

A C T S
OF THE
GENERAL ASSEMBLY
OF
HIS MAJESTY'S PROVINCE
OF
NEW-BRUNSWICK.

PASSED IN THE YEAR 1803.



SAIN'T JOHN:

PRINTED BY JOHN RYAN, NO. 9, LONG-WHARF, SOUTH SIDE
MARKET SLIP, PRINTER TO THE KING'S
MOST EXCELLENT MAJESTY.

1803.

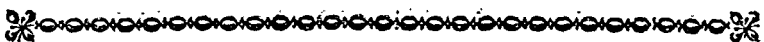
Rec. Aug. 14, 1906.



A N N O R E G N I
G E O R G I I I I I .
B R I T A N N I A R U M R E G I S ,
Q U A D R A G E S I M O T E R T I O .

AT the GENERAL ASSEMBLY of the Province of NEW-BRUNSWICK, begun and holden at FREDERICTON, on the NINTH Day of FEBRUARY, *Anno Domini*, 1803, in the Forty-third Year of the Reign of our said Sovereign Lord GEORGE the THIRD, by the Grace of GOD, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. being the First Session of the Fourth GENERAL ASSEMBLY of the said Province.





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L A W S

OF THE

PROVINCE OF NEW-BRUNSWICK.



C A P. I.

An ACT for transferring to and vesting in the Crown such Lands and Tenements of any Person or Body Politic, on which it may be judged suitable and necessary to erect Fortifications, or which may be wanted for other uses of War and Defence, and for ascertaining the value thereof and making compensation for the same to the former Owners.---
Passed the 16th March, 1803.

WHEREAS it is highly reasonable, just and requisite that his Majesty should be authorized and empowered to resume the Grants of any Lands or Tenements of the Crown, heretofore made, or hereafter to be made and passed, upon which it may be suitable and necessary to erect Fortifications, and other Military works, or which may be wanted for other uses and purposes of war and defence; for a valuable consideration to be therefor paid to the owners and occupants according to a just and equal valuation of the same.

Preamble:

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That at any time or times hereafter, whenever the General or Commander in Chief of his Majesty's forces, or Commanding Royal Engineer in this Province, shall judge it expedient for his Majesty's service, and the better security and defence of this frontier Territory, to erect Fortifications or other Military works, upon Lands or Tenements granted and belonging to any person or persons, or body politic, or to hold, occupy and possess the same for any Military uses and purposes whatsoever, and shall make a representation or suggestion thereof to this effect, to the Governor, Lieutenant-Governor, or Commander in Chief of the Province, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief of the Province, for the time being, if to his wisdom and discretion it shall appear fit, for his Majesty's service, and the security of the Province, to order the Clerk of the Crown in Chancery, to issue a Writ or Writs, in his Majesty's name, directed to the Sheriff of the County in which the Lands or Tenements so required, are situate, and thereby commanding him, after advertising his

Whenever the Commander in Chief of His Majesty's Forces or Commanding Engineer in this Province, shall represent to the Governor the expedience of erecting Fortifications on Lands belonging to any person or body politic.

The Governor may order the Clerk of the Crown in Chancery to issue a Writ to the Sheriff of the County in which the Lands lie,

commanding him to inquire by a Jury of

Freeholders, who is the Owner or Occupant of the said Lands,

and how much the same are worth—

and of the Estate and Interest of the Owner therein, and what damage it will be to him if the said Lands are re-vested in the King.

Writ to be returned into Chancery.

his intention two months in the *Royal Gazette*, by the oath of honest and lawful men, being Freeholders of his Bailiwick, by whom the truth of the matter may be better known, diligently to inquire who is, or are, the true and rightful owner or owners, occupant or occupants of such Lands and Tenements so required as aforesaid, (if to the said Jurors he or they may be known) and of every part and parcel thereof, and how much the same Lands and Tenements, and every part and parcel thereof are worth, according to a just and true valuation thereof, and of the Estate and interest of the owner or owners therein; and to what damage, or what prejudice of the rightful owner or owners, occupant or occupants respectively it will be, if the said Lands and Tenements be resumed by, and vested in the King, his Heirs and Successors: And that the inquisition thereupon distinctly and openly made, to the King in his Chancery, under the seal of the said Sheriff, and the seals of those by whom it was made, he send without delay, together with the said Writ.

The General or Commander in Chief may within twelve Months after the return of the Writ, deposit with the Clerk of the Crown the amount of valuation and damages by the Inquisition found, to be paid under the directions of the Court of Chancery to the Owner.

II. *And be it further enacted*, That upon all and every such inquisition and inquisitions being duly made and returned as aforesaid, it shall and may be lawful for the General or Commander in Chief of his Majesty's forces in this Province, for the time being, within twelve calendar months next after such return, to deposit with the said Clerk of the Crown the amount of such valuation and damages by such inquisition or inquisitions found, to be paid and applied by him under the orders and directions of the Court of Chancery aforesaid, to such person or persons, or body politic as shall, by the same inquisition or inquisitions, or other competent evidence appear to the said Court to be the rightful owner or owners, occupant or occupants of such Lands and Premises, or any part and parcel thereof, according to their several and respective Estates and interests therein in full payment, compensation and satisfaction of and for the same.

Inquisition being made and the amount of the valuation and damages being deposited with the Clerk of the Crown,

The Lands to revert to and vest in the King.

III. *And be it further enacted*, That such inquisition and inquisitions, so being made and returned as aforesaid, and the amount of the valuation and damages thereby found, being deposited with the Clerk of the Crown as aforesaid, within the time herein limited, for the use of the proprietor, his Heirs or Assigns, all the said Lands and Premises, in such Writ or Writs, and inquisition or inquisitions respectively mentioned and described, and every part and parcel thereof, shall thereupon and by virtue of such proceedings as aforesaid, revert to, and vest in the King, his Heirs and Successors; and all the right, title, interest and Estate of any person or persons, or body politic whatsoever, of, in, and to the same, shall be thereby conveyed, and transferred to his Majesty, his Heirs and Successors; who shall thenceforth stand and be seized and possessed, and be deemed and adjudged in full and lawful seisin and possession, in right of his Crown, of and in the same Lands and Premises, with their appurtenances, to all intents, constructions, and purposes in the Law, as fully and perfectly as if all persons, being of full age and capacity, and bodies politic having Estate or interest therein, had by Grant or other Deed, or by fine or recovery, or other Conveyance of Record, given, granted, bargained, sold, aliened, released and confirmed the same to his said Majesty, his Heirs and Successors.

CAP. II.

An ACT to enable the Justices of the General Sessions of the Peace and Inferior Court of Common Pleas in the County of NORTHUMBERLAND, to hold the same for the present Year, at the times therein mentioned. Passed the 16th March, 1803.

WHEREAS from the absence of the Justices of the General Sessions of the Peace, and Inferior Courts of Common Pleas, Preamble. of the County of Northumberland, the said Courts cannot be held on the first Tuesday in March, as heretofore accustomed.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the said Courts shall be holden in this present year, Courts to be holden on the Third Tuesday in March. on the third Tuesday in March.

II. *And be it further enacted,* That no Writ or Process of any kind whatever, shall abate or be discontinued by reason of the same No Writ or Process to abate or be discontinued by reason of the alteration. Courts not being holden on the said first Tuesday in March as aforesaid; but that all Writs and Processes which are returnable on the said first Tuesday in March, shall be proceeded upon in the same manner as if the same were made returnable on the said third Tuesday in March. And that all other business of what nature or kind soever, which might or would have been done on the said first Tuesday in March, shall and may be proceeded upon on the said third Tuesday in March. *Provided nevertheless,* That nothing in this Act shall be construed at any time after the present year to alter the time Terms not altered after the present year. of holding the said Courts, but the same shall be held on the first Tuesday in March, and on the first Tuesday in August, in each year, as heretofore established.

CAP. III.

An ACT for altering the Divisions of Four of the WARDS in the City of SAINT JOHN, and for changing the mode of ELECTIONS within the Two other WARDS of the said City. Passed 16th March, 1803.

WHEREAS since the granting of the Charter of the City of Preamble. Saint John, by reason of the removal of many persons from some of the Wards, the disproportion of Inhabitants in the several Wards, is at this time very great, and one of the Wards almost entirely depopulated: And whereas many of the Freemen and Inhabitants of the said City, have by Petition, prayed that a remedy may be provided for the evil consequences arising from such changes.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That instead of the present division of the four Wards WARDS divided by lines drawn from the Harbour to the rear of the City. of the said City, on the Eastern side of the harbour, the same Wards be hereafter divided by lines drawn from the harbour to the rear of the said City as follows, to wit, through the centre of King-street, Duke-street, and Saint James and Stormont-street, and that all that part of the said City lying to the Northward of King-street, be forever hereafter

King's Ward. hereafter called and known by the name of *King's Ward*; That all that part of the said City between King-street and Duke-street, be forever hereafter called and known by the name of *Queen's Ward*;
Queen's Ward. That all that part of the said City lying between Duke-street, and Saint James and Stormont-street, be forever hereafter called and known by the name of *Duke's Ward*; and that the residue thereof lying to the Southward of Saint James and Stormont-street, be forever hereafter called and known by the name of *Sidney Ward*. And that the Elections for the Aldermen, Assistants and Constables of the same Wards be held annually within the same Wards, as in and by this Act divided and bounded, in the same manner and at the same times, and under and subject to the same regulations and restrictions as are provided by the said Charter.

Sidney Ward.

Elections to be held within the Wards as directed by the Charter.

Electors of *Guy's* ward and *Brook's* ward collectively to choose Aldermen, &c. out of the Inhabitants of either Ward.

Alderman to hold his Court for the Election within the Ward to which he belongs.

II. *And be it further enacted*, That hereafter it shall and may be lawful for the Electors of *Guy's Ward* and *Brook's Ward* collectively, to choose annually, at the time appointed by the said Charter, one Alderman, one Assistant and one Constable for each Ward, out of the Freeman, being Inhabitants of either of the said Wards, without regard to the particular Ward as heretofore accustomed: And that for the purpose of such Election, each Alderman of the said two Wards shall hold his Court within the Ward to which he belongs, as provided by the said Charter; and at such Elections respectively every Elector within both of the said Wards, shall be entitled to a vote.

Charter except as here-in altered, to remain in force.

III. *Provided always, and be it further enacted*, That the said Charter of the said City, and every clause, matter and thing therein contained, except as herein and hereby particularized, altered and amended, shall be and forever remain in full force and effect, any thing herein contained to the contrary thereof in any wise notwithstanding.

CAP. IV.

An ACT, in addition to an Act, intituled "an Act for the better ascertaining and confirming the Boundaries of the several Counties within this Province, and for subdividing them into Towns and Parishes." Passed 16th March, 1803.

Boundary line between the County of Northumberland and the adjoining Counties established.

I. *BE it enacted by the Lieutenant-Governor, Council and Assembly*, That a direct line from the northwest corner of the County of *Westmorland*, until it meets the southwest branch of *Miramichi* river, where the *Portage* leading from the river *Nashwaak* now joins the same, thence by a line running north twenty-two degrees thirty minutes west by the true meridian from the junction of the said *Portage*, with the said southwest branch of the *Miramichi* as aforesaid, to the southern boundary of the Province of *Lower Canada*, shall be deemed the boundary line of the County of *Northumberland*, and the dividing line between that and the adjoining Counties.

Campo-Bello Island made a distinct Parish.

II. *And be it further enacted*, That the Island of *Campo-Bello*, with its appurtenances, in the County of *Charlotte*, be constituted a distinct Town and Parish, by the name of the Town and Parish of *Campo-Bello*; any Law or Ordinance to the contrary notwithstanding.

CAP. V.

An ACT for erecting the Upper part of the County of YORK into a distinct Town and Parish. Passed 16th March, 1803.

I. **B**E it enacted by the Lieutenant-Governor, Council and Assembly, That all that tract of country in the County of York, laying and being above the Towns of *Woodstock* and *Northampton*, and extending to the *White Marsh*, three miles above the Garrison at *Presque Isle* inclusive, and from the said upper boundary extending a line parallel to the upper boundary of the said Parishes of *Woodstock* and *Northampton*, be and the same is hereby erected and made a distinct Town and Parish, by the name of the Town and Parish of *Wakefield*.

Upper part of the County of York erected into a Parish.

II. *And be it further enacted*, That the Justices of the General Sessions of the Peace for the County of York, at their General Sessions next ensuing, and annually thereafter, shall appoint Town and Parish officers in and for the said Town and Parish, who shall be under like rules and regulations as other Town and Parish officers in the same County.

Justices at their General Sessions to appoint Parish officers.

CAP. VI.

An ACT for regulating the Exportation of BUTTER. Passed 16th March, 1803.

I. **B**E it enacted by the Lieutenant-Governor, Council and Assembly, That all Butter made for exportation, shall be packed in Firkins to contain sixty pounds weight as near as possible, which Firkins shall be made of good hard wood seasoned, and shall be made tight with three hoops at each end, and bilge, and sufficient to hold pickle, and before any Butter shall be shipped for exportation, every Firkin shall be inspected by some sworn Inspector, who shall brand each Firkin with the tare thereof, and the quality of the Butter contained therein free of pickle and loose salt, whether first, second or third quality, with the name of the County where the same shall be made, and such Inspector shall be entitled to receive *three-pence* for every Firkin so by him inspected.

Butter for Exportation to be packed in Firkins containing 60 lb. and made tight.

Butter to be inspected and branded with the Tare and the quality thereof and the name of the County.

Allowance to the Inspector.

II. *And be it further enacted*, That the Justices at their first General Sessions of the Peace, and annually thereafter shall and may appoint one or more Inspectors of Butter in each Town where the same shall by them be judged necessary, who shall be sworn to the faithful discharge of their duty, and shall inspect all such Butter as shall be intended for exportation, and in case of refusal to accept of such office, or neglect of duty when reasonably called upon, such Inspector shall be subject to the same penalties as other Town or Parish Officers by Law are subject to for neglect of duty, to be recovered and paid to the County Treasurer of such County. And every such Inspector shall provide himself with sufficient marks or brands and instruments for the purposes aforesaid, and shall be entitled to receive pay for the same out of the County Treasury.

Justices at their first General Sessions annually to appoint Inspectors, who shall be sworn.

Penalty for refusal or neglect of duty.

Inspectors to provide marking Instruments at the charge of the County.

III. *And be it further enacted*, That no Butter being in Firkins, shall be deemed merchantable, or shall be sent out of any County, unless such Butter shall have been inspected by a proper Inspector, and if any person or persons shall export for sale any Butter in Firkins without inspection, or being branded or marked as aforesaid, such person so offending shall for each Firkin incur the penalty of *ten shillings*, to be recovered and paid as aforesaid.

No Butter deemed merchantable unless inspected.

Persons exporting Butter without being marked, to forfeit 10s. for each Firkin.

CAP. VII.

An ACT to explain and amend an Act, intituled,
 “an Act for regulating the Exportation of FISH
 “and LUMBER, and repealing the Laws now in
 “force regulating the same.” Passed the 16th
 March, 1803.

Preamble.

WHEREAS some of the regulations contained in the fourth clause of an Act made and passed in the thirty-seventh year of his Majesty's Reign, intituled, “an Act for regulating the exportation of Fish and Lumber, and for repealing the Laws now in force regulating the same,” are not fully understood; And whereas it is expedient that the allowance to the Surveyors of Lumber directed by the said clause, be enlarged.

Merchantable Boards to be square edged.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That all the merchantable Spruce and Pine Boards for exportation, shall be square-edged with the Mill-law.

Quantity of Plank allowed.

II. *And be it further enacted,* That the quantity of Plank allowed by virtue of the said clause, do not exceed two hundred feet Board measure, to every thousand feet of Boards.

Allowance to Surveyors.

III. *And be it further enacted,* That Surveyors of Lumber shall be allowed *one shilling* per thousand feet for Inspecting and Surveying each thousand feet of Boards, to be paid by the person purchasing the same.

Former Act continued in force.

IV. *And be it further enacted,* That the said in part recited Act, except where the same is hereby explained and amended, be and the same is hereby declared to be in full force.

CAP. VIII.

An ACT to continue fundry Acts of the GENERAL ASSEMBLY that are near expiring. Passed the 16th March, 1803.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act made and passed in the 26th year of his Majesty's Reign, intituled, “an Act for Relief against Absconding Debtors;” also an Act made and passed in the twenty-eighth year of his Majesty's Reign, intituled, “an Act, in addition to an Act, intituled, “an Act for Relief against Absconding Debtors;” also an Act made and passed in the twenty-sixth year of his Majesty's Reign, intituled, “an Act to Regulate the Sale of Goods sold at Public Auction or Out-cry;” also an Act made and passed in the twenty-sixth year of his Majesty's Reign, intituled, “an Act to prevent Fraud in the Sale of Damaged Goods Imported into this Province;” also an Act made and passed in the twenty-seventh year of his Majesty's Reign, intituled, “an Act to authorize the respective Proprietors of certain Islands in the River Saint John, and other Rivers in this Province, to make Rules and Regulations for their better Improvement and Cultivation;” and an Act made and passed in the twenty-eighth year of his Majesty's Reign, intituled, “an

“ an Act to impower the Justices of the Sessions in several Counties
 “ in this Province to make such Rules and Regulations respecting
 “ Markets and Ferries within such Counties as may be found necessary;”

be further continued, and the said Acts and every clause, matter and thing therein contained, are 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 eight, and no longer.

Continued for five years.

CAP. IX.

An ACT for raising a REVENUE in this Province:
 Passed the 16th March, 1803.

expired

I. **B**E it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the thirty-first day of March now instant, there be and hereby is granted to the King's most excellent Majesty, his Heirs and Successors, for the use of this Province, and for the support of the Government thereof, the several rates and duties on the articles herein after mentioned, which shall or may be brought or 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 *six pence*; for every gallon of Wine *nine pence*; for every gallon of Brandy, Geneva, and all other distilled Spirituous Liquors *eight pence*; for every gallon of Molasses *one penny*; for every gross hundred weight of Brown Sugar *two shillings and six pence*, on the amount of the original invoice, allowing *twenty-five per cent.* for tare and wasteage.

Duties, per gallon on

Rum, 6d.

Wine, 9d.

Brandy, &c. 8d.

Molasses, 1d.

Brown Sugar, 2/6 per

Cwt.

II. *And be it further enacted*, That the said rates and duties shall be paid at the time of the importation of such articles into the City and County of *Saint John*, unto the Treasurer of the Province or his Deputy there; and at every other port or place to the Deputy of the said Treasurer for the port or place where the same shall be imported, unless such rates and duties on any one cargo shall amount to upwards of *ten pounds*, in which case and where the same shall not amount to *fifty pounds*, it shall be lawful for the said Treasurer or his Deputy or Deputies respectively, to take a Bond duly executed by the owner or importer of such dutiable articles, with one good and sufficient surety in double the amount of the rates and duties payable upon the articles specified in the report of such cargo, for the payment of the same one half in three months, and the other half in six months; and where the rates and duties arising on any one cargo (as specified in the report of such cargo) shall amount to *fifty pounds*, and shall not exceed *one hundred pounds*, then it shall be lawful for the said Treasurer or his Deputy or Deputies respectively, to take a Bond executed in like manner for the payment of the same, one third in three months, one third in six months, and the remaining third in nine months; and where the rates and duties arising on any one cargo (as specified in the report of such cargo) shall exceed *one hundred pounds*, then it shall be lawful for the said Treasurer or his Deputy or Deputies respectively, to take a Bond executed in like manner for the payment of the same, one fourth in three months, one fourth in six months, one fourth in nine months, and the remaining fourth in twelve months. All which Bonds shall be taken in the name of the Treasurer, payable to him or to the Treasurer of the Province for the time being, and conditioned for the payment of the

To be paid at the time of Importation,

unless they amount to upwards of Ten Pounds,

then Bonds to be taken.

Bonds to be taken in the name of the Treasurer, and payable to

the

the Treasurer for the time being or his Deputy.

the amount of the said rates and duties respectively, at the time or times specified therein, either to the Treasurer himself, or to the Treasurer for the time being or his Deputy, if taken in *Saint John*, or to the Deputy Treasurer for the time being, at the port or place where the same may be taken.

Master within twenty-four hours to report in writing, under oath,

III. *And be it further enacted*, That every Master of any Ship or Vessel coming into any port or harbour of this Province, shall within twenty-four hours after his arrival, and before breaking Bulk, make report to the said Treasurer or his Deputy there, in writing by him subscribed and under oath, of all the packages or articles whether dutiable or not, on board such Ship or Vessel, describing and specifying the same, and shall in the same report state, that there has not to his knowledge or belief, been landed or taken from on board such Ship or Vessel, any such articles or any part thereof within this Province since the sailing of such Ship or Vessel from the port or place where such articles were laden on board the same for exportation: And in case of refusal or neglect of any such Master, he shall forfeit and pay the sum of *one hundred pounds*, to be recovered by information to be made and filed by his Majesty's Attorney-General in the Supreme Court of Judicature of this Province, upon the filing whereof the first Process in all cases shall be a *capias*, to be directed to the Sheriff or Coroner of the place where the offender may be found; by virtue of which Process the said offender shall be held to Bail for his appearance at the return of the Process, to answer the matters charged in such information. And if any dutiable articles

and state that nothing has been landed.

Under penalty of £100.
How recovered.

In S. Court
by Informant
of all goods

Dutiable articles landed contrary to Law, or found on board not entered to be forfeited.

shall be landed in any part of this Province, before Entry and Report made as aforesaid, or not being duly entered as aforesaid, shall be found on board any Ship or Vessel after such Entry and Report, or if any such articles shall have been landed from any Ship or Vessel after Entry and Report made as aforesaid, other than were specified in such Report, or for which a permit shall not have been obtained agreeably to the provisions of this Act, such dutiable articles so landed or found on board contrary to the true intent and meaning of this Act, shall be and the same are hereby declared to be forfeited, and shall and may be seized and detained by the said Treasurer or his Deputy or Deputies respectively, and information made by his Majesty's Attorney-General, and proceedings to condemnation had in the said Supreme Court.

And the Master and every person concerned to forfeit £100.

And the Master of such Ship or Vessel and each and every person concerned, shall also be liable to the penalty of *one hundred pounds*, to be recovered in manner as is herein first before set forth; all which penalties and forfeitures after deducting the costs and charges of prosecution, together with all reasonable charges that may have accrued, shall be paid as follows, that is to say, one half part to the Officer seizing and prosecuting the same articles to condemnation, or complaining against and prosecuting such offender or offenders to conviction, and the other half into the hands of the Treasurer of the Province for the use thereof. And it shall and may be lawful for the said Treasurer and his Deputy or Deputies respectively, at all times

Forfeitures how applied.

Treasurer to enter and search vessels, and seize articles made liable to seizure.

and being authorized by writ of assistance,

to enter on board any Ship or Vessel and to examine and search throughout the same for dutiable articles, and there to seize and from thence to carry away all such as are by this Act made liable to seizure; and being authorized by Writ of Assistance under the seal of his Majesty's Supreme Court or of the Inferior Court of Common Pleas of the County in which the articles herein after mentioned shall be found, (which Writ the proper officers of such Courts respectively, are hereby authorized and required to issue upon the allowance or fiat of one of the Justices of such Court, to be filed

together

together with the affidavit upon which the same is grounded) to take to examine Houses, the High Sheriff in person or his Deputy, or any Coroner of the County, and in the day time to enter and go into any House, Store, Warehouse or Outhouse, and in case of resistance to break open Doors, and open and examine Casks, Chests or other Packages, and there to seize and from thence to carry away any dutiable articles whatsoever so landed as aforesaid, contrary to the provisions and the true intent and meaning of this Act.

IV. *And be it further enacted*, That in addition to the Entry and Report herein before required to be made by the Master of any Ship or Vessel arriving in any port or place in this Province, the Owner or Confignee of the dutiable articles on board such Ship or Vessel, (and in cases where there may be several Owners or Confignees of the same cargo, each Owner or Confignee thereof) shall make report in writing by him subscribed, under oath before the said Treasurer or either of his Deputies, of all dutiable articles belonging to or configned to him as aforesaid, on board such Ship or Vessel, and before such Entry and Report shall be made by the Owner or Confignee as aforesaid, the said articles shall not be permitted to be landed from on board such Ship or Vessel.

V. *And be it further enacted*, That for the recovery of all such duties as are imposed by this Act, and shall not be paid at the several times limited for the payment thereof respectively as aforesaid, the said Treasurer or his Deputy of the port or place in which such Bonds may have been taken, is hereby directed to cause Process to be issued against all and every person and persons so standing indebted, and to pursue the same if necessary to final judgment and execution: And if the said Treasurer or either of his Deputies as aforesaid, shall not within one month after the time limited for the payment of any one sum so becoming due as aforesaid, cause Process to be issued and pursued as aforesaid, the said Treasurer or such Deputy so neglecting shall be answerable for and chargeable with the same.

VI. *And be it further enacted*, That it shall be the duty of the Treasurer of the Province for the time being, to appoint fit persons (to be approved of by the Lieutenant-Governor or Commander in Chief) to be his Deputies in the several Ports and places in this Province, where the same may be necessary, (except in the City and County of *Saint John*, where the said Treasurer resides) to perform the duties and services in and by this Act required, which persons so appointed, shall give good and sufficient security, by Bond to his Majesty, for the faithful discharge of their duty respectively, and be accountable to the said Treasurer when thereunto required, for all sums so to be received, by virtue of this or any former Act; and that such Deputies shall have the same powers to make seizures, and proceed to condemnation as are given to the Treasurer by virtue of this Act. And shall and may retain *Ten Pounds* for every *Hundred Pounds* they shall so receive, in full for their services, exclusive of their proportion of the proceeds of the penalties and forfeitures incurred by this Act.

VII. *And be it further enacted*, That it shall and may be lawful for the Treasurer of the Province, in case of sickness or necessary absence from the City and County of *Saint John*, to appoint a fit person to act as his Deputy there, for whose acts the said Treasurer shall be responsible; which Deputy shall have the same powers and authority in every respect during his continuance in office, as the

who has no allowance.

faid Treafurer hath by virtue of this Act when present, and capacitated to execute the duties incident to his office. *Provided always*, That fuch Deputy fhall not be entitled to any allowance whatever from the Public Treafury for his fervices ; any thing herein contained to the contrary thereof in any wife notwithstanding.

Tide-Surveyor in *St. John* to be under the direction of the Treafurer.

VIII. *And be it further enacted*, That the Tide Surveyor for the City and County of *Saint John*, now appointed, or who fhall hereafter be appointed by the Lieutenant-Governor or Commander in Chief, fhall be in all refpects subordinate to and under the direction and controul of the Treafurer of the Province, or his Deputy there ; and that from and after the Entry of any Ship or Veffel at the Treafurer's Office at that place, there fhall be a Permit or Permits made out

Permits to be made out by the Treafurer,

and directed by the faid Treafurer, to the faid Tide Surveyor, expreffing therein the quantities of the feveral Dutiable Articles contained in the Cargo of the faid Ship or Veffel, as entered at the faid Treafurer's Office :

without which, no dutiable goods to be landed.

And no Dutiable Articles fhall be landed from on board any Ship or Veffel within the faid City and County of *Saint John*, without fuch Permit or Permits fo to be given as aforefaid,

Tide-Surveyor to attend to the unloading of veffels,

and that it fhall be the particular duty of the faid Tide Surveyor to attend to the unloading of any fuch Ship or Veffel, under the Permits fo to be given by the faid Treafurer or his Deputy there ; and

and if dutiable goods are landed or found on board contrary to this Act,

if any Dutiable Articles fhall be found landed from on board any fuch Ship or Veffel within the faid City and County, before Entry and Report made, and a Permit or Permits obtained as is herein before required, or if there fhall be found on board any fuch Ship or Veffel, any Dutiable Articles not mentioned in the fame Permit or Permits ; or if any Dutiable Articles fhall at any time be found to have been landed there from any Ship or Veffel contrary to the

to detain the same and report to the Treafurer.

provisions of this Act, it fhall be the duty of the faid Tide Surveyor, and he is hereby required forthwith to take poffeffion of and detain the fame, and immediately make report thereof to the faid Treafurer or his Deputy there, in order that the fame Articles may be feized and profecuted to condemnation in manner as is herein before provided.

Forfeitures how applied.

And the faid Tide Surveyor, for taking and detaining fuch Articles, fhall have and receive one moiety of the part of fuch forfeitures herein before directed to be paid to the officer feizing and profecuting the fame.

Duties to be paid or secured at the time of entry.

IX. *And be it further enacted*, That the Rates and Duties arifing by virtue of this Act, fhall be paid or secured to be paid in manner as is herein before provided, at the time of Entry and Report of the Ship or Veffel having on board Dutiable Articles and before bulk be broken.

Articles intended for exportation in the same vessel, to be mentioned ;

And if the whole or any part of fuch Dutiable Articles fhall be intended for Exportation in the fame bottom, the fame fhall be mentioned, and fuch Articles particularly fpecified in the Entry and Report, which is by this Act required to be made of fuch Veffel and Cargo, at the Treafurer's Office ; and in cafe fuch Articles fo reported for Exportation, fhall be actually Exported in the fame bottom in which they were Imported, to any Port or place without the limits of this Province, then any monies which may have been paid for the Rates and Duties arifing thereon, fhall be repaid, and the Bonds fo taken to fecure fuch Duties fo far as may relate to them fhall be cancelled, and confidered of no validity. *Provided always*,

and if actually exported in the same vessel, duties to be repaid.

Mafter to make oath.

That the evidence to be required of fuch Exportation, fhall be the following Oath, to be taken and fubfcribed by the Mafter of fuch Ship or Veffel, before the faid Treafurer or either of his Deputies, to wit :

I do swear, that the following Articles, to wit: are now actually on board the whereof I am Master: That the same Articles were Imported into this Province in the same Vessel, and are the same Articles mentioned and specified in the Entry and Report of the same vessel and Cargo at this Office, on the day of That the said Articles are now in the same state and condition in which they were at the time of Importation into this Province: That no part thereof hath been landed since the Entry and Report thereof as aforesaid; and that the same or any part thereof are not to be landed in any part of this Province, to the best of my knowledge and belief. So help me God!

And further, That the Owner or Consignee of the same Articles shall, at the same time, make and subscribe an Affidavit (to be in-dorred upon the said Affidavit of the said Master) before the said Treasurer or one of his Deputies, stating that he is the Owner or Consignee of such Articles, and that the contents of such Affidavit so made by the said Master, are just and true according to the best of his knowledge and belief. Owner or Consignee to make Affidavit.

X. And be it further enacted, That if at any time it shall be found, that all or any of the Articles so reported for Exportation, have been landed contrary to the provisions of this Act, every Ship or Vessel in which the same were Imported, together with all and every of such Articles shall be forfeited, and shall and may be seized and prosecuted to condemnation, and the proceeds thereof applied in the manner herein before mentioned. Articles reported for Exportation being landed contrary to this act, vessel and goods to be forfeited.

XI. And be it further enacted, That if at any time within one year after the Report so made of the Articles intended to be Exported in the same bottom in which they were Imported, it shall be discovered that any of those Articles have been fraudulently landed in any part of this Province, the Owner or Consignee of such Articles and the Master or Owner of such Ship or Vessel, shall severally forfeit and pay the sum of One Hundred Pounds for each offence, to be recovered by Information to be made and filed by his Majesty's Attorney General in manner as before mentioned, and applied (after deducting the costs and charges) one half to the Informer, and the other half to be paid into the hands of the Treasurer of the Province for the use thereof. If discovered within one year, that articles reported for Exportation have been fraudulently landed, the Owner or Consignee and Master or Owner of the ship, to forfeit £100. each. How recovered and applied.

XII. And be it further enacted, That upon the following Dutiable Articles which shall be Imported into this Province after the commencement of this Act, and upon which the Rates and Duties herein before imposed have been paid or secured to be paid as aforesaid, there shall be allowed upon Exportation of the same the following Drawback, to wit: for every gallon of Rum five pence; for every gallon of Wine seven pence; and for every hundred weight of Brown Sugar two shillings, Provided always, That two hundred gallons or more of Liquor, or ten hundred weight or more of Sugar are Exported in one Ship or Vessel at one time; and also, that the same be Exported within six Months from the time of the Importation thereof. Drawback allowed upon articles exported. Proviso.

XIII. And be it further enacted, That the Drawbacks herein before allowed shall be paid by the Treasurer or one of his Deputies as aforesaid, to the Owner or Importer thereof, out of the monies arising from the Duties on the same Articles so Exported when the same Drawback to be paid out of the duties on the articles exported.

Proviso.

same monies shall be received, and not before. *Provided always,* That previous to any part of such Drawback being paid, the Owner or Importer of such Articles shall at the time of Exporting the same make and subscribe the following Oath before the Treasurer or one of his Deputies, to wit :

Oath of the Importer.

I do swear, that the
by me now Shipped on board the _____ whereof
is Master, was lawfully Imported into this Province in the _____
Master, from _____ and that the Duties thereon
have been by me paid or secured to be paid at this Office, and that
the same or any part thereof is not intended to be reloaded in any
part of this Province to the best of my knowledge and belief. So
help me God !

And provided also, That the Master of the Ship or Vessel in which the same Articles are to be Exported, shall make and subscribe the following Oath, to be endorsed on the last mentioned Affidavit before the Treasurer or one of his Deputies, to wit :

Oath of the Master.

I do swear, that the Articles Shipped by _____ as
mentioned in the Affidavit upon the other side hereof, are now ac-
tually on board the _____ whereof I am Master, bound for
_____ and that the same or any part thereof are not again
to be reloaded in any part of this Province, to the best of my know-
ledge and belief. So help me God !

Importer to produce
Certificates,

And provided also, That it shall be incumbent on the Owner or Importer of such Dutiable Articles, to produce to the Treasurer or to the Deputy, to whom the Duties shall have been secured, a Certificate under the hand and seal of the Collector or principal Officer of the Customs, at the Port or place to which the same shall be Exported, or if sent to a Foreign Port, a Certificate under the hands of two of the principal Merchants there residing (authenticated under the seal of Office of a Public Notary) that the same Articles have been there landed : *And provided also,* That it shall be further incumbent on the Owner or Importer (upon producing such Certificate and requiring the Drawback as aforesaid) to make and subscribe the following Oath before the Treasurer or one of his Deputies, to wit :

and make Oath.

I do swear, that the Articles by me Exported
on board the _____ Master, a Certificate of the landing
of which is now by me exhibited, have been really and *bona fide*
landed at _____ and that the same or any part thereof
are not again to be landed in any part of this Province, to the best
of my knowledge and belief. So help me God.

Articles fraudulently
reloaded to be for-
feited.

XIV. *And be it further enacted,* That if any of the before specified Articles shall be fraudulently reloaded in any part of this Province after Shipment for Exportation as aforesaid, the same shall be forfeited, proceeded against, and applied in the manner herein before directed.

If discovered within
one year, that articles
have been fraudulent-
ly reloaded,

XV. *And be it further enacted,* That if it shall be discovered at any time before or within one year after the Drawback shall be so received, upon the Exportation of any Dutiable Articles as aforesaid, that any of those Articles have been fraudulently reloaded in any part of this Province, the Owner or Importer of such Articles shall

shall forfeit and pay the sum of *one hundred pounds* for each offence, to be recovered by Information to be made and filed by his Majesty's Attorney-General, in manner as before mentioned, and applied (after deducting the costs and charges) one half to the Informer, and the other half to be paid into the hands of the Treasurer of the Province for the use thereof.

Owner or Importer to forfeit £100.

how recovered and applied.

XVI. And in order to deter and prevent as much as possible, persons from being engaged in illicit Trade, which if practised, will operate greatly to the prejudice of the Fair Dealer, as well as to the Public Revenue: *Be it further enacted*, That it shall be the duty of the Treasurer of the Province and all and every of his Deputies, as also of the Tide-Surveyor in the City of *Saint John*, to be vigilant in detecting all persons that may be so engaged, as well as all Dutiable Articles illegally introduced or Smuggled into any part of this Province: And all Articles in and by this Act made Dutiable, which shall be seized and condemned, and sold at the Custom-House, or by any Officer of the King's Customs in any part of this Province, for having been illegally introduced or Smuggled into the same, shall be liable to the same Rates and Duties as if those Articles had been legally Imported and entered at the Treasurer's Office, as required by this Act: And the Purchaser or Purchasers of any such Articles at such Custom-House sales, shall within twenty-four hours after the same purchases shall be made, and before any part of such Articles shall be vended or consumed, make Report to the said Treasurer or his Deputy at that place in writing, and under oath before the said Treasurer or his Deputy aforesaid, of the Articles so purchased as aforesaid, and the Duties arising thereon shall at the same time be paid or secured to be paid, in the same manner and under the same regulations as Duties arising upon such Articles when legally Imported as aforesaid; and in case of refusal or neglect so to make Report and Entry of such Articles so purchased, the same are hereby declared forfeited, and shall and may be searched for, seized, condemned, sold, and applied in the same manner as is herein before provided by the third section of this Act. And if such Articles or any part thereof cannot be found, then the Purchaser thereof shall forfeit and pay the sum of *one hundred pounds*, to be recovered and applied in the same manner and to the same uses as is provided in and by the same section of this Act.

Treasurer to be vigilant.

Dutiable goods seized and sold at the Custom-House to pay duties.

Purchasers to report to the Treasurer,

and pay or secure the duties,

and for refusal or neglect to forfeit the articles purchased,

and if such articles cannot be found,

to forfeit £100.

XVII. *And be it further enacted*, That upon the Exportation of such Articles so purchased at the Custom-House sales as aforesaid, and upon which the Duties have been paid or secured to be paid, the Purchaser shall be entitled to the like Drawback as is herein before allowed upon the Exportation of similar Articles under and subject to the like Regulations, Provisos and Restrictions as are herein before made and provided.

Drawback allowed on exportation of purchased articles.

XVIII. *And be it further enacted*, That the quantities of Dutiable Liquors and Molasses shall be ascertained by the Instrument commonly called *Gunter's Callipers*, and by no other Instrument whatever, and shall be Gauged by a sworn Gauger or Gaugers, legally appointed or to be appointed for that purpose, if in the City of *Saint John*, by the Lieutenant-Governor or Commander in Chief, and in the several Counties by the Justices in their General Sessions, or any Special Sessions for that purpose holden; *Provided*, That no Gauger shall Gauge any Dutiable Article which shall be his own Property or Configned to him.

Rum, &c. to be gauged by Gunter's Callipers,

by sworn Gaugers.

No Gauger to gauge his own property.

Goods imported into this Province and consigned to *Nova-Scotia*, not liable to duties.

XIX. *Provided always, and be it further enacted*, That no Goods Imported into this Province and Consigned to any person in the Province of *Nova-Scotia*, shall be liable to any of the Duties imposed by this Act, but such Goods may be landed and re-shipped for the said Province, provided they are Exported within ninety days after landing, in the same Casks or Packages in which they were landed; and the Consignee or person to whose charge or care such Goods may be sent or committed, make oath before the Treasurer or either of his Deputies, that such Goods were originally Shipped for the purpose of being conveyed into the Province of *Nova-Scotia*, and not intended for sale or consumption in this Province; and that the said Goods are re-shipped in the same state and Casks or Packages they were landed and received by him.

Treasurer authorized to administer oaths.

XX. *And be it further enacted*, That the said Treasurer of the Province and all and every of his Deputies, are hereby authorized and empowered to administer the several oaths herein required to be made and taken, and every person who shall be convicted of making or taking a false oath to any of the facts herein directed or required to be sworn to, shall be deemed guilty of perjury, and shall be liable to the pains and penalties to which persons are by Law liable for wilful and corrupt perjury.

False oath made perjury.

Monies to remain in the Treasury until disposed of by Law.

XXI. *And be it further enacted*, That all the monies arising by virtue of this Act shall remain in the Treasury, until the same shall be disposed of by an Act or Acts of the General Assembly of this Province, to be passed for that purpose.

Limitation.

XXII. *And be it further enacted*, That this Act shall continue and be in force until the *first day of April*, which will be in the year of our Lord, *one thousand eight hundred and five*, and no longer, except for the recovery of any of the penalties and forfeitures herein before inflicted and incurred.

CAP. X.

An Act for appropriating certain MONIES for defraying the expences of the Province. Passed the 16th March, 1803.

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, unto the several persons hereafter mentioned, the following sums, to wit:—

Speaker.

To the Speaker of the House of Assembly, the sum of *fifty pounds*.

Members.

To the Members of the House of Assembly, for defraying their expences of travelling and actual attendance, reckoning twenty miles to each day's travel, to be certified by the Speaker, the sum of *ten shillings* per diem.

Chaplain to the Council.

To the Chaplain of the Council in General Assembly, for his services, the sum of *fifteen pounds*.

Chaplain to the Assembly.

To the Chaplain of the House of Assembly, for his services, the sum of *fifteen pounds*.

To

To the Clerk of the Council in General Assembly, the sum of *fifty* Clerk of the Council.
pounds.

To the Clerk of the House of Assembly, for his services during the Clerk of the Assembly.
present Session, *ten shillings* per diem, and for other services the
sum of *fifty pounds.*

To the Serjeant at Arms attending the Council in General Assē- Serjeants at Arms.
bly, the sum of *ten shillings* per diem.

To the Serjeant at Arms attending the House of Assembly, the sum
of *ten shillings* per diem.

To the Door-keeper of the Council in General Assembly, *five shil-* Door-keepers.
lings per diem.

To the Door-keeper of the House of Assembly, *five shillings* per
diem.

To the Messenger of the House of Assembly, *five shillings* per Messengers.
diem.

To the Messenger of the Council in General Assembly, the sum of
five shillings per diem.

To the Clerk of the House of Assembly, for Fuel, Stationary, and Clerk of the Assembly
other expences of the present Session, the sum of *fifty pounds, six* for Fuel, &c.
shillings and six-pence.

To the Treasurer of the Province for his services from the first day Treasurer.
of March, one thousand eight hundred and two, to the first day of
March, one thousand eight hundred and three, the sum of *one hun-*
dred and eighty pounds.

To the Tide Surveyor in the City of *Saint John*, for his services Tide-Surveyor.
from the first day of March, one thousand eight hundred and two, to
the first day of March, one thousand eight hundred and three, and
for expences incurred in performing the same, the sum of *forty*
pounds.

To his Excellency the Lieutenant-Governor, for defraying the con- To the Lieutenant-
tingent expences of the Province, a sum not exceeding *one hundred* Governor for contin-
pounds, for the year one thousand eight hundred and three; and gencies.
the like sum for the year one thousand eight hundred and four.

To his Excellency the Lieutenant-Governor, for discharging the For the Province-
expences incurred towards completing the Province-Hall, the sum Hall.
of *three hundred and thirty-six pounds, two shillings and five-pence.*

To his Excellency the Lieutenant-Governor, a sum not exceeding For re-printing the
two hundred and fifty pounds, in addition to the sum heretofore grant- Laws.
ed, for Revising and Re-Printing the Laws of the Province.

For Printing the Votes and Journals of the House of Assembly, For printing the Jour-
the sum of *thirty pounds.* nals of the Assembly.

To the Commanding Officer of the *Charlotte* County Militia, for To the commanding-
services performed by certain Officers belonging to the same at the officer of the *Charlotte*
time of the Alarm in September, one thousand seven hundred and County Militia.
ninety-five, not heretofore provided for, the sum of *fifteen pounds,*
nineteen shillings and five-pence half-penny.

Towards building a Light-House on Briar Island. The sum of *one hundred pounds* for the purpose of assisting the Legislature of the Province of *Nova-Scotia*, to erect a Light-house on *Briar Island*.

To the Sheriffs of the several Counties. To the Sheriffs of the several Counties for returning the Members to serve in the General Assembly, the following sums to wit:—

To the Sheriff of the City and County of *SAINT JOHN*, *twenty-three pounds, ten shillings*.

To the Sheriff of the County of *WESTMORLAND*, *sixteen pounds, five shillings*.

To the Sheriff of the County of *CHARLOTTE*, *fourteen pounds, fifteen shillings*.

To the Sheriff of the County of *NORTHUMBERLAND*, *seven pounds, five shillings*.

To the Sheriff of the County of *KING'S*, *sixteen pounds, five shillings*.

To the Sheriff of *QUEEN'S* County, *eleven pounds, fifteen shillings*.

To the Sheriff of the County of *YORK*, *sixteen pounds, fifteen shillings*.—And,

To the Sheriff of the County of *SUNBURY*, *sixteen pounds, five shillings*.

To Capt. *Frink*. To Captain Nathan Frink, in full for expences incurred and services performed by himself and sundry other persons in the Parish of *WEST ISLES*, during the Alarm in the year one thousand seven hundred and ninety-five, in the County of *CHARLOTTE*, *twenty-five pounds*.

For the purchase of Stoves. A sum not exceeding *twenty-five pounds* for the purchase of two Franklin Stoves for the use of the House of Assembly.

For the purchase of sheet-lead for the Province-Hall. And a further sum not exceeding *fifteen pounds*, for the purchase of Sheet Lead, and to secure the Chimnies of the Province-Hall from the effect of the weather.

To *John Ryan*. To John Ryan, Printer, *fifty pounds*, on account, in addition to the sum of *thirty pounds* heretofore paid agreeable to the Grant of last Session.

For Grammar School. The sum of *one hundred pounds* for the support of the Grammar School in the City of *Saint John*, established by Act of Assembly to that effect.

To be paid by the Lieut.-Governor's Warrant. II. *And be it further enacted*, That all the before-mentioned several sums of money shall be paid by the Treasurer, by Warrant issued by 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 monies may come into the same, every sum granted by this Act, having a preference in payment to all sums granted or that may be granted by any other Act during this Session.

CAP. XI.

An Act for granting certain Sums for repairing and laying out ROADS. Passed 16th March, 1803.

WHEREAS the opening of a communication from the *Nova-Scotia* Line to the City of *Saint John* and to *Fredericton*, and the other parts of this Province, by proper Roads and Bridges, would be of great public utility, and the opening of other Roads to communicate with such public Roads would accommodate the settlers in the different parts of this Province.

Be it enacted by the Lieutenant-Governor, Council and Assembly, That there be and hereby are granted to his Majesty, his Heirs and Successors for that purpose, the following sums, to wit:—The sum of *four hundred and sixty-nine pounds* for the purpose of opening the communication between the City of *Saint John* and the County of *Westmorland*. The sum of *one hundred and twenty-five pounds* for improving the communication from the City of *Saint John* to *Hammond* River. The sum of *seventy-five pounds* for improving the communication from *Hammond* River to the Fork of the Roads leading to *Fredericton* and *Westmorland*. The sum of *one hundred pounds* towards opening the communication from *Saint Andrews* through the settlements in the County of *Charlotte*, in the main communication to the City of *Saint John*, by the way of the settlements on *Musquash* River. To *Robert Carlisle* the sum of *eleven pounds*, being a part of the money heretofore granted for the encouragement of a settlement at the *Portage*, between *Salmon* River and the River *Petcoodi-ac*. For completing the Road from *Chipman's* Farm to the Bay of *Kennebeckacis*, the sum of *seventeen pounds, seventeen shillings and six-pence*. For completing the Road from *Musquash* River to *Saint John*, the sum of *fifty pounds*. The sum of *fifty pounds* for the purpose of continuing the Road from *Chipman's* Farm to *Gondola* Point. The sum of *fifty pounds* for the purpose of repairing the Long and Short *Portages*, and to make Bridges between the Bay of *Kennebeckacis* and the City of *Saint John*. For the purpose of levelling the Road across *Bazeley's* Point at *Belisle* Bay, the sum of *ten pounds*. The sum of *twenty-five pounds* to complete the Road from the settlement at *Quaco*, to the main Road leading to *Saint John*. The sum of *fifty pounds* for the purpose of building a Bridge across a branch of *Dennis's* Stream in the County of *Charlotte*. The sum of *twenty-five pounds* for the purpose of enabling the settlers on the *Grand Lake* to avail themselves of a communication with the Road leading from *Fredericton* to *Saint John*. The sum of *fifty pounds* for opening a Road from *Hopewell* to *Hammond* River. The sum of *twenty pounds* for building a Scow and providing a Rope to cross the River *Maggaudivick* at *Vernon's* Farm. The sum of *thirty pounds* to enable the settlers on the River *Oromoclo* to open a communication from the south branch thereof to the River *Saint John* at *Burton*, in the County of *Sunbury*. The sum of *thirty pounds* to aid the Inhabitants of the Parish of *Sheffield* in building a Bridge across *Fox's* Creek in the County of *Sunbury*. The sum of *one hundred pounds* towards completing a Road from the lower boundary of *York* County to *Presque Isle* on the River *Saint John*. The sum of *fifty pounds* towards completing the Road leading from *Carleton* to *Fredericton*, on the western side of the River *Saint John*. The sum of *fifty pounds* towards completing the Road from *Moncton* Ferry to *Miramichi*, through

Preamble.

Between *St. John* and *Westmorland*.From *St. John* to *Hammond* River.From *Hammond* River to the fork of the road leading to *Fredericton*, and *Westmorland*.From *St. Andrews* to *St. John*.To *Robert Carlisle*.From *Chipman's* farm to *Kennebeckacis* Bay. From *Musquash* River to *St. John*.From *Chipman's* farm to *Gondola* Point. For repairing the *Portages* between *Kennebeckacis* Bay and *Saint John*.For levelling the road across *Bazeley's* point. From *Quaco* to the road leading to *Saint John*.For building a bridge across *Dennis's* Stream.For opening a communication from the *Grand Lake* to the *St. John* road. From *Hopewell* to *Hammond* River.For a scow and rope to cross the river *Maggaudivick*.From the South branch of the *Oromoclo* to the River *St. John*.For building a Bridge across *Fox's* Creek.From the lower boundary of *York* County, to *Presque Isle*.From *Carleton* to *Fredericton*.From *Moncton* Ferry, to *Miramichi*.

the settlements on the River *Nashwack*. The sum of *forty pounds* towards building a Bridge over *Breaux Creek*, in the County of *Westmorland*. The sum of *twenty-nine pounds, five shillings and seven-pence half-penny*, to *Dugald Campbell*, Esquire, for his services (and a balance of expences) as Commissioner of Public Roads, and for making plans and estimates of the expences thereof, in addition to the Grant of the last Session for that purpose. The sum of *one hundred pounds* towards repairing the Road through the *Portage*, and otherwise leading from the settlements on the River *Nashwack*, to the settlements on the River *Miramichi*, and for encouraging a person to settle on the said *Portage*. And the sum of *twenty-five pounds* for the purpose of facilitating the navigation of the *Great Rapids* on the River *Nashwack*.

For building a Bridge over *Breaux Creek*.

To *Dugald Campbell*.

From the *Nashwack* to *Miramichi*.

For the Rapids on the *Nashwack*.

Warrants to be lodged with the Treasurer,

and paid to the order of Commissioners,

to be appointed by the Lieutenant Governor.

Money to be laid out by contract.

Commissioners to give certificates to persons completing contracts.

No allowance to Commissioners.

Commissioners to report.

All which several sums shall be paid by Warrant of his Excellency the Lieutenant-Governor or Commander in Chief, by and with the advice of his Majesty's Council, which Warrants shall be lodged with the Treasurer, and shall be paid to the order of such discreet persons residing in or near the several Counties where the Monies are to be laid out, as his Excellency the Lieutenant-Governor shall appoint as Commissioners, who shall lay out the same by contract (after giving public notice thereof) to the best advantage for the purposes aforesaid: All such contracts to be made agreeably to the report and estimate of *Dugald Campbell*, Esquire, laid before the House of Assembly, by his Excellency the Lieutenant-Governor, where such Roads have been reported, excepting that the sum of *forty pounds* only, of the *seventy-five pounds* allotted for the Road leading from the River *Kennebeckacis* to *Jemseg*, shall be laid out there, and the remaining *thirty-five pounds* shall be laid out on a Bridge over *Salmon River* below Mr. *Hallet's*, and also that the sum of *forty-six pounds fourteen shillings and four-pence*, allotted to a Bridge over *Studholme's Mill-Stream*, be also allotted to the said Bridge on *Salmon River*. And the said Commissioners shall give to the persons completing such contracts from time to time, a certificate or order specifying the kind or quantum of work so performed and the sums they are entitled to receive for such services; which certificate or order with the receipt of the person named therein, indorsed on the same, shall entitle the holder to receive payment thereof from the Treasurer. And such Commissioners shall not be allowed any part of such Monies for their services: And the said Commissioners shall severally report to the next General Assembly their proceedings, and the extent of improvements made under their directions.