leading from Linnikin's to Captain Sullivan's in the Parish of Saint David's.

Turner's to the Fredericton road.

The sum of twenty-five pounds for the road from the New-Settlement at Turner's in the Parish of Saint Davids, to communicate with the Fredericton road.

Chamcook Lake to the Great road.

The sum of twenty-five pounds for the road from the New-Settlement at Chamcook Lake, to the Great Road leading from Fredericton to Saint Andrews.

New Settlement upon the Fredericton road at M<sup>r</sup>. Farlan's.

The sum of sixty-five pounds for the road from the New Settlement upon the Fredericton road at Samuel M<sup>r</sup>. Farlan's in the Parish of Saint Patrick.

Alex. Cameron's to the Wellington Bridge.

The sum of fifty pounds for the road from Alexander Cameron's on the western side of Digdeguash river in the Parish of Saint Patrick, to Wellington bridge.

The sum of one hundred and fifty-three pounds

pounds for the road from the New-Settlements upon the Fredericton road on the western side of the River Maguagadavic through the wilderness to Isaac Young's farm.

From Fredericton Road to Isaac Young's.

The sum of thirty pounds for the road from the New-Settlements on the Eastern side of the Lake Eutopia to the main communication leading from Saint John to Saint Andrews.

From Lake Eutopia to Main Communication to St. John.

The sum of thirty pounds for opening a road from the New-Settlements on the North West side of Letang river to the main communication leading from Maguagadavick to the Mascareen Settlements.

From New Settlement on Letang River to Main Communication from Maguagadavick to Mascareen.

The sum of fifty pounds for the road from the New-Settlements at James Mann's in the Parish of Saint George, through the wilderness to the Farm lot, lately occupied by John Fitzpatrick.

James Mann's to Fitzpatrick's Farm.

The sum of fifty pounds for erecting a bridge over M-Kenzie's Mill-Stream in the Parish of Saint George near John Henderson's Farm.

Bridge over M-Kenzie's Mill Stream.

The sum of thirty pounds for opening and improving the road from New-Galloway to the South side of Richibucto, and for building a bridge over Murray's Creek.

New Galloway, North side Richibucto, & Bridge over Murray's Creek.

The sum of sixty-seven pounds ten shillings for the road from Samuel M-Kean's on the south side of Richibucto river, to the head of the tide.

M-Kean's to head of the Tide.

The sum of thirty-seven pounds ten shillings to explore, layout and open a road from the Settlement, on the south side of the little river at Buctouche to the lot number ten, above Woods' Mills on said River.

To open a Road on South side of Little River Buctouche.

The

Bridge over Little River.

The sum of sixty pounds to build a Bridge over the Little River at Buctouche Harbour opposite to Peter Robicheau's point.

Bridge over Black Brook.

The sum of nine pounds ten shillings towards building a bridge over Black Brook.

Caul's Cove, to Oxford's Cove.

The sum of forty-eight pounds fifteen shillings for the road from Caul's Cove to Oxford's Cove.

Red-Bank-Cove to Beaubar's Point.

The sum of forty-eight pounds fifteen shillings for the road from Red Bank Cove to Beaubar's point.

S W Branch of the Miramichi to Cardigan Settlement.

The sum of ninety-seven pounds ten shillings for exploring and opening a road from the upper Settlement on the south West branch of Miramichi to the Cardigan Settlement.

Bartibogue to Niguac.

The sum of ninety-seven pounds ten shillings, for opening and improving a road from Bartibogue to Niguac.

From New Settlement rear of Bandon to the Bridge on the N. W. arm of Caraquit River.

The sum of twenty-five pounds for exploring and opening a road from the New-Settlement in the rear of New-Bandon to the bridge on the North west arm of Caraquit river, leading to the Settlement of Caraquit in the County of Northumberland.

Opening passages down the Bank in front of New-Bandon.

The sum of thirty pounds for opening a passage down the bank in three of the most convenient and suitable public places, on that range of Capes along the sea shore, in the front of the Settlement of New-Bandon from Poakshaw to Cranberry Cape.

Grant's Bridge to the Parish line.

The sum of forty pounds to be laid out in repairing that part of the road, from Grant's Bridge (Little Nepisiquit,) to the Parish line leading towards Saint Peters.

The sum of seventeen pounds ten shillings

ings to open and improve a line of New road leading from the Shore to the New-Settlement forming by John Connel and other Emigrants in the second concession near the Mill tract, Little Nepisiquit.

New Road from the Shore to Connel's Settlement.

The sum of twenty pounds to open a road to the New-Settlements forming in the second concession on the north side of the Mill tract, (Little Nepisiquit) leading to the River Nigadau.

Road to the New Settlement in second Concession to Nigadau.

The sum of twenty pounds to open a road to the New-Settlement forming in the second concession on the north side of the Elm tree river, in the Parish of Beresford.

Road to New Settlement in a Concession to Beresford.

The sum of twenty-five pounds to be laid out on the road from William Ellis' to the Bass River on that line leading from the New-Bandon Settlement to Saint Peters.

Wm Ellis's to Bass River.

The sum of seventeen pounds ten shillings to be laid out in improving the line of Bathurst to the River Pabineau, leading through the settlement on the Big River Nepisiquit.

Bathurst to the Pabineau thro' Settlement on Nepisiquit.

The sum of thirty pounds for opening a new Road through the wilderness, from Hand's Farm, to the salt water landing at the residence of Mr. Cripps' called Woodlands in the Parish of Pennfield.

Hand's Farm to Woodlands.

The sum of seventeen pounds in aid of statute Labour, for removing Rocks and cutting down a steep Hill on the northern side of James Ashe's farm lot, on the western side of the River Maguagadavic.

Removing Rocks &c at Jas Ashe's Farm.

The sum of sixty pounds for the road from the South line of Philo Seeley's Farm Lot on the Eastern side of the River Maguagadavic

Philo Seeley's to John Kouk's.

guagadavic to the South line of John Rourk's Farm Lot.

**Mouth of Renew's River to upper Settlement** The sum of ninety pounds to explore, open and improve a road from the mouth of Renew's River to the upper Settlements on the said river.

**New Settlements in rear of Burton.** The sum of fifty pounds for the road through the New Settlements in the rear of Burton, beginning at the lower line of Kemball's Farm, and ending at Edward Burpee's Mill.

**New Garey to the French Lake.** The sum of seventeen pounds ten shillings for the road leading from the Saint Andrews Road in the New Garey Settlement to the landing at French Lake.

**Calvin Camp's to Partelow's landing.** The sum of twenty-three pounds fifteen shillings for the road between Calvin Camp's and Partelow's landing at the Rushagoannis.

**Hart's Mill's to Solomon Tracey's** The sum of fifty pounds for the road between Hart's Mills and Solomon Tracey's on the North Branch of the Oromocto.

**Ezekiel Seeley's to Lawrence Mercereau's.** The sum of thirty three pounds fifteen shillings for the road between Ezekiel Seeley's and Lawrence Mercereau's on the South Branch of the Oromocto.

**Area Upton's to Queens County Line.** The sum of twenty pounds for the road from Samuel Upton's to the Queens County line, ten pounds, part of the said sum to be expended in opening and improving that part of the road joining said County line.

**Swan Creek to Styne's.** The sum of one hundred and ten pounds for making a causeway and improving the road from Swan Creek leading past Styne's.

**Bridge across the blind thoroughfare.** The sum of seventy pounds to be laid out in erecting a bridge across the blind thoroughfare in the rear of Sheffield.

The

The sum of two thousand pounds for the Great Road from Fredericton to the Canada line, that eight hundred pounds part of the said sum be expended in improving the Great Road from Fredericton to the Presqu' Isle, the sum of four hundred pounds be expended in erecting a Bridge over Presqu' Isle Creek, and the remaining eight hundred pounds, part of the said sum be expended in improving the road (opened last year) between the upper side of the Restook River and the Great Falls.

Great Road from Fredericton to the Canada line, from Fredericton to Presqu' Isle, and Bridge over Presqu' Isle Creek.

The sum of two hundred pounds for improving the New Shepody Road so called, laid out for settling Emigrants from the head of Hammond River to Hopewell.

New Shepody Road.

The sum of one hundred pounds for the road from the New Canaan Settlement to Studholm's Mill Stream.

New Canaan to Studholm's Mill Stream.

To His Excellency the Lieutenant-Governor, the sum of twenty-four pounds to open a road from the Great Road leading from Saint John to Saint Andrews to the mouth of New River in the County of Charlotte.

New Road from Great Road leading from St. John to St. Andrews.

The sum of one hundred pounds for the new road from Phillis' Creek Bridge to the Hanwell Settlement.

Phillis' Creek Bridge to Hanwell Settlement.

To Commissioners to be appointed by To His Excellency the Lieutenant-Governor the sum of fifty pounds towards laying out and improving a road to the Emigrant Settlement of Miliken and others from the New Loch Lomond Road.

New Loch Lomond Road to Miliken's Settlement.

To Commissioners to be appointed by His Excellency the Lieutenant-Governor,

For rebuilding Bridges destroyed by Fire.

the

the sum of five hundred pounds towards defraying the expences of rebuilding bridges destroyed by fire on the seventh of October last, in the Parish of Newcastle.

Newcastle Road  
to Little Bart-  
bogue.

The sum of one hundred pounds for opening a road from the Newcastle Road to the Settlement of Great and Little Bartbog River.

The sum granted  
in 1825, for a  
Bridge across N.  
River, re-appropriated for the  
Road from Butter  
Nut Ridge to  
North River.

The sum of twenty-five pounds granted for a bridge across the North River on the year 1825, be re-appropriated and laid out on the road leading from Butter Nut Ridge to the North River.

From Honewell  
to Kenebeckasis.

To His Excellency the Lieutenant-Governor, a sum not exceeding fifty pounds for exploring and opening a road from Hopewell in the County of Westmoreland to the Kenebeckasis River in Kings County.

For removing  
Windfalls out of  
the Great Road  
Fredericton to St.  
Andrews.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, for the purpose of employing a suitable person to remove Windfalls out of the Great Road leading from Fredericton to Saint Andrews, the sum of twenty pounds, no money being granted for the improvement of that road this Session.

Money granted in  
1825 for a Road  
from Bull's Creek  
&c is appropriated  
for the Road  
from the Church  
in Woodstock to  
the Settlement in  
the rear.

The sum of fifty pounds granted last year for opening and improving a road from Captain Bull's Creek to a New Settlement in the rear, in the Parish of Woodstock, be re-appropriated and applied to the purpose of opening and improving a road from the Church in the said Parish to a New Settlement in the rear.

Robt. Scott's to  
Benja. Lounsbury's.

The sum of ten pounds for the road from Robert Scott's to Benjamin Lounsbury's.

The



The sum of one hundred and thirteen pounds ten shillings, being one third part of certain appropriations made in 1816 for Bye Roads and Bridges in Northumberland, and which sum was re-appropriated in 1822, for the road from Bartibogue to Tabusintac shall be expended on the said last mentioned road, under the direction of the Commissioners to be appointed for the road from Bartibogue to Niguac.

Monies granted in 1816 & re-appropriated in 1822, to be expended on the Road from Bartibogue to Tabusintac,

under direction of the Commissioners for the Road from Bartibogue to Niguac.

II. *And be. it further enacted,* That the said several and respective sums of money and every part thereof, shall be paid to the several and respective persons who shall actually work and labor in making, completing and repairing the said several roads and bridges, or in furnishing materials therefor at the most reasonable rates, that such labor and materials can be provided; and that the several and respective persons who shall be entrusted with the expenditure of the said several and respective sums, shall keep an exact account of the expenditure thereof, and shall produce receipts in writing from the several and respective persons to whom any part of the said money shall be paid as vouchers for such payments, and shall render an account thereof upon Oath (which Oath any Justice of the Peace in the several and respective Counties, is hereby authorized to administer) to be transmitted to the office of the Auditor of Provincial Accounts to be examined and Audited in the same manner, as any Provincial Accounts, can or may be by virtue of any Laws in force for Auditing and examining of Public Accounts, for

Money to be paid to the persons who labour.

Commissioners to account.

the inspection and examination of the General Assembly at their next Session: and such Commissioners or persons entrusted with the expenditure of the said several and respective sums of money, shall stand charged and chargeable with all sums of money entrusted to them, and not accounted for as aforesaid, and shall repay the same into the Province Treasury.

Commissioners to retain at and after the rate of 5 per cent, together with reasonable compensation for actual labour on Roads & Bridges.

III. *And be it further enacted*, That the said Commissioners or persons entrusted with the expenditure of the said several and respective sums of money; shall for their time and trouble be allowed to retain at and after the rate of five per cent, out of the said sums so entrusted to them respectively, together with a reasonable compensation for actual work and labor performed by them on the said several Roads and Bridges.

Not to limit Allowance to any Supervisor of Great Roads.

IV. *Provided always, and be it further enacted*, That nothing in this Act shall extend or be construed to extend to limit the allowance to any Supervisor or Supervisors of the Great Roads throughout the Province.

Money to be paid by Warrant.

V. *And be it further enacted*, That all the before mentioned several sums of money shall be paid by the Treasurer by Warrant of His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council out of the monies now in the Treasury, or as payment may be made at the same, and not otherwise.

## CAP. XXX.

An Act to appropriate a part of the Public Revenue for the Services therein mentioned.

Passed the 7th of March 1826.

I. **B**E it enacted by the Lieutenant-Governor, Council and Assembly, That there be allowed and paid out of the Treasury of this Province, the following sums:

To James Bennet Tide Surveyor at the Port of Saint John, for his services from the first day of February one thousand eight hundred and twenty-five to the first day of February one thousand eight hundred and twenty-six, the sum of one hundred and eighty-two pounds ten shillings.

James Bennet.

To William Abrams and William Ball, the sum of ninety-one pounds five shillings each for their services as Tide Waiters at the Port of Saint John, from the first day of February one thousand eight hundred and twenty-five to the first day of February one thousand eight hundred and twenty-six.

Wm. Abrams and  
Wm. Ball.

To David W. Jack, Tide Surveyor at the Port of Saint Andrews for his services from the first day of April one thousand eight hundred and twenty-five to the first day of April one thousand eight hundred and twenty-six, the sum of one hundred and eighty two pounds ten shillings.

David W. Jack.

To William Joplin, Esq. Tide Surveyor for the Harbour of Miramichi, for his services for the year one thousand eight hundred and twenty-five, the sum of seventy-five pounds.

Wm. Joplin Esq.

To William Kennedy, of Saint Stephens in the County of Charlotte, the sum of twenty-five pounds to assist him in his distressed situation.

Wm. Kennedy.

To

Robt. Reid, Esq. To Robert Reid, Esq. formerly Sheriff of Northumberland, the sum of twenty-five pounds, he being blind and in very indigent circumstances.

Clerk of the House of Assembly. To the Clerk of the House of Assembly, the sum of ten pounds to defray the expence of printing three hundred Copies of the Resolution respecting the accounts for Bye-Roads and Bridges and distributing the same.

James Brittain, Junr. Wm Bulyea, and Jacob Bulyea. To James Brittain, Junr. William Bulyea and Jacob Bulyea, the sum of sixty pounds to reimburse them for monies advanced to Teachers of Schools in Westfield, Kings County.

Philip Nasa. To Philip Nase, the sum of twenty-five pounds for Building a Bridge over the great Mill Brook in Kings County, in the year one thousand eight hundred and twenty-four to be paid out of the money granted for the Nerepis Road this present year.

James Reed. To James Reed, the sum of twenty-three pounds for Building a Bridge over Little Mill Brook in Kings County, in the year one thousand eight hundred and twenty-four, to be paid out of the money granted for the Nerepis Road this present year.

Justices of S. John. To the Justices of the General Sessions of the Peace for the City and County of St. John, the sum of three hundred and twenty pounds to reimburse the Parish of Portland for expences actually incurred in the year one thousand eight hundred and twenty-three, in supporting distressed Emigrants and Black Refugees, the sum of seventy pounds for the support of Black Refugees

for distressed Emigrants and Black Refugees.

in the year one thousand eight hundred and twenty-four, and the sum of forty pounds for the like purpose in the year one thousand eight hundred and twenty-five.

To Patrick Connelly and Patrick M'Gowan, the sum of twelve pounds nine shillings and three pence, being a balance due to them for labour performed on the Nerepis Road in the Year one thousand eight hundred and twenty-four, to be paid out of the monies granted for the said road this present year.

Patrick Connelly  
and Patrick M'  
Gowan.

To Elizabeth Tilton, the sum of twenty pounds to relieve her from her present distressed situation, having been reduced to extreme want in consequence of the death of her husband who was killed while apprehending Deserters from His Majesty's service.

Elizabeth Tilton.

To Hugh Craig, a settler on the Great Road leading from Saint John to Saint Andrews, the sum of twenty-five pounds to enable him to continue his establishment in the Wilderness part of the said Road for the accommodation of Travellers.

Hugh Craig.

To James Keirsted, Junr. the sum of five pounds one shilling and six-pence to reimburse him for that sum expended on the Road between Gondola Point and the French Village, in the year one thousand eight hundred and twenty-five, the said sum to be paid out of the money granted for that Road the present year.

James Keirsted,  
Junr.

To Samuel Buchanan, late Door Keeper of His Majesty's Council, the sum of twenty-five pounds for the year one thousand eight hundred and twenty-six, in consideration of his advanced age and infirmity. To

Samuel Buchanan.

R. Armstrong,  
Esq.

To Richard Armstrong, Esquire, the sum of seventy-five pounds six shillings and ten pence, for his services as Deputy Surveyor at West Isles agreeably to the Revenue Laws of this Province.

Province Treasurer,  
for a Clerk.

To the Honorable John Robinson, Province Treasurer, the sum of fifty pounds to repay him for the expence of hiring a Clerk during the last year.

Geo. Mathew and  
Peter Duffus.

To George Mathew and Peter Duffus, the sum of fourteen pounds fifteen shillings and ten pence, to reimburse them for that amount expended over and above the grant of last year, in Building a Bridge over Black River and in improving the Road between Saint John and the Black River Settlement, to be paid from the money granted for that Road the present year.

For removing ob-  
structions in the  
River Leven.

To Commissioners to be appointed by His Excellency the Lieutenant-Governor, the sum of one hundred pounds for the purpose of removing obstructions in the River Leven in the County of Saint John, leading from the Lower Loch Lomond to the Bay of Fundy.

Robert Foulis.

To Robert Foulis, for his services and expences in Surveying and laying out Lots between Loch Lomond and Black River for the location of Emigrants, the sum of fifty six pounds.

Thomas Black-  
lock.

To Thomas Blacklock, the sum of twenty pounds for teaching a School in the Parish of Botsford in the County of Westmoreland, in the year one thousand eight hundred and twenty.

To Robert Hamilton, the sum of twenty pounds

pounds being the Provincial allowance for teaching a School in the Parish of Lincoln, in the year one thousand eight hundred and twenty one.

Robt. Hamilton.

To John and Elizabeth Stewart, the sum of fifteen pounds for teaching a School in Northumberland, in the year one thousand eight hundred and fourteen.

John and Elizabeth Stewart.

To William Roberts, the sum of thirteen pounds fifteen shillings, being the amount due to him on his account for Copper furnished to Government House.

Wm. Roberts.

To Doctor James Petrie, the sum of one hundred pounds for Medicine and attendance afforded by him to the Sufferers by Fire of the seventh of October last.

Doctor James Petrie.

To His Excellency the Lieutenant-Governor, the sum of two hundred pounds to be expended in draining and repairing the Post Road leading over the Great Marsh in Sackville, in the County of Westmoreland. *Provided* that the Proprietors of the said Marsh do contribute in labour or otherwise, one third of the expence attending the draining and repairing the said road.

For draining and repairing the Post Road over the Great Marsh in Sackville.

Provided the Proprietors do contribute one third of the expence.

To the Agricultural and Emigrant Society, the sum of seven hundred pounds, for the promotion of Agriculture throughout the Province.

Agricultural and Emigrant Society

To Flora M'Rae, Widow of the late Captain Alexander M'Rae, of His Majesty's late Royal North Carolina Highlanders, the sum of twenty-five pounds to relieve her in her present indigent circumstances.

Flora M'Rae.

To Jacob Kollock the sum of eleven pounds seventeen shillings and nine pence, being

Jacob Kollock.

being a balance due to him as a Supervisor for the Great Road leading from Chediac to Chatham.

Marine Hospital.

To the Commissioners of the Marine Hospital at the City of Saint John, the sum of four hundred and twenty-two pounds ten shillings and eight pence, to liquidate the balance due by that Institution.

Settlement on the Great Road between Chatham and Chediac.

To His Excellency the Lieutenant-Governor or the Commander-in-Chief, for the time being, a sum not exceeding fifty pounds to enable him to assist a settler in making an establishment for the accommodation of travellers on the Great Road between Chatham and Chediac, upon such conditions as His Excellency may see fit.

Relief of the sufferers by fire.

To His Excellency the Lieutenant-Governor the sum of five thousand pounds for the relief of the sufferers by the late dreadful fires throughout the Province.

Commissioners of Government-House.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of one thousand and seventeen pounds one shilling and two pence, to enable His Excellency to defray the several accounts of the Commissioners for the repairs and fitting up of the late Government-House, and for fitting up the House of Henry Smith, Esquire, as a temporary residence for His Excellency, agreeably to the accounts of the Commissioners.

Geo. K. Lugin.

To George K. Lugin, the sum of one hundred and nine pounds and eight pence, being a balance due to him for Printing the Journals of the House of Assembly, and the Laws of the Province for the year one thousand eight hundred and twenty-five. A



A sum not exceeding two hundred and fifty pounds per annum for four years to the Commissioners for procuring a suitable residence for His Excellency the Lieutenant-Governor, in the City of Saint John or its vicinity.

House for the  
Governor in St.  
John.

To the Secretary of the Province the sum of one hundred and fifty-two pounds fifteen shillings, for issuing six hundred and eleven Warrants on the Treasury, between the fifteenth of February, one thousand eight hundred and twenty-five, and February one thousand eight hundred and twenty-six.

Secretary for iss-  
uing Warrants.

To the Secretary of the Province, the sum of twenty-one pounds nine shillings and four pence, the amount of two accounts for Stationary for the use of His Majesty's Council.

Secretary for Sta-  
tionary for the  
Council.

To the Commissioners of the Revenue Cutter Elizabeth, the sum of one thousand six hundred and seven pounds ten shillings and five pence, being a balance due them on the thirty-first day of December, one thousand eight hundred and twenty-five, as per their account.

Commissioners of  
the Revenue Cut-  
ter.

To George K. Lugin, the sum of eighty pounds for Printing the Journals of the Assembly daily.

Geo. K. Lugin,  
for Printing the  
Daily Journal.

To His Excellency the Lieutenant-Governor, a sum not exceeding two hundred pounds, for the purpose of assisting aged and distressed Indians in the different Counties in this Province.

Aged and distress-  
ed Indians.

To John Herritt, the sum of fourteen pounds nineteen shillings, to Timothy Sullivan the sum of two pounds two shillings and eight pence, and the sum of one pound

John Herritt,  
Timothy Sullivan  
and Thomas Bri-  
mar.

six shillings to Thomas Brimar, being the balances due to them for labour performed in the year one thousand eight hundred and twenty-four, on the Nerepis Road, the said sums to be paid out of the monies granted for the Great Road between Fredericton and Saint John.

Sunday Schools.

To His Excellency the Lieutenant-Governor, a sum not exceeding fifty pounds, to be applied and expended by him for the encouragement and promotion of Sunday Schools in this Province.

For clearing obstructions in Hart's Mill stream.

To such Commissioners as His Excellency the Lieutenant-Governor may be pleased to appoint, should he think it expedient, to lay out the sum of one hundred pounds, in clearing obstructions in the stream leading from Hart's Mill to the Great Lake on the Oromocto.

Courier between Bathurst and River Restigouche.

To Commissioners to be appointed by His Excellency the Lieutenant-Governor, the sum of forty pounds, in aid of individual subscription to defray the expence of a Courier to be employed between the Town of Bathurst and the River Restigouche.

Madras School, School for Children of colour in St. John, and Fredericton.

To the Governor and Trustees of the Madras School in New-Brunswick, the sum of seven hundred pounds towards the support of that Institution throughout the Province, such part of the said sum as may be necessary for that purpose, to be appropriated to the support of a school for Children of Colour, in the City of Saint John: And a sum not exceeding one hundred pounds part of the said sum to be appropriated for a similar School in Fredericton.

To

To His Excellency the Lieutenant-Governor, the sum of fifty pounds towards defraying the expence of Printing the Laws, of the present Session, and a further sum not exceeding one hundred pounds, towards defraying the expence of Printing the Journals of the present Session.

Printing the Laws  
and Journals.

To His Excellency the Lieutenant-Governor, the sum of two hundred and sixty pounds per annum for two years, to enable His Excellency to pay the rent of the two Houses he now occupies in Frederickston.

House Rent for  
His Excellency.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of one hundred pounds to enable the Commissioners to keep the out buildings and fences attached to the late Government-House in repair.

Commissioners of  
Government-  
House, for repair  
of out Buildings  
and Fences.

To Richard Simonds, Esquire, the sum of one hundred pounds for his services in adjusting claims of persons to whom balances were due for labour performed on the Nerepis Road in one thousand eight hundred and twenty-four, and for his services in exploring the line of the said road, last year, to be paid out of the money granted for that road.

R. Simonds, Esq.

The sum of one hundred pounds to the Trustees of the Grammar School in the County of Sunbury, to assist and enable them to repair and finish the School House.

Alterations in the  
Court House.

To His Excellency the Lieutenant-Governor a sum not exceeding two hundred pounds, for the purpose of making necessary alterations in the Court-House at the Seat of Government.

Grammar School  
in Sunbury.

To

Courier, between Newcastle and Bathurst.

To the Commissioners to be appointed by His Excellency the Lieutenant-Governor, for defraying the expences of a Courier employed between Newcastle and the town of Bathurst, in the port of Saint-Peters, in the County of Northumberland, for the year one thousand eight hundred and twenty-six, the sum of seventy pounds.

For fitting up the Committee rooms and Council Chamber.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of four hundred and thirty-two pounds seven shillings and nine pence, to enable His Excellency to defray the accounts of the Commissioners for fitting up the Committee Rooms of the House of Assembly, and the Council Chamber.

Contingencies of the Session.

To the Clerk of the House of Assembly the sum of three hundred and twenty-nine pounds five shillings and two pence for Stationary, Fuel, and other expences of the present Session.

Thomas Nesbitt.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of seventy-five pounds, eighteen shillings and six pence, to enable the Commissioners to pay Thomas Nesbitt's account for work done at the late Government-House.

To be paid by Warrant.

II. *Be it further enacted*, that all the before mentioned sums of money shall be paid by the Treasurer, by Warrant of His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, by and with the advice of His Majesty's Council, out of the monies now in the Treasury, or as payments may be made at the same.

£ 300

3/9/09