

ACTS
OF
THE GENERAL ASSEMBLY
OF
HER MAJESTY'S PROVINCE
OF
NEW BRUNSWICK,
PASSED IN THE YEAR
1848.



FREDERICTON :

PRINTED BY JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MDCCCXLVIII.

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Anno Regni VICTORIÆ Britanniarum Reginae Undecimo.

AT the General Assembly of the Province of New Brunswick, begun and holden at Fredericton on the Twenty eighth Day of January, *Anno Domini* One thousand eight hundred and forty seven, in the Tenth Year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and thence continued by several Prorogations to the Nineteenth Day of January One thousand eight hundred and forty eight ; being the Second Session of the Fourteenth General Assembly convened in the said Province.

THE
ACTS
OF
THE GENERAL ASSEMBLY, &c.

CAP. I.

An Act imposing Duties for raising a Revenue.

Passed 30th March 1848.

WE, Her Majesty's dutiful and loyal Subjects, the Assembly of New Brunswick, in General Assembly convened, for raising the necessary Supplies to defray the expenses of Her Majesty's Government within this Province, have freely resolved to give and grant to the Queen's Most Excellent Majesty, the several Rates and Duties in the Schedule hereinafter mentioned, and do therefore pray Your Excellency that it may be enacted ;

I. And be it enacted by His Excellency the Lieutenant Governor, by and with the advice and consent of the Legislative Council and Assembly, and by the authority of the same, That on and after the first day of April which will be in this present year of our Lord one thousand eight hundred and forty eight, there be and are hereby granted to the Queen's Most Excellent Majesty, Her Heirs and Successors, for the use of this Province, and for the support of the Government thereof, the several Rates and Duties described and set forth in the Table of Duties hereinafter contained, denominated *Table of Colonial Duties and Exemptions from Duties*, opposite to and against the respective Articles in the said Table or Schedule mentioned, described, and enumerated, and according to the value, number or quantity of such articles therein specified, whether imported or brought into this Province either by Sea, Inland Navigation, or by Land, from any part of the British Empire, or from any Foreign Port or place, or which may be saved from any Wreck, or stranded Ship or Vessel.

Duties granted for the use of the Province and the support of the Government.

II. And be it enacted, That the several Duties hereinbefore imposed, and in the said Table or Schedule mentioned, shall be paid by the importer or importers of such articles respectively, and shall be held and taken to be in addition to and over and above any Duties which are or may be imposed and collected by and under the authority of any other Act or Acts of the General Assembly of this Province, passed or to be passed, or now or hereafter to be in force, and shall be collected and secured by means of and under the regulations and penalties, and shall be drawn back on exportation, or warehoused, in the way and manner provided by any Act or Acts of the General Assembly for collecting the Revenue of this Province.

Duties to be in addition to any Duties otherwise imposed.

III. And be it enacted, That all Goods which shall have been warehoused in this Province before this Act comes into operation, and which shall remain so warehoused after the operation thereof commences, and on which the Provincial Duties heretofore imposed have not been paid or secured by a subsisting or continuing security, shall, in lieu of all former Duties, become liable to and be charged with the Duties hereby imposed on the like Goods ; which Duties shall be paid at the time of taking such Goods out of the Warehouse.

Warehoused goods on which Duties have not been secured to be liable to Duties imposed by this Act.

IV.

Duties to be repaid, &c. on goods exported for the Deep Sea Fisheries.

IV. And be it enacted, That when any articles that shall have been warehoused, or on which Duties shall have been paid under this or any other previous Act, shall be exported for the use of the Deep Sea or Whale Fisheries, the amount of such Duties shall be repaid to the exporter by the Treasurer or Deputy Treasurer, or the Warehouse Bond cancelled, on affidavit (of the exporter) of the same having been so exported for the use aforesaid.

Duties to be paid according to the Weights and Measures in use.

V. And be it enacted, That all the Duties by this Act imposed, shall be collected, paid and received according to the Weights and Measures now in use in this Province; and that in all cases where the said Colonial Duties are in this Act imposed according to any specific quantity or any specific value or number, the same shall be deemed to apply in the same proportions to any greater or less quantity, value or number.

Ship stores may be delivered from the Warehouse to be shipped.

VI. And be it enacted, That Ship Biscuit, Salted Beef, and Pork, duly warehoused at any Port or place within this Province, may be delivered out of such Warehouse to be shipped as Stores for every Ship or Vessel of the burthen of fifty tons and upwards, bound on a Voyage to any Port or place out of this Province, the probable duration of which out and home will not be less than thirty days; provided always, that such Biscuit, Beef and Pork shall be borne upon the Ship's Clearance, and that due proof, on affidavit, shall be made to the Treasurer or Deputy Treasurer, that the articles required are requisite and necessary for the Voyage upon which such Vessel is intended to proceed.

Act may be amended during the present Session. Limitation.

VII. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of the Legislature.

VIII. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty nine.

Table of Colonial Duties and Exemptions from Duties.

ARTICLES SUBJECT TO DUTY.

Specific.

Articles liable to and exempted from Duty.

	On British and Colonial produce, growth or manufacture.			On Foreign produce, growth or manufacture.		
	£	s.	d.	£	s.	d.
Apples, per bushel,	0	0	6	0	0	6
Butter, per hundred weight,	0	4	6	0	9	0
Candles of all kinds, except Sperm and Wax, per pound,	0	0	1	0	0	1½
Sperm and Wax, per pound,	0	0	3	0	0	4
Cattle of all kinds over one year old,	1	0	0	2	0	0
Cheese, per hundred weight,	0	3	0	0	6	0
Clocks or Clock Cases of all kinds, each,	0	5	0	0	15	0
Coffee, per pound,	0	0	1	0	0	1½
Fish of Foreign taking or curing, dried or salted, per hundred weight,	Free.			0	2	6
Pickled, per barrel,	Free.			0	5	0
Fruit, dried, per hundred weight,	0	5	0	0	7	6
Horses, Mares, and Geldings, each,	2	0	0	3	0	0
Leather,						
Sole, per pound,	0	0	1½	0	0	2½
Upper Leather, per pound,	0	0	1½	0	0	3½
Harness and Belt Leather, per pound,	0	0	1	0	0	2½
Sheep Skins, tanned and dressed, per dozen,	0	2	6	0	3	0
Calf Skins, tanned, per dozen,	0	2	6	0	6	0

Malt

	On British and Colonial produce, growth or manufacture.			On Foreign produce, growth or manufacture.		
	£	s.	d.	£	s.	d.
Malt Liquors of every description, (not being aqua-vitæ, otherwise charged with duty,) whether in Bottles or otherwise, per gallon,	0	0	3	0	0	6
Meats, fresh, per hundred weight,	0	4	2	0	6	3
Salted and cured, per hundred weight,	0	2	6	0	5	0
Molasses and Treacle, per gallon,	0	0	1	0	0	3
Spirits and Cordials, viz:—						
Brandy, per gallon,	0	3	0	0	3	0
Rum and other Spirits, and Cordials :						
For every gallon of such Rum or other Spirits or Cordials of any strength under and not exceeding the strength of proof of 26 by the Bubble,	0	1	0	0	1	3
And for every Bubble below 26 in number, an additional, per gallon,....	0	0	2	0	0	2
Lemon Syrup, per gallon,	0	1	0	0	1	0
Sugar, Refined, in Loaves, per pound,	0	0	1	0	0	2
Refined, Crushed, per hundred weight,	0	5	0	0	10	0
Of all kinds, except Refined and Crushed, per hundred weight,	0	2	6	0	6	0
Tea, per pound,	0	0	2	0	0	2
Tobacco, manufactured, except Snuff and Cigars, per pound,	0	0	1	0	0	1
Wines, per gallon,	0	3	0	0	3	0
Wheat Flour, per barrel,	0	1	0	0	2	0

Articles liable to and exempted from Duty,
Continued.

Ad-valorem.

On the following articles, for every one hundred pounds of the true and real value thereof, videlicet:—

Boots, Shoes, and other Leather Manufactures,	4	0	0	30	0	0
Carriages, Waggon, Sleighs, and other Vehicles,	4	0	0	30	0	0
Chairs, and prepared parts of or for Chairs; Clock Wheels, Machinery and Materials for Clocks; Household Furniture, (except the Property of Passengers and Emigrants, for their own use, and not intended for sale); Looking Glasses; Oranges and Lemons; Whale Oil, (except the return Cargoes of Vessels fitted out for Fishing Voyages from Ports in this Province); Wooden Wares of all kinds; Matches; Corn Brooms, and Brushes; Hats and Hat Bodies,	4	0	0	20	0	0
Piano Fortes; Snuff and Cigars,	10	0	0	20	0	0
Cordage,	Free.			10	0	0
Bread and Biscuit,	4	0	0	10	0	0
All other Goods, Wares and Merchandise, not otherwise charged with Duty, and not hereafter declared to be free of Duty, for every hundred pounds of the true and real value thereof,	4	0	0	15	0	0

EXEMPTIONS

EXEMPTIONS FROM DUTY

Articles liable to
and exempted from
Duty,
Continued.

- Anchors.
- Ashes.
- Baggage and Apparel not intended for sale.
- Barilla.
- Beans and Peas.
- Books, Printed.
- Burr Stones.
- Canvas.
- Carriages of Travellers not intended for sale.
- Chain Cables and other Chains for Ships' use.
- Coal Tar.
- Coals.
- Coins, Bullion, and Diamonds.
- Composition Nails and Spikes for Ship Building.
- Corn, Wheat, Rye, Indian Corn, Barley, Oats, Rice ground and unground, and Buckwheat unground, Barley Meal, Rye Flour and Meal, Oatmeal, Indian Meal, Buckwheat Meal, and Calavances.
- Cotton Wool and Cotton Warp.
- Copper in Sheets, Bars and Bolts, for Ship Building.
- Corn Broom Brush.
- Dog Stones.
- Duck.
- Dye Wood.
- Eggs.
- Felt.
- Fishing Craft Utensils, Instruments, and Bait.
- Fruits, Fresh Roots and Vegetables of all kinds, except Apples, Oranges and Lemons.
- Furniture, Working Tools, and Implements, the property of Emigrants, not intended for sale.
- Gypsum, ground and unground.
- Hemp, Flax, and Tow.
- Hides, Green and Salted.
- Iron in Bolts, Bars, Plates, Sheets, and Pig Iron.
- Lines and Twines for the Fisheries.
- Looking Glass Plates.
- Manures of all kinds.
- Mill Saws.
- Morocco Skins.
- Nets and Seines.
- Oakum.
- Oil, Blubber, Fins, and Skins, the produce of Creatures living in the Sea, the return of Vessels fitted out in this Province for Fishing Voyages.
- Oil—Seal, Cod, Porpoise, Palm, and Rape.
- Ores of all kinds.
- Pitch.
- Plants, Shrubs, and Trees.
- Poultry of all kinds.
- Printing Paper.
- Quicksilver.

Rags,

Rags, Old Rope, and Junk.
 Rock Salt.
 Rosin.
 Sail Cloth of all kinds.
 Salt.
 Seeds of all kinds.
 Sails and Rigging saved from Vessels wrecked.
 Sheathing Paper.
 Ships, Ship Tackle and Apparel.
 Skins, Furs, Pelts, or Tails, undressed.
 Soap Grease.
 Spikes and Sheathing Nails.
 Steam Engines, Boilers, and Machinery, for Mills.
 Stone, unmanufactured.
 Tallow.
 Tar.
 Tin in Sheets and Blocks.
 Tobacco, unmanufactured.
 Turpentine.
 Varnish of all kinds.
 Wood and Lumber of all kinds, except Cedar, Spruce, Pine, and Hemlock
 Shingles.
 Wool.
 Zinc.

Articles liable to
 and exempted from
 Duty,
 Continued.

CAP. II.

An Act to provide for the Collection and Protection of the Revenue of this Province.

Passed 30th March 1848.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Treasurer of the Province for the time being shall have the superintendence and management of the Treasury Department throughout the whole of the said Province, and the charge of the Collection of any Duties which may be imposed by any Act or Acts for raising a Revenue within the said Province, subject to the authority, directions and control of the Lieutenant Governor or Administrator of the Government of the said Province; and such Treasurer shall enter into good and sufficient security by Bond, to Her Majesty, Her Heirs and Successors, with at least two sureties, in a sum not less than ten thousand pounds, conditioned for the faithful discharge of the duties required of him.

II. And be it enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, in places where a Deputy Treasurer may be required for the due enforcement of this or any other Act relating to the Revenue of this Province, to appoint fit persons to be Deputy Treasurers in such port or place; which persons so appointed, shall give good and sufficient security by Bond, to Her Majesty, for the faithful discharge of their duties respectively, that is to say, the Deputy Treasurers at Saint Andrews and Miramichi, respectively, in a sum not less than four thousand pounds; the Deputy Treasurer at Dalhousie, in a sum not less than three thousand pounds; the Deputy Treasurers at Richibucto and Bathurst, respectively, in a sum not less

MANAGEMENT.

Treasurer to have
 superintendence of
 Treasury Department
 and collection
 of Duties through-
 out the Province.

OFFICERS.

Appointment of
 Deputy Treasurers.

Security to be
 given.

*Meeting open a
 instance to meet
 a Lieutenant Governor
 B. G. G. G.
 14 Dec
 Cap II*

OFFICERS.

less than two thousand pounds; the Deputy Treasurer at West Isles, in a sum not less than one thousand pounds; and all other Deputy Treasurers, in a sum not less than five hundred pounds; and all such Bonds shall be executed by at least two good and sufficient sureties, and shall be taken in the name of Her Majesty, Her Heirs and Successors; and the said Deputy Treasurers now in office, and all those who may hereafter be appointed, shall be accountable to the Treasurer of the Province for the time being, for all sums of money received by them under and by virtue of this or any other Act relating to the Revenue of the Province, and when thereunto required shall pay or remit the same in such manner as the said Treasurer may direct; and each Deputy Treasurer shall and may retain for his services, ten pounds for every hundred pounds which he shall receive, secure, or which shall come into his hands, under and by virtue of this or any other Act relating to the Revenue of this Province, over and above his proportion of the seizures and forfeitures which he may make under and by virtue of this or any other Act relating to the Provincial Revenue; provided always, that the sum so retained as aforesaid shall not in any one year exceed three hundred pounds for the services of any one Deputy.

Compensation.

Deputy at Saint John.

III. And be it enacted, That it shall and may be lawful for the said Treasurer, 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 and his sureties shall be responsible; which Deputy, during his continuance in office, shall have the same power and authority, in every respect, as the Treasurer hath by virtue of this or any other Act relating to matters of Revenue, when personally executing the duties of his office, but shall not receive any compensation or allowance from the Public Treasury for his services, except his proportion of the proceeds of any seizures he may make, or of any penalties and forfeitures which may be incurred by this or any other Act during his continuance in office as aforesaid.

Compensation.

Revenue Officers to be under the control of the Treasurer and Deputies.

Their duties.

IV. And be it enacted, That the Tide Surveyors and Waiters, and all other Revenue Officers who may be appointed by the Lieutenant Governor or Administrator of the Government for any port or place within the Province, shall, in all respects, be under the orders, directions and control of the Treasurer and Deputy Treasurer respectively, for the places where such Officers may be appointed; and the said Tide Surveyors and Waiters, and other Revenue Officers, shall attend to the unloading of ships with dutiable articles, and shall not allow any such dutiable articles to be landed from any ship arriving at any port or place for which they are respectively appointed, without a Permit from the Treasurer, Deputy Treasurer, or other authorized Officer, as the case may be; and if any Tide Surveyor, Waiter, or other Revenue Officer, attending the unloading of any ship with dutiable articles, shall discover any articles on board which have not been duly entered by the master in his report of the cargo on board such ship, or in the Entry of the owner or consignee of such articles, or if any such articles shall be by such Officer found to be landed from such ship, or otherwise imported contrary to the provisions of this or any other Act relating to matters of Revenue, it shall be the duty of such Tide Surveyors and Waiters, and other Officers respectively, and they are hereby required forthwith to seize and take possession of such articles, and secure the same, and make report to the Treasurer or Deputy Treasurer at the port or place where such detention shall take place, and the said Treasurer or Deputy Treasurer shall immediately proceed against the same, according to the provisions of this Act.

V. And be it enacted, That all Commissions, Deputations, and Appointments, granted to any Officers of the Revenue in force at the time of the passing of this Act, shall continue in force as if the same had been afterwards granted and made under and by authority of this Act, and that all Bonds which shall have been given by any such Officers, and their respective sureties, for good conduct, or otherwise, shall continue and remain in full force and effect; and it shall and may be lawful for all Deputy Treasurers, except the Deputy Treasurer for the Port of Saint John, in case of sickness or necessary absence of either of them, to appoint a fit person for them respectively, to attend to the duties of their respective offices during their sickness or necessary absence; and the person or persons so appointed, shall, during the period of such appointment, have the same power and authority in every respect as the Deputy Treasurers have by virtue of this or any other Act relating to matters of Revenue; and for the conduct of such person, the said Deputy Treasurers, and their respective sureties, shall be responsible.

OFFICERS.

Appointments and Bonds of Revenue Officers to continue in force.

The Deputy Treasurers may provide for the performance of their duties in case of sickness, &c.

VI. And be it enacted, That the Treasurer of the Province, and the Deputy Treasurers respectively, are hereby authorized and empowered to administer all the oaths required to be made and taken for carrying the provisions of this or any other Act relating to the Revenue of this Province into effect; and every person who shall be convicted of making a false oath to any of the particulars required of him to be sworn to, shall be liable to all the pains and penalties to which persons are liable for wilful and corrupt perjury.

Oaths may be administered by Treasurer and Deputies.

VII. And be it enacted, That the Clerks in the Office of the Provincial Treasury at the City of Saint John, appointed or to be appointed by the Treasurer of the Province, whilst in such Office, are hereby empowered to administer all oaths required to be administered by the Treasurer of the Province, in like manner as the Treasurer of the Province is authorized to administer the same; and any person who shall make a false oath before any Clerk in such Office, shall be deemed guilty of perjury, and liable to the pains and penalties of the same; provided always, that the Treasurer of the Province shall first publish in the Royal Gazette the names of such Clerks.

Treasurer's Clerks may administer oaths.

Clerks' names to be gazetted.

VIII. And be it enacted, That every person employed on any duty or service relating to the Treasury Department, by the orders or with the concurrence of the Treasurer, shall be deemed to be the Officer of the Treasury for that duty or service; and that every act, matter or thing required by any Law at any time in force, to be done or performed by to or with any particular Officer nominated in such Law for such purpose, being done or performed by to or with any person appointed by the Treasurer to act for or in behalf of such particular Officer, the same shall be deemed to be done or performed by to or with such particular Officer; and that every act, matter or thing required by any Law at any time in force, to be done or performed at any particular place within any port, being done or performed at any place within such port appointed by the Treasurer for such purpose, the same shall be deemed to be done or performed at any particular place so required by Law.

Persons employed in Treasury Department deemed Officers of that Department.

Official duties performed by persons appointed by the Treasurer deemed as done by the proper Officer.

IX. And be it enacted, That every person appointed or to be appointed to any office or employment in the service of the Treasury in this Province, shall, at their respective admissions thereto, take and subscribe the following oath before one of Her Majesty's Justices of the Inferior Court of Common Pleas, or some one of the Justices of the Peace; which oath the said Justice is hereby authorized and required to administer without fee or reward, that is to say:

All persons in the service of the Treasury to be sworn.

'I, A. B., do swear to be true and faithful in the execution, to the best of my knowledge and power, of the trust committed to my charge and inspection, in the service

service

OFFICERS.

service of the Treasury in this Province; and that I will not require, take or receive any fee, perquisite, gratuity or reward, whether pecuniary or of any sort or description whatever, either directly or indirectly, for any service, act, duty, matter or thing done or performed, or to be done or performed, in the execution or discharge of any of the duties of my office or employment, on any account whatever, other than my salary, and what is or shall be allowed me by Law, or by any special order of the Lieutenant Governor or Administrator of the Government, or by the Treasurer of the Province for the time being. So help me God!

Office hours to be appointed by the Executive Government.

X. And be it enacted, That it shall be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, by Order in Council, from time to time to appoint the hours of general attendance of the respective Officers of the Treasury, and other persons in the service thereof, at their proper offices and places of employment; and it shall be lawful for the Treasurer of the Province for the time being, to appoint the times during such hours at which any particular parts of the duties of such Officers and other persons respectively, shall be performed by them.

General provisions.

Dutiable imported goods to be subject to rules, &c. of this Act.

XI. And be it enacted, That all goods subject to Duties under any Act or Acts of the General Assembly of this Province, and which have been or shall be imported or brought by sea, or inland navigation, or by land carriage, into this Province, from any port or place abroad, beyond the seas, or out of this Province, or which being so subject to Duties shall be carried and transported by sea from one port or place within this Province to another port or place within this Province, shall be and the same are hereby made liable and subject to the several rules, restrictions, conditions, regulations, penalties and forfeitures in this Act contained, in respect to such importation, and the payment or security of the Duties thereon, or the warehousing of the same goods.

SHIPS.

Report of person in charge of vessel to be made within twenty four hours after arrival.

XII. And be it enacted, That the master, commander, or person in charge of every ship arriving at any port or place in this Province, whether laden or in ballast, shall, within twenty four hours after such arrival, and before bulk be broken, make due report in duplicate of such ship to the Treasurer of the Province, or to the Deputy Treasurer, or other authorized Officer, at or nearest the place of such arrival, under oath, subscribed by him; and if laden, such report shall contain an account of the particular marks, numbers and contents of all the different packages or parcels of the goods on board of such ship, and the particulars of such goods as are stowed loose, and the names and number of Passengers (if any) to the best of his knowledge and belief, and of the place or places where such goods were respectively taken on board; and shall, in the same report, state on oath, as aforesaid, the name of each and every owner and consignee of such cargo, and where the same is intended to be landed; and such report shall further state whether and in what cases such ship has broken bulk in the course of the voyage, and whether any and what part thereof has been landed and taken from such ship after arriving in the Province, and what part (if any) is intended for exportation in the same ship, and what surplus stores or stock remain on board such ship; and the master, commander, or other person in charge of any ship, who, after arriving within the Province, shall fail to make such report, or who shall make a false report, or who shall land any part of the cargo before a Warrant is granted therefor, shall in each and every case forfeit the sum of one hundred pounds.

Contents.

Penalty.

Officers to board Ships:

XIII. And be it enacted, That it shall be lawful for the Treasurer, or my Deputy Treasurer, or Tide Surveyor, or other authorized Officer, to board any ship in any port or place in any part of this Province, either before or after such ship

ship comes to anchor, and freely to stay on board until all the goods laden therein shall have been duly delivered from the same; and the said Officers shall have free access to every part of the ship, with power to fasten down hatchways, and to mark any goods before landing, and to lock up, seal, mark, or otherwise secure any goods on board such ship; and if any place, or any box or chest be locked, and the keys withheld, the said Officers may open any such place, box, or chest, in the best manner in their power; and if any goods be found concealed on board any such ship, they shall be forfeited; and if any lock, mark, or seal, be placed upon any goods on board, and such lock, mark, or seal, be wilfully opened, altered, or broken, before due delivery of such goods, or if any of such goods be secretly conveyed away, or if the hatchways, after having been fastened down by the Officer, be opened, the master of such ship shall forfeit the sum of one hundred pounds.

XIV. And be it enacted, That it shall be lawful for the Treasurer, or any Deputy Treasurer, or Tide Surveyor, or other authorized Officer, to station persons on board any ship while within the limits of any part of this Province; and the master of every ship, on board of which any Officer is so stationed, shall provide every such Officer sufficient room under the deck, in some part of the fore-castle or steerage, for his bed or hammock, and in case of neglect or refusal so to do, shall forfeit the sum of ten pounds.

XV. And be it enacted, That the master of every ship in which any goods are imported into this Province, shall, before any goods or ballast be taken on board, to be carried to any place without the Province, or to another port within the Province, deliver to the Treasurer of the Province, or to a Deputy Treasurer, or other authorized Officer, at the port or place where such vessel may be, a Certificate from the proper Officer, of the clearance inwards of the cargo imported in such ship; and if any goods or ballast be taken on board any ship before the delivery of such Certificate, the master shall forfeit the sum of one hundred pounds; provided always, that when it shall become necessary to lade any heavy goods or ballast on board any ship before the whole of the inward cargo is discharged, it shall be lawful for the Treasurer, Deputy Treasurer, or other authorized Officer, to issue a stiffening order for that purpose, stating what particular goods or ballast may be taken on board.

XVI. And be it enacted, That every importer of any goods shall within five days after the arrival of the ship importing the same, the same not being intended for exportation in the same ship, make perfect entry of such goods, or entry by Bill of Sight in manner hereinafter provided; and in default of such entry, it shall be lawful for the Treasurer, or Deputy Treasurer, or other authorized Officer, to convey such goods to the Queen's or some special Warehouse; and whenever the cargo of any ship shall have been discharged, with the exception only of a small quantity of goods, it shall be lawful for the Treasurer, Deputy Treasurer, or other authorized Officer, to convey such remaining goods, and at any time to convey any small packages or parcels of goods, to the Queen's or some special Warehouse, although such five days shall not have expired, there to be kept waiting the due entry thereof, during the remainder of such five days; and if the Duties due upon any goods so conveyed to a Warehouse shall not be paid or secured within three months after such five days shall have expired, together with all charges of removal and Warehouse rent, the same shall be sold, and the produce thereof shall be applied first to the payment of freight and charges, next to Duties, and the overplus (if any) shall be paid to the owner of the goods, or to his authorized agent.

SHIPS.

and have free access to all parts;

may seal and secure goods;

may open locks.

Goods concealed forfeited.

If seal, &c. be broken, master to forfeit £100

Officers may be stationed in Ships.

Accommodation of Officers on board.

Master to deliver Certificate of clearance of last voyage.

Penalty.

Stiffening Order.

ENTRY.

Importer to enter goods within five days.

Not so entered may be taken charge of.

Remnant of cargo and all small packages may be landed by Officers.

Duties and charges not paid in three months, goods to be sold.

ENTRY.

Contents of Bill of Entry.

Duplicates.

Bill, when signed, shall be the Warrant for landing.

Landing before Report and Permit.

Forfeiture.

Penalty.

Not valid unless agreeing with Ship's Report and other documents;

and description of goods.

Goods not properly entered, forfeited.

Entry of goods to pay Duty by number, &c., or value.

XVII. And be it enacted, That the person entering any goods inwards, whether for payment of Duty, or to be warehoused, upon the first perfect entry thereof, or for payment of Duty upon the taking out of the Warehouse, or whether such goods be free of Duty, shall deliver to the Treasurer, Deputy Treasurer, or other authorized Officer, as the case may be, a Bill of Entry of such goods, expressing the name of the ship and of the master of the ship in which the goods were imported, and of the place from whence they were brought, and the description and situation of the Warehouse, if they are to be warehoused, and the name of the person in whose name the goods are to be entered, and the quantity and description of the goods, and the number and denomination or description of the respective packages containing the goods; and in the margin of such Bill shall delineate the respective marks and numbers of such packages, and shall pay down or give security for any Duties which may be payable upon the goods mentioned in such Entry; and such person shall also deliver at the same time one or more duplicates of such Bill; and the particulars to be contained in such Bill shall be written and arranged in such form and manner, and the number of duplicates shall be such as the Treasurer, Deputy Treasurer, or other authorized Officer, shall require; and such Bill, being duly signed by the Treasurer, Deputy Treasurer, or other authorized Officer, shall be the Warrant for the landing or delivering of such goods; and any goods which shall be landed from any ship before the report of the master or commander has been made, and before entry inwards by the owner or consignee, or other person entering the same, and a Permit obtained from the Treasurer, Deputy Treasurer, or other authorized Officer, for the landing of the same, such goods so landed shall be forfeited; and the person or persons concerned in receiving or concealing such articles, or in landing them without a Permit for that purpose, or who shall make an untrue report or entry of such goods, shall for each offence forfeit and pay the sum of one hundred pounds.

XVIII. And be it enacted, That no entry nor any Warrant for the landing of any goods, nor for the taking of any goods out of any Warehouse, shall be deemed valid, unless the particulars of the goods and packages in such entry shall correspond with the particulars of the goods and packages purporting to be the same in the report of the ship, and in the Certificate or other document, where any is required, by which the importation or entry of such goods is authorized, nor unless the goods shall have been properly described in such entry by the denominations, and with the characters and circumstances according to which such goods are charged with Duty; and any goods taken or delivered out of any ship, or out of any Warehouse, or for the delivery of which, or for any order for the delivery of which from any Warehouse, demand shall have been made, not having been duly entered, shall be forfeited.

XIX. And be it enacted, That if the goods in such entry be charged to pay Duty according to number, measure, or weight thereof, such number, measure, or weight, shall be stated in the Bill of Entry; and if the goods in such entry be charged to pay Duty according to the value thereof, such value shall be stated in the entry, and shall be, upon the oath of the importer, or his authorized agent, before the Treasurer, Deputy Treasurer, or other authorized Officer, written upon the Bill of Entry, and attested by his signature; and if any person make such entry upon oath, not being the importer or owner of such goods, nor his agent duly authorized by him, such person shall forfeit the sum of one hundred pounds; and such affidavit shall be made in the manner and form following, and shall be binding upon the person by or in behalf of whom the same shall be made, that is to say:

' I,

I, A. B., do swear that I am the importer (or authorized by the importer) of the Goods contained in this Entry, that the several quantities are correctly stated, and that those articles subject to Duty, according to the value thereof, cost the sum of —, Currency, and no more, to the best of my knowledge and belief.

Sworn before me this — day of —. C. D., Treasurer. A. B.

Provided always, That if it shall appear to the Treasurer, Deputy Treasurer, or other authorized Officer, that such articles have been invoiced below the real value thereof at the place from whence the same were imported, or if the value is not known, it shall be lawful for such Treasurer, Deputy Treasurer, or other authorized Officer, to cause such articles to be examined by one or more competent person or persons appointed or to be appointed by the Lieutenant Governor or Administrator of the Government for the time being; and such person or persons, or any one of them, shall declare or certify to the Treasurer, Deputy Treasurer, or other authorized Officer, what is the true and real value of such articles; and the value so declared or certified shall be the true and real value of such articles, and upon which the Duties imposed by any Act or Acts of the General Assembly of this Province shall be charged and paid; provided nevertheless, that in all cases where goods are not entered according to the true value thereof at the place from whence they were imported, the Treasurer, Deputy Treasurer, or other authorized Officer, may take such goods for the use of the Province, paying to the importer or proprietor of such goods the amount of value as stated in his entry, together with an addition of ten pounds per centum, and also any Duties that may have been paid upon such goods at the time of entry; and such goods shall be disposed of for the benefit of the Province; and if the proceeds of such sale shall exceed the sum paid together with the Duties and charges incurred, one moiety of the overplus shall be given to the Officer who had taken the goods, and the money retained for the benefit of the Province shall be paid into the hands of the Treasurer of the Province, and carried to account of Ordinary Duties.

XX. And be it enacted, That if the importer of any goods shall make oath before the Treasurer, Deputy Treasurer, or other authorized Officer, that he cannot for want of full information make perfect entry thereof, it shall be lawful for the Treasurer, Deputy Treasurer, or other authorized Officer, to receive an entry by Bill of Sight, for the packages or parcels of such goods, by the best description which can be given, and to grant a Warrant thereupon, in order that the same may be landed and secured to the satisfaction of the Treasurer, Deputy Treasurer, or other authorized Officer, and at the expense of the importer, and may be seen and examined by such importer, in the presence of the proper Officers; and within three days after the goods shall have been so landed, the importer shall make a perfect entry thereof, and pay all Duties due thereon; and in default of such entry, such goods shall be taken to the Queen's or some special Warehouse; and if the importer shall not within one month after such landing make perfect entry of such goods, and pay the Duties due thereon, together with the charges of removal and Warehouse rent, such goods shall be sold for the payment thereof, and the overplus (if any) shall be paid to the owner of the goods.

XXI. And be it enacted, That it shall not be lawful to import or bring in by land or by inland navigation, any goods, wares, or merchandise, or any articles whatsoever, subject to Duty under any Revenue Law of this Province, except into some port or place of entry at which a Treasury Office now is or hereafter may be established; provided always, that it shall be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the

ENTRY.

Undervalued goods may be referred to one or more persons to be nominated, to fix the prices:

or Officer may detain and pay the value as entered, with ten per cent. advance.

Such goods to be sold for the benefit of the Province.

Entry may be made by Bill of Sight if the value of the goods be not known.

Importer to examine and make perfect Entry in three days; or goods to be taken to Queen's Warehouse, and in one month sold.

Goods brought by land or inland navigation must be brought to a place where there is a Treasury Office.

[The number of places of entry may be increased or diminished.]

ENTRY.

the advice and consent of the Executive Council, from time to time to diminish or increase, by Proclamation, the number of ports or places of entry which are or hereafter may be appointed for the entry of goods brought or imported as aforesaid.

Duties to be collected in same manner as on goods imported by Sea.

XXII. And be it enacted, That the Duties imposed by any Act or Acts of the General Assembly of this Province shall be ascertained, levied and recovered for and upon all goods so imported or brought in by land or inland navigation, in the same manner, and by the same means, and under the same rules, regulations, restrictions, penalties and forfeitures, as the Duties on the like goods imported by sea may and can be ascertained, levied and recovered, as far as the same is applicable; and if any goods shall be imported or brought in contrary hereto, or if any goods so imported or brought in shall be removed from the station or place appointed for the examination of such goods by the Officers of the Treasury before all Duties payable thereon shall have been paid or secured, such goods shall be forfeited, together with the vessel, boat, or carriage, and the horses or other cattle, in or by which such goods shall have been so imported, or brought in, or so removed.

If removed from place appointed for examination before Duties paid, to be forfeited.

Surplus Ship stores subject as goods.

XXIII. And be it enacted, That the surplus stores of every ship arriving at any port or place in this Province, shall be subject to the same Duties and the same restrictions and regulations as the like sort of goods shall be subject to when imported by way of merchandise; but if it shall appear to the Treasurer or other authorized Officer, that the quantity or description of such stores is not excessive or unsuitable, it shall be lawful for such Treasurer, Deputy Treasurer, or other authorized Officer, to permit such surplus stores to be warehoused or secured for the future use of such ship, and such surplus stores may be reshipped as stores for the same ship, without payment of Duty.

If not excessive, may be warehoused for the use of the Ship.

Articles imported or supplied for the Army, Navy, or Ordnance, exempted from Duty.

XXIV. And be it enacted, That any articles subject to Duties by any Act for raising a Revenue, which may be imported expressly for the use of Her Majesty's Army, Navy, or Ordnance, and actually delivered to an authorized Officer of Government, shall be and the same are hereby exempted from the Duties imposed upon the like articles; and any such articles which may be supplied by any resident merchant or trader for the uses aforesaid, and actually delivered to any authorized Officer of Government, shall also be exempt from the payment of any Duties imposed upon the like articles; and if the Duties thereon shall have been paid, then such resident merchant or trader shall receive back the amount of such Duties; provided always, that before any such article shall be exempted from the payment of Duties, and before any repayment of Duties shall be made, the authorized Officer of Government, shall, if the said articles have been imported, make and subscribe an affidavit before the Treasurer, Deputy Treasurer, or other authorized Officer, that the several articles are imported expressly for the use of Her Majesty's Army, Navy, or Ordnance, and to be received into his charge for that purpose; and if any such articles shall be supplied for the like purpose by any resident merchant or trader, such merchant or trader shall make and subscribe an affidavit before the Treasurer, Deputy Treasurer, or other authorized Officer, as aforesaid, that the articles mentioned in the affidavit were actually delivered to an authorized Officer; and the said authorized Officer shall also make and subscribe an affidavit before the Treasurer, Deputy Treasurer, or other authorized Officer, that the articles mentioned in the said affidavit of the merchant or trader, are actually delivered into his charge for the use as aforesaid.

Articles seized and sold by the Officers of Her Majesty's

XXV. And be it enacted, That all articles which are subject to Duties under any Act for raising a Revenue, and which have been or may be seized and sold

in any part of the Province for having been illegally imported or smuggled, shall be liable to the same rates and Duties as if the same had been legally imported and entered at any Office of the Treasury, as required by this or any other Act relating to Revenue; and the purchaser or purchasers of any such articles sold as aforesaid, shall, within twenty four hours after such sale and purchase, and before any part of the articles so purchased shall be removed, make report to the Treasurer, Deputy Treasurer, or other authorized Officer, at the place nearest the sale, in writing, under affidavit, of the articles so purchased; and the Duties arising thereon shall be paid in the same manner and subject to the same regulations as Duties arising on such articles, when legally imported; and upon the exportation of any such articles so purchased, reported, and upon which the Duties have been paid, the purchaser shall be entitled to the like drawbacks as hereinafter allowed upon the exportation of the like articles, subject always to the like regulations, provisions and restrictions as are hereinafter made and provided; and if any dutiable articles which may have been imported into the Province, or purchased from some resident merchant or trader, for the use of Her Majesty's Army, Navy, or Ordnance, and upon which no Duties have been paid, or upon which the Duties may have been repaid, shall at any time be sold by order of the Government, the purchaser or purchasers shall report the same, and pay the same amount of Duties as such articles are liable to when imported into the Province, and shall be entitled to the same drawbacks upon the exportation thereof, subject to the same regulations, restrictions and provisions as are hereinafter provided and made, as hereinafter mentioned; and any purchaser of dutiable articles at any Custom House sale, or at the sale of Government Stores as aforesaid, who shall refuse or neglect to make report of such articles so purchased, and to pay the Duties thereon, shall, if the same articles cannot be found, forfeit and pay the sum of one hundred pounds; and if the whole of the same are found, then, in lieu of such penalty, the said articles shall be forfeited, and may be seized, taken away and prosecuted by order of the Treasurer, Deputy Treasurer, or any other authorized Officer, and the proceeds thereof applied in manner directed by this Act.

ENTRY.

Customs, made liable to Duty.

Also articles for the use of the Army, &c., sold by order of Government, and on which no Duties have been paid.

Penalty.

XXVI. And be it enacted, That the Duties imposed on goods, wares and merchandise, by any Law or Laws relating to Revenue in this Province, shall be paid at the time of importation, or, if warehoused under the provisions of this Act, prior to removal from such Warehouse, otherwise than for exportation or removal from the Warehouse to another port within the Province.

Payment of Duties.

Duties on Goods imported into Saint John, Saint Andrews, &c., to be paid at time of importation.

XXVII. And be it enacted, That the quantity of all goods charged to pay Duty according to the measure or weight thereof, shall be determined by one or more sworn Gaugers and Weighers, appointed by the Lieutenant Governor or Administrator of the Government for the time being; and the quantity of all dutiable Liquors and Molasses shall be ascertained by Gunter's Calipers; and the weight of all goods dutiable by weight, by proper scales and weights to be provided by the Province Treasurer, at the expense of the Province; and the owner or importer of all dutiable Liquors and Molasses, shall, at his own proper cost and charge, cause the same to be placed in a convenient position to be gauged; and the owner or importer of all goods required to be weighed, shall, at his own proper cost and charge, furnish such assistance as may be necessary for placing the same on the scales, and removing the same therefrom.

Goods paying Duty by measure or weight, importer to provide necessary labour for weighing, &c.

XXVIII. And be it enacted, That the importer or consignee of any goods or articles subject to Duty under and by virtue of any Act of the General Assembly of this Province, may warehouse such articles and pay the Duties thereon from

WAREHOUSE.

All dutiable goods may be warehoused.

time

WAREHOUSE.

Entry of, and bond for articles to be warehoused.

time to time on such as may be sold or entered for home consumption, and before delivery thereof.

XXIX. And be it enacted, That before the owner, importer or consignee of any dutiable articles imported into this Province, shall have the privilege of warehousing the same, it shall be the duty of such owner, importer or consignee of any such articles, to enter the same for warehousing in a good and sufficient Warehouse, to be appointed by the Treasurer, Deputy Treasurer, or other authorized Officer, as the case may be, and fitted and prepared to the satisfaction of the said Treasurer, Deputy Treasurer, or other authorized Officer, and approved of by the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council; and that the notice of the appointment and approval of all such Warehouses shall be published in the Royal Gazette; and before any articles shall be admitted into any Warehouse, the owner, importer or consignee of the same, shall give bonds, with two sufficient sureties, to be approved of by the said Treasurer, Deputy Treasurer, or other authorized Officer, as the case may be, in double the amount of the Duties payable on such articles in such Warehouse mentioned in the entry of the same, and for the payment of the Duty on such articles, or for the exportation thereof, according to the account first taken of such articles upon the landing of the same, with the further condition that no part shall be taken out of such Warehouse until cleared from thence, upon due entry and payment of Duty, or upon due entry for exportation or removal from the Warehouse to another port in the Province, and with the further condition that the whole of such articles shall be so cleared from such Warehouse, and the Duties upon such deficiency (if any) of the quantity according to such first account shall be paid within two years from the date of the first entry thereof.

Articles entered for warehousing and not deposited, to be forfeited.

XXX. And be it enacted, That if any articles which have been entered to be warehoused shall not be duly carried and deposited in the Warehouse, or shall afterwards be taken out of the Warehouse without due entry or clearance, or having been entered and cleared for exportation from the Warehouse, or for removal to another port in the Province, shall not be duly carried therefrom and shipped, or shall afterwards be relanded, except with permission of the proper Officer of the Treasury, such goods shall be forfeited.

Stowage of goods in Warehouse.

XXXI. And be it enacted, That all goods so warehoused shall be stowed in such parts or divisions of the Warehouse, and in such manner as the Treasurer, Deputy Treasurer, or other authorized Officer, shall direct; and that the Warehouse shall be locked and secured in such manner, and shall be opened and visited only at such times, and in the presence of such Officers, and under such rules and regulations as the Treasurer, Deputy Treasurer, or other authorized Officer, may direct; and that all such goods shall, after being landed, upon importation, be carried to the Warehouse, or shall, after being taken out of the Warehouse for exportation, or for removal to another port in the Province, be carried to be shipped, under such rules and regulations as the Treasurer, Deputy Treasurer, or other authorized Officer, shall direct.

Locking and opening Warehouse.

Carrying goods to and from Warehouse.

Goods fraudulently concealed or removed, forfeited.

XXXII. And be it enacted, That if any goods which shall have been warehoused shall be fraudulently concealed in or removed from the Warehouse, such goods shall be forfeited, and may be seized and disposed of in the manner directed in and by this Act; and if any importer or proprietor of any goods warehoused, or any person in his employ, shall by any contrivance fraudulently open the Warehouse, or gain access to the goods, such importer or owner shall forfeit and pay for every such offence the sum of fifty pounds.

Penalty for opening Warehouse without Officer.

XXXIII.

XXXIII. And be it enacted, That all goods which have been warehoused shall be duly cleared either for exportation or for home consumption within two years, and all surplus stores of ships within one year from the date of the first entry thereof; and if any such goods or stores be not so cleared, it shall be lawful for the Treasurer, Deputy Treasurer, or other authorized Officer, to cause the same to be sold, and the produce applied to the payment of Warehouse rent and other charges, and the Duties, and the overplus (if any) shall be paid to the proprietor.

WAREHOUSE.

Goods to be cleared in two years; Ships' stores in one year.
If not cleared to be sold.

XXXIV. And be it enacted, That upon the entry of any goods to be cleared from the Warehouse, whether the same be for home consumption or for exportation, or for removal to another port in the Province, the person entering such goods shall deliver a Bill of the Entry, and duplicates thereof, in the like manner as is directed in the case of goods entered to be landed, so far as the same is applicable; and if for home consumption, shall at the time pay down to the proper Officer the full Duties payable thereon, and not being less in amount than according to the account of the quantity first taken of the respective packages or parcels of the goods in such entry at the examination thereof at the time of the first entry and landing of the same, without any abatement on account of any deficiency; and if the entry be for exportation, or for removal to any other port in the Province, and any of the packages or parcels of the goods be deficient of the respective quantities of the same according to the account first taken as aforesaid, a like entry inwards shall also be passed in respect of the quantities so deficient, and the full Duties shall be paid on the amount thereof before such packages or parcels of goods shall be delivered or taken for exportation or removal.

Entry for home consumption or for exportation, &c.

Duplicates.

Duties to be paid on original quantities.

If for exportation or removal to, &c. Duties on deficiencies to be paid.

XXXV. And be it enacted, That when the whole of the goods warehoused under any entry shall be cleared from the Warehouse, and the whole or any part of such goods have been entered for exportation, or for removal to another port in the Province, the Bond given for the Duties on such goods shall not be cancelled and given up, but the parties to such Bond shall be liable for the amount of Duties on the goods so exported or removed to another port in the Province, unless a Certificate of the landing of such goods shall be produced within a reasonable time, such Certificate to be signed by the principal Officer of Revenue or Excise, if the goods be landed at a place in the British Dominions, or by the British Consul, if the goods be landed at a place not in the British Dominions.

Warehouse bond not to be given up, if part of goods have been exported, or

unless Certificates of landing be produced within a reasonable time.

XXXVI. And whereas it is expedient that greater facilities should be given to Steam Boats employed principally in the conveyance of passengers, and which may also be laden with dutiable articles; Be it therefore enacted, That it shall be lawful for the Treasurer, or other authorized Officer, to allow the master of any Steam Boat employed regularly in the conveyance of passengers, upon due report of such Boat, as is required in and by this Act for ships arriving within the Province, to deposit the cargo on board such Boat in a good and sufficient Warehouse to be provided by the owner or agent of such Boat, and approved of by the said Treasurer, or other authorized Officer, such owner or agent having first given general security by bond, with two good and sufficient sureties, for the payment of the full Duties of importation on all such goods as shall at any time be so warehoused therein, or for the exportation thereof; and all goods so deposited shall be deemed and taken to be on board the Steam Boat in which they were imported, and shall be subject to the same rules, regulations, restrictions, penalties, and forfeitures, as if the same had not been taken out of such Steam Boat; and the master or owner of such Steam Boat shall have the same lien on the goods for freight or other charges as if the same had not been deposited in the Warehouse,

Passenger Steam Boats having cargo on board, may put such cargo in a Warehouse, after making report.

Warehouse to be provided by owner, &c., and approved of by Treasurer, &c.

Owner, &c. to give general bond for payment of Duties.

Goods to be deemed to be on board boat though deposited in Warehouse.

Lien on goods for freight.

but

WAREHOUSE.

No rent to be paid for goods if due entry made within three days.

Appointment of Revenue Officers at Fredericton.

DRAWBACKS.

Drawbacks allowed on exportation of dutiable articles.

Articles reported for exportation without being landed, &c., and fraudulently relanded.

Forfeiture.

Penalty.

SMUGGLING.

Liability of vessels, &c. to forfeiture, and persons to penalties, for fraudulently landing dutiable goods.

but shall not be entitled to any rent for the goods so deposited in such Warehouse, provided the owner or consignee of such goods make perfect entry, or entry by bill of sight, and remove such goods within three days from the time of their being so deposited in such Warehouse.

XXXVII. And be it enacted, That upon Fredericton being constituted a Free Port, and Free Warehousing Port, for the limited purpose of importing goods in British Ships, and for warehousing the same in approved Warehouses, it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, to appoint a sufficient number of fit and proper persons as Revenue Officers at the said Port of Fredericton, under such salaries, and at such rates of allowance, as may be deemed advisable.

XXXVIII. And be it enacted, That whosoever shall export or carry out of this Province by sea, any articles chargeable with Provincial Duty, and upon which, upon their entry inwards for home use, the Duties shall have been paid, or which may have been purchased at any Custom House sale, or sale of Government Stores, shall be entitled to and shall be allowed a drawback or allowance of the whole amount of such Duties; provided that no drawback shall be allowed unless the goods upon which such drawback shall be claimed shall be of the value of not less than fifty pounds upon the first entry.

XXXIX. And be it enacted, That if all or any of the articles reported for exportation without being landed, or which have been landed, have been shipped to obtain the drawbacks allowed by this Act, have been landed or relanded contrary to the true intent and meaning of this Act, all such articles so landed or relanded, and such as may be on board at the time of discovering such intended fraud, shall be forfeited, and shall and may be seized and prosecuted to condemnation, and the proceeds of such forfeiture applied as in this Act directed; and if it shall be discovered within one year after the articles reported for exportation, or after any drawbacks may have been paid or received, that the whole or any part thereof have been fraudulently relanded within this Province, the owner or consignee of such articles, and the master or owner of the ship from which the same were relanded, shall severally pay the sum of one hundred pounds, to be recovered and applied as hereinafter directed.

XL. And be it enacted, That all vessels and boats under fifteen tons, in which any goods liable to forfeiture under any Acts of the General Assembly relating to the Provincial Revenue shall be brought into this Province, and from which any goods so liable to forfeiture shall be landed, such vessel or boat shall be seized as forfeited by any Officer of the Treasury, and proceeded against in the same manner as if they had been actually engaged in the removal of any goods liable to forfeiture; and that all carriages and cattle made use of in the removal of any goods liable to forfeiture under this or any Act relating to the Provincial Revenue, shall be forfeited; and every person who shall assist or be otherwise concerned in the unshipping, landing or removal, or in the harbouring or concealing such goods, or into whose hands or possession the same shall knowingly come, shall forfeit treble the value thereof, or the penalty of one hundred pounds, at the election of the Officer or person prosecuting; and the averment in any information or libel to be exhibited for the recovery of such penalty, that the Officer or person proceeding has elected to sue for the sum mentioned in the information, shall be deemed sufficient proof of such election, without any other or further evidence of such fact.

XLII. And be it enacted, That all dutiable articles which may be seized as having been imported contrary to the provisions of this or any other Act of the General Assembly for raising a Revenue, shall and may be deemed and taken to be condemned for breach of any law or laws of this Province relating to Revenue, unless the owner or owners of the articles so seized as forfeited, or the person from whom they were so seized, or some person duly authorized by him, shall, within one calendar month from the day of seizing the same, give notice in writing to the Treasurer, Deputy Treasurer, or other authorized Officer, at or nearest the place where such seizure shall have been made, that he claims the articles or things so seized; provided always, that in case the articles so seized be live stock or dead meats, or any description of perishable articles, unless claim to the same shall be made, and notice thereof given within forty eight hours after such seizure made, the same shall be taken and deemed to be forfeited, and sold at public auction, after twenty four hours notice being given.

SMUGGLING.

Seized vessels, &c. and dutiable goods to be deemed condemned, unless notice of claim be given.

XLIII. And be it enacted, that all articles seized as forfeited by virtue of this or any other Act relating to the Revenue of this Province, and claimed by any person or persons agreeably to the provisions of the preceding section, and security given for prosecuting such claim with effect, shall and may be prosecuted to condemnation in the name of the Treasurer or Deputy Treasurer making such seizure, or by information of Her Majesty's Attorney General or Solicitor General, before any two of Her Majesty's Justices of the Peace residing near the place where such seizure shall have been made, who are hereby required and directed to keep a Book of Record, in which they shall fairly enter all causes tried before them under this or any other Act relating to Revenue, together with the evidence taken before them upon such trial; provided always, that in case the articles seized shall be of the value of twenty five pounds, then the same shall be proceeded against in some of Her Majesty's Courts of Record within the Province.

Prosecution of articles seized to be in the name of the Treasurer, &c.

XLIII. And be it enacted, That if any articles shall be seized as forfeited under the provisions of this or any other Act relating to Revenue, it shall and may be lawful for the Treasurer or Deputy Treasurer making such seizure to deliver up the same to the claimant on security by Bond, with two sufficient surties to be approved of by the Treasurer or Deputy Treasurer, to answer double the value of the same, in case of condemnation; and such Bond shall be taken in the name of Her Majesty, and may be sued for and recovered in any of Her Majesty's Courts of Record in the Province, and shall be delivered to and kept in the custody of such Treasurer or Deputy Treasurer, and in case the goods shall be condemned, the value thereof shall be paid into the hands of such Treasurer or Deputy Treasurer, who shall thereupon cancel such Bond.

Articles seized may be delivered up to the claimant on security.

XLIV. And be it enacted, That when any article or articles shall be seized for a breach of the Revenue Laws of this Province, it shall be the duty of the Treasurer or Deputy Treasurer to make application to any one of Her Majesty's Justices of the Peace in the County where such articles were seized, to nominate two persons to appraise the articles so seized, whose valuation shall be accepted as the true value thereof, the expense attending such valuation to be deducted from the proceeds of the seizure.

Value of articles seized to be appraised.

XLV. And be it enacted, That all articles which shall have been seized, condemned and forfeited under and by virtue of this Act, shall, under the direction of the Treasurer or Deputy Treasurer at the port or place where such articles shall have been so seized, condemned, and forfeited, be sold by public auction to the highest bidder, and the proceeds of such sales disposed of as is provided in and by this Act.

Articles seized to be sold at public auction.

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Application of proceeds of seizures.

XLVI. And be it enacted, That the net proceeds of all articles seized and condemned under the provisions of this or any other Act relating to Revenue, shall be divided, paid and applied as follows, (that is to say,) one half part of the net proceeds shall be paid into the hands of the Treasurer of the Province for the use of the said Province, and the other half part to the person who shall seize and prosecute the same to conviction.

Prosecution of penalties or forfeitures to be in a Court of Record.

XLVII. And be it enacted, That any penalty or forfeiture inflicted under and by virtue of this or any Act relating to the Revenue of this Province, may be prosecuted, sued for and recovered by action of debt, bill, plaint, or information, in any of Her Majesty's Courts of Record within this Province, in the name of the Treasurer or Deputy Treasurer, or in the name of Her Majesty's Attorney or Solicitor General; and in every action or suit, the person against whom judgment shall be given for any penalty or forfeiture under this Act or under any other Act relating to Revenue, shall pay costs of suit, and every such action or suit shall and may be brought within one year after the offence committed, and not afterwards.

Costs.
Time.

Application of forfeitures and penalties.

XLVIII. And be it enacted, That all forfeitures and penalties incurred and recovered under and by virtue of this or any other Act relating to Revenue, shall be divided, paid, and applied as follows, (that is to say,) after deducting the charges of prosecution from proceeds thereof, one half part to Her Majesty for the use of the Province, and for the support of the Government thereof, and the other moiety, or half part thereof, to the Officer who shall inform and sue for the same.

Searching houses, &c., for dutiable goods in presence of a Justice of the Peace.

XLIX. And be it enacted, That it shall and may be lawful for the Treasurer, Deputy Treasurer, or any other authorized Officer, to enter in the day time into any house, shop, or cellar, or other building whatsoever, wherein such Officer shall have reasonable cause to suspect or believe any goods to be, or to be concealed or deposited, which are liable to forfeiture under this or any Act relating to the Provincial Revenue; provided, that before such entry made, information on oath shall be given to some one of Her Majesty's Justices of the Peace for the County, or City and County, where such house, shop, cellar or other building is situate, that such Officer has reasonable cause to suspect and believe that goods liable to forfeiture as aforesaid, are deposited or concealed therein; and immediately on such information being laid or given, such Justice shall, and he is hereby enjoined and authorized forthwith, but at some time between sunrise and sunset, to go with such Officer to such house, shop, or other building, and there to enter with such Officer, or to authorize him to enter and search for such goods, if the doors be open; but if the doors be closed and admission denied, then, after first demanding to be admitted, and declaring the purpose for which such entry is demanded, it shall be lawful for such Justice, and he is hereby required to direct and order such Officer forcibly to enter into such house, shop, cellar, or other building, and to search therein for any goods forfeited, and to seize and take away all goods liable to forfeiture under any Act relating to Provincial Revenue.

Search under Writ of Assistance.

L. And be it enacted, That under the authority of a Writ of Assistance granted by the Supreme Court of this Province, or by the Chief Justice thereof, or by any Judge thereof, or by the Inferior Court of Common Pleas, or by any Justice of such Court, who are hereby authorized and required to grant such Writ of Assistance, upon application made in Term time, or in Vacation, for that purpose, by the Treasurer of the Province, or by any Deputy Treasurer, and due cause shewn therefor, it shall be lawful for any Officer of the Revenue, taking with him a Peace Officer,

Officer, to enter any building or other place, in the day time, and to search for and seize and secure any goods liable to forfeiture under any Act or Acts relating to the Provincial Revenue, and in case of necessity, to break open any doors and chests, or other packages, for that purpose; and such Writ of Assistance, when issued, shall be deemed to be in force for and during the period specified in such Writ.

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LI. And be it enacted, That if any person shall by force or violence assault, resist, oppose, molest, hinder or obstruct any Officer of the Provincial Revenue, or other person employed as aforesaid, in the exercise of his office, or any person acting in his aid or assistance, such person, being thereof convicted before any Court of Record in this Province, shall pay a fine not exceeding one hundred pounds nor less than fifty pounds, in the discretion of the Court before whom such offender shall be tried; which fine shall be paid into the Province Treasury for the use of the Province; and in case such fine be not paid, such person shall be imprisoned for such time, not exceeding twelve months nor less than three months, at the discretion of the Court.

Assaulting or obstructing Revenue Officer on duty.

Penalty.

LII. And be it enacted, That no suit shall be commenced for the recovery of any penalty or forfeiture under any Act relating to the Provincial Revenue, except in the name of the Treasurer of the Province, or in the name of some Deputy Treasurer, or of Her Majesty's Attorney or Solicitor General of the Province; and if any question shall arise whether any person is an Officer of the Provincial Revenue, or such other person as aforesaid, *viva voce* evidence may be given of such fact, and may be deemed legal and sufficient evidence.

Suits for penalties or for forfeitures, to be in the name of the Treasurer, &c.

Proof of official character.

LIII. And be it enacted, That if any goods shall be seized for non-payment of Duties, or any other cause of forfeiture, and any dispute shall arise whether the Duties shall have been paid for the same, or the same have been lawfully imported, or lawfully laden or exported, the proof thereof shall be on the owner or claimant of such goods, and not on the Officer who shall seize and stop the same.

Onus probandi to be on the party claiming goods seized.

LIV. And be it enacted, That no claim to any thing seized under this or any Act relating to the Provincial Revenue, and returned in any of Her Majesty's Courts of Record for adjudication, shall be admitted, unless such claim be entered in the name of the owner, with his residence and occupation, nor unless oath to the property in such thing be made by the owner, or by his Attorney or Agent, by whom such claim shall be entered, to the best of his knowledge and belief; and every person making a false oath thereto shall be deemed guilty of a misdemeanor, and shall be liable to the pains and penalties to which persons are liable for a misdemeanor.

No claims to goods seized to be admitted, unless entered in the name of the owner;

LV. And be it enacted, That no person shall be admitted to enter a claim to any thing seized in pursuance of this or any other Act relating to the Provincial Revenue, and prosecuted in any Court of the Province, until sufficient security shall have been given in the Court where such seizure is prosecuted, in a penalty not exceeding forty pounds, to answer and pay the costs of such claim if found against him, and in default of giving such security, such things shall be adjudged to be forfeited.

Nor unless security be given to pay costs.

LVI. And be it enacted, That no writ shall be sued out against, nor a copy of any process served upon any Officer of the Provincial Revenue, or other person as aforesaid, for any thing done in the exercise of his office, until one calendar month after notice in writing shall have been delivered to him, or left at his usual place of abode, by the Attorney or Agent to the party who intends to sue out such writ or process; in which notice shall be clearly and explicitly contained the cause of action, the name and place of abode of the person who is to bring such action,

One month's notice to be given before commencing a suit against a Revenue Officer for official acts.

SMUGGLING.

action, and the name and place of abode of the Attorney or Agent; and no evidence of the cause of such action shall be produced except of such as shall be contained in such notice, and no verdict shall be given for the plaintiff unless he shall prove on the trial that such notice was given, and in default of such proof, the defendant shall recover in such action a verdict and costs.

Actions to be brought within three months after cause.

General issue.

Costs when verdict is for Defendant.

Costs, when verdict is for claimant of goods seized.

LVII. And be it enacted, That every such action shall be brought within three calendar months after the cause thereof, and shall be laid and tried in the County or City and County where the facts were committed, and the defendant may plead the general issue, and give the special matter in evidence; and if the plaintiff shall become non-suited, or shall discontinue the action, or if upon a verdict or demurrer, judgment shall be given against the plaintiff, the defendant shall receive treble costs, and have such remedy for the same as any defendant can have in other cases where costs are given by Law.

LVIII. And be it enacted, That in case any information or suit shall be brought to trial on account of any seizure made under this or any other Act relating to the Revenue, and a verdict shall be found for the claimant thereof, and the Judge or Court before whom the cause shall have been tried shall certify on the Record that there was probable cause of seizure, the claimant shall not be entitled to any costs of suit, nor shall the person who made such seizure be liable to any action, indictment or other suit or prosecution, on account of such seizure; and if any action, indictment or other suit or prosecution, shall be brought to trial against any person on account of such seizure, wherein a verdict shall be given against the defendant, the plaintiff, besides the things seized, or the value thereof, shall not be entitled to more than two pence damages, nor to any costs of suit, nor shall the defendant be fined more than one shilling.

Tender of amends may be made and pleaded.

Verdict and costs.

LIX. And be it enacted, That it shall be lawful for such Officer, within one calendar month after such notice, to tender amends to the party complaining, or his agent, and to plead such tender in bar to any action, together with other pleas, and if the Jury shall find the amends sufficient, they shall give a verdict for the defendant; and in such case, or in case the plaintiff shall become non-suited, or shall discontinue his action, or judgment shall be given for the defendant upon demurrer, then such defendant shall be entitled to the like costs as he would have been entitled to in case he had pleaded the general issue only; provided always, that it shall be lawful for such defendant, by leave of the Court where such action shall be brought, at any time before issue joined, to pay money into Court as in other actions.

Damages and costs when acting upon probable cause.

LX. And be it enacted, That in any such action, if the Judge or Court before whom such action shall be tried, shall certify upon the Record that the defendant or defendants in such action acted upon probable cause, the plaintiff in such action shall not be entitled to more than two pence damages, nor to any costs of suit.

Liability of articles to seizure limited to two years from importation.

LXI. And be it enacted, That the liability of any article or articles to seizure under and by virtue of this or any other Act relating to Revenue, shall be and continue for the term of two years from the time the same are imported or brought into the Province, and no longer.

Construction of Act.

"Ship."

"Master."

"Queen's Warehouse."

LXII. And be it enacted, That wherever the several terms or expressions following shall occur in this Act, the same shall be construed respectively in the manner hereinafter directed, that is to say: that the term "Ship" shall be construed to mean ship or vessel generally; that the terms "Master" or "Commander" of any ship, shall be construed to mean the person having or taking charge or command of such ship; that the term "Queen's Warehouse" shall be construed

construed to mean any place provided by the Treasurer, Deputy Treasurer, or other authorized Officer, for lodging goods therein for security of Duties ; and that the term "Oath" shall be construed to mean oath, or affirmation in all cases where affirmations are allowed by Law ; that the word "Month" shall be construed to be calendar month ; and that the words "this Act" shall be construed to mean this Act or any other Act that shall be passed relating to the collection or protection of the Revenue of this Province.

"Oath."
"Month."
"This Act."

LXIII. And be it enacted, That an Act made and passed in the ninth year of Her Majesty's Reign, intituled *An Act for the collection of the Revenue of this Province* ; and also an Act made and passed in the tenth year of the Reign of Her present Majesty, intituled *An Act relating to the Provincial Revenue*, be and the same are hereby repealed from and after the time of this Act coming into operation ; provided always, that nothing in this Act contained shall extend to repeal the said recited Acts, so far as the said Acts may repeal any former Act or Acts, or so far as repeals any act, matter or thing heretofore done under and by virtue of the said recited Acts ; and provided that every such act, matter or thing heretofore done under and by virtue of the said recited Acts, shall be and continue valid and effectual, and of the like force and effect, as if this Act had not been made and passed ; and the right of recovering any Duties, penalties and forfeitures imposed, inflicted or incurred under the provisions of the said recited or any former Act or Acts relating to the collection of the Revenue of this Province, and all securities taken therefor, are hereby expressly saved in the same manner and to the same extent as if this Act had not been made and passed.

Act 9 Vic. cap. 2,
and
10 Vic. cap. 54, re-
pealed.

LXIV. And be it enacted, That this Act shall come into operation and be in force from and after the thirty first day of March next.

Commencement of
this Act.

LXV. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of the General Assembly.

Act may be
amended during
present Session.

LXVI. And be it enacted, That this Act shall continue and be in force for ten years.

Limitation.

CAP. III.

An Act to provide for the necessities occasioned by the failure of the Potato and other Crops during the past year.

Passed 30th March 1848.

WHEREAS from the failure of the Potato and other Crops during the past year, and the stagnation of business usually carried on during the Winter season, much necessity and distress is found to be prevailing in various parts of this Province: And whereas it is deemed expedient to appropriate a part of the public money to relieve the same, and also to assist new Settlers and others to procure Seed the ensuing Spring ;

See 12 vic cap 56
as to Statute
Reference from
John Thomas & Co

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in order to relieve the distresses now prevailing, and also to assist new Settlers and others to procure Seed the ensuing Spring, there be granted to His Excellency the Lieutenant Governor or person administering the Government for the time being, the sum of five thousand one hundred pounds, to be distributed in the following manner, that is to say :

£5,100 granted to
be distributed in
the several Counties
in specified
amounts to relieve
distress and pro-
cure Seeds.

- For the County of Carleton a sum not exceeding five hundred pounds ;
- For the County of York a sum not exceeding four hundred and fifty pounds ;
- For the County of Charlotte a sum not exceeding four hundred and fifty pounds ;
- For the County of King's a sum not exceeding four hundred pounds ;

For

For the County of Saint John a sum not exceeding four hundred pounds ;
 For the County of Westmorland a sum not exceeding five hundred pounds ;
 For the County of Albert a sum not exceeding two hundred and fifty pounds ;
 For the County of Kent a sum not exceeding four hundred pounds ;
 For the County of Northumberland a sum not exceeding six hundred pounds ;
 For the County of Gloucester a sum not exceeding four hundred pounds ;
 For the County of Restigouche a sum not exceeding two hundred and fifty pounds ;
 For the County of Queen's a sum not exceeding three hundred pounds ;
 For the County of Sunbury a sum not exceeding two hundred pounds :

The said sums to be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury, or as payment may be made at the same.

Amount required for each County to be determined at Sessions of the Peace ;

II. And be it enacted, That it shall be lawful for the Justices of the Peace, at any General Sessions in their respective Counties to be holden, or at any Special Sessions of the Peace for that purpose to be called, of which meeting due notice shall be sent by the Clerk of the Peace to every Magistrate residing in the respective Counties, to agree upon and determine the amount required for such Counties respectively, and to apply for and receive the same ; provided that the amount so applied for in any one County shall not exceed the amount named for such County in the preceding section of this Act.

Amount to be allowed to each Parish to be also then determined.

III. And be it enacted, That the said Justices shall at the time of such meeting, agree upon and determine the amount to be allowed for the relief of the several and respective Parishes within such Counties, or such number of the Parishes as may require relief ; the several sums so appropriated and apportioned, to be paid as soon as may be by the said Justices, into the hands of the Overseers of the Poor for the said Parishes, without any charge or per centage for the same.

Money to be appropriated by the Overseers of the Poor.

IV. And be it enacted, That it shall be the duty of the Overseers of the Poor in their respective Parishes, forthwith to appropriate and distribute the sums so allowed, for the relief of paupers, and for the relief of such persons, not being paupers, and for the purchase of Seed the ensuing Spring, as they the said Overseers, or the major part of them, may deem just and reasonable.

Accounts to be rendered and subjected as other public accounts.

V. And be it enacted, That it shall further be the duty of the Overseers of the Poor for their respective Parishes, to make out and transmit to the Clerks of the Peace for their several and respective Counties, true and correct accounts, duly attested, of all the monies by them received and delivered under and by virtue of this Act, setting forth the names of the several persons to whom relief may have been extended, with the sums of money paid to each person, including in a list by themselves the names of all paupers, and the sums severally paid to relieve them ; which said accounts shall be subject to the same inspection and report of the Grand Juries, and the examination and allowance or disallowance of the Justices, as other public accounts are by the present laws now in force.

Parish assessments to be ordered for sums advanced.

VI. And be it enacted, That it shall be the duty of the Justices of the Peace in their respective Counties, to order an assessment on the several and respective Parishes, for the sums of money so advanced under this Act, distinguishing in their Warrants to the Assessors of Rates, the amount advanced for the relief of paupers, from the amount advanced to other persons, not being paupers, and accompanying such Warrants with a correct copy of the names of all persons, not being paupers, who may have received relief under this Act, with the sums advanced to such persons respectively.

VII. And be it enacted, That it shall be the duty of the Assessors of Rates in their respective Parishes, to include the amount so advanced to paupers, and any deficiency that may have arisen by reason of the death or removal from the Parish of other persons who may have received relief, in one general assessment, and to add thereunto, in a separate column, all the sums so advanced to individuals not being paupers, opposite to their respective names; such assessments in every other respect to be subject to all the provisions of the laws now in force for assessing and collecting rates for public charges; and the money, when collected, shall be paid by the several and respective Collectors into the hands of the County Treasurers, to be by them paid into the Treasury of the Province, on behalf of the several Counties, for the repayment of the sums advanced under this Act.

Directions to the Assessors.

Assessments to be subject to the Assessment Laws, and the money to be paid into the Provincial Treasury

Refund to be made within three years.

[Black Refugees in Simonds made a special case.]

Liability of parties acting under the authority of this Act.

VIII. Provided always, and be it enacted, That the several sums so to be refunded, shall be collected and paid into the Treasury of the Province within the period of three years after the passing of this Act; and provided also, that nothing in this Act contained shall extend or be construed to extend to render the inhabitants of the Parish of Simonds, in the County of Saint John, liable to refund any sum that may have been advanced for the relief of the Black Refugees, and their descendants, resident in that Parish, but that any sum so advanced shall be refunded by general assessment on the City and County of Saint John.

IX. And be it enacted, That the Assessors and Collectors of Rates, Overseers of the Poor, and all other persons acting under the authority of this Act, shall be severally and respectively liable to all the penalties and forfeitures for neglect of duty or misconduct under this Act, as such Assessors, Collectors, Overseers of the Poor, and such other persons are made liable to under the other laws of this Province now in force.

CAP. IV.

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

Passed 30th March 1848.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, for the services hereinafter mentioned, the following sums, to wit:

To the Chaplain of the Legislative Council in General Assembly, twenty pounds. Chaplains.

To the Chaplain of the House of Assembly, twenty pounds.

To the Sergeant at Arms attending the Legislative Council in General Assembly, fifteen shillings per diem during the present Session. Sergeants at Arms.

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

To the Clerk of the Legislative Council in General Assembly, two hundred pounds in full for his services during the present Session. Clerks of Council and Assembly.

To the Clerk of the House of Assembly, two hundred pounds in full for his services during the present Session.

To the Clerk Assistant of the Legislative Council in General Assembly, one hundred pounds in full for his services during the present Session. Clerks Assistant of Council and Assembly.

To the Clerk Assistant of the House of Assembly, one hundred pounds in full for his services during the present Session.

To the Doorkeepers attending the Legislative Council and Assembly, ten shillings each per diem during the present Session. Doorkeepers and Messengers.

To the Messengers attending the Legislative Council and Assembly, seven shillings and six pence each per diem during the present Session.

To

- Parish Schools. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, twelve thousand pounds towards the encouragement of Parish Schools, agreeably to a Law of this Province.
- Apprehension of Deserters. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one hundred pounds to be applied in rewarding persons for apprehending Deserters from Her Majesty's Land Forces within this Province; provided that no greater sum than five pounds be paid for the apprehension of any one Deserter.
- Librarian Legislative Library. To the Librarian of the Legislative Library, seventy five pounds for his services to the end of the present Session.
- Master in Chancery. To the Master in Chancery appointed to carry Messages from the Legislative Council to the House of Assembly, forty pounds for his services during the present Session.
- Destruction of Bears and Wolves. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, five hundred pounds to encourage the destruction of Bears and Wolves, agreeably to a Law of the Province.
- Light Houses: To the Commissioners of Light Houses in the Bay of Fundy, the following sums to pay for services for the year one thousand eight hundred and forty eight, viz:
- Gannet Rock, To the Keeper of the Light House on Gannet Rock, and his Assistants, two hundred and ten pounds;
- Thrum Cap, To the Keeper of the Light House on Thrum Cap, Quaco, one hundred and ten pounds, and an additional sum of thirty six pounds to enable him to pay an Assistant;
- Point Le Proe, To the Keeper of the Light House on Point Le Proe, eighty five pounds;
- Partridge Island, To the Keeper of the Light House on Partridge Island, eighty five pounds;
- Campo Bello, To the Keeper of the Light House on Campo Bello, one hundred pounds;
- Beacon Light, To the Keeper of the Beacon Light, eighty five pounds;
- Machias Seal Island, To the Keeper of the Light House on Machias Seal Island, one hundred and thirty pounds, and an additional sum of thirty six pounds to enable him to pay an Assistant;
- Saint Andrews Harbour, To the Keeper of the Light House in the Harbour of Saint Andrews, forty pounds;
- Cape Enrage, To the Keeper of the Light House on Cape Enrage, eighty five pounds;
- Point Escuminac. To the Commissioners of the Light Houses in the Gulf of Saint Lawrence, eighty five pounds to provide for the services of a Keeper for the year one thousand eight hundred and forty eight at the Light House on Point Escuminac.
- Money to be paid by Warrant. II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of this Province, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury, or as payment may be made at the same.

CAP. V.

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

Passed 30th March 1848.

- I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of this Province, the following sums, to-wit:
- D. Morehouse. To Daniel Morehouse the sum of ten pounds, being amount due Joshua Stone, an old Soldier of the Revolutionary War, at the time of his death, he having supported the said Joshua Stone until his death.
- To

To the Justices of the Peace for the County of Carleton the sum of twelve pounds thirteen shillings and three pence to defray the expenses of conveying two Convicts, Denis DeCoursey and Henry S. Kegell, to the Provincial Penitentiary. Justices of Carleton
Convict expenses.

To Joseph Hallett the sum of six pounds thirteen shillings and four pence, Pension due Mary Hallett at her death, Widow of the late Robert Hallett, an old Soldier of the Revolutionary War. J. Hallett.

To Jane M'Rae, of Chatham, in the County of Northumberland, Widow of the late Duncan M'Rae, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute situation. J. M'Rae.

To Wentworth Quigley, of the Parish of Grand Manan, the sum of eight pounds six shillings and eight pence, being the amount of Pension due his late Father, an old Soldier of the Revolutionary War. W. Quigley.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds for the purpose of building Approaches on both sides of the River Miramichi, at and opposite the Town of Chatham, for the convenience of a Public Landing, to connect the Great Road of Communication from Halifax and Saint John, via Richibucto, with Fredericton and Restigouche. Approaches,
Miramichi River.

To Mercy M'Nichol, of Saint George, the Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her destitute circumstances. M. M'Nichol.

To Margaret Grierson, of Saint George, the Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her distressed situation. M. Grierson.

To Jerushey Black, of Saint George, the Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her old age and destitute circumstances. Jer. Black.

To Jane Hawkins, of Pennfield, the Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her destitute circumstances. J. Hawkins.

To Rosanna Pulk, of Saint David, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds, her usual allowance. R. Pulk.

To Ann Buchanan, the Widow of an old Soldier of the Revolutionary War, and who was for many years Doorkeeper of the Legislative Council, the sum of ten pounds to assist her in her destitute condition. A. Buchanan.

To Esther Briant, the Widow of Thomas Briant, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition. E. Briant.

To Sarah Creekmore, of the Parish of Lincoln, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her destitute condition. S. Creekmore.

To Robert Bates the sum of five pounds, being amount due Catharine Flint as the Widow of an old Soldier of the Revolutionary War. R. Bates, for
C. Flint.

To Abigail Sutherland the sum of five pounds, being allowance of six months due to her as the Widow of an old Soldier of the Revolutionary War. A. Sutherland.

To Rebecca Trecarten, Widow of an old Soldier of the Revolutionary War in America, the sum of ten pounds to relieve her in her present distressed circumstances. R. Trecarten.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds towards the support of the Roman Catholic School established in the City of Saint John. Roman Catholic
School, St. John.

To William Watts the sum of ten pounds for his services as Cryer and Usher of the Supreme Court for the past year. W. Watts.

- Sub-Collector and Deputy Treasurer at Woodstock. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to pay a Sub-Collector and Deputy Treasurer at Woodstock, in the County of Carleton, the duties of both Offices to be performed by one Officer; this being in addition to the allowance made to Deputy Treasurers by Law.
- M. Brannen. To Matthew Brannen, of the Secretary's Office, the sum of fifteen pounds as a mark of approbation for his long and faithful services in that Office.
- M. Harned. To Mary Harned, Widow of the late Alward Harned, formerly Doorkeeper of this House, the sum of ten pounds.
- Widow of T. Burden. To the Widow of Thomas Burden, of the Corps of Loyal Associated Refugees, the sum of ten pounds to assist her in her present distressed circumstances.
- Clerk of Crown Supreme Court. To the Clerk of the Crown in the Supreme Court the sum of one hundred pounds for his services for the year one thousand eight hundred and forty seven.
- Missionary Melicite Indians. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds for a Missionary for the Melicite Tribe of Indians stationed at Fredericton for the year one thousand eight hundred and forty eight.
- J. Sivewright, Grammar School, Northumberland. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds in aid of the Grammar School presently taught at Newcastle by John Sivewright, to whom the same shall be paid in part of his salary for teaching said School in the present year, on the usual certificate being given.
- Index to Laws. To John Gregory the sum of ten pounds to prepare an Index to the Laws of the present Session.
- Free School, Portland. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being; the sum of thirty pounds, in aid of individual subscription, towards the Free School in the Parish of Portland; the same to be expended by the Board of Commissioners of the Roman Catholic School in Saint John.
- J. Kollock. To Jacob Kollock, an old and meritorious Soldier, the sum of fifteen pounds to aid him in his present indigent circumstances.
- Madras Board. To the Governor and Trustees of the Madras Board the sum of four hundred pounds towards the support of that Institution.
- Baptist Seminary. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds to be paid to the Managing Committee of the Baptist Seminary at Fredericton, under the control of the Committee, when it shall be certified to His Excellency the Lieutenant Governor or Administrator of the Government for the time being, that the said Institution is in an efficient state.
- J. Simpson, Journals. To John Simpson, Queen's Printer, the sum of two hundred and seventy five pounds for printing the Daily Journals of the Legislative Council and House of Assembly the present Session; and the further sum of one hundred and fifty pounds towards printing the Revised Journals and Appendices of both Houses of the Legislature for the present Session.
- E. Fairchild. To Elizabeth Fairchild, a Schoolmistress in Saint John, the sum of ten pounds for her services in that capacity.
- M. A. Smith. To Mary Ann Smith, for upwards of forty years a Schoolmistress in Saint John, the sum of ten pounds for her services in that capacity.
- F. A. Lugin. To Deborah Ann Lugin, Widow of the late George K. Lugin, many years King's Printer in this Province, the sum of fifteen pounds to assist her in her present destitute situation.
- S. Cyphers. To Sarah Cyphers, Widow of an Officer of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.

- To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Laws of the present Session. J. Simpson, Laws.
- To the Committee of the Infant School at Fredericton the sum of fifty pounds in aid of that Institution. Fredericton Infant School.
- To the Commissioners of Government House the sum of one hundred pounds for Coals for the Public Rooms and Offices in Government House. Government House.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds to pay a Messenger to the Executive Council. Messenger Executive Council.
- To the Quarter Master General of the Militia Forces the sum of one hundred and fifty pounds for his services for the year one thousand eight hundred and forty seven. Quarter Master General Militia.
- To the Adjutant General of the Militia Forces the sum of eighty five pounds for his services and contingencies for the year one thousand eight hundred and forty eight. Adjutant General Militia.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds, in aid of individual subscription, for the support of the African School in Saint John. African School, Saint John.
- To Doctor G. P. Peters, Surgeon to the Vaccine Establishment, Central Board at Saint John, the sum of twenty pounds for his services for the year one thousand eight hundred and forty seven. Dr. G. P. Peters, Vaccination.
- To Jane M'Carthy, Daughter of the late Jane M'Carthy, Widow of an old and meritorious Officer of the Revolutionary War, the sum of six pounds thirteen shillings and four pence, being for eight months Pension usually granted her said Mother, to the time of her death which occurred in October last. J. M'Carthy.
- To Peter Taylor, Surgeon, Restigouche, the sum of twenty pounds for his services in Vaccinating a number of the poor inhabitants of that County in the year one thousand eight hundred and forty six. P. Taylor, Vaccination.
- To John M'Grigor the sum of twenty pounds for teaching School in the County of Restigouche for a period of two years. J. M'Grigor.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds for the purpose of improving the Bar at the Harbour of Richibucto. Bar, Richibucto Harbour.
- To the Committee of the Mechanics' and Literary Institute of Sackville, in the County of Westmorland, the sum of thirty pounds in aid of the funds of that Institution. Mechanics' Institute, Sackville.
- To the Trustees of the Wesleyan Academy at Sackville, the sum of three hundred pounds towards the support of that Institution. Wesleyan Academy.
- To the Justices of the Peace for the County of Carleton, the sum of five hundred pounds to assist them in paying off the Debt incurred in preserving the Public Peace in that County in July last. Justices Carleton. Riots expenses.
- To Dorothy Groom, Widow of the late Enoch Groom, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute situation. D. Groom.
- To Leah Wannamaker, Widow of the late Henry Wannamaker, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute situation. L. Wannamaker.
- To Elizabeth Palmer, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present destitute circumstances. E. Palmer.
- To John Beaumont, the sum of twenty five pounds to enable him to purchase two hundred acres of Land, in consideration of his having lost the same amount of Land by reason of prior Grants. J. Beaumont.

Roman Catholic
Bishop, Indians.

To the Right Reverend Doctor Dollard, Roman Catholic Bishop in this Province, a sum not exceeding one hundred pounds to enable him to provide for the Spiritual care of the Poor Native Indians belonging to the Roman Catholic Church.

D. Downie.

To Donald Downie, a licenced Teacher, the sum of twenty pounds for teaching a School in the Parish of Dalhousie, in the County of Restigouche, for one year ending the first day of February, one thousand eight hundred and forty eight.

J. M'Phelim,
Return Duties.

To James M'Phelim, of Buctouche, the sum of two pounds eight shillings to reimburse him Duties paid on twenty barrels of Flour charged as Foreign instead of Colonial.

W. Napier,
Gauging.

To William Napier the sum of nine pounds fourteen shillings, being the amount due him for Gauging dutiable articles at the Port of Bathurst the last four years.

A. Duffy,
Return Duties.

To Alexander Duffy, of Shédiac, the sum of four pounds sixteen shillings to reimburse Duties paid on Horses and Cows brought from Prince Edward Island the past year as Farming Stock, on his becoming a settler in this Province.

J. Kerr & E. Kaye,
Return Duties.

To John Kerr and Edmund Kaye, of Saint John, the sum of twenty two pounds six shillings and nine pence to reimburse them Duties paid on a quantity of Tea imported from the United States, and subsequently exported thereto.

To John Kerr and Edmund Kaye the sum of thirty two pounds two shillings and ten pence to refund Duties paid on one hundred barrels of Pork imported from the United States, and subsequently exported thereto.

Commissioners of
Buoys and Beacons,
Miramichi.

To Leonard Hawbolt and Martin Cranney, Commissioners of Buoys and Beacons for the Port of Miramichi, the sum of ninety one pounds and ten pence, being amount over-expended by them for this service the past year.

Gilmour, Rankin
& Co.

To Gilmour, Rankin and Company the sum of twenty five pounds one shilling and nine pence to refund them Duties twice paid on a Cargo of Timber and Deals shipped by the barque Ellergill for Hull, the said Vessel having got ashore, and having been obliged to discharge her Cargo for repairs.

Steam Boat,
Grand Falls to
River St. Francis.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for the encouragement of a Steam Boat to ply between the Grand Falls and the River Saint Francis; the same to be paid to James Drake on proper Certificates being furnished that the said Boat has run at all times during next Season, when the depth of water shall enable her to do so.

W. Carvill,
Return Duties.

To William Carvill, of Saint John, the sum of eight pounds eight shillings and nine pence to reimburse him Duties paid on Machinery imported for his Rope Manufactory.

Commissioners of
Buoys and Beacons,
Buctouche.

To Charles K. Smith and Francis M'Phelim, Commissioners of Buoys and Beacons for the Port of Buctouche, the sum of thirty pounds to reimburse them expenses incurred in erecting two Beacons to replace those destroyed by a gale of wind in March last.

W. Sweet,
Return Duties.

To William Sweet, of Richibucto, the sum of two pounds to reimburse him Duties paid on two Oxen imported from Prince Edward Island, as Farming Stock, on his becoming a settler in this Province.

Hon. J. Cunard,
Return Duties.

To the Honorable Joseph Cunard the sum of forty four pounds to reimburse Duties twice paid on several Cargoes of Timber and Deals shipped in Vessels stranded, and their Cargoes landed for repairs.

Team Ferry Boat,
Douglas to
Kingsclear.

To Thomas Smith and Andrew Kitchen, of Douglas, County of York, the sum of fifteen pounds to enable them to maintain and keep up a Team Ferry Boat between Douglas and Kingsclear for the accommodation of the public.

M. Hannah,
Return Duties.

To Matthew Hannah, of Saint Stephen, the sum of two pounds to reimburse him Duties twice paid on a Foreign Horse.

To

To William Grieves, of Saint Mary, in the County of York, the sum of fifteen pounds to enable him to finish a Public Wharf connecting Fredericton with the Great Roads leading to Miramichi and the Finger Board.

W. Grieves,
Public Wharf.

To J. W. Holderness and Chilton, of Richibucto, the sum of seven pounds four shillings to reimburse them Duties paid on Rum imported into this Province, and exported to Prince Edward Island.

Holderness & Chilton,
Return Duties.

To James Gourlie, of Prince Edward Island, the sum of fifteen pounds and ten pence to reimburse him Duties paid on Goods imported from Halifax to Richibucto, and exported to that Island.

J. Gourlie.

To the Lord Bishop of Fredericton the sum of forty pounds thirteen shillings and eight pence to refund Duties paid on articles imported from Great Britain for the erection of the Chapel of Ease and Cathedral at Fredericton.

Lord Bishop of
Fredericton.

To William Livingston, of Saint John, the sum of nineteen pounds six shillings and eight pence, being a return of double Head Money paid on Passengers per the barque Branches from Liverpool.

W. Livingston,
Head Money.

To the President and Directors of the Woodstock Steam Boat Company the sum of fifty one pounds two shillings and nine pence to reimburse that Company for Duties paid on Steam Boat Machinery used in the construction of a Steam Boat.

Woodstock Steam
Boat Company,
Return Duties.

To H. E. Dibblee, Sub-Collector and Deputy Treasurer at Woodstock, the sum of eighteen pounds fourteen shillings and seven pence, being the Commission due him on Parliamentary Duties collected there in the year one thousand eight hundred and forty six.

H. E. Dibblee.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds towards establishing a suitable Ferry Boat at the Grand Falls; the same to be paid John Street, so soon as it shall be satisfactorily certified to His Excellency that a good Boat has been built for the purpose, and in operation for public accommodation.

Ferry Boat at
Grand Falls,
J. Street.

To Otis Small, of Saint John, the sum of one hundred and twelve pounds eighteen shillings and six pence to refund Duties paid on a quantity of Bricks used in the erection of the new Custom House.

Otis Small,
Return Duties.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for the purpose of completing the Steam Boat Landing in the Town of Saint Andrews.

Steam Boat Land-
ing, St. Andrews.

To Donald Stewart and Adam Ferguson, Commissioners of Buoys and Beacons for the Port of Dalhousie, the sum of fifty pounds to enable them to replace a number of Buoys in the Restigouche River, carried away by the Ice Freshet in November last.

Buoys and Beacons,
Dalhousie.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds, in aid of individual subscription, towards building a Public Wharf at Hamilton's Landing, in the County of Albert.

Wharf, Hamilton's
Landing.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding three hundred pounds, to be applied in the employment of the Dredging Machine on the Shoals of the River Saint John, and such other places as may be required, the ensuing year.

Dredging Machine,
Shoals St. John.

To Messieurs William E. Snow and Son the sum of fifty pounds for the encouragement of their Establishment for the manufacture of Cloth.

W. E. Snow & Son.

To the Justices of the Peace for the County of York the sum of nineteen pounds twelve shillings and six pence to remunerate them for expenses incurred in carrying eleven Prisoners, convicted at the Court of Oyer and Terminer and General Gaol Delivery, in October last, to the Provincial Penitentiary.

Justices of York,
Convicts.

To

- Meductic Fall.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding two hundred and fifty pounds towards further clearing out the Rocks in the Meductic Fall.
- Legislative Library.** To the Committee of the Legislative Library the sum of three hundred pounds Sterling, for the purchase of Books and payment of the Debt due by the Library.
- Provincial Warehouse Keeper.** To Benjamin C. Chaloner the sum of one hundred pounds to remunerate him for services performed as Provincial Warehouse Keeper, from sixth day of October, one thousand eight hundred and forty three, to the sixth day of October, one thousand eight hundred and forty five.
- M. M'Leod.** To Mary M'Leod, of the Parish of Alnwick, in the County of Northumberland, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her destitute circumstances.
- Letty Bell.** To Letty Bell, the Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute circumstances.
- M. Whelpley.** To Mary Whelpley, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present indigent circumstances.
- T. Britney.** To Tamar Britney, Widow of the late John Britney, an old Soldier of the Revolutionary War, the sum of ten pounds, being the Pension due her late Husband at the time of his death; and also the sum of ten pounds to relieve her in her present indigent circumstances.
- Sabra Lyon.** To Sabra Lyon, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.
- Mary Hoyt.** To Mary Hoyt, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds due her late Husband up to June, one thousand eight hundred and forty seven, to relieve her in her destitute circumstances.
- Steam Boat between Saint John and Head of Bay of Fundy.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds annually, for three successive years, for the purpose of encouraging the running of a good, sufficient and seaworthy Steam Boat, of not less than Fifty Horse Power, and skilfully navigated, between the City of Saint John and the Head of the Bay of Fundy; the same to be paid to the proprietor or proprietors of such Boat, at the expiration of each and every year, for three successive years as aforesaid, on satisfactory certificates being produced to His Excellency in Council, that a Boat answering the above description has run between the City of Saint John and Sackville, once a week, and the City of Saint John and Dorchester and Bend of Petitcodiac, once a week alternately, during the usual period of navigation, (unavoidable accidents excepted,) for the accommodation of Passengers and conveyance of Freight.
- G. Camp, for J. Appleby.** To George Camp the sum of five pounds sixteen shillings and eight pence, being an amount due him for keeping James Appleby, an old Soldier of the Revolutionary War, from June, one thousand eight hundred and forty six, to January, one thousand eight hundred and forty seven, the time of his death.
- Furniture, School House of Model School.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to provide Furniture for the School House of the Model School in Fredericton.
- J. Rigar, for Mrs. Chandler.** To John Rigar the sum of eight pounds, being the amount due the late Mrs. Chandler, the Widow of an old Soldier of the Revolutionary War, at the time of her death; she having died before the time of certifying the same to the Sessions, arrived, and the said John Rigar having supported her up to the time of her death.

To James Ketchum and Alexander Goodfellow, Esquires, the sum of one hundred and fifty four pounds fifteen shillings and one penny to reimburse them a balance due on their expenditure on the Arestock Bridge.

J. Ketchum and
A. Goodfellow,
Arestock Bridge.

To the Commissioners of the Alms House for the City and County of Saint John the sum of fifty pounds to be appropriated by them for the purchase of Seed, and otherwise, for the relief of the Black Refugees at Loch Lomond.

Seed for Black
Refugees,
Loch Lomond.

To John Kenney the sum of two pounds, being amount of Duty paid by him on one Horse brought with him from Prince Edward Island to the County of Westmorland, on his becoming a Settler in this Province.

J. Kenney,
Return Duties.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to aid the inhabitants of the County of Westmorland in employing a Courier in carrying the Mail from Cape Tormentine to the Post Office in Sackville, in that County, for one thousand eight hundred and forty eight.

Courier,
Cape Tormentine
to Post Office,
Sackville.

To Margaret Manson the sum of eighteen pounds six shillings and eight pence for having taught a School in the Parish of Saint Martin, County of Saint John, for eleven months ending March one thousand eight hundred and forty six.

M. Manson.

To George Watt the sum of five pounds for having taught a School in the Parish of Newcastle, County of Northumberland, for three months ending April one thousand eight hundred and forty seven.

George Watt.

To Angus M'Fee the sum of fifteen pounds for having taught a School in the Parish of Hampton, King's County, for nine months ending July one thousand eight hundred and forty seven.

Angus M'Fee.

To Agnes Jane Waters the sum of thirty pounds for having taught a School in the City of Saint John for eighteen months ending January one thousand eight hundred and forty eight.

A. J. Waters.

To Matilda Moore the sum of fifteen pounds for having taught a School in the Parish of Saint David, County of Charlotte, for nine months ending September one thousand eight hundred and forty seven.

M. Moore.

To Elizabeth Albee the sum of thirty pounds for having taught a School in the Parish of Saint Stephen, County of Charlotte, for eighteen months ending October one thousand eight hundred and forty seven.

Elizabeth Albee.

To James Muirhead the sum of fifteen pounds for having taught a School in the Parish of Saint George, County of Charlotte, for nine months ending February one thousand eight hundred and forty seven.

J. Muirhead.

To Richard Ahern the sum of ten pounds for having taught a School in the Parish of Blissfield, County of Northumberland, for six months ending September one thousand eight hundred and forty seven.

R. Ahern.

To Chloe Dow the sum of fifteen pounds for having taught a School in the Parish of Southampton, County of York, for nine months ending February one thousand eight hundred and forty eight.

Chloe Dow.

To Ann Lester the sum of ten pounds for having taught a School in the Parish of Saint Stephen, County of Charlotte, for six months ending October one thousand eight hundred and forty seven.

Ann Lester.

To Wellington Troop the sum of ten pounds for having taught a School in the Parish of Springfield, King's County, for six months ending November one thousand eight hundred and forty five.

Wellington Troop.

To Lucy A. Burns the sum of thirty pounds for having taught a School in the Parish of Saint Stephen, County of Charlotte, for eighteen months ending November one thousand eight hundred and forty seven.

Lucy A. Burns.

- Charles Gosselin. To Charles Gosselin the sum of ten pounds for having taught a School in the Parish of Dundas, County of Kent, for six months ending June one thousand eight hundred and forty six.
- W. Hardie. To William Hardie the sum of five pounds for having taught a School in the Parish of Botsford, County of Westmorland, for three months ending August one thousand eight hundred and forty seven.
- S. A. Turner. To Sarah Ann Turner the sum of fifteen pounds for having taught a School in Carleton, County of Saint John, for nine months ending January one thousand eight hundred and forty eight.
- James Roe. To James Roe the sum of five pounds for having taught a School in the Parish of Bathurst, County of Gloucester, for three months ending January one thousand eight hundred and forty seven.
- James Muir. To James Muir the sum of five pounds for having taught a School in the Parish of Beresford, County of Gloucester, for three months ending July one thousand eight hundred and forty seven.
- G. M'G. 2^{or}. To Grigor M'Grigor the sum of twenty pounds for having taught a School in the Parish of Wicklow, County of Carleton, for twelve months ending June one thousand eight hundred and forty seven.
- Lavinia Love. To Lavinia Love the sum of five pounds for the services of her late Husband as a School Teacher in the Parish of Saint Stephen, County of Charlotte.
- C. E. F. LeFrance. To C. E. F. LeFrance the sum of ten pounds for having taught a School in the Parish of Saumarez, County of Gloucester, for six months ending August one thousand eight hundred and forty seven.
- Car. Dumaresq. To Caroline Dumaresq the sum of ten pounds for having taught a School in the Parish of Addington, County of Restigouche, for six months ending January one thousand eight hundred and forty eight.
- J. S. Phinney. To John S. Phinney the sum of ten pounds for having taught a School in the Parish of Burton, County of Sunbury, for six months ending November one thousand eight hundred and forty seven.
- E. Akerley. To Eloise Akerley the sum of twenty pounds for having taught a School in the Parish of Fredericton, County of York, for twelve months ending December one thousand eight hundred and forty seven.
- J. M' Mahon. To James M' Mahon the sum of five pounds for having taught a School in the Parish of Kingsclear, County of York, for three months ending March one thousand eight hundred and forty seven.
- S. Parlee. To Solomon Parlee the sum of twenty pounds for having taught a School in the Parish of Studholm, King's County, for twelve months ending one thousand eight hundred and forty four.
- F. Butler. To Francis Butler the sum of eight pounds six shillings and eight pence for having taught a School in the Parish of Fredericton, County of York, for five months ending January one thousand eight hundred and forty eight.
- G. M'Kenzie. To George M'Kenzie the sum of thirty pounds for having taught a School in the Parish of Saint George, County of Charlotte, for eighteen months ending January one thousand eight hundred and forty eight.
- J. Maitland. To John Maitland the sum of five pounds for having taught a School in the Parish of Bathurst, County of Gloucester, for three months ending July one thousand eight hundred and forty six.
- J. Wilson. To James Wilson the sum of five pounds for having taught a School in the Parish of Moncton, County of Westmorland, for three months ending March one thousand eight hundred and forty seven.

To George W. Caldwell the sum of ten pounds for having taught a School in the Parish of Springfield, King's County, for six months ending July one thousand eight hundred and forty seven. G. W. Caldwell.

To Sarah Ingalls the sum of sixteen pounds thirteen shillings and four pence for having taught a School in the Parish of Grand Manan, County of Charlotte, for two separate periods, the last period ending November one thousand eight hundred and forty six. S. Ingalls.

To Melissa Ann Black the sum of five pounds for having taught a School in the Parish of Saint Martin, County of Saint John, for three months ending July one thousand eight hundred and forty seven. M. A. Black.

To Louis Allen the sum of twenty pounds for having taught a School in the Parish of Wellington, County of Kent, for twelve months ending January one thousand eight hundred and forty eight. Louis Allen.

To Patrick Walsh the sum of twenty pounds for having taught a School in the Parish of Chatham, County of Northumberland, for twelve months ending December one thousand eight hundred and forty seven. P. Walsh.

To William A. Calneck the sum of ten pounds for having taught a School in the Parish of Maugerville, County of Sunbury, for six months ending December one thousand eight hundred and forty seven. W. A. Calneck.

To Thomas Fowler the sum of five pounds for having taught a School in the Parish of Chatham, County of Northumberland, for three months ending October one thousand eight hundred and forty seven. T. Fowler.

To John Henderson the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Chatham, County of Northumberland, for four months ending April one thousand eight hundred and forty seven. J. Henderson.

To James West the sum of ten pounds for having taught a School in the Parish of West Isles, County of Charlotte, for six months ending September one thousand eight hundred and forty seven. J. West.

To Amy G. Campbell the sum of five pounds for having taught a School in the Parish of Saint Andrews, County of Charlotte, for three months ending January one thousand eight hundred and forty six. Amy G. Campbell.

To Kenneth M'Kever the sum of five pounds for having taught a School in the Parish of Dalhousie, County of Restigouche, for three months ending July one thousand eight hundred and forty seven. K. M'Kever.

To Edward Groundwater the sum of ten pounds for having taught a School in the Parish of Hopewell, County of Albert, for six months ending December one thousand eight hundred and forty seven. E. Groundwater.

To Duncan M'Dougal the sum of twenty pounds for having taught a School in the Parish of Wakefield, County of Carleton, for twelve months ending August one thousand eight hundred and forty seven. D. M'Dougal.

To Giles V. Smith the sum of twenty pounds for having taught a School in the Parish of Sackville, County of Westmorland, for twelve months ending May one thousand eight hundred and forty seven. G. V. Smith.

To Sarah Kelly the sum of sixteen pounds thirteen shillings and four pence for having taught a School in the Parish of Saint Stephen, County of Charlotte, for ten months ending April one thousand eight hundred and forty seven. S. Kelly.

To the Reverend W. Aylward, Charles Bradley, and Dennis Bradley, Managing Committee of the School in connection with the Roman Catholic Church in the Town of Saint Andrews, the sum of thirty pounds to assist them in keeping up that Institution. Roman Catholic School, Saint Andrews.

- Roman Catholic School, Bathurst. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to enable him to pay the Managing Committee of the Roman Catholic School at Bathurst, to aid towards the support of the said School.
- Landing, Head of Tide Water, Magaguadavic. To Daniel Gilmour and Richard M'Gee, the sum of fifty pounds to assist them in finishing the Public Landing at the Head of Tide Water in the Town of Magaguadavic.
- Pamela Hartt. To Pamela Hartt, a licenced Teacher, the sum of twenty five pounds to remunerate her for having taught a School in the Parish of Saint Mary, in the County of York, for a period of fifteen months ending the first day of January last.
- John Scott. To John Scott, a licenced Teacher, the sum of six pounds thirteen shillings and four pence to remunerate him for having taught a School in Stanley, in the County of York, for a period of four months ending the twenty third day of November last.
- S. A. Dysart. To Sarah Ann Dysart, the sum of twenty pounds for teaching an Infant School in the City of Saint John for the year one thousand eight hundred and forty seven.
- M. M. Leggett. To Mary M. Leggett, the sum of twenty pounds to remunerate her for teaching a School in the Parish of Sussex the last year.
- A. Baxter. To Augustus Baxter, the sum of three pounds six shillings and eight pence, being the amount of Pension due Frederick Baxter, a Soldier of the Revolutionary War, at the time of his decease, in September one thousand eight hundred and forty six.
- Portland Police. To the Justices of the Peace for the City and County of Saint John a sum not exceeding three hundred pounds, in part to reimburse them expenses incurred in establishing and maintaining a temporary Police in the Parish of Portland during a part of the last and present year, for the preservation of the lives of Her Majesty's Subjects residing therein, as well as of the inhabitants of this Province resorting to the said Parish, and for the protection of property.
- E. Codington. To Eliphaz Codington, of Grand Manan, in the County of Charlotte, in consideration of services rendered this Province during the last American War, the sum of ten pounds; he being now very old and in indigent circumstances.
- J. & G. M. Porter. To John and George M. Porter, of Saint Stephen, in the County of Charlotte, the sum of five hundred pounds to remunerate them in part for losses sustained in Sluices, Dams, and other erections, by reason of an extensive sale of Land to Nehemiah Marks.
- H. Dickson. To Henry Dickson, of Saint James, in the County of Charlotte, a sum not exceeding nine pounds seven shillings and six pence, to remunerate him in part for losses sustained in the purchase of a Lot of Land in that Parish, which was granted to another person after he had paid a part of the purchase money and made extensive improvements thereon.
- Thomas Quinn. To Thomas Quinn, of Saint Patrick, in the County of Charlotte, the sum of thirteen pounds thirteen shillings and four pence for teaching a School in that Parish for eight months ending on the eighth day of February last.
- Justices of Kent, Convicts. To the Justices of the Peace for the County of Kent the sum of twenty one pounds twelve shillings and six pence to reimburse them expenses incurred in sending William Chiswell to the Provincial Penitentiary, under the direction of the Executive Government.
- John A. Boyer. To John A. Boyer, the sum of ten pounds for teaching a School in the Parish of Greenwich, in King's County, for six months ending the sixth day of December, one thousand eight hundred and forty six.
- J. Johnson. To John Johnson, a licenced Teacher, the sum of ten pounds for teaching a School in the Parish of Dundas, County of Kent, for the period of six months ending

ending the thirteenth day of February, one thousand eight hundred and forty seven.

To James Wheten, a licenced Teacher, the sum of twenty pounds in consideration of his giving instructions in the higher Branches of Education during the two past years, there being no Grammar School in the County of Kent.

J. Wheten.

To John M'Killigan, a licenced Teacher, the sum of twenty pounds for teaching a School in the Parish of Hampton, in King's County, for twelve months ending the eleventh day of May, one thousand eight hundred and forty seven.

J. M'Killigan.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding eight hundred pounds towards the support of the Establishment on Sheldrake Island, in the County of Northumberland, under the direction of the Board of Health for the Counties of Northumberland and Gloucester.

Lazaretto,
Sheldrake Island.

To John W. M. Ruel the sum of four pounds two shillings and nine pence, being the amount of Duties paid by him on Agricultural Implements imported from the United States, of a superior kind, as Models, last year.

J. W. M. Ruel,
Return Duties.

To Robert Jardine, of Saint John, the sum of seven pounds nineteen shillings and eleven pence, being the amount of Duties paid on the importation of an improved description of Cattle from Great Britain.

R. Jardine.

To James Tibbits, the sum of twenty five pounds as a Bounty on the erection of an Oat Mill and Kiln in the Parish of Andover, in the County of Carleton.

J. Tibbits.

To Lewis D. Wigan, the sum of twenty five pounds as a Bounty on the erection of an Oat Mill and Kiln in Stanley, in the County of York, which has been partially carried away by an Ice Freshet.

L. D. Wigan.

To Dugald Stewart, Esquire, Secretary and Treasurer of the Restigouche Agricultural Society, the sum of five pounds nineteen shillings and eleven pence, being amount of Duties paid by him on the importation of sundry Agricultural Implements for the use of the said Society.

Restigouche Agri-
cultural Society.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred and fifty pounds, to be applied as Premiums on the importation of three Horses of improved Breeds from England by Mr. Hugh M'Monagle, of King's County; the Horses to consist of two Hunters and one thorough bred; for each of the former the sum of two hundred pounds, and for the latter the sum of one hundred and fifty pounds; provided the said Horses are imported during the present year, and respectively over three and under six years of age, and not less than sixteen hands high; neither of the said Premiums to be paid until it is certified to His Excellency by three competent persons to be appointed for that purpose, that the said Horses are in every respect of the age and description specified, and worthy of the said Premiums; and also provided, that sufficient security be given by the said Hugh M'Monagle that the said Horses shall be kept within the Province for the term of five years, for the purpose intended.

H. M'Monagle,
Importation of
Horses.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds to be applied towards the purchase of a Lot of one hundred acres of Land, on the Road between the Bend of Petiscodiac and the Richibucto River, for Samuel Geddes, of Wellington, in the County of Kent; the same to be granted upon condition that the Grantee forthwith settle upon the same, and erect a sufficient House of Entertainment.

S. Geddes,
Settler between
Petiscodiac and
Richibucto River.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seven hundred pounds to encourage the further importation of improved Breeds of Horses into the Province, to be applied

Importation of
Stallions.

applied as follows:—Two hundred pounds to be paid as a Premium for the best thorough bred Stallion, not under fifteen hands three inches high, and not less than four nor more than six years of age; one hundred and fifty pounds to be paid as a Premium for the second best Stallion of the same description; two hundred pounds to be paid as a Premium for the best Cleveland Bay Stallion, not under sixteen hands high, and not less than four nor more than six years of age; one hundred and fifty pounds to be paid as a Premium for the second best Stallion of the description last mentioned. The said Horses are to be imported from England or Ireland during the current year; and before any Premium be paid, it shall be certified to His Excellency by three competent judges to be appointed by His Excellency for that purpose, that each Horse is in every respect of the character, age and description required, and that the owner thereof is justly entitled to the Premium therefor; and further, the owner or owners of every such Horse shall give a sufficient Bond in the penal sum of one thousand pounds, to keep the said Horse for the space of five years within the Province, for the purposes intended.

Agricultural
Societies.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, not exceeding the following sums for the support and encouragement of Agricultural Societies in the respective Counties the present year, viz:—

York, one hundred pounds;
 Carleton, one hundred pounds;
 Sunbury, one hundred pounds;
 Charlotte, one hundred pounds;
 Saint John, one hundred pounds;
 King's, one hundred pounds;
 Queen's, one hundred pounds;
 Westmorland, one hundred pounds;
 Albert, one hundred pounds;
 Kent, one hundred pounds;
 Northumberland, one hundred pounds;
 Gloucester, one hundred pounds;
 Restigouche, one hundred pounds;

Which sums, or aliquot portions thereof, shall be paid to the order of the President of the respective Agricultural Societies, when it shall be certified to His Excellency that any portion of the inhabitants of any one of the said Counties have subscribed and paid, during the present year, a sum equal to one half of the respective sums above mentioned, or the aliquot portions thereof, for the support of Agriculture; which sums so paid shall be accounted for to the Legislature; provided always, that in such Counties in which District Agricultural Societies are formed, embracing one or more Parishes only, it shall and may be lawful for His Excellency to apportion the amounts so to be granted to those Counties among the said District Societies; and further provided, that no Warrant do issue for such sums, or any parts thereof, until an Account current for the past year of the Society for whose benefit such application may be made, duly attested by the Treasurer, be first laid before His Excellency the Lieutenant Governor or Administrator of the Government for the time being, to be laid before the Legislature at its next meeting.

Dark Harbour
Channel.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for the purpose of further deepening the Channel of Dark Harbour, in the Island of Grand Manan;

- To His Excellency the Lieutenant Governor or Administrator of the Government, the sum of four hundred and fifty pounds for the Contingent Expenses of the Province for the present year. Provincial Contingencies.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds for Furniture for Government House, and for other expenses about the grounds of the Government House. Government House Furniture.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of eighty two pounds eight shillings and eleven pence, being a balance due the Hospital at Fredericton. Fredericton Hospital.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of eighty three pounds, a balance due on the Infant School at Fredericton. Fredericton Infant School.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds to provide for carrying the Mail between Bathurst and Shippegan. Mails between Bathurst and Shippegan.
- To Samuel Huestis the sum of seven pounds ten shillings for conveying the Mails across the Ferry at the Jemseg for the year one thousand eight hundred and forty seven. Ferrying Mails at Jemseg;
- To James Straight and James G. Watson the sum of seven pounds ten shillings each for ferrying the Mails over the Washademoak for the year one thousand eight hundred and forty seven. Washademoak;
- To Henry Swim the sum of ten pounds in full for claims for ferrying Mails over the South West Miramichi. South West Miramichi.
- To Commissioners appointed by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for continuing the running of a Packet between Saint Andrews, Deer Island, Campo Bello, and Grand Manan. Packet between Saint Andrews, Grand Manan, &c.
- To James Walsh the sum of ten pounds for running a Packet between Shediac and Prince Edward Island to the fourteenth of June last. Packet between Shediac and Prince Edward Island.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds towards encouraging a weekly Communication between Fredericton and Saint Andrews. Weekly Communication, Fredericton to Saint Andrews.
- To Patrick King the sum of fifteen pounds to remunerate him for extra labour for carrying the Mails between Petitcodiac and Amherst. Mails between Petitcodiac and Amherst.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to pay for the services of a Courier between Gagetown and Salmon River. Courier between Gagetown and Salmon River.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds to pay a Courier for carrying the Mail between Saint John and the Parish of Upham, King's County; the route to be left to the discretion of the Postmaster at Saint John. Mail between Saint John and Upham.
- To A. S. Phair, Esquire, Postmaster at Fredericton, the sum of one hundred and nine pounds seventeen shillings and seven pence, being the cost of the erection of a Building on the Government ground near the Province Building, now occupied by him as a Post Office, on his conveying the said Building to the Crown. A. S. Phair, Esq. Fredericton Post Office.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the following sums for Post Communications, viz:— Post Communications.
- Sixty pounds, Fredericton to the Finger Board;
- Twenty five pounds, Fredericton to Stanley;
- Twenty five pounds, Fredericton to Bear Island;
- Thirty pounds from Saint John to Quaco;

Twenty five pounds from Saint John to Black River and Ten Mile Creek;
 Twenty pounds from Saint John, via Caledonia and Hibernia, to Tynemouth;
 Ten pounds from Sackville to North Joggins;
 Fifteen pounds from Harvey Post Office to Salmon River, Albert;
 One hundred pounds from Miramichi to Dalhousie;
 Forty five pounds from Miramichi to Pokmouche and Shippegan;
 Forty pounds from Madawaska to Saint Francis;
 Ten pounds from Nerepis, through Jerusalem, to Gagetown;
 Thirty pounds from Nerepis to the Head of Long Reach;
 Thirty pounds from Gagetown to Salmon River;
 Fifteen pounds from Long Creek to Sussex Vale.

E. Spratt.

To Elizabeth Spratt the sum of forty pounds to remunerate her for having taught a School in the Parish of Chatham for five years.

Mary Collins.

To Mary Collins, Widow of the late Doctor Collins, Medical Assistant to the Health Officer on Partridge Island, Saint John, in the year one thousand eight hundred and forty seven, who fell a victim to the pestilential disease then raging at the Quarantine Establishment, while in discharge of his duties attending to the numerous Emigrants there landed, the sum of thirty pounds to aid her in her present distressed circumstances.

C. Donald, for
M. Campbell.

To Catharine Donald the sum of ten pounds, being the amount of Pension due her late Mother, Martha Campbell, Widow of the late Hugh Campbell, a Soldier of the Revolutionary War in America, at the time of her death, in August last.

D. Stewart, to
replace remittance
to Province
Treasurer.

To Dugald Stewart, Deputy Treasurer at Dalhousie, the sum of one hundred pounds to reimburse him for the loss of that amount enclosed by him in a letter to B. Robinson, Esquire, Province Treasurer, on the fourth day of March, one thousand eight hundred and forty seven, and duly remitted through the Post Office at that place, on account of Duties there collected, which letter was never received by the Treasurer, and from subsequent disclosures is supposed to have been extracted at the said Post Office and the money embezzled.

Isabella Gough.

To Isabella Gough, Widow of the late James Gough, a Nightly Watch and Policeman in the Parish of Portland, County of Saint John, who was mortally wounded while in discharge of his duty on the night of the fourth of December last, the sum of twenty pounds to aid her in her present distressed circumstances.

J. Earle and
H. Kinney.

To James Earle and Henry Kinney, two Nightly Watch and Policemen, who were severely wounded while in discharge of their duty at Portland, on the night of the fourth of December last, by reason of which they were severally put to much expense and damage, besides loss of time, the sum of twenty pounds each, in part to reimburse them such expenses and damages.

J. Lyttleton.

To James Lyttleton, a licenced Teacher, the sum of ten pounds to remunerate him for having taught a School in the Parish of Maugerville six months ending the second day of February last.

Report of Decisions
Supreme Court.

To David S. Kerr, Esquire, Barrister at Law, the sum of seventy five pounds towards remunerating him for reporting and publishing the Decisions of the Supreme Court.

Public Accounts,
Chairman.

To the Chairman of the Committee of Public Accounts the sum of one hundred pounds.

Return Duties on
Wine, 33d Regt.

To Frederick R. Blake, Major, Commanding the Thirty third Regiment, the sum of eighty two pounds eighteen shillings and four pence to reimburse the Officers of that Regiment for Duties paid on Wines, &c., consumed by their Mess the past year.

To John W. Ormsby, Captain and Senior Officer of Her Majesty's Artillery stationed at Saint John, the sum of six pounds nineteen shillings and six pence to reimburse the Officers for Duties on Wines, &c., consumed by them the past year. Return Duties on Wine, R. Artillery.

To Magdalen Schurman, Widow of the late Philip Schurman, a Non-Commissioned Officer in the Revolutionary War in America, the sum of ten pounds to aid her in her present indigent circumstances. M. Schurman.

To Rachel Martin, an old and valuable Instructress of Youth, the sum of twenty pounds for her services in that capacity. R. Martin.

To the Right Reverend William Dollard, Roman Catholic Bishop, the sum of nineteen pounds three shillings and six pence to refund Duties on articles imported for the use of poor destitute Churches in this Province. Roman Catholic Bishop, Return Duties.

To Donald Livingston, of the Parish of Pennfield, Schoolmaster, the sum of eighteen pounds six shillings and eight pence to remunerate him for teaching a School in said Parish for eleven months ending the twenty ninth day of January last. D. Livingston.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty seven pounds ten shillings to remunerate the Commissioners for expenses incurred in exploring the Road from Ferry Point to Mechanics' Settlement, in the County of Albert. Exploration from Ferry Point to Mechanics' Settlement, Albert.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds for the purpose of paying a Courier between the Post Office at the Mouth of the Oromocto, and Abner Mersereaux on the South Branch of the said River Oromocto, when it shall be certified to His Excellency that the service has been performed, at least, once a week. Courier between Oromocto Post Office and Mersereaux.

To Donald M'Intosh the sum of five pounds for teaching a School three months in the Parish of Wakefield, County of Carleton, ending February one thousand eight hundred and forty six. D. M'Intosh.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of nine pounds fifteen shillings to discharge a Bond to the Crown given by one John Meagher for the purchase of a Lot of Land in the Carlow Settlement, which has been transferred to one Walsh, who has since died, leaving a Widow and three Children. Discharge of Bond by J. Meagher.

To Robert Strong Bennison the sum of twenty pounds to pay him in full for his services as Teacher of the African School in the City of Saint John, for the year ending the thirtieth day of April one thousand eight hundred and forty seven. R. S. Bennison, African School, Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds towards further improving the Navigation of the River Saint John; two hundred and fifty pounds thereof to be expended in removing obstructions in the Maductic Falls, and thence to Woodstock; and the remaining two hundred and fifty pounds to be expended between Tobique and the Great Falls. Navigation River Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds; one hundred pounds thereof to be expended in improving the Navigation of the Upper Saint John, between the Great Falls and the Madawaska River; and fifty pounds thereof to procure a Survey of the Little Falls of the Madawaska River, and an estimate of the expense of locking the same. Navigation of Upper Saint John.

To the President and Directors of the Charlotte County Grammar School the sum of fifty pounds in aid of that Institution. Charlotte County Grammar School.

To the Reverend Robert Irvine, of Saint John, the sum of one hundred pounds towards the support of the School established in connection with the First Free Presbyterian Church in that City. School of First Free Presbyterian Church in St. John.

- Cocagne Academy.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds to be appropriated towards the support of the Cocagne Academy, when it shall be certified to His Excellency by the three Trustees, that the said Academy has been in operation for one year, in accordance with the requirements of the Grammar School Act of one thousand eight hundred and forty six.
- British School, Saint John.** To the President, Vice President and Managing Committee of the British School in Saint John the sum of one hundred pounds towards the support of that Institution.
- Female School in Westmorland, Misses Buckerfield.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds in aid of a Female School in Westmorland, under the tuition of Catharine Buckerfield, Jane Buckerfield, and Mary Buckerfield.
- Courier between Steves', in Westmorland, and New Canaan, in Queen's County.** The sum of twenty pounds, in aid of individual subscription, to the Justices of the Peace in King's County, to enable them to employ a Courier to run from Israel Steves', in Westmorland, to New Canaan, in Queen's County, through Butternut Ridge, in King's County.
- James Tabor.** To James Tabor, licenced Teacher, the sum of ten pounds to remunerate him for having taught a School in the Parish of Portland, County of Saint John, for the period of six months ending in one thousand eight hundred and forty seven.
- N. Hubbard, Exploration.** To Nathaniel Hubbard the sum of five pounds for exploring and reporting on a Line of Road from Indian Point to the River Saint John, near John Currie's.
- Rail Road from Halifax to Quebec, Exploration.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three thousand nine hundred and fifty nine pounds and seven pence, Sterling, being a third part of the expenses incurred in the Exploration of a Line for a Trunk Railway from Halifax to Quebec, agreeably to the Message of His Excellency the Lieutenant Governor communicating the Despatch of the Right Honorable Earl Grey.
- J. R. Tupper, Conveying Troops.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty one pounds to pay J. R. Tupper for expenses of conveyance of Troops to Woodstock in July last.
- J. Pendlebury, Lt. House Keeper.** To the Commissioners of the Machias Seal Island and Campo Bello Light Houses the sum of five pounds as additional Salary to John Pendlebury, Keeper of Saint Andrews Harbour Light House.
- Head Harbour and Campo Bello Bridge.** To the Commissioners of the Machias Seal Island and Campo Bello Light Houses the sum of fifteen pounds for repairing the Bridges connecting Head Harbour Island and Campo Bello; the same to be taken from the Light House Fund.
- Saint Andrews Light House Bridge approaches.** To the Commissioners of the Machias Seal Island and Campo Bello Light Houses the sum of fifteen pounds to complete the Approach to the Bridge leading from the Saint Andrews Light House to said Bridge; the same to be taken from the Light House Fund.
- Point Escuminac Light House Contingencies.** To the Commissioners of the Point Escuminac Light House the sum of ten pounds, being for Contingent Expenses for the current year; the same to be taken from the Light House Fund.
- Packet, Prince Edward Island to Bay Verte.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds for the encouragement of a Packet between Prince Edward Island and Bay Verte, in the County of Westmorland; the same to be paid to William Weeks, or such other person as may run the said Packet, upon a satisfactory certificate being produced that such Vessel (fit at all times to carry Passengers) has run at least once a fortnight, during the Season, touching at Bedeque and Charlotte Town each alternate voyage.

- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds for the conveyance of a semi-weekly Mail between Saint Andrews and Saint Stephen. St. Andrews and St. Stephen semi-weekly Mail.
- To the Commissioners of Light Houses in the Bay of Fundy the sum of one hundred pounds (in addition to two hundred pounds granted at the last Session) towards the expenses of erecting a Light House at Apple River, in Nova Scotia; the same to be taken from the Light House Fund. Apple River Light House.
- To Isaac Woodward, Esquire, the Corresponding and Recording Commissioner of Light Houses in the Bay of Fundy, the sum of one hundred and fifty pounds for his services in that capacity for one year, ending the thirty first day of December, one thousand eight hundred and forty seven; also the sum of thirty pounds short granted for the year ending the thirty first day of December, one thousand eight hundred and forty six; the same to be taken from the Light House Fund. I. Woodward, Esq. Light House Commissioner.
- To the Commissioners of Light Houses in the Bay of Fundy the sum of two thousand pounds for the Contingent Expenses of the Light Houses for the year one thousand eight hundred and forty eight. Bay of Fundy Light House Contingencies.
- To James P. A. Phillips the sum of fifty pounds to remunerate him for one hundred copies of the "Head Quarters" Newspaper furnished the Legislature during the last Session. J. P. A. Phillips.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to enable His Excellency to pay a Ferryman for conveying Her Majesty's Mail over the Arestook River, the ensuing Summer. Ferrying Mails over the Arestook.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding eight hundred pounds towards the support of the Establishment on Sheldrake Island, in the County of Northumberland, under the direction of the Board of Health for the Counties of Northumberland and Gloucester. Lazaretto, Sheldrake Island.
- To James Hogg the sum of fifty pounds to reimburse him for reporting and publishing the Debates of the Legislature for the year one thousand eight hundred and forty seven. James Hogg, Reporting.
- To Thomas Hill the sum of fifty pounds for reporting the Debates of the Legislature in the year one thousand eight hundred and forty seven. Thomas Hill, Reporting.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds to remunerate Richard Carman, Esquire, for making a full and complete Index to the Province Acts to the end of the last Session. R. Carman, Esq. Index to Laws.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seventy five pounds in aid of a semi-weekly Mail between Fredericton and Miramichi, from the first day of May, one thousand eight hundred and forty eight, to the first day of May, one thousand eight hundred and forty nine. Fredericton to Miramichi, semi-weekly Mail.
- To James P. A. Phillips, Thomas Hill, James Hogg, and Charles W. Bishop, the sum of fifty pounds each, for reporting the Debates of the House. Reporting Debates of House of Assembly.
- To Rachael Hewes, of Saint David, in the County of Charlotte, the sum of ten pounds to remunerate her for teaching a School in that Parish for six months ending on the sixth day of January, one thousand eight hundred and forty eight. Rachael Hewes.
- To Charles W. Bishop, of Fredericton, in the County of York, the sum of fifty pounds to remunerate him for reporting the Debates of the Assembly during the last Session of the Legislature. C. W. Bishop, Reporting.

T. Wetherall. To Thomas Wetherall the sum of twenty pounds for teaching a School in the Parish of Johnston, in Queen's County, for twelve months ending in January last.

J. BROWN, Exploration. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds nineteen shillings and one penny, being the amount of James Brown's Account for sundry Explorations, in full.

Fredericton and Saint John, daily Mail. To the Postmaster General the sum of twenty five pounds to provide for a daily Mail between Fredericton and Saint John during the present Session of the General Assembly.

Provincial Lunatic Asylum. To the Commissioners of the Temporary Provincial Lunatic Asylum at Saint John the sum of six hundred and thirty two pounds sixteen shillings and eleven pence, being the balance due for expenditure the past year; and the further sum of one thousand pounds towards the support of the said Establishment for one thousand eight hundred and forty eight.

Provincial Penitentiary. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one thousand pounds towards the support of the Provincial Penitentiary for one thousand eight hundred and forty eight.

Commissioner of Public Buildings, services; To the Commissioner of Public Buildings the sum of one hundred pounds for his services the past year.

Over-expenditure. To the Commissioner of Public Buildings the sum of two hundred and sixty nine pounds fourteen shillings and two pence, being amount of over-expenditure the past year.

J. M'Almon. To John M'Almon the sum of seven pounds ten shillings, being the amount of Pension due his late Mother, Isabella M'Almon, the Widow of an old Soldier of the Revolutionary War in America, at the time of her death, in the County of Albert, in February one thousand eight hundred and forty seven.

Appraisers. To the two Appraisers at Saint John, under the Imperial and Provincial Acts, the sum of fifty pounds each for their services for the year one thousand eight hundred and forty seven.

Fredericton Poor Female School. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds, in aid of individual subscription, towards the support of a School at Fredericton for the Education of Poor Female Children, under the auspices of the Lord Bishop of Fredericton.

B. C. Chaloner. To Benjamin C. Chaloner the sum of two hundred pounds, being for his services for Gauging and Weighing at Saint John for the years one thousand eight hundred and forty six and one thousand eight hundred and forty seven.

L. R. Coombes. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty seven pounds fifteen shillings and six pence to pay a balance due Leonard R. Coombes for exploring and opening a Road from the Madawaska River to the Saint Francis.

Treasury Offices, Kent. To the Province Treasurer the sum of two hundred pounds, being for Rent for Offices of the Treasury Department to the thirty first day of December, one thousand eight hundred and forty seven.

D. W. Jack, Gauging. To David W. Jack the sum of six pounds four shillings, being for Gauging and Weighing dutiable articles at Saint Andrews for the year one thousand eight hundred and forty seven.

R. Watson, Gauging. To Robert Watson the sum of five pounds six shillings, being for Gauging and Weighing dutiable articles at Saint Stephen for the year one thousand eight hundred and forty seven.

To the Emigrant Officer at Saint John the sum of thirty five pounds eleven shillings and two pence, being for contingencies of Offices for the year one thousand eight hundred and forty seven ; to be paid out of the Emigrant Fund.

Emigrant Officer,
Saint John.

To the Justices of the Peace of the City and County of Saint John, the sum of two hundred pounds to enable them to provide for the Interest due the present year on the Debentures issued towards the erection of the Provincial Penitentiary.

Provincial Peniten-
tiary Debentures.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and thirty seven pounds one shilling and three pence, being the amount of Deputy B. R. Jouett's Account for running the dividing lines between the Counties of York and Carleton, agreeably to an Address of this House the last Session ; eighty pounds of which to be repaid the Casual Revenue Fund for amount advanced.

Division Line
between the
Counties of York
and Carleton.

To Margaret Baldwin, Widow of the late Thomas Baldwin, the sum of twenty pounds in consideration of her late Husband having died of Typhus Fever while attending Emigrants on the Hospital Island, Saint Andrews, the past year ;

M. Baldwin.

To Margaret Tufts, Widow of the late Benjamin Tufts, the sum of twenty pounds in consideration of her late Husband having died of Typhus Fever while attending Emigrants on the Hospital Island, Saint Andrews, the past year ; both having been left in indigent circumstances.

Margaret Tufts.

To the Postmaster General the sum of one hundred pounds to enable him to establish a daily Mail between Saint John and Saint Andrews.

Saint John and
Saint Andrews,
daily Mail.

To the Postmaster General a sum not exceeding one hundred and fifty pounds to enable him to establish a tri-weekly Mail between Halifax and this Province ; and the further sum of fifty pounds to enable him to establish a tri-weekly Mail between the Bend of Petitcodiac and Miramichi.

Tri-weekly Mails,
Halifax and this
Province ;
Bend of Petitcodiac,
and Miramichi.

To John Simpson, Queen's Printer, the sum of one thousand six hundred and thirteen pounds five shillings and three pence, being the balance of his Account for Printing the Laws, Journals, Parliamentary Papers, and others, including Publications in the Royal Gazette, for the year one thousand eight hundred and forty seven, in full.

J. Simpson,
Parliamentary and
Public Printing.

To the Postmaster General the sum of one hundred and twenty pounds to enable him to pay H. Hyde for conveying the English Mails Express from Halifax to Amherst since November last.

Express Mail, Hal-
ifax and Amherst.

To William Carman the sum of twenty five pounds five shillings and six pence for Gauging dutiable articles at Miramichi in the year one thousand eight hundred and forty seven.

W. Carman,
Gauging.

To Ruth Cornwall, Widow of Samuel Cornwall, an old Soldier of the Revolutionary War in America, the sum of ten pounds to assist her in her present destitute circumstances.

R. Cornwall.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds to be applied in relieving sick, aged and distressed Indians in this Province, and for procuring Seed Grain and Potatoes.

Distressed Indians.

To Catherine Chamberlain, Widow of the late Samuel W. Chamberlain, of Saint John, the sum of twenty pounds, being the amount due him for keeping a School of superior description at Saint John during the year one thousand eight hundred and forty seven, which has since been continued by her.

C. Chamberlain.

To James Newcomb, a licenced Leacher, at Quaco, County of Saint John, the sum of ten pounds, as an additional remuneration for his having kept a School of a superior description the past year.

J. Newcomb.

Emigrant Buildings
Partridge Island.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one thousand pounds, for repairing and extending the Emigrant Buildings on Partridge Island, Saint John, and for the erection of a suitable House for the Medical Officer there stationed, as well as any other necessaries on the Island for Emigrant purposes; the same to be taken from the Emigrant Fund.

Temperance Hall,
Saint John.

To John Owens, A. M'Lean Seely, and S. L. Tilley, Building Committee of a Temperance Hall, to be used as such, and a part appropriated to Literary purposes, the sum of one hundred pounds, in aid of individual subscription to nearly three times that amount, to enable them to complete the said Building.

Treasury
Contingencies.

To the Province Treasurer the sum of one hundred and twenty nine pounds ten shillings and one penny, being for Contingencies of Office for the year one thousand eight hundred and forty seven.

York and Carleton
Mining Company.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding two hundred and fifty pounds, towards enabling the York and Carleton Mining Company to open and establish an effective communication either by Railway or otherwise, between their Works and their Ores and Minerals, in the vicinity of their establishment.

Government
Contingencies.

To His Excellency the Lieutenant Governor the sum of one hundred and ninety eight pounds eighteen shillings for extraordinary contingencies for past years.

African School,
M. Thomas.

To Matthew Thomas, Teacher of the African School in Saint John, the sum of twenty pounds for his services in that capacity to the first of April one thousand eight hundred and forty eight.

M. Donovan.

To Michael Donovan the sum of eight pounds six shillings and eight pence for having taught a School at Loch Lomond, in the Parish of Simonds, County of Saint John, for five months up to the present time.

C. Laskey.

To Caroline Laskey, Widow of the late Charles Laskey, a licenced Teacher in the Parish of Saint Martin, County of Saint John, the sum of ten pounds, being the amount due for her late Husband's services in that capacity at the time of his death the last year.

M. Turney.

To Michael Turney the sum of ten pounds for teaching a School for six months in the Parish of Simonds, County of Saint John, after having been duly found qualified by the Board of Education.

Miss H. Vondy.

To Miss Hannah Vondy, of Miramichi, the sum of twenty pounds as a small testimonial of the courage and devotion with which that Lady attended upon her Brother, the late Doctor Vondy, when lying ill of Typhus Fever, contracted at the Emigrant Sheds on Middle Island during the last Summer.

Overseers Poor,
Saint Patrick,
P. Carroll.

To the Overseers of the Poor of the Parish of Saint Patrick, County of Charlotte, the sum of nine pounds seventeen shillings to reimburse them expenses incurred in relieving and forwarding to Saint John, to the Lunatic Asylum, Paul Carroll, an Emigrant Pauper and Lunatic.

A. M'Laggan,
relief of C. Buckley.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of nineteen pounds seventeen shillings and three pence to reimburse Alexander M'Laggan, of the Parish of Blackville, County of Northumberland, expenses incurred in relieving and forwarding to Saint John, to the Lunatic Asylum, Charles Buckley, a Lunatic.

Protection of
Revenue.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding five thousand five hundred pounds for the protection of the Revenue for the year one thousand eight hundred and forty eight.

To the Provincial Board of Education the sum of seven hundred and fifty pounds to procure a further supply of Books, to be sold agreeably to the provisions of the Parish School Act. Provincial Board of Education, Books.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds, being the expenses of the Medical Commission to Tracadie in one thousand eight hundred and forty seven. Medical Commission to Tracadie.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds for the payment of the Sub-Collector at Shediac. Sub-Collector, Shediac.

To the Justices of the Peace for the County of Carleton the sum of two hundred pounds to enable them, in part, to discharge the debt incurred in preventing the spread of the Small Pox in the said County. Justices Carleton, Small Pox.

To Gershom Bonnell, an old Soldier of the Revolutionary War, upwards of ninety fours years of age, the sum of ten pounds to assist him in his destitute condition. G. Bonnell.

To Joseph Gaynor, Robert Chestnut, and Thomas Pickard, Trustees of the Wesleyan Chapel, Fredericton, the sum of twelve pounds seventeen shillings and seven pence, being Return Duties paid on an Organ and Bell imported for the use of said Chapel. Fredericton Wesleyan Chapel, Return Duties;

To Asa Coy and Zebebee G. Gabel, Trustees of the Baptist Meeting House in Fredericton, the sum of fourteen pounds ten shillings being Return Duties on an Organ imported for Public Worship. Baptist Meeting House, Fredericton.

To Ann M'Donald, Widow of the late Surgeon M'Donald, of the Jersey Volunteers, the sum of ten pounds to aid her in her destitute condition. A. M'Donald.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds towards encouraging a semi-weekly Courier between Fredericton and Saint Andrews to the first of May, one thousand eight hundred and forty nine, and not to be continued after that period. Courier, Fredericton to Saint Andrews.

To David Dougherty the sum of twenty pounds to remunerate him for making two hundred and two rods of Road on the Line from Newcastle to Gaspereaux, in one thousand eight hundred and forty six; the same not having been drawn from the Treasury, in consequence of the Contract not having been completed in time, but has been since finished. D. Dougherty, Road services.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds granted last year for the Road from Waweig to Roix', and unexpended, to be re-appropriated for the Road from Oak Bay to Roix', and expended thereon this present year. Oak Bay to Roix'. Re-appropriation.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding seven hundred and fifty pounds, for fitting up the Normal School Dwelling House and erecting the Normal School in the City of Fredericton. Training and Model School Premises.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds to pay a Ferryman for ferrying Her Majesty's Mails at the Grand Falls for the current year. Ferryman, Grand Falls.

To the Post Master at Fredericton the sum of four hundred and eighty two pounds seven shillings and eleven pence, being the amount of Postages of the Legislature for this Session. Legislative Postages.

To the Clerk of the House of Assembly the sum of two thousand one hundred and thirty two pounds eighteen shillings and five pence, being the Contingencies of the present Session. Legislative Contingencies.

Money to be drawn
by Warrant.

II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being; by and with the advice of Her Majesty's Executive Council, out of the monies now in the Treasury, or as payments may be made at the same.

CAP. VI.

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

Passed 30th March 1848.

Money granted
for the Road
Service.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province to such persons as His Excellency the Lieutenant Governor or Administrator of the Government for the time being, shall appoint, in addition to the sums already granted, the following, for the purposes hereinafter mentioned, (that is to say):

To His Excellency the Lieutenant Governor or Administrator of the Government for time being, the following sums for the Great and other Roads throughout the Province, for building and repairing Bridges, and opening and improving Roads to and in new Settlements, viz:—

Saint John to the
Nova Scotia Line.

One thousand eight hundred pounds for the Road from Saint John to the Nova Scotia Line; eight hundred and fifty pounds of which to be laid out on that part of the Road leading from Saint John to Hayward's Mills, out of which six pounds to be paid to Bartlett Leedon for work done on the said Road; one hundred pounds on the old Westmorland Road, one half of which to be laid out between Saint John County Line and Hammond River; and the remainder, eight hundred and fifty pounds, for the Road from Hayward's Mills to the Nova Scotia Line, fifty seven pounds of which to be paid Timothy Gallagher, being balance due him for building the Bridges across the Tantamar and Missiguash Rivers; such sum, not exceeding twenty five pounds, to be paid the proprietors of the Marsh enclosed by the Aboideau over Breau's Creek, at Dorchester, as may appear to the Supervisor a just proportion, from the public funds, for keeping said Aboideau in repair to this date; and such part to be expended on the old Tantamar Marsh Road as may be necessary to keep the same in repair.

Saint John to
Fredericton, via
Nerepis.

One thousand pounds for the Road from Saint John to Fredericton, via Nerepis; two hundred pounds of which to be expended in the improvement and for the extension of the Steam Ferry Landings, East and West side, in connection with the said Road.

Saint John to
Saint Andrews.

Seven hundred pounds for the Road from Saint John to Saint Andrews; two hundred pounds of which to be expended in the improvement and for the extension of the Steam Ferry Landings, East and West side, in connection with the said Road, and two hundred pounds to be expended between Magaguadavic and Saint Andrews.

Nerepis to
Gagetown.

Seventy five pounds for the Road from Nerepis to Gagetown.

Dorchester to
Shediac.

Seventy five pounds for the Road from Dorchester to Shediac.

Shediac to
Petitcodiac.

One hundred pounds for the Road from Shediac to Petitcodiac.

Richibucto to
Chatham.

Four hundred and fifty pounds for the Road from Richibucto to Chatham.

Newcastle to
Bathurst.

Three hundred pounds for the Road from Newcastle to Bathurst.

Belledune to
Bathurst.

Three hundred pounds for the Road from Belledune to Bathurst.

- Five hundred pounds for the Road from Belledune to Metis Road. Belledune to the
Metis Road.
- One thousand and fifty pounds for the Road from Fredericton to Woodstock ; such sum as may be necessary to be expended from this Grant on the Roads and for the Bridges North side the River, and out of which the Supervisor is authorized to retain the sum of three hundred and forty two pounds seven shillings and seven pence, with the Commission thereon; for the expenditure of the last year ; seven hundred pounds to be expended on the Great Road from Woodstock to the Arestook, two hundred pounds of which last mentioned sum to be laid out on the Road leading from Moses Hannah's to the River de Chute. Fredericton to
Woodstock.
- Four hundred and twenty five pounds for the Road from Arestook to the Grand Falls. Arestook to the
Grand Falls.
- Four hundred pounds for the Road from Fredericton to the Finger Board ; such sum as may be necessary in the opinion of the Supervisor to be paid out of this Grant for damages incurred by reason of the Road being altered through improved Lands. Fredericton to the
Finger Board.
- One hundred pounds for the Road from Bellisle to Saint John. Bellisle to St. John.
- Nine hundred pounds for the Road from Fredericton to Newcastle ; twenty five pounds of which to be paid to John Wilson for running his Team Ferry Boat across the Miramichi River. Fredericton to
Newcastle.
- Six hundred pounds for the Road from Fredericton to Saint Andrews ; three hundred and fifty pounds of which to be laid out between Vail's and the latter place. Fredericton to
Saint Andrews.
- Five hundred pounds for the Road from Salisbury to Harvey, in the County of Albert ; one half of which to be expended between Salisbury and Dawson Steves', in Hillsborough, and the remainder between Dawson Steves' and Harvey ; twenty five pounds of the latter sum to be paid Marvin Daniels for losses occasioned by an alteration in said Road. Salisbury to
Harvey.
- Four hundred pounds for the Road from Shediac to Richibucto. Shediac to
Richibucto.
- One hundred and fifty pounds for the Road from Waweig to Saint Stephen. Waweig to
Saint Stephen.
- Seventy five pounds for the Road from Woodstock to Houlton. Woodstock to
Houlton.
- One hundred pounds for the Road from Oromocto to Gagetown. Oromocto to
Gagetown.
- Five hundred and fifty pounds for the Road from Oak Bay to Eel River ; two hundred and seventy five pounds of which to be laid out from Eel River to Little Digdeguash, and the remainder onwards towards Oak Bay. Oak Bay to
Eel River.
- Four hundred pounds for the Road from Fredericton to the Bend of Petitcodiac ; eleven pounds ten shillings of which to be paid to George W. Hoben for repairs on Little River Bridge, and ten pounds to be paid Peters Yeamans, Commissioner on the said Road, for over-expenditure. Fredericton to
Bend of Petitcodiac
- Nine hundred pounds for the Road from Grand Falls to the Canada Line ; two hundred pounds of which to be expended between Baker's Brook and Saint Francis River. Grand Falls to
Canada Line.
- Three hundred and fifty pounds for the Road from Bathurst to Miramichi, via Pokemouche ; seven pounds nine shillings and nine pence of which to be paid Joseph Read, Esquire, late Supervisor. Bathurst to
Miramichi, via
Pokemouche.
- Two hundred pounds for the Road from Saint John to Quaco ; twenty pounds of which to be paid to the former Commissioner on this Road, for expenditures near Long's Hill. Saint John to
Quaco.
Seventy

- Hampton to Bellisle. Seventy five pounds for the Road leading from Hampton to Bellisle.
- Grand Falls to the American Boundary. Fifty pounds for the Road from Lower Landing, Grand Falls, to the American Boundary.
- Cole's Island to Cape Tormentine. Two hundred and twenty five pounds for the Road from Cole's Island to Cape Tormentine.
- Pickard's Store to American Boundary. Fifty pounds for the Road from Pickard's Store to the American Boundary.
- Arestook Bridge. Eight hundred pounds towards finishing the Arestook Bridge.
- Bridge over Memramcook River. One hundred pounds towards completing the Bridge over the Memramcook River, on the Great Road from Saint John to the Nova Scotia Line.
- Mechanics' Settlement. One hundred pounds for the Road to and through the Mechanics' Settlement, in King's County and the County of Albert, to be laid out in the most judicious manner for opening, improving and extending the Road.
- Hammond River to Hopewell. One hundred pounds for the Road from Hammond River to Hopewell; out of which one pound sixteen shillings and one penny to be paid to David Faulkner, Commissioner, for the expenditure of the Grant for the said Road, in the year one thousand eight hundred and forty one, being a balance due him agreeably to the Auditor General's Report.
- Loch Lomond to Sussex Vale. One hundred pounds for the Road from Loch Lomond to Sussex Vale; twelve pounds eight shillings of which to be paid to William R. Sentell, for over-expenditure on said Road, and such sum as may be required to pay for covering the Bridge near Tabor's, when the Contract is completed; and twenty five pounds from Loch Lomond to Baird's, by way of Barnes'; the remainder from Barnes' to Sussex Vale.
- J. Smith's to Gillan's. Fifty pounds for the Road from Jacob Smith's, in Burton, through the Victoria Settlement, to Gillan's.
- Nerepis Road to T. Hartt's Mills. Two hundred pounds for the Road from the Nerepis Road, through the Douglas Valley, to Thomas Hartt's Mills.
- Bridge over S. W. Miramichi. Two hundred pounds towards completing and covering the Bridge over the South West Branch of the Miramichi River.
- Bridge, Hammond River. Fifty pounds for completing the Bridge near Smith's, Hammond River.
- Christopher's to Forks of Upsalquitch. One hundred pounds for the Road from Christopher's to Forks of Upsalquitch, Portage Road.
- Christopher's to Mouth of Upsalquitch. One hundred and fifty pounds for the Road from Christopher's to Mouth of Upsalquitch.
- Oak Bay to Roix'. Two hundred pounds from Oak Bay to Roix'.
- Chamcook to Pleasant Ridge. Fifty pounds from Chamcook to Pleasant Ridge.
- Moore's Mills to M'Cann's. Fifty pounds for the Road from Moore's Mills to M'Cann's corner, Charlotte.
- Canouse Bridge. Twenty five pounds for the Canouse Bridge, at Saint James, Charlotte.
- Cole's Island to New Canaan. Seventy five pounds for the Road from Cole's Island to New Canaan.
- Bridge, Gaspereaux River. Fifty pounds towards erecting a Bridge, in aid of individual subscription, at Burpe's Mills, Gaspereaux River.
- Petitcodiac to Richibucto, via Irishtown. One hundred pounds for the Road from the Bend of Petitcodiac to Richibucto, via Irishtown.

Fifty pounds for the Road from the Bend to the Mountain Settlement.	Bend to the Mountain Settlement
One hundred pounds for the Road over Shippegan Plains.	Shippegan Plains.
Two hundred pounds for the Road leading from Blakslee's Farm to Loch Lomond; eighty pounds of which to be paid to the Justices of the City and County of Saint John towards monies advanced by them for improvements on Church Land, through which the Road passed.	Blakslee's Farm to Loch Lomond.
One hundred and ten pounds to pay the balance due on Nashwaak Bridge, including seventeen pounds three shillings due Alexander Goodfellow for balance of Keswick Bridge, and fifteen pounds fifteen shillings due Barker and Smith for balance due on Earle Creek Bridge.	Bridges over Nashwaak, Keswick, Earle Creek.
Two hundred pounds for the Road to New Bridge, Keswick, at Yerxa's, and Approaches.	Keswick Bridge Road.
Fifty pounds for the Bridge at M'Cool's Creek.	Bridge at M'Cool's Creek.
Seventy five pounds for the Road and Bridges from Stoney Creek to Stone's, in Coverdale, in the County of Albert.	Stoney Creek to Stone's.
Fifty pounds to M. and F. Steves towards the Aboideau used as a Bridge on the Public Road.	M. & F. Steves, Aboideau.
Fifty pounds for the Road from Dennis Gallagher's to Point Wolfe.	Dennis Gallagher's to Point Wolfe.
Seventy five pounds from the German Town Road to Saint John Line, through New Ireland Settlement.	German Town Road to St. John Line.
Fifty pounds for the Road and Bridge over Turtle Creek, at Peter Jonah's.	Turtle Creek, Road and Bridge.
One hundred and fifty pounds for the Road from Newcastle Bridge to the Gaspereaux, through the Hard Wood Ridge.	Newcastle Bridge to Gaspereaux.
Seventy five pounds for the Dipper Harbour Road, from the Saint Andrews Road, past the Dipper Harbour Church, through Mace's Bay Settlement, in the Counties of Saint John and Charlotte, to the Basin.	Dipper Harbour, Road.
One hundred and seventy five pounds to pay the balance due on the Scoudac Bridge, in the County of Westmorland.	Scoudac Bridge.
Fifty pounds for the Aboushagan Bridge.	Aboushagan Bridge.
Thirty pounds for a Bridge over Palmer's Creek.	Palmer's Creek, Bridge.
Seventy pounds for the Road from Towser's to Courtney Kinnear's, Aboushagan Road.	Towser's to C. Kinnear's.
Forty pounds for a Bridge across Lunn's Stream, English Settlement, Queen's County.	Lunn's Stream Bridge.
Forty pounds for the Road leading past and near the House of Correction and Alms House, Saint John, and for the Approaches to the new Bridge.	Road near Alms House, St. John.
Forty pounds for the Road from Groom's Bridge to Hendrick's, King's County.	Groom's Bridge to Hendrick's.
Twenty five pounds for the Road from Snow's to Fowler's, King's County.	Snow's to Fowler's.
One hundred pounds from Pabineau Falls to Chaplin Island Road.	Pabineau Falls to Chaplin Island.
One hundred pounds for the Road from Dixon's Ferry to Corry's, Bartibog.	Dixon's Ferry to Corry's.
One hundred pounds towards Bridges, at Black River, Northumberland, and improving the Road to Escuminac.	Bridges at Black River, Northumberland.

- Butternut Ridge to Little's. Thirty five pounds for the Road from Butternut Ridge to Little's, via Gailey's, King's County.
- Coates' Mill to Bellisle. Thirty pounds for the Road from Coates' Mill to Bellisle, new Line.
- Rushagonis to the St. Andrews Road. Sixty pounds from Rushagonis to the Saint Andrews Road.
- Bathurst Bridge. One hundred pounds towards reimbursing Francis Ferguson for planking Bathurst Bridge the past year.
- Pabineau Bridge. One hundred pounds for the Pabineau Bridge.
- Bridge over Ten Mile Creek, St. John. One hundred pounds towards erecting a new Bridge over Ten Mile Creek, County of Saint John.
- Bridge at West Beach, Quaco. One hundred pounds towards erecting a Bridge to connect Public Landings at West Beach, Quaco.
- Aboideau at Little River, St. John. Seventy five pounds towards the Road to and over the Aboideau at Little River, Saint John.
- Mispeck Bridge. Forty pounds towards the Bridge, Mispeck, Black River Road, and at Emerson's Creek.
- Point Wolfe to St. John County. Fifty pounds for the Road from Point Wolfe to Saint John County.
- Richmond Settlement to Eel River. One hundred pounds for the Road through the Richmond Settlement to Eel River, Carleton.
- Becaguimec Bridge. Fifty pounds for the Becaguimec Bridge.
- Smith's Creek Road to Ryan Settlement. Thirty pounds for the Road from Smith's Creek Road, Studholm, through the Corn Hill Settlement, into the Ryan Settlement, Westmorland.
- St. Nicholas River, up south side Richibucto. Fifty pounds for the Bridges on the Road leading from Saint Nicholas River, up the South side of the Richibucto.
- Richibucto Bridge. Two hundred pounds for a Bridge across the Richibucto River, at or near the head of the Tide.
- Daigle's Creek. Fifty pounds towards building a Bridge across Daigle's Creek, Kent.
- Williamstown Settlement to River de Chute. One hundred and twenty five pounds for the Road through the Williamstown Settlement to the River De Chute.
- New Brunswick and Nova Scotia Land Company. Four hundred pounds to be appropriated in improving the Roads and erecting Bridges in the Settlement made on the Lands of the New Brunswick and Nova Scotia Land Company, and in aid of appropriations made by the Company for that object.
- Baptist Martin's through a back Settlement, Green River. Re-appropriation. Twenty five pounds appropriated in the year one thousand eight hundred and forty six for the Road leading to a back Settlement on Green River, to be re-appropriated for the Road leading from Baptist Martin's through a back Settlement near Green River.

Bye Roads in Restigouche.

RESTIGOUCHE BYE ROADS.

- Thirty pounds for the road from the River at Flat Lands to the Settlement in rear, on the Line between Ryan and Connor's.
- Thirty pounds for the road leading to the Sugar Loaf Mountain Settlement.
- Thirty pounds for the road to the Lily Lake Settlement.
- Twenty pounds for the road to the Colebrooke Settlement.
- Twenty pounds to open and explore a road from Point Le Nimic to the Settlement in rear.

Twelve pounds to open a road from the Highway to the Shore between Ferguson and M'Nish.

Twenty nine pounds five shillings for the road from the Highway to the Shore between Lloyd's and Ryan's.

Twenty pounds to open and explore a road to the Settlement on the West side of Eel River Road, near Mrs. M'Donald's.

Twenty pounds for the road from Millar's Hill towards the Eel River Forks.

Forty pounds for the road on the West side of Eel River, from John Mortimer's upwards.

Twenty pounds from the Eel River Bridge to P. Looby's, on the Line laid off between Davis' and Sewell's.

Forty pounds for the road from the Forks towards the Colebrooke Settlement, out of which the balance due Thomas Walsh last year to be paid.

Thirty pounds for the Marl Lake Road.

Thirty pounds for the Breast Road from Donald Fraser's towards Isaac Arseneau's.

Thirty five pounds for the road from the new Bridge on River Charlo to the Settlement in rear.

Seven pounds ten shillings for the road from the Highway to the Settlers on the Shore near M'Intyre's.

Fifteen pounds for the road from Alexander M'Pherson's to the back Settlement.

Ten pounds to open the Drain and repair the Bridge between Cook and M'Pherson's.

Twenty pounds to open a road, as recommended by the Commissioners, from the Highway to Lime Stone Point, between Lots numbers six and seven.

Twenty pounds for the road to the Shore on the West side of Benjamin River.

Seventeen pounds ten shillings for the road from the Highway to the Shore between Charles and Roland M'Alister's.

Twenty pounds for the road between Doyle and M'Carty's to the back Settlement.

Twenty pounds for the road to the Shore between Mullully and Connacher's.

Fifteen pounds for the road at Nash's Creek to the back Settlement.

Twenty pounds for the Breast Road in rear of Hervie's.

Twenty pounds for the road to the Doyle Settlement.

Twenty pounds for the Breast Road through the Doyle Settlement.

Ten pounds on the road to the Shore between Bishop's and Black's.

Fifteen pounds for the road between Black's and Archibald's, to the Settlement in the rear.

Twenty pounds for the road from the Highway to the Shore on the East side of Jacquet River, between Doyle's and M'Millan's.

Thirty pounds to explore and open a road to the back Settlement at Belle Dune, on the Line between Ultican's and Quinn's.

Seven pounds ten shillings for the road leading to the Landing at River Charlo, between Cook's and M'Pherson's.

ALBERT BYE ROADS.

Bye Roads in
Albert.

Twenty pounds for the road from the Great Road in Coverdale, up Little River, to Parkins'.

Twenty pounds from Gideon Bray's to Coverdale River.

Fifty pounds from King's County Line to Hiram Stevens', by George Jonah's, thence to and over Pollet River; twenty five pounds of which to be expended on the Pollet River Bridge.

Twenty

Albert
Bye Roads,
Continued.

- Twenty pounds from the Great Road, up Turtle Creek, to Henry Mitton's.
Fifteen pounds from M'Latchy's Bridge to Stoney Creek.
Twenty five pounds from Henry Steves' to Irving's, thence to Caledonia Mountain.
Five pounds from Irving's Road to John Bazzley's.
Ten pounds from Abraham Steves' to Benjamin Jonah's.
Ten pounds from Henry Steves' to Round Hill, thence to Duffy's.
Twenty pounds from Hayward's to William Warnuck's.
Twenty pounds from Hayward's to Great Road in Hopewell.
Fifteen pounds from James Rogers' through the Hailey Settlement.
Thirty pounds from Hailey Road to the Memel Settlement.
Seven pounds ten shillings from L. Regan's to Wilber's, thence to the Caledonia Road.
Forty pounds from the Great Road in Hopewell through the Caledonia Settlement.
Seven pounds ten shillings from Reuben Stiles' to Gideon Hunt's.
Forty five pounds from Crooked Creek to D. Gallagher's.
Seven pounds ten shillings for the road up Beaver Brook to Edgett's.
Seven pounds ten shillings for the road over Germain Town Marsh.
Seven pounds ten shillings from William Tingley's to the Lake Road.
Seven pounds ten shillings from T. Edgett's to Fullerton's.
Ten pounds from Forsyth's to Gallagher's.
Five pounds from Fillemore's to D. Copps'.
Twenty pounds from New Ireland to Salmon River.
Fifteen pounds for the road up Pine Brook to Bennett's Lake.
Ten pounds for the road from Stoney Creek to T. Rodger's, thence to Lannen's; five pounds of which to be expended on Wright's Hill.
Ten pounds from Coverdale Road to Niagara Settlement.
Five pounds from George Colpitt's Mill to Bannister's.
Seven pounds ten shillings from the Great Road to Coverdale River, by Nixon's.
Fifteen pounds from the Great Road, near Dawson's, to Turtle Creek, thence to the Irving Road.
Five pounds from the Great Road to the Mitten Road, by Jonah's.
Twenty five pounds from Irving's Road to the West Branch of Turtle Creek, thence to Little River.
Seven pounds ten shillings from Prestly Hill to Robert Steves'.
Ten pounds from the Memel Road to Flannagan's.
Five pounds from William Parkins' to the Westmorland Line.
Ten pounds from Robert Colpitt's, up Pollet River, to the Mechanics' Settlement.
Ten pounds from Perkins' Road to Robert Colpitt's, thence to E. Mullin's.
Fifty pounds from Pollett River to Isaac Horseman's, through Smith Settlement, thence to Little River; twenty five pounds of which to be expended towards building a Bridge over Pollett River.
Five pounds from Point Wolfe to Herring Cove.
Five pounds from H. Coil's to M'Laughlan's, in Harvey.
Five pounds from New Ireland Road to Hanson's.
Five pounds from New Ireland Road, by Rayburn's, to M'Kenley's or Dailey's.
Five pounds from Creek Road to Jamieson's.
Twenty five pounds for the Road and Hills to and over Gray's Island.
Six pounds five shillings from Hiram Steven's towards Teakle's Mills.
Seven pounds ten shillings from New Ireland Road towards Roderick O'Connor's.

GLOUCESTER.

GLOUCESTER BYE ROADS.

Bye Roads in
Gloucester.

Fifteen pounds from the Main Road towards the Church at Tracadu.

Fifteen pounds from the Landing at the Widow Landry's, at Pokemouche, to the Main Road; out of which the sum of one pound nineteen shillings and five pence to be paid Joseph Sewell, a balance due him.

Two hundred and fifty pounds from the Main Road on the North side of the River Wough to Shippegan, via the Plains.

Fifteen pounds from the Main Road towards the Little River Mill.

Twenty five pounds for the road up the South Branch of Caraquet River.

Five pounds for Ellis' Landing, at New Bandon.

Fifteen pounds for a Landing on Lot fifty eight, at New Bandon.

Fifty pounds for the road to the Black Rock Settlement.

Thirty pounds for the road to the Saint Paul Settlement.

Twenty five pounds to improve the Approaches towards the Pabino Bridge.

Ten pounds for the road on the South side of Big Nipisiquit towards the Rough Waters.

Fifteen pounds to open a road from the Rough Waters on the South side of the River to the second Concession.

Fifty pounds for the Little River Road.

Sixty pounds for the Middle River Road between Deacon's and Doucett's, towards Saint Anne and Rose Hill Settlement; out of which to be paid four pounds fifteen shillings and seven pence, due Michael O'Brien.

Twenty pounds for the Rose Hill Road.

Forty pounds for the road from the termination of the turnpiking above John Daly's, downwards; out of which to be paid two pounds ten shillings due John Daly.

Twenty pounds for the Kinsale Road.

Ten pounds for the road through the Moyle Settlement.

Fourteen pounds from the Main Road to the second Concession, on the line dividing Joseph Hodgen's and John O'Brien's land.

Fourteen pounds from the Main Road to the second Concession, on John Lannen's land.

Ten pounds for the road from the Glanmire Bridge to the Hadley Bridge.

Ten pounds for the Anderson Road.

Fifteen pounds from the Main Road to the Settlement in the second Concession on the North side of Elm Tree River.

Fourteen pounds four shillings to explore and open a line of Road from the Glanmire Main Road, near M'Donnell's, towards upper Dumfries.

Ten pounds from the Main Road towards Hadley's Bridge.

Ten pounds from the Main Road to the Shore at Belledune, through the centre of Lot thirty one, occupied by John M'Curdy.

Twenty pounds for the road from Grant's Brook, northerly, through the Dumfries Settlement.

Fifteen pounds from the main Dunlop Road towards the upper Dumfries, on the line between number one and the Mill Tract.

Seventy two pounds sixteen shillings to Francis Ferguson, a balance due him for repairs on the Bathurst Bridge.

KENT BYE ROADS.

Bye Roads in
Kent.

Twenty five pounds for the Road and Causeway from the Post Road to Cocagne Cape.

Twenty pounds for the Bridges on the road from Cocagne, round the Shore, to Buctouche. Twenty

Kent Bye Roads,
Continued.

- Twenty pounds for the road up the Cocagne River, South side.
- Twenty pounds for the road on the North side of Cocagne River.
- Fifteen pounds for the road from Cocagne River to the Chapel in the Ohio Settlement.
- Fifteen pounds for the road from the Buctouche River to the Chapel in the Ohio Settlement.
- Fifteen pounds for the road from Doherty's Mill to the Great Buctouche River.
- Fifteen pounds for the road on the South side of Great Buctouche River.
- Ten pounds for the road on the South side of Little Buctouche River to the third tier of Lots.
- Twenty five pounds for the road on the North side of Big Buctouche River.
- Twenty pounds for the road from the road near Beckwith's, through the Settlement in rear of the Indian Line, to Johnson's Mill.
- Ten pounds for the road in rear of the front Lots on the North side of Buctouche River, from the Post Road.
- Twenty five pounds for the Road and Bridge from the Chapel near Black River to Chockpish River, by O. Myers'.
- Fifteen pounds for the road leading up Chockpish River, above the Post Road.
- Fifteen pounds for the road from the Bridge over Chockpish River to the Lower Village.
- Ten pounds for the road from the Village Road to M'Gowan's, at the Post Road.
- Ten pounds for the road from the Head of Chockpish River to East Branch.
- Ten pounds for the road from Galloway to the East Branch.
- Seventy pounds for the road from the East Branch Bridge, including the Bridge, to the Coal Branch.
- Ten pounds for the continuation of the road from James Irvine's to James Cochran's side line.
- Five pounds for the road from South Branch School House to Butler's.
- Ten pounds for the road from Chrystal's to the new Settlement on the South Branch.
- Ten pounds for the road on the East side of the South Branch.
- Ten pounds for the Road and Bridge West side of the South Branch.
- Fifteen pounds for the road to the South Branch French Settlement.
- Fifteen pounds for the road to the French Settlement, on the West Branch.
- Twelve pounds for the road on the West side of Saint Nicholas River, below the Bridge on the West Branch.
- Twenty pounds from the Main River to the Mill on the West Branch.
- Ten pounds for the road on the East side of the Coal Branch.
- Ten pounds for the road on the West side of the Coal Branch.
- Ten pounds for the road from Trout Brook to the Main River.
- Five pounds for the road from the Main River, by Anthony Cole's, to strike the road from the Coal Branch to the Main River.
- Ten pounds for the road on the North side of Trout Brook, above the Mill.
- Ten pounds for the road from Kellick's line to the Mill on the Main River.
- Ten pounds for the road from Main River Mills to Bass River, on the Harley Line.
- Ten pounds for the road from Main River, near Powell's, to the Bridge on Bass River.
- Ten pounds for the road up the East side of Bass River, and for the Bridge near Stewart's.
- Fifty pounds ten shillings for the road from Molus River to the Mill Creek.
- Ten

Ten pounds for the road from Oak Point to the Molus River Road.

Twenty pounds for the road leading up the South side of the Aldouane River.

Ten pounds for the road leading up the North side of Aldouane River.

Kent Bye Roads,
Continued.

Thirty pounds for the road on the South side of the Kouchiboguisis, above the Post Road.

Thirty pounds for the road on the North side of the Kouchiboguisis; out of which fifteen pounds is to be paid Robert Powell for building the Bridge over the Creek near the Chapel.

Ten pounds for the road from the Post Road, by Germain White's, to the Allan Settlement.

Twenty pounds for the road from the Post Road to the Little River, via the rear Settlement on the Kouchiboguisis.

Thirty pounds for the road from Kelly's, up the South side of the Kouchiboguisis, to the Post Road; out of which eleven pounds to be paid to James Smith for rebuilding the Bridge over Saunders' Creek.

Twenty pounds for the road from the Post Road up the River, North side.

Ten pounds for the road from Point Edward up to the Ship Yard.

Ten pounds for the road from Kouchiboguisis River to Little River.

Twenty five pounds for the road from Point Sapine to Kouchiboguisis.

Ten pounds for the road from Tweedie's Bridge to Black River.

NORTHUMBERLAND BYE ROADS.

Bye Roads in
Northumberland.

Twenty five pounds for the Bridge at Roderick M'Leod's Dam, in the Parish of Alnwick.

Twelve pounds ten shillings for the road from Moodies' Point to James Ryan's.

Five pounds for the road from Patrick Hall's to Bartibogue.

Ten pounds for the road from the angle between three and four, Burnt Church, to the Point, thence to the Great Road near Indian Brook.

Ten pounds for the road from Simpson's to Peter Davidson's.

Sixteen pounds for the road from Upper Neguac to the Settlement in rear thereof.

Ten pounds for the road from Lower Neguac to Stymist's Mill.

Nine pounds for the road from the Great Road North side Tabusintac down to the Church.

Twenty pounds for the road from Great Road to Gaspereaux, by M'Leod's Mill.

Five pounds from M'Leod's Mill to Stymist's Mill.

Nine pounds from Jerome Savoy's to back Settlement between Lots occupied by Edward O'Brien and William Blake.

Nine pounds from the Emigrant Settlement, South side Tabusintac, to the road leading from M'Leod's Mill to Stymist's Mill.

Nine pounds for road on the Western side French Cove, from the Great Road to the Mouth of the Tabusintac River.

Twenty four pounds for the road on the North side of Tabusintac River, from Great Road to the Public Landing at the Mouth of said River, including Bridge at Wishart's Creek; twelve pounds of which to be paid to James Davidson for Plan and Diagram of the County.

Five pounds for the road North side Burnt Church River, from Great Road up to James Wasson's Farm.

Five pounds near the Bridge over French Cove, towards the Blake and Grattan Settlement.

Seven

Northumberland
Bye Roads,
Continued.

Seven pounds ten shillings from Upper Neguac to the Shore at Cove, laid out by Commissioners last Summer.

Seven pounds ten shillings from the Great Road to the shore on the Line between Allan M'Donald's and Michael Kelly's.

Nine pounds for the road from Curry and Blake's Farm on the North side of Bartibogue River.

Seventeen pounds ten shillings from Settlement in rear of Moorfield's to the Bathurst Road near Russell's Mill.

Fourteen pounds from the Westerly end of Bartibogue Bridge to the Bathurst Road near Russell's Mill.

Five pounds from Curry's to M'Mahon's, south side Bartibogue River.

Nine pounds for a Slip at Moorfield's.

Fifteen pounds to Daniel Wetherall, in aid of individual subscription, for building a Slip at Newcastle.

Five pounds from Casey's lower line, Escuminac, to Portage River.

Five pounds from Lewis Sipplai's towards the Mouth of the River till it strikes the Road laid out by Deputy Peters.

Fifteen pounds from Black River Bridge to John M'Kay's on the Richibucto Road.

Twelve pounds ten shillings from Horton Creek to John M'Donald's, Esquire, thence to Kingston, and to the Mills on the Bay du Vin River.

Fifteen pounds from the Mills to the Richibucto Road near Dickens'.

Ten pounds from the Richibucto Road to the Power and M'Grath's Settlements on the Bay du Vin River.

Five pounds from Campbell's Farm, North side, to the Mouth of the River.

Five pounds from the Bridge North side, to F. M'Rae's.

Five pounds from Point Aux Car to Black River, opposite Saint Stephen's Church.

Forty five pounds for a Bridge across Taylor's Creek in Napan.

Five pounds from the Napan River Road to the Welfield Settlement.

Five pounds from Richibucto Road to the upper Settler, North Side Black River.

Five pounds for the road leading to the upper Settlement on little Black River.

Five pounds for the road leading from the Road to Escuminac to the upper Settlement on the West side of Eel River.

Twenty five pounds for the road from near Hannay's clearance to the Welfield Settlement; seven pounds ten shillings of which to Glynn and Brady's residence, and seven pounds ten shillings to John Morrison and others.

Thirty pounds towards the erection of a Bridge across O'Bear's Creek, and towards improving the Road from Bay du Vin River to Eel River.

Nine pounds to improve the road from M'Innis Creek to the Gardner property on the Bay Shore.

Fifteen pounds from the Welfield Settlement towards the Richibucto Road, near the residence of James Lynch.

Five pounds from the Richibucto Road to the residence of John Cameron.

Nine pounds from North side Eel River to the Hardwood Ridge, near the Sargeant Settlement.

Five pounds from Angus Sinclair's to Folie's Mill and the upper Settlement.

Ten pounds from the City Landing to Lynch, M'Grath, and Conroy Settlement.

Ten pounds from the Highway to the River opposite Saint Stephen's Church, Black River.

Fourteen pounds from opposite Boiestown, north side, to the easterly extremities of the Parish of Ludlow.

Northumberland
Bye Roads,
Continued.

Nineteen pounds for Taxes River Bridge.

Twelve pounds for Bridge at M'Allister's, South side of the South West.

Ten pounds for the Bridge at Chatham Head.

Fifteen pounds to complete the Bridge between Fleet's Cove and Barnaby River.

Ten pounds from near Sutton's Barn to the Oates' Settlement.

Ten pounds from Murphy's, on the Nowland Road, to Wilson's, on the Sutton Road.

Fifteen pounds from Nowlan's to Ryan's, thence to Murphy's, and from thence to the Road leading along Barnaby River.

Seven pounds ten shillings for a road in rear of the Nowlan Settlement, through the M'Namara and Wallace Settlement.

Ten pounds on the East side Barnaby River to Hutchinson's Farm.

Thirty pounds from Barnaby's Mills to Tobin's Town, thence to Indian Town.

Twelve pounds from Saunders' Grist Mill to the Settlement on the right hand branch of Barnaby River.

Five pounds for the road South side Barnaby's River to the Semiwagan Ridge.

Five pounds from Flett's Cove to the Nowlan Settlement.

Fifteen pounds for a Bridge across the Semiwagan River, and for the improvement of the Road.

Seven pounds ten shillings from Jared Betts' to Lower Williamstown Settlement.

Five pounds from Philip Kelly's to the Highway.

Five pounds from John and Patrick Powers' Lots, and to extend upwards between the first and second tier of Lots.

Five pounds from Timothy Ivory's to Michael Nowlan's, on the third Concession of Lots, and from thence to Denis Mahony's, on the fourth Concession.

Twenty five pounds from Beaubair's Point to Cuppage and White's.

Seven pounds ten shillings from M'Tavish's lower line to the School House in the Williamstown Settlement.

Nine pounds for the road opposite Hutchinson's Ferry on the North West to the South West Branch, through the Williamstown Settlement.

Fifteen pounds from Cuppage and White's, through the Indian Tract, to James Holmes' Farm on the Little South West.

Five pounds for exploring and opening a road from James Holmes' Farm to the upper Settlement on the Little South West.

Ten pounds from James Johnston's to John Menzies', and from thence to Felix Mackie's Farm.

Nine pounds from M'Mahon's Farm to Henderson and Esty's.

Forty pounds on the new line of Road from Matchet's towards Peabody's Farm, and to complete Wild Cat Brook Bridge; two pounds of which to be paid to Joseph Griffith's, being a sum due to him for working on Chaplin Island Road.

Forty pounds from Newcastle to Chaplin Island; thirty pounds of which to assist in completing the road from Trout Brook to the Copp Settlement, agreeably to the Road as laid out in one thousand eight hundred and forty six.

Twelve pounds ten shillings for the Bridge across the North West Mill Stream, and to improve the Road from Oxford Cove to Matchet's Cove.

Thirty pounds from Connaway's Farm to Flynn and Allison's.

Five pounds from the Copp Settlement to the Chaplin Island Road.

Thirty pounds from Indian Town to James Donaldson's Farm, Renous River.

Seven

Northumberland
Bye Roads,
Continued.

Seven pounds ten shillings from Jared Tozer's Farm to the lower Williams-town Settlement.

Eight pounds ten shillings from the Highway to the River at Matchet's Ferry, opposite Cuppage's.

Forty pounds towards the erection of a new Bridge across M'Kay's Cove.

Five pounds for the Road from above Oxford's Brook to the Crowley and Jackson Settlement.

Eighteen pounds from John Gowan's, at the mouth of the Dungarvan, to Bartholomew's Mills.

Eighteen pounds from the lower Settlement in Dungarvan, through Bassiet's clearance, to the road from the Mouth of Dungarvan, leading to Bartholomew Mills.

Thirty pounds from Bartholomew Mills to the Bredalbane Settlement.

Twenty pounds from M'Laggan's Mills, on the North side of Bartholomew River, a distance of seven miles; thence crossing the River to the South side, a distance of seven miles.

Eighteen pounds from Bartholomew's Mills to the Forks on the North side of the South West.

Forty pounds on the South side of the South West from Indian Town to the Forks on Cain's River.

Thirty five pounds for the road leading from Cain's River to Sabbie's Mills.

Thirteen pounds from Sabbie's Mills to the Horse Shoe on the South side of Cain's River.

Thirteen pounds from the Horse Shoe to the Main South West, agreeably to Sadler's Line.

Eight pounds from John Donald's, on the South West Branch of Miramichi, till it strikes the Road on the Settlement on Cain River, coming out on the South West.

Eight pounds from Patrick Shinnock's, North side Cain River, to the upper Settlement, at Whalen Brook.

Twelve pounds from Blissfield Mills to the Hovey Settlement, through the Price and Hovey Settlements.

Twelve pounds from the upper Settlement, on Bartholomew River, to the South West Branch of Miramichi, coming out near Swim's Ferry.

Eleven pounds fifteen shillings from the new Settlement on Bartholomew River, to the South West Branch of Miramichi, coming out near De Cantline's.

KING'S COUNTY BYE ROADS.

Twenty pounds for the Shore Road from the late Captain Perry's, in Kingston, to James Ketchum's.

Five pounds for the road from near Perry's Brook, by Purvis', towards Nutter's.

Ten pounds for the road from the Long Reach, near Suggett's, to the Mill, late Bates'.

Ten pounds for the road from Chatley's, in the Midland, to M'Ginn's, leading towards Kingston.

Ten pounds to complete the new road by the Point of the Mountain.

Eight pounds for the road leading from near Wetmore's Mill Pond to Patrick Harrity's.

Ten pounds for the new road between Richard Nichol's and Wetmore's Mill Pond.

Fifteen pounds for the road from White's Mills, by Neil M'Carron's, to H. Williams', Long Reach; ten pounds of which to be expended between White's and M'Carron's.

Ten

Bye Roads in
King's County.

Ten pounds for the Neck Road from James White's, Kennebeccasis, to Seely's Point, Long Reach. King's County
Bye Roads,
Continued.

Seven pounds for the road along West side of Long Island.

Five pounds for the road from Peter Hamilton's to Sea Dog Cove, Milkish.

Fifteen pounds for the new Winter Road from Burnt Cove, near Seely's Point, Long Reach, through to the Milkish.

Ten pounds to cut down Hills and improve the Road near Nichol's Brook, Long Reach.

Fifteen pounds for the Ketchum Road, from Pickett's Mills to Kennebeccasis.

Five pounds for the road leading from the Ketchum Road to Robert Nutter's, and thence towards Purvis'.

Eight pounds for the road from Pickett's Mills, by John T. Appleby's, to Bellisle Bay.

Seven pounds for the road from Robert Smith's to the Pickwacket Road.

Five pounds for the road from Erb's Landing to James Peters'.

Ten pounds for the road leading from the Post Road, Grand Bay, in Westfield, to the Fowler Settlement and its Branches.

Ten pounds for the new road on eastern side of Nerepis from Robert Wark's to the Queen's County Line.

Ten pounds for the road from Long Reach to the Cheyne Settlement, and thence to the third tier of Lots; one half to be expended from Heightle's corner, back.

Fifteen pounds for the road from the Greenwich Parish Line, through second tier of Lots, to the eastern Nerepis Road; one half of said sum to be expended from Heightle's corner towards the Nerepis.

Ten pounds for the Kimball Road back to the Wallis Road.

Ten pounds for the road from the Wallis Road to Stephen Cronk's, and for the branch leading easterly to lands of Harrington and others; one half to be expended on said branch.

Ten pounds for the road from Land's End to the Reach Road, near Harding's.

Ten pounds for the road from David M'Coy's eastern line to Robert Salter's eastern line.

Ten pounds for the road from Fenwick's south west line to the road leading from the head of the Milkish to Long Reach.

Fifteen pounds for the road from James B. Lyon's, Long Reach, to the Milkish.

Ten pounds for the road leading from the Lyon's Road, round the head of the Milkish, to the Harrison Road.

Ten pounds for the road from Worden's to the Neck Road.

Ten pounds for the road leading from Settlement of John Crabb, Junior, in Greenwich, to the River Saint John.

Ten pounds for the road through the second tier of Lots from the Westfield Parish line to Thomas Wallis'.

Ten pounds for the road leading from James M'Keel's to the Shore.

Ten pounds for the rear road leading from Wallis' Settlement to the Yorkshire Road, near Coughlan's Mill.

Ten pounds for the road from near Paul's, in the Menzie Settlement, to the Queen's County Line, on the new road leading to the Gagetown Road, near Crozier's.

Ten pounds for the Yorkshire Road from Coughlan's to the Queen's County Line.

Twelve pounds for the road from the Widow Lynch's to the cross Roads, and thence

King's County
Bye Roads,
Continued.

thence to Andrew Hamilton's; one half thereof to be expended between Lynch's and the cross Roads.

Eight pounds for the road from William Bogle's to Andrew Hamilton's corner.

Ten pounds for the new road leading from near Thomas B. Flewelling's, by Nathaniel Flewelling's, to the School House near Paisley's, in the back lands.

Ten pounds for the road from the Pidgeon Settlement, in the back lands, to Andrew Nixon's upper line, towards Wetmore's.

Seven pounds for the road from the Bellisle Bay Road to the extremity of the Road in the Urquhart Settlement.

Five pounds for the road from Jenkin's Cove to the back Settlement, by Braman's.

Fifteen pounds to repair the Bridge and Road from the Main Post Road to Smith's Creek, by way of Snider's.

Seven pounds for the road from the Smith's Creek Road to Jordan Mountain.

Eight pounds for the road from the Brook near George Whitenack's, to the side of John Manning's land.

Eight pounds for the road leading from Smith's Creek to Butternut Ridge to the Chapel on White's Mountain.

Fifteen pounds for the road from Smith's Creek to Butternut Ridge.

Seven pounds for the road and to complete the Bridge on the road leading from the road, between Smith's Creek and Mill Stream, to the Jordan Mountain.

Ten pounds for the road from Butternut Ridge to New Canaan.

Ten pounds for the road from Edward Wigman's to Henry Parlee's.

Ten pounds for the road from Alexander Kennedy's to Queen's County Line.

Ten pounds for the road from John Hay's to James Beattie's.

Seven pounds for the new road leading from John Kierstead's corner, and running eastward through granted land.

Eight pounds for the road from the School House on the Mill Stream Mountain, to Fenwick's Mill.

Seven pounds for the road from Richard Smith's, English Settlement, to the M'Farlane Road.

Eight pounds for the road from the Main Road to M'Gregor's Mill.

Seven pounds for the road from Robert M'Arthur's to the Bellisle Road.

Eight pounds for the road from Seth Foster's to David Kierstead's.

Five pounds for the road from Richard Folkin's to William Kierstead's.

Eight pounds for the road from John Darling's to Gailey's.

Ten pounds for the road from the Bridge to M'Cready's.

Ten pounds for removing the Rock and building Breakwater at Smith's Mill.

Ten pounds for the road from Smith's Mill to Loch Lomond.

Ten pounds for the road from Daniel Sweeney's to Palmer's field.

Ten pounds for the road from Gondolo Point to Forester's Cove.

Ten pounds for the road from the School House to Gondolo Point, by way of Wright's.

Ten Pounds for the road from Main's, by Colonel Wetmore's, to John Wright's.

Ten pounds for the road from Brown's, through the Hill Settlement, to the old road.

Fifteen pounds for the road from William Beatie's, by Burk's Mill Pond, to the Palmer Road.

Ten pounds to complete the alteration on the Salt Spring Road between James Campbell's and Samuel Hanelling's.

Ten pounds to alter the road near Humphrey Brell's.

Ten pounds for the road from Michael Dowley's to John Cromby's.

Eleven

Eleven pounds to John F. Sherwood, to enable him to pay for work on the Bridge across Hammond River, near Humphrey Smith's.

Ten pounds for the road from William Barnes' to the South Stream Bridge.

Fifteen pounds for the road from Ammon Fowler's to Evanson's Manor; five pounds of this sum for the Bridge across the Hammond River on this road.

Ten pounds for the road from Hammond River, by Brande's, to the County Line.

Fifteen pounds for the road from Aaron Scott's to Michael M'Mackin's.

Ten pounds for the road from John Sherwood's to the Leeson Settlement.

Ten pounds for the road from the Widow Patten's, on the Shepody Road, to the Walker Settlement.

Ten pounds for the road from John Dick's, by way of Dougherty's, to Conville's.

Seven pounds for the road from Faulkner's Mill to the new line of road to Sussex Vale, near Sherwood's Grist Mill.

Eight pounds for the road leading from the Walker Settlement to the lower end of the Londonderry Settlement.

Seven pounds for the road from Hamilton's to the Shepody Road.

Ten pounds for the road from Deforest's Lake to F. Sherwood's Mill.

Ten pounds for the road from South Branch Road to the County Line, towards Goshen.

Five pounds for the road from the Main Post Road to William Harmer's.

Ten pounds for the road leading to the Bay Shore to the Settlement of Francis M'Nair and others.

Ten pounds for the road from Moore's Mill, South, to the Lake.

Five pounds for the road leading to the Victoria Settlement to M'Ewen's.

Seven pounds for the road from the Road leading to Shepody Road to Michael M'Manus'.

Eight pounds for the road from Timothy Murphey's lower line to the Cedar Camp Road.

Five pounds for the road from the School House, near George Robinson's, to Daniel Madden's.

Seven pounds for the road from Abram Adare's south east corner to Alexander Moore's.

Eight pounds for the road from Robert Shannon's to David Laws', by way of William Linden's.

Fifteen pounds for the road from Drummond's to Ellison's.

Seven pounds to assist to repair the Bridge near Joloff's Mill, on the road from Baxter's to Campbelltown.

Ten pounds for the road from Ward's Creek Road to the Road near Rutter's.

Eight pounds for the road from William Storey's to the Shepody Road.

Ten pounds for the road from John Dalting's to the Shepody Road.

Ten pounds for the road from the Main Road, near Jeffries', to John Brown's.

Ten pounds for the road from Walton's Mill to William M'Ewing's.

Ten pounds for the road from Patrick Melone's to Antoine Clean's.

Seven pounds for the road from Hayward's Mill to Patterson's.

Six pounds for the road from William Ross' to Michael Denney's.

Seven pounds for the road from Deforest's Lake to Campbelltown.

Eight pounds for the road from M'Larron's Brook to Cassady's.

Eight pounds for the road from Rose's Mill to Duncan Kier's.

Five pounds for the road from Gilead Secord's to Edward Kirk's.

Eight pounds for the road leading from the Irish Settlement to C. G. Northorp's Mill.

King's County
Bye Roads,
Continued.

Seven pounds for the road from Redstone's Mill to George Dean's, by John Kilfellous'.

Ten pounds for the road from Charles Gray's to the Great Road from Hampton at Henderson's corner.

Five pounds for the road from Alexander Burell's to the Big Brook Bridge.

Five pounds for the road from the small Bridge, so called, to the County Line, Maxwell Settlement.

Ten pounds for the road leading from Redstone's Mill to George Brown's, in the Scotch Settlement, by way of M'Ewing's.

Ten pounds for the road from John Manchan's to David Smith's.

Ten pounds for the road from Widow Scott's back field to Peter Spragg's.

Ten pounds for the new line of road from William Wetmore's Bridge to Michael Collins'.

Ten pounds for the road from James Scovill's to the road from the English Settlement to the Mill Stream.

Ten pounds for the road from the Widow Guiou's to Wesley Colpitt's, to assist in making an alteration near Mrs. Guiou's.

Ten pounds for the road from Frederick Raymond's to Thomas Benson's.

Five pounds for the road from Andrew Nixon's to Lake's barn.

Four pounds ten shillings to complete the Bridge across Noble's Brook.

Ten pounds to build a Bridge over the Brook near Redstone's Mill.

Twenty pounds for the road from the West Scotch Settlement to the Main Road leading to Spragg's Point.

Ten pounds for the road from Bellisle Bay to the base line Road, on the line between Isaac Hatfield's, Senior, and Drake Hatfield's.

Ten pounds for the road leading from William M'Brazley's to William Pearson's.

Eight pounds for the road from English's to the Mill Stream, near Sharp's.

Fifteen pounds for the road from Sidney Baxter's to Parish line.

Ten pounds to assist in building a Bridge across Ruland's Brook.

Eight pounds for the road from Wilson's to Shaw's, by Watson's.

Ten pounds for the road from Sidney Baxter's to William Ross'.

Ten pounds for the road from Ruland's Brook to School House, near Norton Wetmore's.

Eight pounds for the road from the Widow Conner's, by Mulholand's, to Stewart's.

Five pounds for the road from Moses Hodge's to Kelley's, on the Glebe.

Five pounds for the road from the Widow Conners' to Mercer's.

Ten pounds for the road from the Patecake to Salt Spring Road.

Ten pounds for the road from R. Wilson's to Duncan Kier's.

Ten pounds for the road from William Earl's, by William Matthew's, to the old Cumberland Road.

Nine pounds to repair the Guthrie Road.

Ten pounds for the road from David Stephenson's to the Patecake.

Seven pounds for the road from Drummond's to Campelltown.

SUNBURY BYE ROADS.

Twenty five pounds for the road from the Petitcodiac Road to the Highway on the line between Sunbury and York.

Thirty pounds from the Petitcodiac Road to Brannen's, in the Ludlow Settlement; out of which the amount due Canny and Brannen is to be paid.

Ten

Bye Roads in
Sunbury.

Sunbury
Bye Roads,
Continued.

- Ten pounds from Brannen's to Shannen's, in Carlow Settlement.
- Five pounds from Canny's to Gaughing's.
- Seventy one pounds thirteen shillings for a balance due William Smith for the Swan Creek Bridge.
- Twenty pounds from Benjamin Barker's to Burpe's Mill.
- Ten pounds from Alexander Carr's to Ralph Seely's.
- Twenty pounds from the Gary Road, past W. A. Carr's, to Captain Earl's Lots, Victoria Settlement.
- Five pounds from the Nerepis Road to Isaac Cogswell's.
- Ten pounds from Burpe's Mill through the Gordon Settlement.
- Five pounds from the Nerepis Road to Jeremiah Smith's.
- Twenty pounds to build a Bridge over the South Stream of Rushagonis, near James Johnston's, and to improve the road from Greaves' to the Bridge.
- Five pounds from the Rushagonis Road to Thomas Mason's.
- Twenty pounds from Thomas Smith's to Alexander Morgan's.
- Ten pounds from John Smith's, past Charles Johnson's, to Duncan's, South Stream Rushagonis.
- Four pounds to James Sutherland for balance on Rushagonis Bridge.
- Seven pounds from the Wilmot Farm to John Grass'.
- Ten pounds from John Grass' to the road near John Peabody's.
- Forty five pounds from Jeremiah Tracey's to the County Line on the Beaver Dam Road.
- Twenty five pounds from George Tracey's to Hartt's Mills.
- Nine pounds from the Beaver Dam Road to South Stream Rushagonis.
- Forty five pounds to alter the road from A. Mersereau's to E. Seely's.
- Five pounds from Samuel Boon's to John Boon's.
- Five pounds from Ralph Seely's to Paul's Point.
- Ten pounds from Isaac Dewitt's to the Rushagonis Road.
- Seven pounds ten shillings to James Sutherland, being balance due him for Causeway at Back Creek in one thousand eight hundred and forty six.
- Five pounds from the South Branch Road to John M'Laughlin's.
- Forty six pounds to pay balance of Contract for Causeway at Back Creek in one thousand eight hundred and forty seven, by W. E. Perley, Commissioner.
- Five pounds from Phillips' Landing to Samuel Pride's.
- Three pounds to pay John Dewitt balance due him in one thousand eight hundred and forty six.
- Five pounds to David Hartt for balance on Bridge.
- Ten pounds seventeen shillings and six pence to pay a balance on Bridge at A. Mersereau's.
- Seven pounds ten shillings from the School House near J. Bailey's past Charles Duplissa's, to Kelly's Mill.
- Twenty eight pounds thirteen shillings to pay a balance due for Wharf at Taylor Town.
- Fourteen pounds one shilling and six pence for the road from Oak Point to Sand Point.
- Eight pounds for the road from Burpe's Mill to the Petitcodiac Road.
- Fifty pounds from the Methodist Chapel to Moses Coburn's.
- Fifteen pounds from the County Line, to North Forks Settlement on Salmon Creek.
- Nine pounds from Jesse Austin's, past Allbright's, to D. Rees'.
- Twenty seven pounds fifteen shillings for balance due for Bridge over Perley Brook.
- Five pounds from Hardwood Ridge Road to John Whitney's, Newcastle.
- Fifteen pounds from W. Cadie's to the County Line towards Ironbound Cove.

CARLETON BYE ROADS.

Bye Roads in
Carleton.

- Thirty pounds for the road leading from Monquat to Tobique.
 Fifteen pounds for the road leading to and through the Holme's Settlement.
 Fifteen pounds for the road leading through the Cockston Settlement.
 One hundred pounds to open and repair the road leading up Tobique.
 Twenty five pounds for the road from Tobique to Salmon River.
 Ten pounds for the road leading from the River Saint John, past Henry Baird's, through a back Settlement.
 Ten pounds for the road leading from the River Saint John through the Tomlinson Settlement.
 Ten pounds for the road leading from the Arestook Road past Tapley's.
 Fifty pounds to open and improve the road leading from the Arestook Bridge past the Falls, on the South side thereof.
 Twenty pounds to continue and improve the road from Tibbits' Mill to the Boundary Line.
 Ten pounds for the road leading from the Great Road on the Arestook Portage, to the River Saint John.
 Fifteen pounds to open and improve the road through the Colebrooke Settlement near the Grand Falls.
 Fifteen pounds for the old Portage Road at the Grand Falls.
 Ten pounds to improve the Public Landing near David Curry's.
 Fifteen pounds to improve the road leading up Little River, near the Grand Falls.
 Fifteen pounds for the road to a back Settlement near Grand River.
 Fifteen pounds for the road leading up Green River.
 One hundred pounds for the road leading from Little Falls, Madawaska, to the Saint Francis.
 Twenty pounds for the road leading up the Madawaska River on the South side.
 Ten pounds to improve the road from the Post Road to Eel River, passing M'Elroy's.
 Five pounds to improve the road from Scotch Corner to Maduxnikik.
 Five pounds for the road passing W. Bull's to Hodgden Road.
 Fifteen pounds from G. Hillman's, passing Faulkner's, to Maduxnikik.
 Seventy pounds from M'Kenzie's Swamp to Eel River.
 Five pounds from P. Daley's to Hodgson's Road, near Grey's.
 Seven pounds ten shillings from Green's Mill to Monument Settlement.
 Twelve pounds ten shillings from front Lots at H. E. Dibblee's to M'Kenzie's corner.
 Ten pounds from Hodgden Road, past Marshall's, to Green's Mill, and thence to Eel River Road.
 Five pounds from J. D. Beardsley's to the road passing W. Bull's to Hodgden Road.
 Fifteen pounds from Robert Clark's to O'Donnell's Settlement.
 Twelve pounds ten shillings from School House, O'Donnell's Settlement.
 Five pounds from South Branch Maduxnikik, passing Coffee's, to M'Lellan's.
 Five pounds from M'Bride's to Jackson Falls.
 Twenty pounds to pay off contracts and complete Bridge across Maduxnikik.
 Seven pounds ten shillings from O'Donnell's corner, passing Trafton's.
 Five pounds from O'Donnell's corner, passing Ivey's.
 Five pounds to open the road, if the Commissioners deem it necessary, from Mrs. Johnston's to O'Donnell's corner.

Carleton
Bye Roads,
Continued.

- Fifteen pounds from G. Campbell's to Brigg's corner.
 Fifteen pounds from E. Baker's to G. Campbell's.
 Five pounds from Brigg's corner to Maduxnikik.
 Seven pounds ten shillings from New Ireland Road to Sweet Settlement.
 Twenty pounds from A. Lindsay's through New Ireland Settlement.
 Five pounds from New Ireland Settlement to Flemming's and Sherard's.
 Seven pounds ten shillings from Lindsay's to Tracey's Mill.
 Seven pounds ten shillings from Sharp's to Maduxnikik.
 Ten pounds from Wilson's, North side Maduxnikik, to W. Bell's, Senior.
 Ten pounds from Marvin's Mill to Maduxnikik.
 Five pounds from John Briggs', past Caldwell's, to Williamstown Road.
 Ten pounds to assist in building a Bridge over Payson's Mill Stream.
 Twenty five pounds for the road through the Good Settlement.
 Five pounds from Williamstown Road, passing Pryor's.
 Five pounds from Williamstown Road, passing M. Hegan's.
 Twenty pounds to aid in building a Bridge at Tracey's Mill.
 Five pounds for the road from Big Presqu'ile Bridge towards the River.
 Five pounds from Tracey's Mill to the Cronk Settlement.
 Ten pounds from Buchannan's to the Presqu'ile.
 Thirty five pounds from Bowyer's Mill to Boundary Line.
 Fifteen pounds from Wakeman's towards Big Presqu'ile, to be laid out on
 Swamp.
 Twelve pounds ten shillings from James Phillips' to William Mallory's.
 Five pounds from Hannagan's to a back Settlement.
 Twelve pounds ten shillings from Thomas Palmer's to intersect M'Cafferty Road.
 Fifteen pounds from Burpe's Mill to M'Cafferty Road.
 Seven pounds ten shillings from Burpe's Mill to M'Gee's.
 Seven pounds ten shillings from Victoria to Jacksontown Settlement.
 Five pounds from Mallory's, passing Grass'.
 Seven pounds ten shillings from Fewer's to Gitchell's Mill.
 Fifteen pounds from D. Shaw's to County Line.
 Ten pounds from Gibson's Mill to the Kilmarnock Settlement.
 Twenty pounds from John Shea's to the Newburgh Settlement.
 Five pounds from James Dickenson's to the Newburgh Settlement.
 Ten pounds from Carroll's, passing M'Elroy's.
 Five pounds from M'Kinney's through Gallagher's improvements.
 Ten pounds for the Ferry Landing opposite John Shea's.
 Seven pounds ten shillings from Lloyd's to Cold Stream.
 Ten pounds from Clark's through Victoria Settlement.
 Five pounds from Hayden's, passing Rohan's, to a back Settlement.
 Twenty pounds from Becaguimic to D. Shaw's.
 Ten pounds from Mouth Cold Stream to Stockford's.
 Thirty pounds towards paying for repairs of Bridge over the Monquart.
 Fifteen pounds road from Monquart to Becaguimic.
 Five pounds road from Kinney's to a back Settlement.
 Five pounds road from M'Kesick's to a back Settlement.
 Five pounds road from Dyer's to a back Settlement.

CHARLOTTE BYE ROADS.

Bye Roads in
Charlotte.

- Forty pounds for repairs to the Glenelg Bridge in Saint Patrick.
 Ten pounds towards paying the balance due on Stillwater Bridge in Saint
 Patrick.

Charlotte
Bye Roads,
Continued.

Forty pounds for the Glenelg Road between Leary's Farm and Clarence Hill in Saint Patrick.

Twenty pounds for the Glenelg Road from Stephenson's to Clarence Hill in Saint Patrick.

Forty pounds for the Glenelg Road between M'Guire's farm and James Linton's in Saint Patrick.

Fifteen pounds for the road leading to the Rolling Dam between Robert Graham's and John Cathcart's in Saint Patrick.

Ten pounds for the road from Robert Linton's to the Fredericton Road in Saint Patrick.

Twelve pounds for the road from Molloy's to Cowan's in the Tryon Settlement in Saint Patrick.

Seventeen pounds ten shillings to repair the Bridge at the Rolling Dam and the Bog Road in Saint Patrick.

Ten pounds for repairing the Bridge at Campbell's Brook in Saint Patrick.

Ten pounds to rebuild the Bridge at the Public Landing at Bocabec in Saint Patrick.

Ten pounds to repair the road from Somerton's to the Saint George Line in Saint Patrick.

Seven pounds ten shillings to repair the Bridge leading from the Fredericton Road to Tucker's Farm in Saint Patrick.

Ten pounds for repairs to the road from Major M'Farlan's to Archeson's in Saint Patrick.

Seven pounds ten shillings to improve the road from Neil M'Dermott's to the Clarence Hill Settlement in Saint Patrick.

Ten pounds to improve the road from John Armstrong's to Matthew Stevenson's in Saint Patrick.

Seven pounds ten shillings to improve the road from Gordon M'Kay's, by Clarke's, towards the Wesleyan Chapel in Saint Patrick.

Five pounds to improve the road from the School House at the Marsh, past Craig's, to the Glenelg Road in Saint Patrick.

Ten pounds for the road from Henry Frye's house towards Stillwater Bridge in Saint Patrick.

Five pounds towards opening the road from the Commons to the Bog Road, Saint Patrick.

Twenty five pounds for repairs to the Frye Road, Saint Andrews.

Ten pounds to open a road from Murray's and Whelan's Farm to the Bocabec in Saint Patrick.

Thirty pounds to be paid to George Walker and William M'Curdy for making a Road and building a Bridge at Johnston's Cove in Saint Andrews.

Ten pounds for a road from Wilson's Dock, at Chamcook, to the Church Land Line by Gow's.

Seven pounds ten shillings for a Road and Public Landing in connection with the old Frye Road on Leonard Bartlett's land.

Thirty seven pounds twelve shillings and six pence for the road from Northern Harbour leading up and across the Harbour to Joshua Pendleton's in West Isles.

Ten pounds for the road from the Pond Hole to the eastern end of the Bridge in the Parish of West Isles.

Ten pounds for the road at the Shipyard Cove, to repair damages occasioned by high tides.

Seventeen pounds ten shillings to rebuild the Bridge on the Bunker Hill Road in the Parish of Campo Bello.

Ten

Ten pounds to remove stumps and roots, and turnpike the road from Gilligan's to Todd's field in the Parish of Campo Bello.

Five pounds to improve the Hill opposite the long Bridge at Brick Kiln Cove in the Parish of Campo Bello.

Thirteen pounds seven shillings and six pence to complete the Union Road in the Parish of Campo Bello.

Ten pounds to improve the road between Brown's and Thomson's in Campo Bello.

Ten pounds to improve the Hill Road from the North end of Beech Hill to the centre of Samuel Ingersol's Lot in the Parish of Grand Manan.

Ten pounds for the road from the Great Brook Bridge to Frye's Mills in the Parish of Grand Manan.

Ten pounds for the Seal Cove Road from the South boundary of George Harvey's, Senior, towards the southern head in the Parish of Grand Manan.

Ten pounds for the new road to the Episcopal Church to Ox Head Point.

Ten pounds towards rebuilding the Bridge over Doctor's Brook.

Fifteen pounds from Messinet's Mill to the Saint John Road, Pennfield.

Five pounds from Hunter's Mill to Spear's Farm, Pennfield.

Five pounds from Trynor's Landing to Thomson's Mills, Pennfield.

Twelve pounds ten shillings for the road through the Maces Bay Settlement, Pennfield.

Ten pounds from Shaw's Farm to the Saint John Road, Pennfield.

Thirty pounds from New River Bridge to Dowd's Cove, Pennfield.

Seven pounds ten shillings from New River Mills to the Saint John Road, Pennfield.

Ten pounds from Artnold's, Black's Harbour, towards Crickett's Farm, Pennfield.

Ten pounds from Bucknam's Bridge towards Deadman's Head, Pennfield.

Ten pounds from Boyd's corner towards Crow Harbour, Pennfield.

Seven pounds ten shillings from Crow Harbour to Popologan, Pennfield.

Seven pounds ten shillings from Seelye's Cove to the Crow Harbour Road, Pennfield.

Twenty pounds from the Upper Mills towards the Flume Ridge, Saint George.

Ten pounds from the Upper Mills to the Red Rock, Saint George.

Ten pounds from the Upper Mills to Thorn's Farm, Saint George.

Ten pounds from Kent's Mill to the Main Road, Saint George.

Forty pounds from the Saint Andrews Road, through the M'Gee Manor, to Hanson's, Saint George.

Five pounds for altering the road from the Chapel corner to Dewar's Hill, Saint George.

Twelve pounds ten shillings from the Chapel corner to Wallace's Farm; ten pounds of which to reimburse Peter Goss the balance due him, Saint George.

Seven pounds ten shillings for repairing the Landing near the Red Store; four pounds five shillings of which to reimburse John Oliver the balance due him.

Seven pounds ten shillings from the Pond towards the Lime Kilns, Saint George.

Five pounds from the King's Watering Place to the Scotch Settlement, Saint George.

Seven pounds ten shillings from the King's Watering Place to the Road near Spenny's, Saint George.

Ten pounds from Cailiffs Island towards the Scotch Settlement, Saint George.

Ten

Charlotte
Bye Roads,
Continued.

Ten pounds from L'Etete towards the Pound, Saint George.

Five pounds from the Mascareene Road to M'Kenzie's Landing, Saint George.

Twenty pounds from Ship Harbour Landing, near Mann's, to the Red Store Road, Saint George.

Twenty pounds from the Portage Landing to Irishtown, Saint George.

Nine pounds seven shillings and six pence from Greerson's Farm, through Dunham Chamber's and Sutherland's Farm, to Mascareene Road.

Fourteen pounds for the road from the Head of Oak Bay to Cotterell's Mills, in Saint David.

Fifteen pounds for the road from Silas Smith's to Devoy's corner, in Saint David.

Fifteen pounds for the road from John Nesbitt's, in Saint David, to Wyman's Mill, in Saint James.

Ten pounds for the road from Whitmore's corner, in Saint David, to the Woodstock Road.

Ten pounds for the road leading from Tower's corner, in Saint David, past Patrick Devilin's.

Ten pounds for the road from John Ragan's to Jacob Reid's, in Saint David.

Ten pounds for the road from Mitchell's corner, past Dicky's Mill, towards John Ragan's, in Saint David.

Ten pounds for the improvement of the road on Thompson's Hill, in Saint David.

Fifteen pounds for the road from M'Cann's, in Saint David, by Connick's, to the Parish Line.

Eight pounds three shillings and ten pence for the road from Pollard's to Waldren's, in Saint David; twelve shillings and eight pence of which to remunerate William Hyslop for over-expenditure last year.

Eight pounds eleven shillings and two pence to John Cotterell to remunerate him for over-expenditure last year in building a Bridge.

Fifteen pounds for the road on the Little Ridge in Saint James, commencing at the Parish Line and extending to Thomas Sullivan's north east corner.

Ten pounds for the road from J. Peak's to DeWolf's cross Road in Saint James.

Seven pounds for the road from DeWolf's cross Road to the Baillie Settlement in Saint James.

Seven pounds for the road from Dewolf's cross Road to the Linnfield School House in Saint James.

Seven pounds for the road from Thomas Fulton's to the Pinkerton Settlement, Saint James.

Ten pounds for the road from John Arbuckle's to the Woodstock Road in Saint James.

Seven pounds from Stewart's Mill to DeWolf's cross Road in Saint James.

Twenty five pounds towards building a new Bridge across Canoose Stream in Saint James.

Ten pounds to erect a Bridge across King Brook in Saint James.

Twenty pounds for the road from the Barter Road to the Little Ridge in Saint James.

Forty pounds for the road from the Kirk to Gleason's in Saint James.

Seven pounds for the road from Hitching's Mill to the Little Ridge in Saint James.

Seven pounds for the road from John Pomeroy's to the Little Ridge in Saint James.

Seven

Seven pounds for the road from the Burnt Land Road to the Kirk in Saint James.

Thirty two pounds for the road from Potter's Hill to Hitchings' Mill in Saint James.

Eight pounds for the road from Mrs. M'George's to Sandy Brook, called the Linnfield Road, in Saint James.

Fifteen pounds for the road from Campbell and Albee's Mill to the Basswood Ridge Road, in Saint James.

Twenty five pounds for the road from Libby's corner to the Basswood Ridge.

Twenty five pounds towards building a New Bridge across Dennes' Stream near John M'Adams' in Saint Stephen.

Five pounds for the road from Joseph Tourtelott's, to the Basswood Ridge Road in Saint Stephen.

Five pounds for the road from the Basswood Ridge Road to Daniel Spillan's in Saint Stephen.

Fifteen pounds for a new road from the new Mohannes Bridge to the Chandler Road in Saint Stephen.

Twenty five pounds seven shillings and six pence for repairing the Chandler Road in Saint Stephen.

Ten pounds to reimburse Ninian Lindsay, as Commissioner, for over-expenditure on Potter Hill, Saint James.

Five pounds for the road from the Bowery to the Burnt Land Road in Saint James.

QUEEN'S COUNTY BYE ROADS.

Bye Roads in
Queen's County.

Eight pounds for the road from Foster Settlement to the Great Road.

Eight pounds from School House and Richard Stephen's, between Lots numbers three and six, to south east side Grand Lake.

Five pounds to build a Bridge and cut down the Hill, Sand's Brook, between John Foster's and the School House.

Fifteen pounds from Dykeman's Bridge to Cox's Mill.

Eight pounds from Cox's Mill to the Great Road, by way of Samuel Knight's.

Ten pounds to build a Bridge near Smith's on the road from M'Lellan's Mill through the Settlement South side Cumberland Bay Stream.

Five pounds from M'Lean's Mill through the Settlement North side of Stream.

Five pounds to repair the Bridge on Lot number one, near Robert Colwell's, Cumberland Bay.

Seven pounds ten shillings from M'Lean's Mill to first Range Settlement.

Seven pounds from John Roberts' to back Settlement, Wiggins' Cove.

Seven pounds to improve the road from Patrick Renald's to John Wiggins', Partridge Valley.

Five pounds from George Langley's to Wasson's Mill.

Eight pounds for the road on the line between John Orchard's and Cornelison M'Laughlin's to Joseph Thompson's.

Five pounds from Cox's Point to Allen M'Lean's.

Five pounds from John Nightingale's to Conrad Miller's.

Ten pounds from Sand's Creek to Washademoak Lake.

Seven pounds from Craft's Cove to the County Line.

Seven pounds from the Public Landing at the north east side of Lewis' Cove to the old Post Road, and thence to John Huggard's, by way of Foster's Mill.

Eight pounds from Chinie's Meadows to Henry Verry's corner.

Eight

Queen's County
Bye Roads,
Continued.

Eight pounds for the road between Joseph Vanwart's and Thomas M'Krea's, for stumping and building a Bridge over the Stream.

Five pounds for the road between Thomas Loudon's and Jesse Jones' to the County Line.

Seven pounds to build a Bridge over Dickie's Mill Dam and to repair the road.

Eight pounds from the Cross Road to Clark's Mill, and to build a Bridge over Clark's Brook.

Five pounds from Thomas Brook's, via Shaw's Mill, to the Cross Road.

Five pounds from Clark's Mill to Lewis' Cove.

Five pounds from Cross Road to James Foster's.

Five pounds from Witherall's Mill to Francis Harvey's.

Seven pounds from Isaac Clark's line to the Cross Road.

Five pounds to improve the road from Clark's Brook to Charters M'Alpin's.

Seven pounds from David M'Donald's to the Cross Road, Shannon Settlement.

Eight pounds from Washadamoak Lake, between Lots numbers twenty eight and twenty nine, to the Big Cove.

Eight pounds from the North East Branch of Lewis' Cove to Washadamoak Lake.

Ten pounds to erect two Bridges on the Road, by way of John Huggard's, to the Post Road.

Eight pounds from Daniel Paterson's to the English Settlement.

Eight pounds from Green's Cove, Washadamoak, to Wetherall's Mill, Salmon Creek.

Eight pounds for the road between Marcus Cox' and John S. White's to the Foster Settlement.

Eight pounds from English Settlement Road to M'Lean's Grist Mill.

Seven pounds for the road between Lots numbers ten and eleven, from James W. Cody's, to English Settlement.

Four pounds for the road on the line between Reuben Vantassel's and the Cromwell Lot.

Five pounds from Richard Griffith's to William Hugh's.

Five pounds for the road on the line between Farrar's and Bedwell's, Waterloo.

Five pounds from Woodstock's corner to Alexander Stewart's.

Five pounds from Joyce's corner to Salmon Creek.

Five pounds from John Johnston's to the County Line.

Six pounds from John Johnston's to Murray's Saw Mill.

Five pounds from James M'Farland's to John Johnston's.

Six pounds from Hugh Parker's to Waterloo Settlement.

Seven pounds for the Bridge and Road from Thomas Thompson's to English Settlement.

Five pounds from Isaac Worden's to Christopher Hickson's.

Seven pounds from John G. Peters' to Cole's Creek, and to build a Bridge over said Creek.

Five pounds from John Banks' to Obadiah Starkey's.

Five pounds from Daniel Jinkin's to Armstrong's.

Five pounds from Alexander Stuart's to Griffith's.

Five pounds from David Fowler's to Picket's Cove.

Twenty pounds to build a Bridge at foot of Lunn's Hill, English Settlement.

Five pounds from Dyar's corner to William Sommerville's.

Eight pounds from M'Farland's Settlement to English Settlement, on the line between Richard and James Pearson's.

- Thirteen pounds for the road from South West Branch of Ocnabog Stream to Brown's and Harkin's.
- Eight pounds from Thomas Sheawick's to Park's corner, New Ireland.
- Eight pounds from Jerusalem Road to the New Ireland Road.
- Seven pounds from Inches' corner to the Gagetown Road.
- Ten pounds from the Valley Bridge to Ocnabog Bridge.
- Ten pounds from Little River to Summer Hill.
- Eight pounds to improve the alteration from Isaac Vanwart's to Fanning's Bridge.
- Eight pounds to remove the Rocks from the Road across the Farms of Garret and Jacob Vanwart's.
- Five pounds from Hanning's Bridge to County Line.
- Five pounds from Jacob Vanwart's North line to Little River Bridge.
- Ten pounds from the Shore near the Foot of Long Island, through the Jerusalem Settlement, to Gagetown Road.
- Ten pounds from Little River, through New Ireland and Jerusalem Settlements, to the Nerepis Road.
- Ten pounds for the road near Government House to the Shannahan and M'Crea's Settlement.
- Eight pounds for the road on the eastern side of the Nerepis, through the Robb Settlement, and thence to the Bridge on Gagetown Road.
- Eight pounds for the George Lyon Road.
- Ten pounds from Morrell's corner, in Jerusalem Settlement, by Jackson's, to Merritt's Bridge.
- Eight pounds from Burges' corner to Dunn's, at foot of Long Island.
- Three pounds two shillings to Michael Hogan, for cutting a road in Enniskillen Settlement.
- Eight pounds for the road from Nerepis Road to George Lyon's Mill.
- Eight pounds from the Church to the Yorkshire Road.
- Eight pounds from Inches' corner to the County Line.
- Ten pounds from the Nerepis Church to D. Gillan's.
- Eight pounds from Dunn's corner, on the Gagetown Road, through the Cloun's Settlement.
- Ten pounds from Polly's corner, through the Jackson Settlement, to Merritt's Bridge.
- Eight pounds from Cornelison Malone's, through the Daley and Enniskillen Settlement, towards Scoullar's Mills.
- Eight pounds from William Jones' North line to Moan's Lime Kiln.
- Eight pounds for the road on the line between James Graham's and James Sproul's.
- Ten pounds from Merritt's Farm, West side of the Nerepis, to Moan's Lime Kiln.
- Ten pounds from the Nerepis Road to Thompson's Settlement, on the South side of John Bradley's land.
- Ten pounds from Enniskillen Settlement Road to Sweeney's, Friendship Hill.
- Eight pounds for the William H. Lyon Road.
- Eight pounds from the Nerepis Road to Butler Settlement.
- Five pounds for the road from Gagetown to the Nerepis, through the lands of Michael Doil and others, to the Meadows.
- Ten pounds for the road from the Nerepis Road, near the West corner of the Grant to the late Valentine H. Peters, to the Forks of the road near John Gaunce's.

Queen's County
Bye Roads,
Continued.

Queen's County
Bye Roads,
Continued.

Seven pounds for the road from the Nerepis Road to the Carney Road between James and Luke Appleby's.

Eight pounds for the road from Nerepis Road through lands owned by Samuel Babbit and others, to the Octnabog.

Ten pounds for the road near the Bridge near Dennis Mahoney's.

Fourteen pounds ten shillings from Vail's Ferry to Nerepis Road.

Ten pounds from Fox's to the Octnabog Road.

Twelve pounds for the road from William Hogshaw's corner, on the Gagetown Road, through Jerusalem and New Ireland.

Fifteen pounds for the road from Lounsbury's Ferry to the Great Road by Currey's Mill.

Fifteen pounds from the Wharf to Octnabog.

Sixteen pounds to build a Bridge at Octnabog.

Five pounds to repair the Wharf below Gagetown.

Five pounds for the road between Samuel and Moses Denton's land, Maquapit Lake.

Eight pounds to turnpike a new piece of road across Mrs. Thorn's Farm in Canning.

Seven pounds for the road from John T. Sypher's to the Newcastle Road.

Ten pounds to turnpike and gravel the road from Sypher's Pond Brook to Little River.

Fifteen pounds to remunerate John Robertson and Henry M'Farland for altering the road at Little River Hill.

Ten pounds for turnpiking and gravelling the road from Little River to Flowers' Hill.

Ten pounds to improve the road from Flowers' Hill to William Robertson's.

Seven pounds eight shillings for the road from James Butlers' to the Newcastle Road.

Ten pounds from Hardwood Ridge Road to Bailey's Point.

Ten pounds from Alexander Clark's to Coy's Mill.

Ten pounds from Joseph Bailey's to William Wiley's.

Five pounds to level the road from Bailey's to Salmon Bay.

Six pounds to repair the Bridge on the road between the upper and lower Mills, Newcastle; two pounds of this sum to pay Justus Austin for repairing the Bridge near Widow Yeamans'.

Five pounds for the road from Nathan Taylor's to the Main Road.

Five pounds from the Forks to the Canaan Settlement.

Five pounds from Robert Watts' to John Parker's.

Five pounds from Thomas Miller's to Cole's Creek.

Seventy four pounds ten shillings from Cole's Island to Canaan Settlement.

Seven pounds from John O'Leary's to Vance's, Salmon River.

Five pounds from John O'Leary's to Crawford's, Salmon Bay.

Seven pounds to pay William Stuart in full for building the Approach to Red Bank Bridge.

Fifteen pounds from Coal Creek to M'Donald's.

Twenty pounds to build a Bridge over Gaspereaux, near Burpe's Mill.

Ten pounds from William Lackey's to M'Alister's.

Five pounds from the Forks of the road near Buzzard's, to the Landing, Coal Creek.

Fifteen pounds from Caine's Point to Brown's Mill.

Fourteen pounds to remunerate Guias Brown in part for erecting a Bridge near his place.

Twelve

Twelve pounds for the road, West side of Gaspereaux River, from the Bridge through the Settlement.

Queen's County
Bye Roads,
Continued.

Fifteen pounds from Langan's to Kent County Line, North side of Salmon River.

Eight pounds from Ironbound Cove to Sunbury County Line.

Eight pounds for the road North Forks Salmon Creek.

Fifteen pounds from M'Donald's to Dunn's, south east side of Salmon River.

Seven pounds from the Widow Elison's, near the Cross Road leading to the Shannon Settlement, by way of Clark's Mill.

YORK BYE ROADS.

Bye Roads in
York.

Twenty four pounds for the lower road leading to the Howard Settlement.

Fifteen pounds for the road leading to Skiff Lake.

Nineteen pounds for the road to the Howard Settlement, as laid out by Mr. Goodfellow.

Forty pounds for the road leading from the Gesner Settlement, on Eel River, to the Howard Settlement.

Five pounds to open a road from the River Saint John, near Dickinson's, to the back Road.

Five pounds for the road to the Rosborough Settlement, and towards Joseph Love's, if necessary.

Twenty four pounds for the road to the Magundy through the Poquiock Settlement.

Seven pounds for the road from Carson's to the Mill.

Sixty pounds for the road leading to the Lake George and Magundy Settlements; out of which the balance due for erecting Waterloo Bridge to be paid.

Five pounds for the road leading to the Lake past Trainer's and Irvine's.

Twenty nine pounds for the road leading to Hamilton's, near the Dam beyond the Magaguadavic Settlement; of which two pounds each towards Brown's, Fisher's, M'Cutching's and Adams', if necessary.

Ten pounds for the road leading to the Saint Andrews Road, through the Smithfield Settlement, past Mrs. Hunter's.

Twenty five pounds for the road to the rear of the Garden Creek Settlement, and to the Mill.

Twenty pounds for the road from Essensa's, past Ross' Mill, to the Saint Andrews Road.

Seven pounds for the road from the Teetotal Settlement to the Sunbury County Line.

Seven pounds for the road to and through the Acton Settlement.

Fifteen pounds for the road from the Harvey Settlement to Frog Lake, and also to Hay and Gill's; out of which four pounds to be expended between William Robertson's and Harvey Settlement.

Five pounds to remove rocks near the Bridge on the Trout Brook, near Magaguadavic River.

Five pounds for the road from Wilson's to Paterson's, in Harvey Settlement.

Seven pounds for the road from Piercy's to the Little Settlement, in rear of Harvey.

Six pounds for the road from Wynne's, in the Teetotal Settlement, to and through the Roach Settlement.

Eight pounds for the road from Hanwell to the Settlement of Dennis Crowley and others, towards Little's.

Fifteen pounds for the road from the Alms House to the New Maryland Road.

York Bye Roads,
Continued.

- Fifteen pounds for the road from the New Maryland Road, downwards.
- Fifteen pounds for the road leading to the Glebe.
- Seven pounds for the reserve Road.
- Seven pounds for the road from Colonel M'Lauchlan's farm to Hanwell.
- Seventy pounds for the road from Fredericton to, New Maryland, and the Bridges thereon.
- Ten pounds for the road leading to Charters' and Hainan's.
- Thirty pounds for the road leading from Morgan's to the Beaver Dam and the County Line.
- Forty pounds to pay balance on the Rushagonis Bridge and to improve the road leading thereto.
- Twenty five pounds for the road from the Rushagonis towards Saint Andrews Road, through the Little Settlement.
- Fifteen pounds from the New Maryland Road to and through the several Cross Roads intersecting it.
- Six pounds for the old road leading to Spring Hill.
- Ten pounds for the upper road to the Campbell Settlement.
- Thirty pounds for the road from the Campbell Settlement to the Nacawickack, at Trout Brook.
- Twenty pounds for the road to and through the upper Caverhill Settlement, to meet the road from the Springfield Settlement, through the Lower Caverhill Settlement.
- Seven pounds for the road near Morehouse's to the Springfield Settlement.
- Fifty pounds for the road from the Mactaquack Settlement to the Springfield Settlement.
- Five pounds for the road to the King Settlement.
- Thirteen pounds for the road from the Mactaquack, past the Scotch Lake, to the River Saint John, out of which three pounds towards Flemming's, past Burke's.
- Ten pounds for the road from Moore's to the Mactaquack.
- Twenty pounds for the road to the new Settlements on the upper part of the Keswick.
- One hundred pounds towards erecting a Bridge on the Keswick.
- Ten pounds for the road from the Keswick to the Cardigan, passing the Bird Settlement; out of which what may be necessary on the North line, if any.
- Eight pounds for the road from the Keswick to the Bird Settlement, through the Boon Settlement, passing Harris'.
- Twelve pounds for the road to Mount Hope.
- Ten pounds for the road from the Penniack Mills to Goodspeed's.
- Thirty three pounds fifteen shillings for the road on the eastern side of the Nashwaak.
- Seven pounds for the road from M'Laggan's to Stanley.
- Twenty pounds for an embankment on the River Saint John.
- Seven pounds for the road to the M'Leod Hill Settlement.
- Fifteen pounds for the Royal Road and the Bridges thereon; two pounds towards Parker's, if necessary, and leading to the rear of the Tay Creek Settlement.
- Fifteen pounds for the road from Boyd's to Stanley Point Mill, past Mick's.
- Fifteen pounds for the road from the Tay Creek Settlement to the Lime Kilm Road.
- Thirteen pounds for the road to Stanley, passing Doctor Jacob's farm; two pounds of which to the Hurlett Settlement, if necessary.
- Nine

Nine pounds for the road to the Fredericksburgh Settlement, and Semple's and Delucry's. York Bye Roads,
Continued.

Seven pounds for the road from Sanson's, in the Cardigan, to the Bird Settlement.

Ten pounds for the road from the Nashwaak to and through the new Durham Settlement.

Twenty eight pounds for the road from the Miramichi Road to the Nashwaak.

Fourteen pounds to and through the Humphrey's Settlement to the Bird Settlement.

Ten pounds for the road from Hanson's to the Church on the Nashwaak.

Twenty five pounds to open a road leading from the Petitcodiac Road on the County Line, to the Penniack.

Fifteen pounds for the road from Hughe's to the Taxes River and to the County Line.

Four pounds for the road from Patrick Campbell's to the Stanley Road.

Eight pounds for the road leading from Stanley, to the East side of the Nashwaak, to Stewart and Stinson's, and to Neil Campbell's.

Ten pounds for the road leading to the Saint Andrews Road, passing Rainsford's land.

Five pounds for the road leading to M'Kay's on the hill.

Twenty pounds for the road leading to Corbett's.

Five pounds for the road from the Hanwell to the old Road leading to Spring Hill, near the intersection of the said Road with the Great Road from Fredericton to Woodstock.

Thirty pounds for the road from the River Saint John to Nashwaak, passing Pollok's Mills, towards David Brown's.

SAINT JOHN BYE ROADS.

Bye Roads in
Saint John.

Ten for the road from Little River to Mispeck.

Twenty five pounds for the road from Little River to Loch Lomond.

Eighty pounds for the road from Little River to Black River, and to cut down the Hill east side of Black River.

Seven pounds ten shillings for the road opened by Brown and others, past Brown's Mill.

Twenty five pounds for the road from Black Settlement Road to Emerson's Creek, Mountain Road.

Ten pounds for the road from Emerson's Creek to Gardner's Creek.

Ten pounds for the road from Black Settlement Road to the Quaco Road, back Road.

Fifteen pounds for the road from Quaco Road, through the Ryan Settlement, to the Forks of the road near the late M'Cracken's.

Twelve pounds ten shillings for the road from Harding's Mill to the old Quaco Road.

Thirty pounds for the road leading from the County Line, near Tabor's Bridge, to Quaco, old Quaco Road.

Seven pounds ten shillings to repair the road from Quaco to Tynemouth, past John Brown's.

Twenty pounds for the road from Quaco Road to the County Line, Mill and Church Road.

Thirty five pounds for the road from Cody's through the Hibernia Settlement to the Forks of the road leading to the Quaco Road.

Fifteen

Saint John
Bye Roads,
Continued.

Fifteen pounds for the road from the above Forks to the Road opened by Brown and others.

Ten pounds for the road from Mahar's West Line to Harding's Mill.

Twenty two pounds for the road from the Forks, near Morrison's, to Frazer's Mills, and thence to Gardner's Creek Bridge, by the way of Dewar's, and for altering Road at Dewar's.

Seven pounds for the road from Tynemouth to Frazer's Mill.

Twenty pounds for the road from Tynemouth Road, past Power's Farm, to Quaco.

Seventeen pounds ten shillings for the road leading to Sand Point, past J. Howe's, Esquire.

Seven pounds ten shillings for the road from Indian Town Road to Kennebecasis, at M'Coskery's; four pounds ten shillings of which to reimburse John M'Coskery for building a Bridge.

Five pounds for the road to the County Line, towards Smith's Mill.

Seven pounds ten shillings road from the Millican Road, past Cain's, to the County Line, or South Stream.

Fifteen pounds road from near Ellison's, at Black River, past White's, to intersect the road from Frazer's Mill to Morrison's.

Twenty five pounds road from Quinn's residence to the Tynemouth Creek Road, crossing the Gardner's Creek, above Brown's Mills, and for the Bridge across the same.

Fifteen pounds road from Frazer's Mill to James Brown's, Esquire, on the line laid out by Cunningham, and to continue from thence to the Ten Mile Creek Road, near the Grave Yard.

Five pounds road from Black River Road to Even's Cove, as laid out by Deputy O'Keleher.

Ten pounds road through Church Land Settlement to Loch Lomond Road, near Major Galagher's House.

Five pounds road from Black River Mills to Morrison's Cove, along shore, West.

Ten pounds road from Thompson's Cove, Evan's Road, so called.

Ten pounds road from the Forks, near Harding's Mill, to the County Line, near William R. Sentill's.

Ten pounds road from Hibernia Settlement Road to the Quaco Road.

Twenty pounds road from the Westmerland Road through Golden Grove Settlement.

Ten pounds road from West Beach to Black River Road, Dowd's Road, so called.

Fifteen pounds road from the Town Plat at Quaco to the County Line, near Tabor's.

Twenty pounds road called Brown's Road, commencing at Berry's East Line, Quaco, to the County Line.

Fifteen pounds road from Brown's Road, so called, through the Grear Settlement.

Seven pounds road from M'Neil's to Emerson's Creek, Black River Settlement.

Twenty pounds to improve Road and Bridges from Great Salmon River to Little Salmon River.

Ten pounds for the road from the Village Road, by way of M'Namee's, to the County Line, near the Kennebecasis.

Forty seven pounds ten shillings towards completing the Bridge across Vaughan's

Vaughan's Creek, and repairing the road for the benefit of the Vaughan's Creek Settlement Road. Saint John.
Bye Roads,
Continued.

Five pounds for the road from Sands' Road, so called, to the road from Tabor's Bridge to the Town Plat in Quaco.

Five pounds road from Harding's Marsh to the Town Plat Road.

Seventeen pounds ten shillings towards building a Bridge at Mispheck, near George Ball's Mills.

Twenty pounds towards enabling Owen M'Guire, Commissioner, to pay Contractor for work done on road from Botsford's Mills to lower Loch Lomond Road near Graham's.

Ten pounds for repairing the Valley Road, past Jones', towards Milliken's.

Twenty pounds for improving and opening a road from West Beach to Cape Spencer, and thence to Mispheck.

Twenty pounds road from western extremity of Quaco to Tynemouth.

Ten pounds road leading from Milliken's Road, through the Settlement of Mash, Vaughan, and Campbell.

Ten pounds road round from south side of Fort Howe Hill, between Major Ward's house and the east of William Moore's house.

Seven pounds ten shillings road from Dipper Harbour Road, at Belmore's clearing, by the head of the Basin, to the County Line, near Little LePreaux.

Fifteen pounds road from Dipper Harbour Road to Chance Harbour.

Ten pounds road from Little Dipper Harbour to Dipper Harbour.

Thirty pounds road from Saint Andrews Road to Mace's Bay, near Hanson's Mill.

Ten pounds road from the Narrows of Musquash River, west side, to Saint Andrews Road.

Five pounds road from the Narrows of Musquash River, east side, to Saint Andrews Road.

Ten pounds road from Black Beach to Frenchman's Creek.

Twenty five pounds road from Frenchman's Creek to Saint Andrews Road.

Fifteen pounds road from Saint Andrews Road, at Spruce Lake, to the Landing at Pisirinco.

Twenty pounds road from Black Beach, by the Irish Settlement and Pisirinco, to meet road next before mentioned.

Five pounds road from Saint Andrews Road, near Brown's, to meet road from Saint Andrews Road, at Spruce Lake, to Landing at Pisirinco, at Stoney Creek Bridge.

Fifteen pounds road from Nerepis Road to M'Namara's Farm.

Fifteen pounds road from Saint Andrews Road, by the Settlement in rear of Menzie's Lake, to connect road from Nerepis Road to M'Namara's Farm.

Seven pounds road from the Bridge over Craft's Mill Stream to road from Spruce Lake to Pisirinco, at Stoney Creek.

Eight pounds road from Negro Point along the City Line to Saint Andrews Road.

WESTMORLAND BYE ROADS.

Bye Roads in
Westmorland.

Fifteen pounds for the road from Dobson's to H. Ward's.

Twenty pounds for the road from E. Raworth's to Cape Spear.

Twenty pounds for the road from Cape Spear to John M'Glasshing's.

Twenty five pounds for the road from the Gaspereaux to Great Shemogue; out of which nine pounds to be paid John Niles, balance due him on a Bridge.

Five

Westmorland
Bye Roads,
Continued.

- Five pounds for the road from Thomas Oulton's to Emigrant Road.
- Five pounds for the road from Joseph Murray's to Thomas Oulton's.
- Ten pounds for the road from Adam Scott's to William Fillmore's.
- Fifteen pounds for the road from the Little Shemogue to Cadman's.
- Ten pounds for the road from the Emigrant Road to John Allan's near the Bay Shore.
- Ten pounds for the road from the Great Shemogue to the Little Shemogue.
- Five pounds for the road from the Great Shemogue Road to the Little Cape.
- Ten pounds for the road from the Great Shemogue to Tedish.
- Five pounds for the road from Point Migic to William White's.
- Five pounds road from the Gaspereaux Road to Otter Creek.
- Ten pounds road from E. Chappel's to and beyond Goodwin's.
- Ten pounds road leading from Jolicure to the Lake Settlement.
- Fifteen pounds road from Jolicure to Point Migic.
- Ten pounds road from Amos Fowler's to Point deBute.
- Ten pounds road from Great Shemogue to Alexander Anderson's.
- Thirty pounds road from Fillmore's to Alexander Anderson's.
- Ten pounds road from Grand Aunce to second Westcock Hill.
- Ten pounds in aid of Bridges on the road from Absalom Anderson's to Snell's Mills.
- Fifty pounds road from Allen's Creek to Cape Maranguin ; ten pounds to be expended towards securing the Aboideaux on the said road.
- Ten pounds road from Charles Smith's, Beach Hill Road, to Dickey's.
- Fifty pounds road from Sackville to Great Road in Dorchester, over Beech Hill.
- Twenty pounds road from Towse's to Saint Andrews Settlement.
- Ten pounds road from William O'Brien's to D. Sears', across the Bog at North Lake.
- Twenty pounds road from Towse's to Aboushagan Road.
- Ten pounds Eliphalet Reed's to Town Line.
- Ten pounds road from Henry Ogden's to Beech Hill, by Trout Brook.
- Five pounds road from Beaujoggin Road to Miles Sears'.
- Twenty five pounds to improve the road and facilitate the public communication between the Great Road and Dixon's Landing.
- Fifteen pounds road from Fairfield to Richardson's, or Sackville Road.
- Fifteen pounds road from Dorchester to the North Joggins.
- Fifteen pounds road from Grand Aunce to Cape Maranguin.
- Ten pounds for the road leading to the Public Landing at Cole's Point.
- Five pounds for the road from Cook's to the Great Road or the Sackville Line.
- Five pounds for the road from the Chapel in Dorchester round the Cornea Marsh.
- Ten pounds for the road from Bellevous Village, through Dover, to the Great Road.
- Twenty pounds for the road from Dover to the Great Road, via R. Carter's.
- Ten pounds for the road from DeLesdernier Village to and through the Ayer's Mill Settlement.
- Ten pounds for the road leading from the Dorchester Road through the Blenis Settlement.
- Five pounds for the Great Road near Charles White's through the John Gould Settlement.
- Five pounds from the Great Road to Joseph Bellevous' Mill.

Fifteen pounds from the Great Road in Dorchester to the Sackville Line, via Cook Smith's.

Westmorland
Bye Roads,
Continued.

Five pounds from the Great Road in Dorchester to Landry's, via the Lake.

Ten pounds for the road from the Great Road through the Guyton Settlement, on the East side of the Memramcook River.

Ten pounds from the Chapel Road to Lorang Legere's.

Ten pounds towards cutting down the Hill near Lorang Burke's, West side of Dorchester River.

Fifty pounds to improve the Approaches to the Public Landing at Bellevous Village.

Ten pounds from David Boudrot's through Indian Town.

Ten pounds for the road from Cook's to James Purdy's.

Five pounds road from Legere's to Barrichoi.

Five pounds road from Morang Tarrio's to Joseph Gallong's, on the Kouchibouguac.

Thirty pounds road from south east Branch Aboushagan River to Sackville Road.

Ten pounds road from Morang Tario's to Simon Legere's Mills, including a Bridge over Drysdale's Creek.

Ten pounds road from Shediac Road to the French Settlement.

Twenty pounds road from Shediac Road to and through the Manudie Settlement.

Five pounds road from Budrot's, in Barrichoi, to the Ohio Settlement.

Ten pounds road from the Chapel, in Barrichoi, to C. Kinnear's.

Twenty pounds road from Barber's Cove to John M'Dougal's.

Fifteen pounds road from Peter Babinot's, North side of Shediac River, to Newman's Mills, including balance on Bridge.

Seven pounds Shediac Road to Harris' Mills.

Five pounds for the road from Shediac Road to Jerry O'Neil's.

Five pounds for the road from John M'Dougal's to Irishtown Road.

Fifteen pounds for the Bridge, Kouchibouguacis.

Ten pounds Courtney Kinnear's to Cornea's Meadow.

Twenty pounds Bridge over Shediac River, near Clements', in aid of individual subscription.

Five pounds from Shediac Road to Bellevous'.

Ten pounds road from Irishtown to J. C. Wood's, through the Communication Road.

Ten pounds for the road from Hall's Creek to and by Michael M'Farlane's.

Twenty pounds from Lutz' Mountain to Steves' Mountain.

Ten pounds for the road from the Great Road to the Steves' Mountain Settlement.

Ten pounds for the road from Steves' Mountain to the Fredericton Road, by Killamy's Mills.

Ten pounds for the road from the M'Laughlan Road to Indian Mountain.

Fifteen pounds for the road from James M'Fee's to and by Daniel Wheaton's, up the South side of the North River.

Ten pounds for the road from the Butternut Ridge Road to Corn Hill.

Ten pounds for the road from Kings', on the Butternut Ridge, along the line dividing the Arnold Grants.

Five pounds for the road from Butternut Ridge to Jonathan Hicks'.

Ten pounds from Alexander Kinnear's to Joseph Chapman's.

Twenty pounds for the road from the Great Road to Butternut Ridge.

Twenty

Westmorland
Bye Roads.
Continued.

Twenty pounds for the road from James Blakeney's to Corn Hill, via North River.

Ten pounds for the road from Charles Blakeney's to Thomas Fawcett's.
Fifteen pounds from the Main Road at Scott's to the Fredericton Road, via North River.

Five pounds from Alexander Cain's to the County Line.
Ten pounds from the Great Road to Pollett River, via Haslett's Mill.

Ogden & Cahill.

Six pounds to Henry Ogden and Charles Cahill, balance due them on Cole's Island Aboideau in eighteen hundred and forty six.

P. Palmer.

Seven pounds to Phillip Palmer, Esquire, for furnishing Plans of the Bye Roads of the County.

Great Road to Albert
County Line.
Re-appropriation.

Twenty pounds for the road from the Petitcodiac River, up the East side of the Pollett River, to the County Line, being a re-appropriation of the sums granted and unexpended in the years eighteen hundred and forty six and eighteen hundred and forty seven, for the road from the Great Road to the Line of Albert County, leading to Robert Stiles'.

David Dougherty,
Newcastle to Gaspereaux.

To David Dougherty the sum of twenty pounds to remunerate him for making two hundred and two rods of Road on the line from Newcastle to Gaspereaux in the year one thousand eight hundred and forty six; the same not having been drawn from the Treasury in consequence of the Contract not having been completed in time, but has been since finished.

Fredericton Road
to John Cumming's.
Re-appropriation.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five pounds granted in the year one thousand eight hundred and forty seven for the Road leading from the Fredericton Road to John Cumming's, in the Parish of Saint Andrews, to be re-appropriated for the same Road.

Oak Bay to Roix'.
Re-appropriation.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds granted last year for the Road from Waweig to Roix', and unexpended, to be re-appropriated for the Road from Oak Bay to Roix', and expended thereon this present year.

Money to be
expended under
the direction of
Commissioners
appointed by the
Governor in
Council.

Duty of Commis-
sioners in expend-
ing money.

II. And be it enacted, That the said several and respective sums of money and every part thereof, shall be expended under the direction of such Supervisors and Commissioners as His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, may be pleased to appoint, and shall be paid to the several and respective persons who shall actually work and labour in making, completing and repairing the said several Roads and Bridges, or in furnishing materials therefor, at the most reasonable rates that such labour and materials can be provided; and every Commissioner so to be appointed shall, as early in the season as may be, carefully examine the part of the Road where any sums of money are to be expended, and shall lay out and mark off such allotment or allotments as may conveniently be contracted for, in order that the making and repairing of the same may be let by auction to the lowest bidder; and in all such cases such Commissioners respectively are hereby required to put a sufficient number of notices, not less than ten days previous to such sale, in three or more of the public places in the neighbourhood where the work is to be done; which notice shall specify and describe the work to be performed, and also the place, day and hour when and where the same will be let by auction as aforesaid; and it shall further be the duty of such Commissioners respectively to attend personally at the time and place so appointed, and there to let out to the lowest bidder such allotment

of allotments, and at the same time to enter into written contracts for the faithful performance of the work, in time and manner set forth in such contracts; and in cases where the work required to be performed cannot be conveniently let at auction, it shall be the duty of said Commissioners to agree with fit and proper persons to perform the same by days labour; provided that in no case shall more than one quarter part of any grant be so expended; and the said Commissioners shall severally keep an exact account of such monies, and shall produce receipts in writing of the several and respective persons to whom any part of the said money shall be paid, as vouchers of such payments, and render an account thereof in duplicate, upon oath, (which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer,) one copy of which with vouchers to be transmitted to the Secretary's Office on or before the first day of December next, to be laid before the General Assembly at the next Session, and the other copy to be filed in the Office of the Clerk of the Peace in the respective Counties for public information.

Accounts to be rendered in duplicate.

III. And be it enacted, That the before-mentioned sums of money shall be paid by the Treasurer out of the monies in the Treasury, or as payments may be made at the same, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council.

Money to be paid by the Treasurer by Warrant.

IV. And be it enacted, That the said Commissioners intrusted 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 centum out of the said money so intrusted to them respectively, together with a reasonable compensation for actual labour and work performed by them on the said several Roads and Bridges.

Compensation to Commissioners.

V. And be it enacted, That the said Commissioners shall expend the said several and respective sums of money on the Road, on or before the first day of October: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending moneys after the first day of October, where it shall be necessary to expend the same for building Bridges, removing rocks, stumps, trees, or other obstructions.

Money to be expended on or before the first day of October.

VI. And be it enacted, That none of the before-mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first duly laid out and recorded.

No money to be expended on alterations not recorded.

VII. And be it enacted, That all persons who may be appointed Commissioners for the expenditure of money hereinbefore granted, and before entering upon the duties of his office, shall respectively enter into a Bond to Her Majesty, Her Heirs and Successors, to the satisfaction of the Executive Government, for the due performing his duty as such Commissioner, and the faithful expenditure of and due accounting for such monies as shall come into his hands as such Commissioner.

Commissioners to enter into Bonds for due performance of duties.

CAP. VII.

An Act to provide for the expenses incurred in the support, relief and maintenance of indigent, sick and distressed Emigrants and Orphans, who arrived in this Province during the past year.

Passed 30th March 1848.

6 **W**HEREAS in consequence of the impoverished and deplorable state in which the Emigrants left Great Britain and Ireland during the past year,

Preamble.

‘ year, and the unparalleled sickness, destitution and distress which have prevailed among them on their arrival in this Province, great and unusual expenses have been incurred in various parts of this Province for their relief and assistance ; and whereas Her Majesty’s Government stand pledged to make an equitable contribution from Imperial Funds towards the payment of such expenses, but in the mean time it is necessary to make immediate provision for the payment of such expenses ;’

£13,511 11 11
granted to repay
expenses incurred
in relieving
Emigrants.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be granted to the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirteen thousand five hundred and eleven pounds eleven shillings and eleven pence, for the payment of such expenses, to be appropriated as follows :—

A. Reed.

Alexander Reed, Keeper of the Light House on Partridge Island, compensation for damages on account of losses sustained in consequence of depredations committed upon his property on the Island by the numerous Emigrants there landed by order of the Public Authorities, the sum of fifty pounds.

J. Portmore.

James Portmore, for Lumber, &c. supplied Emigrants for flooring Tents and making Coffins in June, July and August last, while he was erecting a Pest House on Partridge Island, fifteen pounds.

Overseers of Poor,
Moncton.

The Overseers of the Poor for the Parish of Moncton, County of Westmorland, for expenses incurred in the support and relief of sick and distressed Emigrants the past year, thirty two pounds twelve shillings and five pence.

Rev. J. Quin.

The Reverend James Quin, Catholic Missionary at Saint John, for expenses incurred and for other services in daily and semi-weekly visits to the Emigrants on Partridge Island the past year, fifty pounds.

Overseers of Poor,
Caraquet.

The Overseers of the Poor, Parish of Caraquet, County of Gloucester, for necessaries supplied to sick and destitute Emigrants landed from a vessel called the Eliza Liddell, in July last, twenty nine pounds one shilling and two pence.

Overseers of Poor,
Studholm.

The Overseers of the Parish of Studholm, King’s County, to reimburse expenses incurred in the support and relief of the sick and distressed Emigrants in July last, six pounds seventeen shillings and six pence.

Justices of
Northumberland.

The Justices of the Peace for the County of Northumberland, to reimburse them the balance due expended in the support and relief of distressed Emigrants the present year, eight hundred and eighty five pounds four shillings and nine pence.

Dr. G. J. Harding.

George J. Harding, resident Health Officer on Partridge Island, for his services in attending upon sick, distressed and diseased Emigrants the past year, three hundred pounds.

Dr. Murphy.

Doctor Murphy, of Sackville, County of Westmorland, for his services in attending upon sick and distressed Emigrants in the year one thousand eight hundred and forty seven, seven pounds fifteen shillings and ten pence.

James M’Gowan.

James M’Gowan, who has been a confidential servant in charge of the sick for the last thirteen years on Partridge Island, extra allowance for himself and his Wife as one of the Nurses in the year one thousand eight hundred and forty seven, the sum of thirty pounds.

Overseers of Poor,
Saint George,

Overseers of the Poor of the Parish of Saint George, in the County of Charlotte, to reimburse expenses incurred in the support of sick, indigent and distressed Emigrants in the year one thousand eight hundred and forty seven, one hundred and nine pounds and ten pence.

Shediac,

Overseers of the Poor of the Parish of Shediac, County of Westmorland, to reimburse advances for a similar purpose, five pounds nine shillings and nine pence.

Saint Stephen,

Overseers of the Poor of the Parish of Saint Stephen, County of Charlotte, to reimburse

reimburse similar advances, twenty seven pounds seventeen shillings and five pence.

Overseers of the Poor of the Parish of Chatham, County of Northumberland, to reimburse similar advances, fourteen pounds eleven shillings and five pence. Chatham,

Overseers of the Poor of the Parish of Hampton, King's County, to reimburse similar advances, sixty seven pounds fourteen shillings and four pence. Hampton,

Overseers of the Poor of the Parish of Norton, King's County, to reimburse similar advances, fifty five pounds six shillings and one penny. Norton,

William Hamilton, of Dalhousie, County of Restigouche, to reimburse expenses for erecting a temporary Lazaretto by order of the Magistrates, and for the support of and Medical attendance on sick, distressed and indigent Emigrants the past year, one hundred and ten pounds three shillings and ten pence. W. Hamilton, Restigouche.

Overseers of the Poor of the Parish of Sheffield, County of Sunbury, to reimburse expenses incurred in the support and relief of sick and distressed Emigrants the past year, ten pounds seven shillings and eleven pence. Overseers of Poor, Sheffield.

Commissioners of the Alms House for the City and County of Saint John, to reimburse expenses incurred in the support and relief of sick and distressed Emigrants from the first day of December to the thirty first day of January, both inclusive, one thousand five hundred and forty three pounds nineteen shillings and six pence. Commissioners of Alms House, Saint John.

Doctor William Bayard for his professional services and attendance on the numerous Emigrants at the Alms House, three hundred pounds. Dr. W. Bayard.

Doctor Wetmore, for his services during the illness of Doctor Bayard with Typhus Fever of a most malignant character, seventy five pounds. Dr. Wetmore.

Doctor Paddock, for his services during the illness of Doctors Bayard and Wetmore with Typhus Fever until he himself took the disease, seventy five pounds. Dr. Paddock.

William Craig, Superintendent and Keeper of the Alms House, for his services and those of his Wife as Matron, one hundred and fifty pounds. W. Craig.

William O. Smith, a Commissioner of the Alms House, for purchasing and providing for the Alms House and Quarantine Establishment on Partridge Island, disbursing for the year nearly ten thousand pounds, on which no Commission was charged, and other services, three hundred pounds. W. O. Smith.

Mayor of Saint John to reimburse advances made to Emigrants, fifteen pounds; for Boat hire to the Medical attendants visiting Partridge Island, one pound; for payment for special services performed by members of the Quarantine Establishment, forty five pounds; for past services of a Messenger, sixteen pounds—seventy seven pounds. Mayor of St. John.

James Boyd for services rendered at Saint Andrews, in charge of sick and distressed Emigrants at that place, fifty pounds. J. Boyd.

Justices of the Peace of the County of Kent, to reimburse expenses incurred in the support and relief of a diseased Emigrant last year, five pounds four shillings and six pence. Justices of Kent.

Overseers of the Poor of the Parish of Burton, County of Sunbury, to reimburse expenses incurred in the support and relief of distressed Emigrants in the year one thousand eight hundred and forty seven, thirteen pounds and six pence. Overseers of Poor, Burton.

Doctor George L. Murphy, Assistant to the Health Officer on Partridge Island, balance due him, twenty five pounds. Dr. G. L. Murphy.

His Excellency the Lieutenant Governor, to provide for Warrants drawn on the Provincial Treasury over and above three thousand pounds voted at the last

Session for the support and relief of sick, distressed and indigent Emigrants,

viz:—

Reimbursement of advances over and above £3,000.

Commissioners

Commissioners of Alms House Saint John, at four different periods, two thousand six hundred and forty four pounds fifteen shillings and eight pence ;

Commissioners for Sheds for Emigrants, ninety six pounds seventeen shillings and one penny ;

Commissioners for relief of Orphan Emigrants, three hundred pounds ;

B. Wolhaupter, expenses of Emigrant Hospital, Fredericton, six hundred pounds ;
For Medical attendance and relief of sick Emigrants at Saint John, four hundred and sixty five pounds thirteen shillings and eight pence ;

Medical attendance of the late Doctor Frye, at Saint Andrews, one hundred and thirty pounds ;

S. T. Gove, Medical attendance at Saint Andrews, forty five pounds ;

Amounting in the whole to four thousand two hundred and eighty two pounds six shillings and five pence.

Expenses of
Emigrants in
Hospitals to first
May next.

To His Excellency the Lieutenant Governor, in order to provide for the expenses of indigent distressed Emigrants in the various Hospitals in this Province, arrived during the last year, until the first day of May next, from the first day of January in the year one thousand eight hundred and forty eight, three thousand five hundred pounds.

B. Wolhaupter,
Emigrant expenses
in Fredericton ;

Benjamin Wolhaupter, to reimburse balance of expenses incurred at Fredericton, in the County of York, for the support and relief of sick, distressed and indigent Emigrants, one thousand and forty eight pounds eight shillings and eleven pence.

Services.

Benjamin Wolhaupter for his services as Superintendent, eighty pounds.

Justices of
Gloucester.

Justices of the Peace of the County of Gloucester, to reimburse balance of expenses incurred at Bathurst and Shippegan for the support and relief of sick, distressed and indigent Emigrants, one hundred and thirty pounds eight shillings and ten pence.

Dr. Baldwin.

Doctor Baldwin, Medical attendance on Emigrants at Shippegan, forty nine pounds.

Amounting in the whole to the sum of thirteen thousand five hundred and eleven pounds eleven shillings and eleven pence.

All money contributed by Her Majesty's Imperial Government towards reimbursement, to be paid into the Treasury.

II. Provided always and be it enacted, That all monies which may be contributed by Her Majesty's Government from Imperial Funds towards the payment of the above expenses shall be paid into the Treasury of this Province towards reimbursing to the said Treasury the monies appropriated by this Act.

Money granted by this Act to be paid by Warrant.

III. And be it enacted, That all the before mentioned sums of money appropriated by this Act, shall be paid by the Treasurer of this Province, by Warrant of the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, out of any monies that may be in the Treasury, or as payment may be made to the same.

CAP. VIII.

An Act for the imposition of Duties on certain Goods imported under the Act of Parliament relating to the British Possessions abroad, and remaining in Warehouse from and after the first day of April next.

Preamble.

Passed 30th March 1848.

Imperial Act
9 & 10 V. c. 94.

WHEREAS by and under the authority of an Act of the Imperial Parliament made and passed in the ninth and tenth years of the Reign of Her present Majesty, intituled *An Act to enable the Legislatures of certain British Colonial Possessions to reduce or repeal certain Duties of Customs*, an Act of the General Assembly of this Province was made and passed in the tenth year of the

‘ the Reign of Her present Majesty, intituled *An Act to repeal the Duties imposed on* ^{10 V. c. 27} ⁸⁷
‘ *such articles imported into this Province under the Act of the Imperial Parliament*
‘ *made and passed in the eighth and ninth years of the Reign of Her present Majesty,*
‘ *intituled ‘ An Act to regulate the Trade of the British Possessions abroad;’* by which ^{8 & 9 V. c. 93.}
‘ said recited Act of Assembly all Duties heretofore payable at the Custom House
‘ upon articles of foreign production will cease and determine from and after
‘ the first day of April in this present year upon articles not previously imported :
‘ And whereas in consequence of the repeal of the Duties under the said Imperial
‘ Act to take place at the time aforesaid, doubts have arisen whether such Duties
‘ can be collected on such articles remaining in Warehouse from and after the
‘ first day of April next, although imported prior to the said first day of April,
‘ and chargeable with such Duties at the time of such importation, and it is just
‘ and reasonable that the like Duties as are and would have been payable in and
‘ by the said recited British Possessions Act on all articles of foreign production,
‘ had not the said recited Act of Assembly passed, should be imposed on all such
‘ articles of foreign production actually imported under the said recited British
‘ Possessions Act, and remaining in Warehouse from and after the said first day
‘ of April, and whereon the Provincial Duties shall have been previously paid, and
‘ that the same should be paid to or secured by and under the authority of the
‘ Treasurer of the Province, or Deputy Treasurer, at the same time and in the
‘ same manner as the Provincial Duties levied on the same articles are paid or
‘ secured; and it is also just and reasonable that on all such articles of foreign
‘ production so remaining in Warehouse from and after the said first day of
‘ April, but imported prior thereto, and whereon the Duties imposed by the said
‘ British Possessions Act have previously been paid at the Customs, a deduction
‘ of the amount of such Duties should be made from the Duties to which such
‘ articles will be liable on being taken out of Warehouse for home consumption
‘ under and by virtue of the Act passed at this present Session of the Assembly
‘ for raising a Revenue ;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all articles of foreign production imported under and by virtue of the Act of the Imperial Parliament made and passed in the eighth and ninth years of the Reign of Her present Majesty, intituled *An Act to regulate the Trade of the British Possessions abroad*, and remaining in Warehouse at the time when the Duties imposed by the said Imperial Act shall be repealed by virtue of a certain Act of Assembly made and passed in the tenth year of the Reign of Her present Majesty, intituled *An Act to repeal the Duties imposed on such articles imported into this Province under the Act of the Imperial Parliament made and passed in the eighth and ninth years of the Reign of Her present Majesty, intituled ‘ An Act to regulate the Trade of the British Possessions abroad,’* and whereon the Provincial Duties alone shall have been previously paid, shall be subject to such and the like Rates and Duties, and such and the like Rates and Duties are hereby imposed upon the same respectively as are imposed on the like articles, and are contained and particularly enumerated in the said British Possessions Act; provided that nothing in this Act mentioned shall be held or construed to extend to revive the imposition of Duties on any articles of foreign production enumerated in the said recited British Possessions Act, and imported from and after the first day of April next; and provided further, that no other Duties whatever shall be levied or collected on the said articles of foreign production so remaining in Warehouse as aforesaid under and by virtue of the Act made and passed in the present Session of the Assembly, intituled *An Act imposing Duties for raising a Revenue.*

Foreign articles imported under Imperial Act 8 & 9 V. c. 93, remaining in Warehouse after the repeal of the Duties and whereon the Provincial Duties have been paid, made liable to the Duties imposed by said Act 8 & 9. V. c. 93.

The said Foreign articles remaining in Warehouse after first April, 1848, to be taken possession of by the Treasurer, or seized if they be removed before securing the Duties.

II. And be it enacted, That all such articles of foreign production which shall so remain in Warehouse as aforesaid from and after the said first day of April next, and whereon the Provincial Duties alone shall have been paid as aforesaid, shall be taken possession of and detained by the said Treasurer of the Province, or Deputy Treasurer at the Port or District where the said may be Warehoused, or if removed therefrom before giving the security hereinafter mentioned, shall and may be seized and detained until the same shall be entered at the Treasurer or Deputy Treasurer's Office, and security given under the Act of Assembly made and passed in the present Session of the Assembly, intituled *An Act to provide for the collection and protection of the Revenue of this Province*, either for the payment of such Duty hereby imposed on taking the same out of the Warehouse, or for exportation, as the case may be, and shall be subject to the like provisions for enforcing such security, or payment of the Duties thereon hereby imposed, or upon seizure for proceeding thereupon in all respects as in the said recited Act last mentioned are prescribed.

Duties paid under the Imperial Act 8 & 9 V. c. 93, to be deducted from Duties to which the articles are liable under 11 V. c. 1.

III. And be it enacted, That on all such articles of foreign production so remaining in Warehouse from and after the first day of April next, but imported prior thereto, and whereon the Duties imposed by the said British Possessions Act have previously been paid at the Customs, it shall and may be lawful for the Treasurer or Deputy Treasurer where such articles may be, to deduct the amount of the Duties so paid at the said Customs, from the Duties to which such articles will be liable on being taken out of Warehouse for home consumption under and by virtue of the Act of Assembly made and passed in the present Session of the Assembly, intituled *An Act imposing Duties for raising a Revenue*.

CAP. IX.

An Act relating to the Trade between the British North American Possessions.

Passed 30th March 1848.

Preamble.

‘WHEREAS it is desirable that the Trade between the British North American Possessions of Canada, Nova Scotia, Prince Edward Island, Newfoundland, and New Brunswick, should be conducted in the most free and unrestricted manner;’

When articles of the growth, &c. of this Province are admitted Duty free into any of the specified British North American Possessions, a Proclamation to be issued admitting similar articles from the concurring Provinces, Duty free.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever from time to time the importation into any other of the British North American Provinces hereinbefore mentioned, of all articles, the growth, production or manufacture of this Province, (excepting Spirituous Liquors,) shall by Law be permitted free from Duty, His Excellency the Lieutenant Governor, by and with the advice of Her Majesty's Executive Council, shall forthwith cause a Proclamation to be inserted in the Royal Gazette, fixing a short day thereafter, on which the Duty on all articles, (excepting Spirituous Liquors,) being the growth, production, or manufacture of any such Province as aforesaid, (excepting Spirituous Liquors,) into which the importation of all articles, the growth, production or manufacture of this Province, shall be so permitted free from Duty, shall cease and determine; and from and after the day so limited and appointed, all such articles, the growth, produce or manufacture of any such Province, in such Proclamation to be named, (excepting Spirituous Liquors,) shall be admitted into this Province Duty free, upon such proof of origin and character as may from time to time be required in and by any Order of the Lieutenant Governor in Council.

II. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty nine. Limitation.

CAP. X.

An Act to regulate Vessels arriving from Europe with Emigrant Passengers.

Passed 30th March 1848.

WHEREAS large numbers of destitute and diseased Emigrants have recently been landed in this Province, and have become extremely burthensome, and have introduced disease among the inhabitants thereof: And whereas it has, in consequence, become necessary to make temporary regulations to mitigate and provide against such evils; therefore Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the master or person having charge of any ship or vessel which may arrive at any port or place in this Province from any port or place in Europe with Passengers and Emigrants, shall at the time of reporting such ship or vessel pay to the Treasurer of the Province, or any Deputy Treasurer at the port or place where such ship or vessel may arrive, the sum of ten shillings for each and every such Passenger and Emigrant, provided that such ship or vessel shall be reported to the Treasurer of the Province, or the Deputy Treasurer at the port or place of arrival, between the first day of April and the first day of September in any year; and if any ship or vessel with Passengers and Emigrants as aforesaid, shall be so reported as aforesaid, between the first day of September and the first day of October in any year, that then the master or person having charge of such ship or vessel shall at the time of reporting as aforesaid, pay to the Treasurer of the Province, or Deputy Treasurer as aforesaid, the sum of fifteen shillings for each and every such Passenger and Emigrant; and if any ship or vessel with Passengers and Emigrants, as aforesaid, shall be so reported as aforesaid, between the first day of October in any year, and the first day of April in the succeeding year, that then the master or person having charge of such ship or vessel, shall at the time of reporting as aforesaid, pay to the Treasurer of the Province, or Deputy Treasurer, as aforesaid, the sum of one pound for each and every such Passenger and Emigrant; all which several sums the said Treasurer and Deputy Treasurers respectively are hereby authorized and required to demand and receive. Ten shillings to be paid to the Treasurer on each Emigrant arriving in a vessel from Europe between first April and first September in each year;

And fifteen shillings if between first September and first October;

And twenty shillings between first October and first April.

II. And be it enacted, That if any ship or vessel arriving at any port or place in this Province from any port or place in Europe, with Passengers and Emigrants, shall be placed in quarantine on any other account than merely for the purpose of cleaning or observation, that then and in such case the master or person having charge of any such ship or vessel, at the time of reporting such ship or vessel, in addition to and over and above all or any other sum or sums required to be paid by this Act, shall pay to the Treasurer of the Province, or the Deputy Treasurer at the port or place where such ship or vessel may arrive, the further sum of five shillings for each and every Passenger and Emigrant on board such ship or vessel; and if any such ship or vessel, so placed in quarantine as aforesaid, shall be detained in such quarantine for any longer period than ten days, that then and in such case the master or person having charge of such ship or vessel, in addition to and over and above all or any other sum or sums required to be paid by this Act, shall pay to the Treasurer or Deputy Treasurer as aforesaid, the further sum of five shillings for each and every Passenger and Emigrant on board such ship or vessel; which said additional and further sum or sums the said Treasurer and Five shillings extra to be paid for each Emigrant if the vessel be placed in quarantine for more than cleaning and observation.

If vessel be detained there more than ten days, a further additional five shillings to be paid for each passenger.

Deputy

Deputy Treasurers respectively are also hereby authorized and required to demand and receive.

On refusal to pay,
Treasurer to
prosecute before
two Magistrates.

III. And be it enacted, That upon the refusal or neglect of the master or person having charge of any ship or vessel arriving with Passengers and Emigrants, as aforesaid, to pay the said several sum or sums for each and every Passenger and Emigrant on board such ship or vessel as aforesaid, it shall and may be lawful to and for the Treasurer of the Province, or Deputy Treasurer, as the case may be, to sue for and prosecute the same before any two of the Magistrates for the County, or City and County, where such ship or vessel may be; and on conviction, the said Magistrates shall and may levy the same by Warrant of Distress, under their hands and seals, directed to any Sheriff, Marshal, or Constable, at or near the place where the said ship or vessel may be, and by sale under the said Warrant of the guns, boats, anchors, chains, tackle, apparel and furniture of such ship or vessel; and the overplus (if any) of such Distress and Sale, after deducting the costs, shall be paid to the master or person having charge of such ship or vessel; and provided also, that no ship or vessel which may have arrived at any port or place in this Province with Passengers and Emigrants from Europe, as aforesaid, shall be cleared out or allowed to proceed to Sea, until all and every sum or sums of money due and payable for and on account of such Passengers and Emigrants, by virtue or authority of this Act, shall be first paid to the Treasurer of the Province, or the Deputy Treasurer at the port or place where such ship or vessel may have arrived.

✓ Act 2 W. 4. c. 36,
suspended.

IV. And be it enacted, That an Act made and passed in the second year of the Reign of His late Majesty William the Fourth, intituled *An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants*, shall be suspended in its operation during the continuance of this present Act, and no longer.

Limitation.

V. And be it enacted, That this Act shall be in force and continue in operation for the space of two years, and no longer.

CAP. XI.

An Act to increase the Duty imposed on Shipping entering the Bay or Harbour of Miramichi, for the support of Buoys and Beacons.

Passed 30th March 1848.

Preamble.

WHEREAS the Duty of one half penny per ton imposed upon all Vessels entering the Bay or Harbour of Miramichi, for the support of the Buoys and Beacons, has been found insufficient;

Duty of one penny
per ton on Vessels
entering the Bay of
Miramichi granted
for the support of
Buoys and Beacons

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be and is hereby granted to Her Majesty, Her Heirs and Successors, the sum of one penny per ton for each and every ton every Vessel shall admeasure per Register entering the Bay or Harbour of Miramichi, in the County of Northumberland, for defraying such expenses as may be incurred in erecting, building, rebuilding, replacing and supporting the Buoys and Beacons within the said Bay or Harbour.

✓ Act 10 & 11 G. 4,
c. 16, in part
repealed.

II. And be it enacted, That so much of an Act made and passed in the tenth and eleventh years of the Reign of His Majesty George the Fourth, intituled *An Act to repeal an Act, intituled 'An Act for the better security of the Navigation of certain Harbours in the County of Northumberland, and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent and Gloucester, as imposes a Duty of one half penny per ton on all Vessels entering the Bay or Harbour of Miramichi, be and the same is hereby repealed.*

CAP.

Vide 22^o Vic. Cap. 46 as to Chatham.

A.D. 1848.

11^o VICTORIAE.

C. 12.

Amended
by 12 vic
cap 7

Amended & continued
to 1 May 1856 by 14 vic cap 7

CAP. XII.

An Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John.

Passed 30th March 1848.

WHEREAS offences against life and property have of late greatly increased in the Parish of Portland, in the City and County of Saint John, and it is expedient to establish an efficient system of Police in the said Parish;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, to establish a Police Office in the said Parish, and to appoint thereto a Police Magistrate, who shall reside in the said Parish, and shall be ex-officio a Justice of the Peace in the said City and County of Saint John, and shall also be invested with all such other duties and powers as shall be hereinafter specified.

Authority given to establish a Police Office, and appoint a Police Magistrate, to be ex-officio a Justice of the Peace.

Amended by 13 vic cap 10 local act

II. And be it enacted, That every person to be appointed as Police Magistrate by virtue of this Act, shall, before he shall begin to execute the duties of his office, take and subscribe the following oath before one of the Judges of the Supreme Court of this Province:—

Police Magistrate to be sworn.

I, A. B., do swear, that I will faithfully, impartially, and honestly, according to the best of my skill and knowledge, execute all the powers and duties of a Police Magistrate and Justice of the Peace, under and by virtue of an Act passed in the eleventh year of the Reign of Her present Majesty, intituled *An Act for establishing and maintaining a Police Force in the Parish of Portland, in the City and County of Saint John.*

III. And be it enacted, That an annual salary of a sum not exceeding three hundred pounds shall be paid quarterly to such Police Magistrate out of the funds hereinafter provided.

Salary not to exceed £300.

IV. And be it enacted, That a sufficient number of fit and able men, not exceeding fifteen, shall from time to time be appointed by the said Police Magistrate, as a Police force for the said Parish of Portland, who shall be severally sworn in by such Police Magistrate, to act as Constables for the preserving the Peace, and the preventing all felonies, and apprehending offenders against the Peace; and the men so sworn shall, not only in the said Parish of Portland, but also generally within the City and County of Saint John, have all such powers, authorities, privileges, and advantages, and be liable to all such duties and responsibilities as any Constable, duly appointed, now has or hereafter may have, or is or may be liable to within his Constablewick, by virtue of the common Law, or any Statute or Act of Assembly made or to be made, and shall obey all such lawful commands as they or any of them may from time to time receive from the said Police Magistrate for conducting themselves in the execution of their office.

A Police force to be appointed by the Magistrate, to act as Constables.

Powers extended to the County.

V. And be it enacted, That the said Police Magistrate may, from time to time, subject to the approval of the Lieutenant Governor or Administrator of the Government for the time being, in Council, frame and establish such orders and regulations as he shall deem expedient, relative to the general government of the men to be appointed members of the Police force under this Act; the place of their residence; the classification, rank, and particular service of the several men; their distribution and inspection; the description of arms, accoutrements, and other necessaries to be furnished to them; and all such other orders and regulations relative to the said Police force, as the said Police Magistrate shall

Police Magistrate to establish regulations for the Police force, subject to approval of the Governor in Council.

from

May dismiss
Policemen.

from time to time deem expedient, for preventing neglect or abuse, and for rendering such force efficient in the performance of all its duties: and the said Magistrate may at any time dismiss or suspend from his employment any man belonging to the said Police force whom he shall think remiss or negligent in the discharge of his duty, or otherwise unfit for the same; and when any man shall be so dismissed, or cease to belong to the said Police force, all powers and privileges vested in him as a Constable of the said force, or otherwise, by virtue of this Act, shall immediately cease and determine.

Penalty on tavern
keepers, &c. for
harbouring Police-
men while they
ought to be on
duty.

VI. And be it enacted, That if any tavern keeper, victualler, or keeper of any house, shop, room, or other place for the sale of any liquors, whether spirituous or otherwise, shall knowingly harbour or entertain any man belonging to the said Police force, or permit any such man to abide or remain in his house, shop, room, or other place, during any part of the time appointed for his being on duty, every such tavern keeper, victualler, or keeper as aforesaid, being convicted thereof before the said Police Magistrate, shall for every such offence forfeit and pay such sum, not exceeding five pounds, as the said Magistrate shall think meet.

Policemen autho-
rized, without a
special Warrant, to
take into custody
disorderly and
suspected persons;

VII. And be it enacted, That it shall and may be lawful for any Constable belonging to the said Police force, during the time of his being on duty, to take into custody, without warrant, all loose, idle and disorderly persons whom he shall find disturbing the public peace, or whom he shall have just cause to suspect of having committed or being about to commit any felony, misdemeanour, or breach of the Peace; and all persons whom he shall find between the hours of one P. M. and five o'clock A. M., during the months of March, April, May, June, July, August, September, and October, or between the hours of seven o'clock P. M. and six o'clock A. M., during the months of November, December, January, and February, lying or lurking in any highway, yard, or other place, and not giving a satisfactory account of themselves; and also to take into custody without warrant as aforesaid, any person who in the Parish aforesaid shall be charged by any other person with committing any aggravated assault, in every case in which such Constable shall have good reason to believe that such assault has been committed, although not within view of such Constable, and that by reason of the recent commission of the offence, a warrant could not have been obtained for the apprehension of the offender, in order that such person may be secured until he can be brought before the said Police Magistrate to be dealt with according to Law.

also persons
accused of aggra-
vated assaults.

Penalty for neglect
of duty.

VIII. And be it enacted, That every Constable who shall be guilty of any neglect or violation of his duty in his office of Constable, shall be liable to a penalty of not more than ten pounds at the discretion of the said Police Magistrate, the amount of which penalty may be deducted from any salary then due to such offender; or in the discretion of the Magistrate, such offender may be imprisoned in the Common Gaol of the City and County of Saint John, for any time not more than one calendar month.

Policemen not to
resign office
without consent.

IX. And be it enacted, That no Constable belonging to the said Police force shall be at liberty to resign his office, or to withdraw himself from the duties thereof, unless expressly allowed to do so in writing by the said Police Magistrate, or unless he shall give to such Magistrate one calendar month's notice in writing of such his intention; and every Constable who shall so resign or withdraw himself without such leave or notice, shall be liable to forfeit all arrears of pay then due to him, or to a penalty of not more than five pounds, to be recovered as hereinafter provided.

X. And be it enacted, That if any person shall threaten, assault, or resist, wilfully mislead, give false information to, impede, interrupt, or otherwise attempt to prevent, interfere with, or deter any person belonging to the said Police force, in the execution of his duty, or shall aid or incite any person or persons to assault or resist, impede, prevent, interfere with, or deter as aforesaid, every such offender, being convicted thereof as hereinafter provided, shall for every such offence forfeit and pay a sum not exceeding twenty pounds.

Penalty for threatening, resisting, &c. a Policeman.

XI. And be it enacted, That any person who shall wilfully break or cause to be broken any lamp or lamps, window or windows, or who shall throw any stone, snow ball, or other missile, at any lamp or lamps, window or windows, in any public street, thoroughfare, alley, road or bye road, within the Portland Police District, established by this Act, shall be liable to a penalty of five pounds, to be recovered as hereinafter provided.

Penalty for wilfully breaking lamps, throwing stones, &c.

XII. And be it enacted, That no person belonging to the said Police force shall be at liberty to take or receive any fee, reward or compensation for doing or for abstaining from doing any act or thing done or performed or to be done or performed in his official capacity, (whatever it may be,) as attached to the said Police force; and any such person convicted of any such offence as aforesaid, shall forfeit any such fee, reward or compensation so received, and shall be liable to a penalty of not less than five pounds, to be recovered as hereinafter provided; and shall, at the discretion of the said Police Magistrate, be dismissed from his employment in such Police force, and be rendered incompetent to be attached to the same again: provided always, that this section be not construed to apply to any reward offered by public proclamation or by the public authorities for the apprehension of any offender or offenders.

Policemen not to receive rewards for doing or abstaining from duty.

Penalty.

Not to apply to public rewards.

XIII. And be it enacted, That every person shall be liable to a penalty of not more than forty shillings, who, within the limits of the Portland Police District, shall in any thoroughfare or public place commit any of the following offences, that is to say:—

Penalty for certain offences:

First.—Every person who shall discharge any gun, pistol, blunderbuss, or other species of fire arms of any nature or kind whatever, in any public street, thoroughfare, alley, road or bye road, or within two hundred feet of any public street, thoroughfare, alley, road or bye road:

Discharging fire arms;

Second.—Any person who shall make any bonfire, or set off any rocket, squib, cracker, or any other species of fire work in any public street, thoroughfare, alley, road or bye road, or within one hundred feet of any such public street, thoroughfare, alley, road or bye road:

Making bonfires, or setting off fire works;

Third.—Any person who shall throw snow balls, stones, dirt, or other missile, in or into any public street, thoroughfare, alley, road or bye road:

Throwing snow balls, &c.;

Fourth.—Any person who shall coast on a sled, or who shall make or use any slide upon ice or snow, down, through, in or along any public street, thoroughfare, alley, road or bye road:

Coasting on sleds, or making slides;

Fifth.—Any person who shall play at pitching coppers, or any other game or games of any nature or kind whatsoever, in any public street, thoroughfare, alley, road or bye road, to the annoyance or inconvenience of the persons passing along such street, thoroughfare, alley, road or bye road:

Pitching coppers, or playing games;

Sixth.—Any person who shall use any obscene or profane language, any violent cursing or swearing, or shall indecently expose his person or any part thereof, in any public street, thoroughfare, alley, road or bye road:

Using profane language, or making indecent exposures;

Seventh.—Any person, who shall, by insulting or abusive language or behaviour, taunting epithets, or threatening gestures, attempt to provoke another person to

Provoking to breaches of the Peace by insult;

commit

commit a breach of the Peace in any public street, thoroughfare, alley, road or bye road, or whereby a breach of the Peace may be occasioned :

Drunkenness, screaming, shouting, &c.;

Eighth.—Any person who shall be found drunk or feigning to be drunk, or making any loud bawling, yelling, screaming, singing, or shouting, in any public street, thoroughfare, alley, road or bye road :

Horses or cattle at large, dog fighting, &c.;

Ninth.—Every person who shall turn loose any horse or cattle, or suffer to be at large any unmuzzled ferocious dog, or set on or urge any dog or other animal to attack, worry or put in fear any person, horse or other animal :

Furious driving ;

Tenth.—Every person who shall ride or drive furiously, or so as to endanger the life or limb of any person, or to the common danger of the passengers in any thoroughfare, alley, street, road or bye road :

Trespassing on side walks ;

Eleventh.—Every person who shall lead or ride any horse or other animal, or draw or drive any cart or carriage, sled, truck, or barrow, upon any footway or curb stone, other than for the purpose of crossing the same, or fasten any horse or other animal so that it can stand across or upon any footway :

Posting Bills without consent, defacing buildings, &c. ;

Twelfth.—Every person who, without the consent of the owner or occupier, shall affix any posting bill or other paper against or upon any building, wall, fence, or pale, or shall inscribe or delineate any thing thereon with chalk or paint, or in any other way whatsoever, or wilfully break, destroy or damage any part of any such building, wall, fence, or pale, or any fixture or appendage thereunto, or any tree, shrub, or seat, in any public walk or garden, or shall write or draw any indecent or obscene word, figure, or representation, on any such building, wall, fence, pale, or any fixture or appendage thereunto :

Wanton ringing of door bells, &c. or extinguishing lights ;

Thirteenth.—Every person who shall wilfully and wantonly disturb any inhabitant, by pulling or ringing any door bell, or knocking at any door without lawful excuse, or who shall wilfully and unlawfully extinguish the light of any lamp :

Laying ashes, offal, or offensive matter, in thoroughfares ;

Fourteenth.—Every person who, in any public thoroughfare, shall throw or lay any dirt, litter, or ashes, or any carrion, fish, offal, or rubbish, or throw or cause any such thing to fall into any sewer, pipe, or drain, or into any well, stream, or water course, pond, or reservoir for water, or cause any offensive matter to run from any manufactory, brewery, slaughter house, butcher's shop, or dung hill, into any thoroughfare or any uncovered place, whether or not surrounded by a wall or fence ; but it shall not be deemed an offence, to lay sand, ashes, or other materials, in any thoroughfare, in time of frost, to prevent accidents, or litter or other materials to prevent the freezing of water in pipes, or in case of sickness to prevent noise, if the party laying any such things shall cause them to be removed as soon as the occasion for them shall cease :

Exceptions.

And it shall be lawful for any Constable belonging to the said Police force to take into custody without warrant any person who shall commit any of the foregoing offences within view of any such Constable.

Policemen may arrest such offenders without a warrant.

Policemen, on view or information, to arrest persons discharging fire arms from a house, &c. into a thoroughfare, searching the house for the offender, if necessary.

XIV. And be it enacted, That in all cases where a gun, pistol, or any species of fire arms of any nature or kind, is fired from any house, shed, or barn, into any public street, thoroughfare, alley, road or bye road, it shall and may be lawful for the Constable in whose view the same shall have taken place, or for any Constable to whom information thereof shall be communicated, forthwith to arrest the person or persons who fired said gun, pistol, or other fire arm, and if necessary, to enter into such dwelling house, barn, or shed, and search for the offender or offenders, and when discovered to take him or them into custody, and take him or them before the said Police Magistrate to answer for such offence ; and in case of conviction, the person or persons who fired the said gun, pistol, or other fire arm, shall be liable to a penalty of not less than five pounds.

Penalty on conviction.

XV. And be it enacted, That it shall be lawful for, and it shall be the duty of the said Police force, or any Constable thereof, to enter into any house or premises in which they or he may hear any fighting or quarrelling going on, and to endeavour to allay or repress the same, and failing so to do, to apprehend and take into custody the party or parties so fighting or quarrelling, and to carry him, her or them before the Police Magistrate, to be dealt with according to Law.

Policemen may enter houses to allay fighting, &c. and arrest the parties.

XVI. And be it enacted, That in the construction of this Act, unless there be something in the context repugnant thereto, any word denoting the singular number, or the male sex, shall be taken to extend to any number of persons or things, and to both sexes.

Construction of Act.

XVII. And be it enacted, That for every other offence against this Act, for which no special penalty is herein appointed, the offender shall, at the discretion of the Magistrate before whom the conviction shall take place, either be liable to a penalty of not more than five pounds, or be imprisoned for any time not more than two calendar months, in the Common Gaol of the City and County of Saint John, or the House of Correction in the said County.

Penalty or punishment in cases not specially provided for.

XVIII. And be it enacted, That nothing herein contained shall be construed to prevent any person from being indicted for any indictable offence made punishable on summary conviction by this Act, or to prevent any person from being liable under any other Act or Acts to any other or higher penalty or punishment than is provided for such offence or offences by this Act, so, nevertheless, that no person be punished twice for the same offence.

Act not to prevent indictments or liability to higher penalties under other Acts.

XIX. And be it enacted, That the Police Magistrate appointed under this Act, shall be empowered summarily to convict any person charged with any offence against this Act, on the oath of one or more witness or witnesses, or by his own confession, and to award the penalty or punishment herein provided for such offence.

Summary convictions by the Police Magistrate authorized.

XX. And be it enacted, That in every case, on the adjudication of a pecuniary penalty under this Act, and non-payment thereof, it shall be lawful for the Police Magistrate to commit the offender to the Common Gaol or House of Correction of the City and County of Saint John, or to the Penitentiary, for a term not more than two calendar months where the sum to be paid shall not exceed four pounds, the imprisonment to cease on payment of the sum due, and so on pro rata, of one month's imprisonment for every forty shillings fine, in the said Common Gaol, Penitentiary, or House of Correction, at the discretion of the Magistrate.

Commitment to Gaol, House of Correction, or Penitentiary, in cases of non-payment of fines, authorized.

XXI. And be it enacted, That the Police Magistrate shall attend at the Police Office every day, excepting Sundays, Christmas Day, Good Friday, and other Public Holidays, between the hours of ten of the clock in the forenoon, and three of the clock in the afternoon, and at all such other times as urgent necessity may require, to hear and dispose of the different complaints that may be brought before him; and shall keep a Book in which shall be entered a daily report of all complaints, convictions, penalties, imposts and other matters which may have been heard and determined before and by him, or made and imposed by him; and shall also keep a Book in which shall be regularly entered an account in detail of all sums of money, whether arising from fines, penalties, convictions, costs, or fees received or expended by the said Police Magistrate, in connection with or on account of the said Police establishment; both of which Books shall be submitted to the Justices in Sessions of the said City and County at each and every of their Quarterly Meetings, and shall be at all times subject to the inspection of the Lieutenant Governor of this Province or the Administrator of the Government for the time being, or such person as he may appoint to examine the same; and shall

Duty of Police Magistrate as to attendance at the Police Office:

Record of complaints, convictions, and accounts of moneys.

Books to be submitted to the Sessions at quarterly meetings, &c.

shall also be produced and exhibited by the said Magistrate, for inspection, for all purposes connected with the administration of Criminal Justice in the City and County of Saint John, on being duly and legally notified to that effect.

Police Magistrate's Warrants for appearance or apprehension may be executed in any County without endorsement.

XXII. And be it enacted, That every Warrant to compel the appearance of any person, or Warrant for the apprehension of any person charged with any offence, issued by the said Police Magistrate, in respect of any matter arising within the Police District, may be served or executed out of the said District in any County or place within the Province of New Brunswick, by the Constable or Constables to whom the same shall be directed, and shall have the same force and effect as if the same had been originally issued or subsequently endorsed by a Justice or Justices of the Peace having jurisdiction in the place where the same shall be served or executed.

Informations or complaints not involving crime, may be proceeded with in the absence of the party, on proof of service of Summons.

XXIII. And be it enacted, That upon any information or complaint to be laid or made before the said Police Magistrate, of any matter which such Magistrate is authorized to hear and determine summarily, the Magistrate may summon the party charged, and if such party shall not appear according to the tenor of the Summons, the said Magistrate, upon proof of the service of the Summons, may proceed in all cases which are not of a criminal nature, if no sufficient cause shall be shewn for the non-appearance of the party, to hear and determine the case in the absence of the party; and in all criminal cases shall issue his Warrant for apprehending and bringing such party before him or some other Magistrate, in order that the said information or complaint may be heard and determined.

Service of Summons to be by delivering a copy.

XXIV. And be it enacted, That every such Summons shall be served by delivering a copy thereof to the party summoned.

Warrant for apprehension may be issued without a previous Summons.

XXV. And be it enacted, That the said Police Magistrate may, without issuing any Summons, forthwith issue his Warrant for the apprehension of any person charged with any offence cognizable before him, whenever good grounds for so doing shall be stated on oath before him.

Subpœnas for appearance of witnesses may be issued & enforced.

XXVI. And be it enacted, That the said Police Magistrate may subpœna any witness to appear and give evidence before him upon the matter of any offence cognizable before the said Police Magistrate, with which any person shall be charged before him, at a time and place appointed for hearing the information or complaint, and by Warrant under his hand and seal may require any person to be brought before him who shall neglect or refuse to appear to give evidence at the time and place appointed in such Subpœna, proof upon oath being first given of personal service of the Summons upon the person against whom such Warrant shall be granted; and such Magistrate may commit any person coming or brought before him, who shall refuse to give evidence, to the Common Gaol of the City and County of Saint John, there to remain without bail or mainprize for any time not exceeding fourteen days, or until such person shall sooner submit himself to be examined; and in case of such submission, the Order of the said Police Magistrate shall be a sufficient Warrant for the discharge of such person.

Parties refusing to give evidence, may be committed.

False evidence before the Police Magistrate, deemed perjury.

XXVII. And be it enacted, That every person, who, upon any examination upon oath or affirmation before the said Police Magistrate, in any examination, investigation, trial or proceeding pending before him as such Police Magistrate, shall wilfully and corruptly give false evidence, or shall wilfully or corruptly swear or affirm any thing which shall be false, shall be liable to the penalties of wilful and corrupt perjury.

Costs on charges or complaints may be awarded, whether or not a Summons, &c. may have been issued.

XXVIII. And be it enacted, That it shall be lawful for any such Magistrate who shall hear and determine any charge or complaint, whether or not a Warrant or Summons shall have been issued in consequence of such charge or complaint,

to

to award such costs according to the Table of Fees to be established by the Lieutenant Governor or Administrator of the Government of this Province for the time being, in Council, for the purposes of this Act, as to them shall seem meet, to be paid to or by either of the parties to the said charge or complaint.

XXIX. 'And whereas informations are often laid for the mere sake of gain, or by parties not truly aggrieved, and the offences charged in such informations are not further prosecuted, or it appears, upon prosecution, that there was no sufficient ground for making the charge; Be it enacted, That in every case in which any information or complaint of any offence shall be laid or made before the said Police Magistrate, and shall not be further prosecuted, or in which, if further prosecuted, it shall appear to the Magistrate by whom the case shall be heard, that there was no sufficient ground for making the charge, the Magistrate shall have power to award such amends, not more than the sum of five pounds, to be paid by the informer to the party informed or complained against, for his loss of time and expenses in the matter, as to the Magistrate shall seem meet.

Amends may be awarded for groundless charges.

XXX. And be it enacted, That all offences committed within the limits of the Portland Police District, which under this Act are punishable on summary conviction before the said Police Magistrate, may be heard and determined by the said Magistrate, sitting at the Police Office, in a summary way, within six calendar months at the farthest next after the commission of any such offence, and not afterwards, whether or not any information in writing shall have been exhibited or taken before said Police Magistrate; and all such proceedings by Summons, without information in writing, shall be as valid and effectual as if an information in writing had been first exhibited in that behalf; provided always, that a note or memorandum in writing shall be made and kept in the Police Office, of the substance of every charge for which a Summons or Warrant shall be issued; provided also, that the Magistrate, if he shall think fit, may require an information in writing to be laid in every case in which it shall seem to him to be expedient, before the matter of the complaint or charge shall be brought before him; and the Magistrate shall examine into the matter of every complaint or charge brought before him, and if, upon the confession of the party accused, or on the oath of any one or more witnesses, the party accused shall be convicted of having committed the offence charged or complained of, the party so convicted shall pay such penalty as to the Magistrate shall seem fit, not exceeding the greatest penalty made payable in respect of such offence, together with the costs of conviction, to be ascertained by such Magistrate according to the Tables of Fees before mentioned.

Offences punishable on summary convictions under this Act, to be determined within six months.

Memorandum of substance of charges to be kept.

An examination of every complaint or charge to be made.

XXXI. And be it enacted, That all penalties, forfeitures, and other sums of money imposed, awarded, or ordered to be paid by any Police Magistrate appointed under the authority of this Act, and all sums of money which any person is bound to pay under any recognizance taken before the said Magistrate, under and by virtue of this Act, which recognizance shall be taken in the name of the Commissioners hereafter named, and afterwards forfeited in case of non-payment thereof, may be levied, with the costs of such proceedings on non-payment, by distress and sale of the goods and chattels of the offender or person liable to pay the same, by Warrant under the hand of such Magistrate; and the overplus (if any) of the money so raised or recovered, after discharging, with costs, the penalty, forfeiture, or sum ordered to be paid, shall be returned, on demand, to the party whose goods and chattels shall have been distrained; and in case any such penalty, forfeiture, or sum of money, shall not be forthwith paid, it shall be lawful for such Magistrate to order the party to be detained in safe custody, until

All moneys due on penalties or recognizances may be levied by Warrant of Distress.

Parties may be detained in custody until return to the

return

distress be made, unless security for appearance be given; and may be finally committed if sufficient distress be not found.

return can be conveniently made to such Warrant of Distress, unless such party shall give security to the satisfaction of the Magistrate for his appearance at such place and time, not being more than seven days from the time of such detention, as shall be appointed for the return of the Warrant of Distress; and the Magistrate is hereby empowered to take such security by way of recognizance or otherwise; but if, upon the return of such Warrant, it shall appear that no sufficient distress could be had whereupon to levy the said penalty, forfeiture, or sum of money, and the same shall not be forthwith paid, or in case it shall appear to the satisfaction of the Magistrate, upon the confession of the party or otherwise, that he has not sufficient goods and chattels whereupon such penalty, forfeiture or sum of money could be levied, if a Warrant of Distress should be issued, it shall be lawful for the Magistrate, by Warrant under his hand, to commit such party or parties, as is hereinbefore provided in the twentieth section of this Act.

Moneys received by the Police Magistrate for fees, penalties, &c. to be paid over monthly to the Treasurer of the Police District.

XXXII. And be it enacted, That all sums of money received by the said Police Magistrate for fees, fines, penalties, forfeitures, or costs incurred and paid under or by virtue of any of the provisions of this Act, shall be paid over by the said Police Magistrate on the first day of every month, (or in case the first should happen to be Sunday, or any Public Holiday, then on the first working day thereafter,) to the Treasurer of the Portland Police District to be appointed under this Act, to be by him kept or held, subject to the purposes and provisions of this Act.

Treasurer to receive the moneys from the Police Magistrate.

XXXIII. And be it enacted, That it shall be the duty of the said Treasurer to receive all such monies which may be so paid over to him by the said Magistrate under and by virtue of this Act, and to keep and retain the same, subject to the purposes and provisions of this Act.

Police Magistrate and Policemen exempted from Jury and Militia service.

XXXIV. And be it enacted, That the said Police Magistrate, and the Constables appointed under and by virtue of this Act, and connected with the said Police establishment, shall be exempt from serving on any Juries or Inquests whatsoever, and from serving in the Militia of this Province, or complying with the requisitions of the several Acts for regulating the Militia in this Province.

Informations and convictions to be in the forms in the Schedule.

XXXV. And be it enacted, That the forms of information and conviction used under and by virtue of this Act, shall be the forms contained in the Schedule appended to this Act, respectively marked A. and B., or as near thereto as the circumstances of each case will permit.

Proceedings not to be quashed for want of form or removed by certiorari.

XXXVI. And be it enacted, That no information, conviction, or other proceeding, before or by any such Police Magistrate, shall be quashed, or set aside, or adjudged void or insufficient for want of form, or be removed by certiorari into Her Majesty's Supreme Court, or any other Court of this Province.

Parties aggrieved by summary orders or convictions may appeal to the Supreme Court.

XXXVII. And be it enacted, That in every case of summary order or conviction before the said Police Magistrate, in which the sum or penalty adjudged to be paid shall be two pounds or upwards, or in which the penalty adjudged shall be imprisonment for any term more than one calendar month, any person who shall think himself aggrieved by such order or conviction, may appeal to the Supreme Court in banc, or to any Judge thereof; provided that such person, at the time of the order or conviction, or within forty eight hours thereafter, shall enter into a bond to the Commissioners hereafter named, in the sum of ten pounds, with two sufficient sureties, conditioned to try such appeal, and to abide the further judgment of the said Supreme Court, or of a Judge thereof, and to pay such costs as shall be by such last mentioned Court or Judge awarded; and it shall be the duty of the said Police Magistrate, upon being served with an order of the said Supreme Court, or of a Judge thereof, to transmit to such Court or to such

such Judge the original depositions taken by him on the said trial and conviction in the same state in which they were taken at the time, without alteration or addition; and the judgment of the said Supreme Court, or of such Judge thereof, shall be final and conclusive between and upon the parties, both as regards the conviction and also as to all costs arising or incurred in consequence of or by reason of such appeal.

XXXVIII. And be it enacted, That when any distress shall be made for any money to be levied by virtue of the Warrant of any such Police Magistrate, the distress shall not be deemed unlawful, nor shall any party making the same be deemed a trespasser on account of any defect or want of form in the information, Summons, Warrant of apprehension, conviction, Warrant of distress, or other proceeding relating thereto; nor shall such party be deemed a trespasser from the beginning, on account of any irregularity which shall be afterwards committed by him; but all persons aggrieved by such defect or irregularity, may recover full satisfaction for the special damage by an action on the case.

Distress not to be deemed unlawful, nor party making it a trespasser, on account of any want of form in the proceedings relating thereto.

XXXIX. And be it enacted, That no plaintiff shall recover in any action for any irregularity, trespass, or other wrongful proceeding made or committed in the execution of this Act, or in, under or by virtue of any power or authority hereby given, if tender of sufficient amends shall have been made by or on behalf of the party who shall have committed such irregularity, trespass, or other wrongful proceeding, before such action brought; and in case no tender shall have been made, it shall be lawful for the defendant, in any such action, by leave of the Court where such action shall depend, at any time before issue joined, to pay into Court such sum of money as he shall think fit, whereupon such proceeding, order and adjudication shall be had and made in and by such Court, as in other actions where defendants are allowed to pay money into Court.

Persons aggrieved may recover for special damage.

No plaintiff to recover in an action for wrongful proceedings, if tender of sufficient amends be made.

XL. And be it enacted, That no action, suit, or information, or any other proceeding of what nature or kind soever, shall be brought, commenced or prosecuted against any person for anything done or omitted to be done in pursuance of this Act, or in the execution of the powers or authorities under this Act, unless twenty days previous notice in writing shall be given by the party intending to commence and prosecute such suit, information or other proceeding, to the intended defendant, nor unless such action, suit, information or other proceedings shall be brought or commenced within three calendar months next after the act committed, or in case there shall be a continuation of damage, then within three calendar months next after the doing or committing such damage shall have ceased, or unless such action, suit or information shall be laid and brought in the City and County of Saint John.

No suit or other proceeding to be had for any thing done under this Act, unless twenty days previous notice of the suit be given, nor unless the suit be commenced within three months.

XLI. 'And whereas many offences against this Act may be committed by children of tender years, whom it would be impolitic to send or commit to a Penitentiary or House of Correction, and who might become useful members of society if properly brought up and preserved from the contamination of vicious associates; Be it therefore enacted, That in all cases where offences against this Act shall or may be committed by infants under the age of fourteen years, the fines imposed by reason of such offences, on the conviction of the offenders, shall be recoverable from the parents or parent of such child or children; and in case the child or children committing any such offence shall be an apprentice, servant, or orphan, or residing with any other person or persons than the parent or parents thereof, then and in every such case, the master, employer, guardian, or usual protector or harbourer of such child or children, shall be liable and subject to the payment of all such fines as may be imposed by reason of the offence

Parents of children, or the masters, &c. in the cases of apprentices, &c. to be liable to pay fines imposed on the children, &c. for offences.

The parents, masters, &c. to be summoned, and have liberty to defend.

or offences of such child or children; provided always, that before issuing any warrant or other proceedings against any such parent, master, employer, guardian, or other adult person, such parent or other person as aforesaid, shall be first duly summoned before the said Police Magistrate, and shall have the same rights and privileges of defending the case as if such parent or other person had personally committed the offence or offences charged against such child or children; provided also, that the exemption of such child or children from the pains and penalties of this Act, shall be at the discretion of the said Police Magistrate.

Police Commissioners authorized to establish a Lock-up House in the Police District.

XLII. 'And whereas there is no place of security for the confinement of offenders within the said Parish of Portland, and the removal to and from the County Gaol of persons committed for offences against this Act would often prove inconvenient, and tend greatly to the delay and hinderance of proceedings under this Act; for remedy thereof,' Be it enacted, That the Commissioners of Police to be appointed under and by virtue of this Act, be and they are hereby authorized and empowered to appoint and establish such building or place as to them may seem meet, to be a Lock-up House in and for the said Police District; and in case there should be no place or building within the said District sufficiently secure and fit for such purpose, then and in such case the said Commissioners are hereby authorized and empowered to contract and agree with able and sufficient workmen for building and finishing a Lock-up House in and for the said Police District, and to agree for such sum or sums of money, not exceeding in amount the sum of two hundred pounds, as to them may seem meet, in order to carry their object into effect; and the said Commissioners are hereby authorized and empowered to include the amount necessary for defraying the expense of erecting and finishing such Lock-up House, not exceeding the said sum of two hundred pounds, in the first assessment to be made by them for the purpose of the said Police establishment, as hereinafter provided.

Expenses to be included in the first assessment.

Lock-up House to be under the control of the Police Commissioners and Magistrate.

XLIII. And be it enacted, That the said Lock-up House shall be under the control and management of the said Commissioners of Police, and of the said Police Magistrate for the time being, and shall be to all intents and purposes a lawful place of committal and confinement of persons charged with offences against this Act during the time of proceeding; and until final judgment for such offence, at the discretion of the said Police Magistrate; provided always, that it shall and may be lawful for the High Sheriff of the City and County of Saint John, or for any other officer having legal custody of any person or persons, who shall or may be arrested within the said Parish of Portland for any criminal offence, or breach of the Peace, in all cases in which the said Sheriff or other officer could legally lodge the said person or persons in the Common Gaol of the said City and County, to commit such person or persons to the said Lock-up House, until such person or persons can be removed to the said Common Gaol; and further provided, that neither the said Commissioners of Police, nor the said Police Magistrate, nor any of them, shall be in any wise responsible for the safe custody of any person or persons so committed to the said Lock-up House or House of Correction by the said Sheriff or other officer, but such responsibility shall rest only on such Sheriff or other officer, except in case of the wilful default, neglect or other malfeasance of the Keeper of such Lock-up House.

High Sheriff of the County, and other officers, authorized to use it.

Responsibility of Police Commissioners and Magistrate.

Police Commissioners annually by the first of May to make an estimate of the expenses necessary for the current year.

XLIV. And be it enacted, That the Commissioners of Police to be appointed under and by virtue of this Act as hereinafter provided, shall on or before the first day of May in each and every year, make an estimate in writing of the amount or sum of money necessary and expedient to be raised and provided for defraying the expenses for the current year, of supporting and maintaining the said Police establishment;

establishment; such expenses being intended to include the salaries and allowances of and for the said Police Magistrate and Constables, and the Keeper of the said Lock-up House; the costs and charges of maintaining the Police Office, and its incidental expenditures; the allowances or payments to the Assessors and Collector hereinafter mentioned; and all the costs, charges and disbursements incidental to and necessary for the efficient maintenance and support of the said Police establishment and its appurtenances in general; and the said Commissioners shall file a copy of such estimate under their hands in the Office of the Clerk of the Peace of the City and County of Saint John; and forthwith after the making and filing of such estimate, the amount or sum named therein, not exceeding the sum of one thousand two hundred pounds in any one year, shall be assessed and levied upon the inhabitants of the said Police District, in the manner hereinafter provided.

Amount not exceeding £1200 to be assessed on the Police District.

XLV. And be it enacted, That it shall and may be lawful for the said Commissioners from time to time, and as often as may be necessary and requisite under the provisions of this Act, to nominate and appoint three discreet persons, being freeholders or reputable householders in the said Parish of Portland, to act as Assessors under this Act, who shall be sworn to the faithful discharge of such duty before the said Police Magistrate, or some other Justice of the Peace in and for the said City and County of Saint John; and it shall and may be lawful for the said Commissioners, by Warrant under their hands and seals, to direct and require the said Assessors to make a rate or assessment of the amount or sum estimated and determined by the said Commissioners in manner hereinbefore provided, in due proportion, upon the inhabitants of the said Parish of Portland, as hereinafter directed, that is to say: one fourth of the whole amount of such rate or assessment to be assessed and levied by an equal tax on the poll of every male inhabitant of the said District above the age of eighteen years; and the remaining three fourths of the whole amount of such rate or assessment to be assessed and levied, in due proportion, upon all real and personal estate situate and lying within the boundaries of the said Parish of Portland; which same rate and assessment to be made, shall be levied and collected by such person as the said Commissioners shall appoint to collect the same, in the same manner as Parish or County Rates are or may be levied and collected by virtue of any Act or Acts of Assembly in force within the said City and County of Saint John; and when recovered, shall be paid over by the said Collector to the Treasurer for the time being, of the Portland Police District, appointed under and by virtue of this Act, to be by him received, retained and applied for the purposes and under the provisions of this Act.

Commissioners to appoint Assessors, and direct them to make an assessment of the estimated expenses.

Assessment proportions.

To be levied as other rates, and paid to the Treasurer.

XLVI. And be it enacted, That it shall be the duty of the said Commissioners of Police, and they are hereby authorized and required to receive and retain, by their Treasurer appointed under and by virtue of this Act, all moneys and sums of money, rates and assessments, levied and collected under this Act, and also all moneys and sums of money, fees, costs, fines, forfeitures, penalties, and amerciaments, imposed, collected or received by the said Police Magistrate under this Act, and therefrom and therewith to pay, disburse, and discharge all and all manner of expenses, costs, charges, salaries, allowances, liabilities, and outgoings whatsoever, legally chargeable upon or incurred and payable for the support and maintenance of the said Police establishment, or in any wise justly arising or becoming due in carrying out the purposes and provisions of this Act; such payments to be made by the said Treasurer, on the order or orders in writing, under the hands of the said Commissioners, or any two of them; and the receipt of such

Police Commissioners to receive, by their Treasurer, all moneys, fees, fines, &c., and make the disbursements for salaries, &c.

Treasurer

Treasurer for any moneys, sum or sums of money paid into his hands under this Act, shall be a good and sufficient discharge to the person or persons paying the same.

Police Magistrate, when required, to enforce payment of Statute Labour fines and dues.

XLVII. 'And whereas it would tend greatly to the convenience and benefit of the public in the said Police District, if the said Police Magistrate were authorized and empowered to collect fines and dues from defaulters assessed for Statute Labour on the Public Roads in the said District;' Be it enacted, That it shall and may be lawful for the said Police Magistrate, and he is hereby authorized and required, whenever called upon for such purpose by the Assessors or any Collector of Taxes in the said Police District, to collect and enforce payment of all fines, dues, and impositions, incurred or payable by any person or persons residing in the said District, for default in performing such Road Work or Statute Labour as may have been lawfully assessed upon him or them, in the same manner and by the same process and authority as the same may or can be collected and enforced by any Justice or Justices of the Peace, under and by virtue of any Act or Acts of Assembly in that respect in force in the said City and County of Saint John, at the time of collecting or requiring payment of the same; and it shall be the duty of the said Police Magistrate to pay all moneys and sums of money as by him collected and received, on demand, into the hands of the person or persons entitled by Law to receive the same; and to pay all fees and costs charged and received by him on collecting the same, into the hands of the said Treasurer of the said Police District, in the same manner as all other fees and moneys are by this Act made payable by the said Magistrate to the said Treasurer; and such fees and costs shall be applied by the said Commissioners of Police in aid of the expenses and disbursements of the said Police establishment, and in reduction of the annual assessments for the support of the same.

Moneys collected to be paid to party entitled to receive the same;

Fees and costs to be paid to Treasurer of the Police District.

Treasurer to the Police Commissioners, and Collector of Rates, to give security.

XLVIII. And be it enacted, That any person appointed under this Act to be Treasurer to the said Commissioners of Police, shall, before taking upon himself or entering upon the duties of such office, enter into Bond to the said Commissioners and their successors, in the penal sum of five hundred pounds, together with two sufficient sureties, to be approved of by the said Commissioners, in the sum of two hundred and fifty pounds each, conditioned for the due and faithful performance of his duty as such Treasurer; and in like manner, any person appointed to be a Collector of any rates or assessments under this Act, shall enter into Bonds to the said Commissioners and their successors, in the sum of five hundred pounds, together with two sufficient sureties, to be approved of as aforesaid, in the sum of two hundred and fifty pounds each, for the due and faithful performance of his duty as such Collector.

Three Commissioners of Police to be appointed by the Governor in Council.

XLIX. And be it enacted, That it shall and may be lawful to and for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, from time to time to nominate and appoint, (and also to remove, re-appoint, and replace, as may be expedient,) three fit and proper persons, being freeholders, resident in the said Parish of Portland, to be Commissioners for the purpose of carrying out the provisions, and superintending the operation of this Act, who shall be styled "Commissioners of Police for the Parish of Portland;" which said Commissioners, before they enter on the performance of their duties under this Act, shall severally take and subscribe an oath or affirmation before any Justice of the Peace in and for the City and County of Saint John, faithfully to perform the trust and duties required of them by this Act.

L. And be it enacted, That it shall be the duty of the said Commissioners, and they are hereby authorized and required to exercise a general and efficient supervision, inspection and control of the fiscal and ordinary civil affairs and condition of the said Portland Police Establishment; to nominate and appoint, remove and discharge, the Treasurer of the said Police District, the Assessors and Collector for the said District, respectively, hereinbefore mentioned; and also all Clerks, Servants, Keepers, and subordinate Officers, (save and except Constables of the Police force, and Keeper of the Lock-up House,) who may be requisite for duly carrying on the business and affairs of the said Police establishment, and in their places to nominate and appoint other fit and proper persons in their place or places respectively, as occasion may require; to fix and determine the salaries, emoluments or allowances to be paid or allowed to the said Officers and Servants so by them appointed; to provide and furnish all such fuel, furniture, provisions, materials and things of every description whatsoever, as in their judgment may be necessary for the due and efficient maintenance and business of the said Police establishment, whether as it respects the Police Office, the Treasurer's Office, the Lock-up House, or otherwise; to receive, demand, recover and control all and all manner of moneys, payments, dues, emoluments and receipts whatsoever, arising or payable from or in respect of the said Police Office or Police Magistrate under and by virtue of this Act; and also all and all manner of moneys, rates and dues raised or to be raised by any assessment or assessments under this Act, and all other payments, dues, grants of mouey, gratuities, emoluments and perquisites whatsoever, which may at any time be given, granted, paid, or become due and payable from any source whatsoever, in respect of or for the benefit and purposes of the said Police establishment; and to disburse and expend such moneys in the payment of all and all manner of salaries, wages, debts, liabilities and expenses of every description whatsoever, which may at any time be justly due or payable in respect of or for any of the purposes of the said Police establishment, under and by virtue of this Act; and the said Commissioners shall cause a Record of all their proceedings and affairs to be duly kept in a Book to be provided for that purpose.

Duty of Police Commissioners:

Supervise the Police establishment,

Appoint Officers,

Fix salaries,

Provide provisions.

Control moneys.

Commissioners to keep a Record;

LI. And be it enacted, That the said Commissioners shall, annually, on or before the first Thursday in January in each and every year, cause a full, complete and perfect statement in detail, of the state and condition, affairs and transactions of the said Police establishment, and of every department thereof, throughout the year ending on the preceding thirty first day of December; and also a just and detailed account of all receipts and expenditures for and on account of the said Police establishment during such year; to be transmitted in triplicate to the Lieutenant Governor or Administrator of the Government for the time being, for the information of His Excellency and of the Legislature; which statements and accounts shall be verified by the oath of one of the said Commissioners at least, who shall swear that the same are correct and true according to the best of his knowledge and belief.

And annually transmit triplicate attested statements of affairs for the information of the Legislature.

LII. And be it enacted, That the said Portland Police District shall comprise and include all that part and portion of the said Parish of Portland bounded as follows, that is to say:—

Bounds of the Police District.

Commencing at the Aboideau at the Mouth of the Marsh Creek, where the City Line strikes the said Creek, thence northwesterly to the western end of Lily Lake; thence westerly to the Mills known as Mackay's Mills, on the River Saint John, above Indian Town; thence southerly along the eastern side of the River Saint John, and the Harbour of Saint John, to the City Line, at Simonds' Point, so called; thence easterly along the City Line to the place of beginning:

And

Jurisdiction of the Police Magistrate.

And the authority and jurisdiction of the said Police Magistrate shall extend to and be exercised over and in respect of all and all manner of offences, acts, matters and things comprised within the purview of this Act, and in any wise mentioned or intended in and by this Act, to be subject to the jurisdiction and control of the said Police Magistrate, and which shall be committed, done, happen or arise within the boundaries of the said Police District.

All suits affecting the Police establishment, to be instituted in the joint names of the Commissioners, and not to abate by reason of death, &c.

LIII. And be it enacted, That all suits, actions and proceedings, whether at law or in equity, for the recovery, maintenance or defence of any moneys, dues, debts, penalties, recognizances, liabilities, rights, privileges, claims or demands whatsoever, due or owing to, or claimed or demanded by or on account of, or in any wise affecting or concerning the said Police establishment, or the said Commissioners of Police, as such Commissioners, shall be brought, commenced, instituted and carried on in the joint names of the said Commissioners for the time being, notwithstanding the cause or causes of action, or ground or grounds of defence, may have arisen or accrued previously to the appointment of such Commissioners, or either of them; and no such action, suit, or proceeding at Law, brought by the said Commissioners, shall abate by reason of the death, removal or appointment of any such Commissioner after the commencement thereof; but in case of such death, removal or appointment, the fact shall be suggested on the Record, and the name of any new Commissioner so appointed shall be substituted on the Record in place of the name of the Commissioner so deceased or removed.

Keeper of the Lock-up House to be appointed by the Police Magistrate.

LIV. And be it enacted, That it shall and may be lawful for any Police Magistrate appointed under this Act to nominate and appoint a fit and proper person to be the Keeper of the Lock-up House for the said Police District, and such Keeper to remove, discharge, replace or re-appoint at the discretion of the said Police Magistrate, and as circumstances may reasonably require; and it shall and may be lawful for the said Commissioners of Police, or any two of them, together with the said Police Magistrate, to make and establish rules and regulations for the government of the said Lock-up House, and for the guidance of the Keeper thereof; printed copies of which rules and regulations shall be posted up, and at all times kept visible in some conspicuous places in the said Lock-up House, for the information of the said Keeper and of all persons confined therein.

Police Commissioners and Magistrate to make rules for Lock-up House which are to be posted up.

Parties aggrieved by assessments may appeal to the Mayor or Recorder of the City of Saint John.

LV. And be it enacted, That if any person rated or assessed under this Act shall think himself aggrieved by any rate or assessment at any time made as hereinbefore provided, it shall and may be lawful for such person, within the space of five days after the sum so rated and assessed shall be demanded in writing, to appeal to the Mayor or Recorder of the City of Saint John, whose decision shall be final and conclusive; and the filing of a memorandum in writing of such appeal in the said Police Office, within the said five days, shall suspend all further proceedings for the recovery of the sum so assessed, until such appeal be decided.

Limitation.

LVI. And be it 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 fifty one.

SCHEDULE OF FORMS TO BE USED UNDER THIS ACT.

Form of Information.

A.—Form of Information.

Portland Police District, to-wit. } Be it remembered, that A. B. of —, in the County of —, cometh on the — day of — in the year of our Lord one thousand eight hundred and —, before me, C. D., Police Magistrate

Magistrate of the Portland Police District, sitting at the Police Office within the said District, and giveth me to understand and be informed that E. F. hath been guilty of [*here describe the offence.*]

B.—*Form of Conviction.*

Portland Police District, } Be it remembered, that on the — day of — in the year of
 to-wit. } our Lord one thousand eight hundred and —, E. F. is brought
 before me, C. D., Police Magistrate of the Portland Police District, sitting at the Police Office within the said District, and is charged before me with having [*here describe the offence*]: and it appearing to me, upon the confession of the said E. F., [*or upon the oath of a credible witness, as the case may be,*] that the said E. F. is guilty of the said offence, I do therefore adjudge the said E. F. [*here insert the adjudication.*] Given under my hand the day and year first above written.

Form of Conviction.

C. D., *Police Magistrate.*

TABLE OF FEES

Table of Fees.

To be charged and taken by the Police Magistrate under this Act.

For every Summons or Subpcena,	£0 1 0
For every Warrant, (except Warrants of Distress,)	0 1 6
For backing a Warrant,	0 0 6
For every recognizance to appear before the Police Magistrate or to take Trial,	0 2 0
For every recognizance to keep the Peace, or to be of good behaviour,	0 3 6
For every Supersedeas,	0 1 0
For every Warrant of Distress,	0 2 0
For every Affidavit,	0 1 0
For every Folio,	0 1 0
And every Folio over one hundred words,	0 0 6
For every copy of Summons or Subpcena,	0 0 6
For every Trial and Conviction,	0 3 6
For examining each Witness,	0 0 6
For copy of proceedings furnished to any party requiring the same, for every Folio,	0 0 6
For transmitting proceedings to Judge on Appeal,	0 5 0
For Bond on Appeal,	0 2 6

CAP. XIII.

An Act more effectually to provide for the support of a Nightly Watch and Day Police in that part of the City of Saint John lying on the eastern side of the Harbour of Saint John, and for lighting the same, as also for other purposes.

Passed 30th March 1848.

‘**W**HEREAS the establishment of a Nightly Watch and Day Police, the lighting of the Streets, and the appointment of Scavengers in and for that part of the City of Saint John lying on the eastern side of the Harbour, are of very great importance, and necessary for the preserving of the peace and good order in the said City;’

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for the Mayor, Aldermen and Commonalty of the said City, in Common Council

City Corporation authorized to appoint Watchmen and Policemen for the eastern side of

See 13 60
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Cap 13 local Act
25

the Harbour, and appoint their arms, duties, &c.

Also Scavengers, and direct them in their duties.

To employ Lamp-lighters, and take measures for lighting the City.

To raise money for paying the Watchmen and Policemen.

Corporation authorized to determine annually between 1st April and 1st May, the amount to be raised, and direct the Assessors hereinafter named to assess.

Assessment proportions.

Interpretation of Act.

Real Estate.
Real Property.

Personal Estate.
Personal Property.

For the purposes of assessment mortgagor to be deemed the owner.

Council convened, from time to time to order and appoint such number of Watchmen and Policemen as they shall judge necessary and proper to be employed in that part of the City lying on the eastern side of the Harbour, and to direct how they shall be armed, dressed and appointed, and what wages shall be paid to them, and generally direct them in the performance of their duty as such Watchmen and Policemen; and shall also appoint such number of Scavengers as they shall judge necessary and proper to be employed on the eastern side of the Harbour, in the said City, and to direct them in their duties in maintaining cleanliness and good order in the Streets of the said City, and what wages shall be given to such Scavengers; and that the said Mayor, Aldermen and Commonalty, in Common Council convened, shall and may make all such other orders and regulations for the ordering of the said Watchmen, Policemen, and Scavengers, as the nature of each particular service may require.

II. And be it enacted, That the Mayor, Aldermen and Commonalty of the said City, in Common Council convened, shall and may, and they are hereby authorized to make agreements, employ Lamplighters, and adopt such other measures as may be necessary for the lighting of that part of the said City on the eastern side of the Harbour, and for the raising and levying the money for paying the said Watchmen, and Policemen, and Scavengers, and for lighting that part of the said City as aforesaid, and other charges incident thereto.

III. Be it enacted, That the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, may and they are hereby authorized and empowered once in every year between the first day of April and the first day of May in every year, to determine and direct what sum of money shall be raised and levied in that part of the City lying on the eastern side of the Harbour, and the inhabitants thereof, for the purposes of this Act, and to direct, by Warrant under their Common Seal, the Assessors hereinafter named, to make a rate and assessment in the manner hereinafter provided of such sums; and that the said sums of money shall be assessed, levied and raised by an equal rate upon the poll of all male inhabitants of the said part of the said City lying on the eastern side of the Harbour, of the age of twenty one years and upwards, not being paupers, and by a rate in just and equal proportion upon the real property situate within the said part of the said City, lying on the eastern side of the Harbour, and upon the personal property and incomes of the inhabitants thereof, according to the best knowledge and discretion of the Assessors hereinafter named, and subject to the provisions and regulations hereinafter mentioned, and that one fourth part of the whole of such rate, for any one year, shall be assessed, levied and raised by a Poll rate.

IV. And be it enacted, That in the interpretation of this Act, the terms "Real Estate" and "Real Property" shall be construed to include land and any buildings and other things erected on or affixed to land; and the terms "Personal Estate" and "Personal Property" shall be construed to include all goods, chattels, monies, and effects, and all debts due from solvent debtors, whether on account, contract, promissory note, bond, or mortgage, and all public stocks or securities, and all stocks or shares in Joint Stock Banking or Insurance Corporations or Companies.

V. And be it enacted, That in cases of mortgaged real estate the mortgagor shall for the purposes of assessment be deemed to be the owner until the mortgagee shall have taken possession, after which the mortgagee shall be deemed to be the owner.

VI. And be it enacted, That it shall be the duty of the Common Clerk of the said City, to make out such Warrants as aforesaid, and within fourteen days after the order of assessment to transmit such Warrants to the Assessors appointed under this Act, under the penalty of ten pounds for every neglect; and that it shall be the duty of the Assessors without delay after receiving their Warrants of assessment as herein directed, to meet at an appointed time and place to be agreed upon, and they, or the major part of them, shall make out a List with columns therein; the first or left hand column to contain the names of such persons as are ratable within the eastern part of the City, both resident and non-resident; the second to contain the amount of Poll Tax to be paid by each inhabitant liable to pay a Poll Tax under this Act; the third column to contain the amount of real property within the eastern part of the City owned by each inhabitant; the fourth column to contain the amount of the personal property of each inhabitant; the fifth column to contain the value of the real estate of non-residents; the sixth column to contain the annual income of such male inhabitants of the eastern part of the City, as may derive income from any place, profession or employment within this Province, not being from real or personal property; the seventh column to contain twenty per cent. of the before mentioned value of real and personal estates; the eighth column to contain the said sums so reduced to twenty per cent., and the said sums of annual income; and when any inhabitant has both annual income and twenty per centum of the value of property set opposite his name in the said sixth and seventh columns, such sums shall be added together and set in the eighth column; and the amount so to be raised and assessed, after deducting the whole amount of Poll Tax therefrom, shall be apportioned among the several persons so named, in exact proportion to the sums in the eighth column set opposite to their respective names; the ninth and last column shall contain the several sums so apportioned, with the addition of the Poll Tax of each person liable to pay Poll Tax, and shall be denominated "Total Assessment;" the same to be in the form following, that is to say:—

Common Clerk to transmit Warrants.

Assessors to make out Assessment Lists in forms prescribed.

' Assessment of that part of the City of Saint John lying on the eastern side of the Harbour, in the City and County of Saint John, in pursuance of a Warrant of the Common Council of the said City, to levy the sum of ——— for the support of Watch, Lamps, Police and Scavengers.

' Dated the ——— day of ———, A. D. 18 — .

Names of Persons.	Poll Tax.	Real Estate of Inhabitants.	Personal Estate of Inhabitants.	Real Estate of Non-residents.	Annual Income.	Twenty per cent. of value of Property.	Amount to be Taxed.	Total Assessment.
A. B.	0 1 4	200 0 0	100 0 0	0 0 0	0 0 0	60 0 0	60 0 0	£1 5 4
C. D.	0 1 4	300 0 0	100 0 0	0 0 0	50 0 0	80 0 0	130 0 0	2 13 4
E. F.	0 1 4	0 0 0	0 0 0	200 0 0	0 0 0	40 0 0	40 0 0	0 16 0
G. H.	0 1 4	0 0 0	0 0 0	0 0 0	20 0 0	0 0 0	20 0 0	0 9 4
I. K.	0 1 4	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 1 4

And the said Assessors shall within sixty days deliver to the Collector of Rates within the said City, Lists made out in form aforesaid, and containing the names of all persons rated within the eastern part of the said City to which the said Collector may have been appointed, such List being signed by the said respective Assessors, and having endorsed thereon a Precept under their hands, in the form following, that is to say:—

Assessors within 60 days to deliver to the Collectors of Rates, Collector Lists duly signed, and having a Precept endorsed.

' To A. B., Collector of Rates within the City of Saint John, or to any other Collector of Rates in the City of Saint John.

Form.

' You

‘ You are hereby required forthwith to collect from the several persons named in the annexed assessment, the sums set against their names respectively, under the last column thereof, intituled “ Total Assessment,” amounting in the whole to the sum of —, and to pay the same when collected into the hands of the Chamberlain or Treasurer of the said City. Given under our hands the — day of —, in the year of our Lord one thousand eight hundred and —.’

Duplicate Assessments to be transmitted to the Common Clerk.

And further it shall be the duty of the said Assessors to make out a duplicate of all and every of their respective assessments, and to transmit the same, together with the Warrant of Assessment, within ten days after the assessment is completed, to the Common Clerk of the said City, to be filed of record ; and if any Assessor shall neglect or omit to perform the duty herein required of him, he shall be liable to the penalty of ten pounds.

Assessors to rate parties according to such attested statements of property and incomes as may be furnished them.

VII. And be it enacted, That if any person liable to be assessed as an inhabitant of the eastern part of the said City, shall at any time before the Assessors shall have completed their assessment, furnish such Assessors with an account in writing of his real property, situate within the eastern part of the said City, and of his personal property and income, and shall specify in such account the value of such real property, and the amount of his income, and the amount of his personal property, according to the specification of personal property in the fourth section of this Act, after deducting therefrom the just debts which he may owe to other persons, and shall have made oath before a Justice of the Peace that such account is just and true, and that the value and amount of such real and personal property and income, respectively, do not exceed the sum specified in such account, it shall be the duty of the Assessors to value such real and personal property and income at the sums respectively specified in such account, and no more ; and in like manner, if any person liable to be assessed as a non-resident owner of property lying in the said part of the said City on the eastern side of the Harbour, shall furnish the Assessors with a like account of any real property, or the agent of such person so liable to be assessed as a non-resident owner shall furnish the Assessors with a like account of such real property, and shall have made oath that the value thereof does not exceed the sum specified in the account, it shall be the duty of the Assessors to value such real property at the sum specified in such account, and no more.

Assessors to give public notice of the receipt of the Assessment Warrant.

VIII. ‘ And in order that there may be sufficient opportunity for persons liable to assessment under this Act, to furnish the Assessors with statements of their property and income, if they shall think fit ;’ Be it enacted, That the Assessors, forthwith, after receiving any Warrant of Assessment, shall cause public notice thereof to be given, by posting up notices in at least ten of the most public places on the eastern side of the Harbour within the said City, and also by publishing such notice in one or more of the City newspapers.

Collection of assessments on non-residents on the eastern side of the Harbour, but who reside in the County, to be made as from inhabitants of the City.

IX. And be it enacted, That when the owner of any real property on the eastern side of the Harbour assessed as the estate of a non-resident shall reside within the City and County of which such City forms a part, the Collector of Taxes for the said City shall proceed to collect and recover the rate or assessment from such owner in the manner hereinafter directed for collecting and recovering rates from any inhabitants of the said City.

Collection of assessments on non-residents in the County may be by action in the name of the Collector ;

X. And be it enacted, That when the owner of any real property situate on the eastern side of the Harbour assessed under this Act as the estate of a non-resident shall not reside within the City and County of which the said City forms a part, the Collector of Taxes may sue for the rate or assessment in an action of debt or assumpsit in any Court having jurisdiction to the amount thereof,

thereof, in his own name, in like manner as for his own proper debt; and in such action an extract from the assessment, shewing the rate or assessment of the person so sued, certified by the Common Clerk with whom the assessment is filed, shall be conclusive evidence of such rate or assessment; or such Collector may proceed to obtain payment of the rate or assessment of such non-resident in the following manner, that is to say: if such non-resident owner, or some one on his behalf, doth not appear to pay such rate or assessment, the Collector shall as soon as may be, cause public notice to be given of such rate and assessment, by advertisement in one public newspaper published in the said City, or in the Royal Gazette, published by the Queen's Printer; which advertisement shall be continued for three months, unless some person shall within that time appear and pay to the Collector such rate or assessment, and the charges of advertising the same; and in case no person shall so appear within that time and pay such rate or assessment, it shall and may be lawful for any two Justices of the Peace in the said City, on the application of such Collector, by Warrant under their hands and seals, to order the Sheriff of the said City, or City and County, to sell at public auction to the highest bidder, (first giving thirty days notice of such sale in the manner before mentioned,) so much of the said real property as may in his judgment be sufficient to pay such rate or assessment, with all the costs and charges attending the recovery of the same, retaining the overplus, if any, for the use of such owner; and the said Sheriff is hereby empowered and directed to execute a deed to the purchaser thereof, his heirs and assigns, and to deliver seizin and possession of the same to such purchaser.

of sale, on default of payment after advertisement for three months.

Sheriff empowered to execute a Deed.

XI. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to render liable to taxation the real or personal property of the Corporation of the City of Saint John, or of any religious, literary, or charitable Corporation, Society or Institution, or of any Joint Stock Banking or Insurance Corporation or Company.

Exemptions from taxation.

XII. And be it enacted, That the real and personal property of all Joint Stock Corporations (Banking and Insurance Corporations excepted), shall be liable to taxation under this Act in like manner as the real and personal property of individuals; and for the purpose of taxation under this Act, the President or any Agent or Manager of any such Joint Stock Corporation, shall be deemed to be the owner of the real and personal property of such Corporation, and shall be dealt with and may be proceeded against accordingly; and the principal place of carrying on the business and operations of any such Corporations, shall be deemed to be the place of inhabitancy of such Corporation; provided always, that such President, Agent or Manager, shall in regard to the real and personal property of such Corporation, be taxed separately and distinctly from any other tax or assessment to which he may be liable, and may charge against and recover from such Corporation the amount of any tax or assessment which he may have been required to pay on account of such Corporation under the provisions of this Act.

Property of Joint Stock Corporations (Banking and Insurance Corporations excepted) made liable to taxation.

XIII. And be it enacted, That the said rate and assessment so to be made shall be collected by a Collector to be by the said Mayor, Aldermen and Commonalty of the said City from time to time appointed for that purpose; and that it shall be the duty of such Collector without delay after receipt of such assessment and precept to demand the several sums contained in the said list of the several persons therein named, and shall, if required, give a written statement of the several amounts assessed on each person.

Assessments to be collected by a Collector appointed by the City Corporation.

XIV. And be it enacted, That if any person residing within the City and County of Saint John, assessed within the said City under this Act, shall refuse

Written statements to be given if required.

On default in payment for ten days, Collector to apply

or

to any Justice, who, on oath of the defendant, is to issue an execution.

or neglect to pay the amount of his or her assessment by the space of ten days next after such demand as aforesaid, then and in such case it shall be the duty of the Collector of Taxes to make application to any Justice, which Justice is hereby required, upon complaint made to him under oath by such Collector, that the amount assessed upon any person has not been paid as aforesaid, and that demands had been made as aforesaid, to issue a Warrant of Distress and Execution against the party complained of, in the form following :—

‘ City of Saint John, ss :

‘ To any Constable of the City of Saint John.

‘ You are hereby required to levy of the goods and chattels of A. B. within this City —, which sum has been assessed upon —, and also — costs, amounting in the whole to —, besides costs of levying this execution, and have the money before me at my office on the — day of —, to be rendered to C. D., Collector of Taxes for the City of Saint John; for want of goods and chattels whereon to levy, you will take the body of the said A. B., and deliver to the Keeper of the Gaol of the said City and County, and the Keeper will take the said A. B., and him safely keep for — days, unless the said — and costs be sooner paid: and how you have executed this Precept, make return to me at the day and place aforesaid. Given under my hand this — day of —, one thousand eight hundred and —.

‘ E. F., Justice of the Peace

‘ for the City and County of Saint John.’

Constable forthwith to levy as directed by 4 W. 4, c. 17.

Imprisonment not to exceed the rate of one day for each two shillings due.

Execution to remain good against property.

Fees to be taken by Justices;

by Constables.

Parties aggrieved may appeal to the Common Council.

And the Constable to whom any execution as aforesaid shall be delivered, shall forthwith proceed to levy the same in the same manner as is provided for the levying executions in an Act made and passed in the fourth year of the Reign of King William the Fourth, intituled *An Act to regulate proceedings before Justices of the Peace in Civil Suits*; provided always, that no person so committed to Gaol shall be liable to be detained more than one day for every two shillings of the amount assessed, and costs required by such execution to be levied, or more than fifty days in the whole, if the amount exceed five pounds; and every person so committed shall be entitled to his discharge at the expiration of such time; and provided further, that notwithstanding the discharge of the defendant as aforesaid, the judgment upon which such execution issued shall remain good against the property of the defendant, and a new execution may be issued against his property in like manner as if he had not been imprisoned.

XV. And be it enacted, That the Fees to be taken by Justices of the Peace shall be as follows :—

For every Affidavit of Collector, including the oath, one shilling;

For every Warrant of Distress, &c., nine pence;

And the Fees to Constables for serving each and every Warrant of Distress and Sale, the same as are now allowed to Constables under the Act to regulate proceedings before Justices in Civil Suits.

XVI. Provided always, and it is hereby enacted, That in case any person or persons shall think him, her or themselves aggrieved by any rate and assessment to be made as aforesaid, it shall and may be lawful for them respectively within the space of five days after the sum so rated and assessed shall be demanded, to appeal to the Common Council of the said City, whose decision shall be final and conclusive, and that a memorandum in writing of such appeal, filed in the Common Clerk's Office within the said time, shall suspend further proceedings until such decision shall be had.

XVII.

XVII. Provided always, and be it enacted, That in case there should be any deficiency in any one year's assessment so to be made as aforesaid, so that the wages and allowance to Watchmen, Policemen, Lamplighters, and Scavengers, and the expense of lighting the eastern side of the said City, and evèry other incidental charge, cannot be fully satisfied, paid and discharged that year, such deficiency shall be made up in and paid out of the next succeeding year's rate and assessment; and if there shall happen to be any overplus money collected by such rate or assessment as aforesaid in any one year, such overplus shall be carried on to the credit of the account of the next year's rate and assessment, and shall be applied for such uses and in such manner as the rates and assessments collected are by this Act directed to be laid out and applied, and to no other use or purpose whatsoever.

Any deficiency in one year's assessment to be made up in the next.

Any surplus to be carried to the account of next year's assessment.

XVIII. And be it enacted, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the City of Saint John, to appoint annually three discreet persons, being freemen of the said City, to act as Assessors under this Act, who shall be sworn to the faithful discharge of such duty before the Mayor or Recorder of the said City; and any person so appointed, who shall neglect or refuse to accept the said appointment, or to become qualified, or having become qualified shall refuse to perform his duty, shall for each and every neglect or refusal, forfeit and pay the sum of five pounds, to be recovered on conviction before the Mayor or Recorder of the said City, and levied by distress and sale of the goods and chattels of the offender, by Warrant under the hand and seal of the said Mayor or Recorder, and paid into the hands of the Chamberlain of the said City, to be applied for such uses and in such manner as the rates and assessments collected under this Law, and for no other use whatsoever; and the said Mayor, Aldermen and Commonalty of the said City may appoint some other person or persons, being freemen, in the place or places of any person or persons refusing to act or to become qualified as required by this Act, so often as such shall be the case; which person or persons so to be appointed in the place or places of such person or persons so neglecting or refusing, shall be liable to the same and like penalties for neglect or refusal, as the said persons first appointed, to be in like manner recovered, paid and applied, and so on as often as the case may happen.

City Corporation annually to appoint three Assessors, who are to be sworn.

Penalty for non-acceptance of office.

Recovery.

Another Assessor may be appointed in the place of one refusing to serve.

XIX. And be it enacted, that the said Collector hereinbefore mentioned to be appointed, shall from time to time as he shall receive the same, pay the money by him collected, into the hands of the Chamberlain of the said City for the time being, who is hereby directed to keep a separate Book of account of the same, to be by him appropriated for that particular purpose, and that the receipt of the Chamberlain shall be a sufficient discharge to the said Collector.

Collector to pay moneys into the hands of the Chamberlain.

XX. And be it enacted, That it shall and may be lawful for the Mayor, Aldermen and Commonalty of the said City of Saint John, to erect and place upon a part of the space occupied by the building used for a Market in the Market Square in the said City, a Police Office, with proper apartments connected therewith.

A Police Office may be erected in the Market Square.

XXI. And be it enacted, That the provisions contained in the fifth, sixth, seventh and thirteenth sections of an Act made and passed in the seventh year of the Reign of His Majesty William the Fourth, intituled *An Act to provide for the collection of County and Parish Rates*, shall be held to apply to and be in force in respect of any assessment ordered and made by the Mayor, Aldermen and Commonalty of the City of Saint John, under this Act, and any proceedings taken under such assessment.

Provisions of certain sections of Act 7 W. 4, c. 7, to apply to assessments under this Act.

Watchmen, Constables, &c. authorized to arrest without a Warrant night walkers, disorderly and suspected persons;

also persons charged with aggravated assaults.

All prosecutions for any thing done under this Act,

or Act 7 W. 4, c. 12,

or 56 G. 3, c. 1,

or against any Constable or Marshal appointed under the City Charter—are to be tried in the County where the fact was committed, and within three months.

Tender of amends.

Costs.

Act 4 W. 4, c. 3, and Acts continuing the same, repealed.

XXII. And be it enacted, That it shall and may be lawful for any Watchman, Policeman, Special Constable or Constable within the said City, to take into custody without Warrant, all night walkers, rogues, vagabonds, loose, idle and disorderly persons, whom he shall find disturbing the public Peace, (or whom he shall have just cause to suspect of having committed or being about to commit any felony, misdemeanor or breach of the Peace,) and all persons whom he shall find between the hours of nine o'clock P. M., and five o'clock A. M., during the months of March, April, May, June, July, August, September, and October, or between the hours of seven P. M., and six A. M., during the months of November, December, January, and February, lying or lurking in any highway, yard or other place, and not giving a satisfactory account of themselves; and also to take into custody without Warrant as aforesaid, any person who in the City aforesaid, shall be charged by any other person with committing any aggravated assault, in every case in which such Constable or other Officer shall have good reason to believe that such assault has been committed, although not within view of such Constable or Officer, and that by reason of the recent commission of the offence, a Warrant could not have been obtained for the apprehension of the offender, in order that such person may be secured until he can be brought before a Magistrate to be dealt with according to Law.

XXIII. ' And for the protection of persons acting in the execution of this Act ' and the Acts hereafter in this Section recited; ' Be it enacted, that all actions and prosecutions to be commenced against any person for any thing done in pursuance of, or in the execution of the powers and authorities under this Act, or an Act made and passed in the seventh year of the Reign of His late Majesty William the Fourth, intituled *An Act to provide for increasing the number of Constables in the City of Saint John, and for appointing Special Constables in the City and County of Saint John*; or an Act made and passed in the fifty sixth year of the Reign of George the Third, intituled *An Act to increase the number of Constables in the City of Saint John*, or against any Constable or Marshal appointed under the provisions of the Charter of the City of Saint John, shall be laid and tried in the County where the fact was committed, and shall be commenced within three calendar months after the fact committed, and not otherwise; and notice in writing of such action, and of the cause thereof, shall be given to the defendant one calendar month at least before the commencement of the action; and in any such action the defendant may plead the general issue, and give this Act, and the said recited Acts, and the special matter in evidence at any trial to be had thereupon; and no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action brought, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover his full costs as between Attorney and Client, and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant, unless the Judge before whom the trial shall be had shall certify his approbation of the action, and of the verdict obtained thereupon.

XXIV. And be it enacted, That an Act made and passed in the fourth year of the Reign of His Majesty William the Fourth, intituled *An Act more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John*,

John, and for other purposes, and all Acts continuing the same, be and the same are hereby repealed, except as to any rates, assessments or taxes made or imposed, or penalties incurred under the said Acts; all which rates, assessments, taxes or penalties may be recovered in the same manner as if this Act had not been passed.

XXV. And be it 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 fifty three. Limitation.

CAP. XIV.

An Act in further amendment of the Law.

Passed 30th March 1848.

WHEREAS the practice of requiring a Rule of Court to be taken out for pleading several matters in any cause brought in any Court of Record in this Province is found inconvenient, and may be abolished, leaving to the Court or any Judge the power to set aside any improper or inconsistent pleas as heretofore accustomed; Preamble.

Be it therefore enacted, by the Lieutenant Governor, Legislative Council and Assembly, That in all cases where by the law or practice of the Courts a party may be authorized or required to take out a rule to plead several matters, such party may plead such several matters without actually obtaining such rule, and the leave of the Court to plead such several matters, agreeably to the directions of the Statute in such case made and provided, shall always be presumed to have been given; provided, that any pleas may be set aside by the Court or Judge, either on the ground of inconsistency or any other grounds, (except for not taking out such rule,) where by law or the practice of the Court, pleas can now be set aside. Several matters may be pleaded without actually obtaining a Rule of Court in the cases heretofore accustomed. Proviso.

CAP. XV.

An Act in addition to the Law relating to Juries.

Passed 30th March 1848.

WHEREAS in and by an Act made and passed in the thirty first year of the Reign of His Majesty King George the Third, intituled *An Act in addition to an Act, intituled 'An Act for regulating Juries and declaring the qualification of Jurors,'* it is among other things provided, that no Sheriff shall empanel or return any person or persons to try any issue joined in any Court of Record in this Province, that shall not be named and mentioned in the List of Jurors referred to in and by the said recited Act: And whereas doubts have arisen whether the neglect to return such List, or enter the same in a Book as provided for in and by the said recited Act, or the omission or insertion of the name of any person qualified or not qualified by Law to serve as a Juror, may not be a ground of challenge or excuse for non-appearance, by reason whereof a failure of Justice may frequently happen, and it is therefore considered proper to amend the Law in this respect; Preamble. 31 G. 3, c. 6.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the neglect of any Sheriff to return such List pursuant to the directions of the said recited Act, or of this Act, or of the Clerk of the Peace to enter such List in a Book, or the omission or insertion of the name of any person in such List who may be qualified or not qualified to serve as a Juror, or any error in the description of such Juror, or any other defect in the same, shall not be deemed or allowed as any ground of excuse or objection to any person (otherwise qualified,) The neglect of a Sheriff to return the Jury List required by Act 31 G. 3, c. 6, or the Clerk of the Peace to enter the same, or any error therein, shall not be a ground of excuse, objection, or challenge.

qualified,) being summoned, sworn or serving as a Juror for the trial of any issue joined in any Court of Record in this Province, or of any ground of challenge either to the array or to the poll, any thing in the said recited Act to the contrary in any wise notwithstanding.

Time for filing the Jury List.

II. And be it enacted, That from and after the first day of January, one thousand eight hundred and forty nine, the time for returning such List by the Sheriff shall be between the first day of January and the fourteenth day of February in each year, instead of the time mentioned in the said recited Act.

A peremptory challenge of three Jurors, without assigning cause, may be made.

III. 'And whereas it is considered desirable to allow either party to challenge peremptorily a limited number of Jurors, without assigning any cause ;' Be it therefore enacted, That when any Jury, other than a special Jury, may be empannelled for the trial of any issue joined or any inquisition to be taken in any action or prosecution in any Court of Record in this Province, except in cases where by Law a peremptory challenge is now allowed, the party plaintiff or plaintiffs, prosecutor or prosecutors, defendant or defendants, prisoner or prisoners, may as the Jurors come to the Book to be sworn, peremptorily challenge not exceeding three of the Jurors, which challenge shall be allowed by the Court or Judge or Officer presiding before whom such issue or inquisition may be tried or taken ; provided that this Act shall not be construed to authorize either party to challenge peremptorily more than three Jurors, notwithstanding such party may consist of several persons ; and provided also, that nothing herein contained shall be construed to impair or abridge the right to any challenge for cause, as heretofore practised.

Not to abridge the right of challenge for cause, as heretofore practised.

An order to be made on motion in the Supreme Court, for the striking of Special Jurors, before the Clerk of the Peace of the County in which the venue is laid.

IV. 'And whereas it is necessary to make provision for the more convenient striking of Special Jurors' Be it enacted, That upon motion made in the Supreme Court on behalf of Her Majesty, or on motion of any prosecutor or defendant in an indictment or information for any misdemeanor, or information in the nature of a *quo warranto*, or on motion of any plaintiff or defendant in any cause depending in the said Court, the Justices are required to order a Jury to be struck before the Clerk of the Peace of the County in which the venue is laid ; and the party obtaining such order shall get an appointment from the said Clerk of the time and place for striking said Jury, and shall serve a copy of the said order and appointment on the opposite party or his Attorney, at which time and place the said Clerk of the Peace, or his Deputy, shall attend with the Jury List returned in the office of such Clerk, and shall then and there, in the presence of the parties, or their Counsel or Attornies, proceed to strike a Jury in the manner following :—

Manner of striking the Jury.

First.—He shall select from said Jury List entered in his Office the names of forty eight persons whom he shall deem most indifferent between the parties and best qualified to try such cause, and whose attendance is likely to be procured, and if no such list shall be entered for the current year, the selection shall be made from the list of the preceding year.

Second.—The party on whose application such special Jury was ordered, or his Attorney or Counsel, shall then first strike out one of the said names, and the opposite party, or his Attorney or Counsel, shall strike out another of such names, and so alternately, until each party shall have stricken out twelve names.

Third.—If either party shall fail to attend for striking such Jury, or shall neglect to strike out any names according to the foregoing provisions, the Clerk, or his Deputy, shall strike for such party.

Fourth.—The Clerk or his Deputy shall thereupon make out a list of the names of the twenty four persons not stricken out, and certify the same to be

the

the persons drawn to serve as Jurors, pursuant to the order of the Court, and shall deliver such list, so certified, to the Sheriff of the County, or Coroner, as the case may require, who shall proceed to summon the said Jurors in the usual manner.

V. And be it further enacted, That if it shall be made to appear to the said Court that the said Clerk is interested in the cause, related to either of the parties, or not indifferent between them, the said Court shall nominate and appoint two fit and proper persons to strike said Jury, who shall have the same power, and shall conduct the striking of the said Jury in the same manner as is herein pointed out for the said Clerk.

If the Clerk of the Peace be interested or related to either of the parties, the Court to appoint two fit persons.

VI. And be it enacted, That so much of the sixth section of an Act made and passed in the twenty sixth year of the Reign of His Majesty King George the Third, intituled *An Act for regulating Juries and declaring the qualification of Jurors*, as relates to the manner of striking Special Jurors, shall be and is hereby repealed.

26 G. 3, c. 6, s. 6, in part repealed.

CAP. XVI.

An Act to provide for the better payment of Petit Jurors attending the several Courts of Record in this Province.

Passed 30th March 1848.

WHEREAS by the Laws now in force, no adequate allowance is made for the services of Jurors, and it being deemed just, reasonable and expedient that Petit Jurors should receive compensation for their services in all Civil Actions;

Preamble. 18 1/2 by 11/100 cap 22

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That when any issue joined in any civil action brought in any Court of Record in this Province, shall be for trial before a Jury, the names of the parties therein shall on the first day of the Sittings of the Court at which the trial is to take place, be entered on a Trial Docket, and at such hour as the Court may after the opening thereof direct, unless the Court for some special and reasonable ground of excuse, to be shown by Affidavit, shall order and allow the same to be entered on such Trial Docket at a subsequent hour or day.

Civil actions for trial before a Jury in Courts of Record to be entered on a Trial Docket at the time appointed by the Court.

II. And be it enacted, That on the entry of any such cause as aforesaid, the party entering the same shall deposit in the hands of the Clerk with whom such entry is made, the sum of thirty shillings when the cause is not summary, and the sum of fifteen shillings when the cause is summary, to be applied towards a fund for the payment of Petit Jurors attending such Court, as hereinafter provided, which deposit shall be in lieu of all other fees heretofore allowed to Jurors, and shall be costs in the cause.

A deposit of 30s. in cases not summary, and 15s. in summary cases, to be made, to form a Jury Fee Fund.

III. And be it enacted, That when the Jury summoned for and in attendance at such Court shall have been discharged from further attendance, the Court shall divide such fund among the Jurors who may have attended such Court, having regard to the number of days each Juror has attended, and distance of his travel from place of residence, allowing in such division twenty miles travel to Court as equal to one day's attendance, and so on in like proportion; provided that no greater amount than four shillings shall be allowed to any Juror for any one day's attendance; and provided also, that when the Jury may have been discharged from further attendance before all the causes so entered for trial may have been tried or otherwise disposed of, such Court may divide any portion of such fund as may be thought reasonable among the said Jurors, leaving the residue of the fund to be in like manner afterwards divided among the Jurors who may be summoned

Fund to be divided among the Jurors according to time and distance of travel.

Allowance not to exceed 4s. per day.

If all the causes be not tried, the Court may divide a portion of the fund.

Not to extend to
Special Jurors.

Construction of the
word "Court."

Limitation.

summoned to attend for the trial of the remaining causes on said Trial Docket; and provided also, that nothing in this Act contained shall extend or be construed to extend to Special Jurors.

IV. And be it enacted, That in the construction of this Act, except there be something in the subject or context inconsistent with or repugnant to such construction, the word "Court" shall extend to and mean the Supreme Court of Judicature, any Assizes or Sittings for the trial of causes brought to issue in the said Supreme Court, any Inferior Court of Common Pleas in this Province, and the Mayor's Court in and for the City and County of Saint John.

V. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty one, and no longer.

CAP. XVII.

An Act to amend the Law relating to the Registry of Deeds and other Instruments.

Passed 30th March 1848.

Preamble.

‘ WHEREAS it frequently happens that a last Will and Testament relating to Lands situate in several Counties is proved before the Surrogate of some County, and filed in the office of the Register of Probates before the devisees or others interested in the said Will can have any opportunity of having the original Will registered in the office or offices of the Register of Deeds of the County or Counties in which the lands mentioned or devised in and by such Will may be situate, by reason whereof the devisees or others interested are unable to have such Will duly proved and registered agreeably to the provisions and for the purposes mentioned in the Act made and passed in the tenth year of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws relating to the Registry of Deeds and other Instruments*; for remedy whereof, it is considered desirable to provide for the registry of a certified copy of such Will;’

10 V. c. 42.

Certified copy of a Will filed with the Surrogate, and on which Letters Testamentary or of Administration *cum testamento anexo* may have issued, may be registered.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in any case where any such Will may have been proved before the Surrogate of any County, and Letters Testamentary or of Administration *cum testamento anexo* may by such Surrogate have been granted, and the original Will filed with the Register of Probates, a copy of such Will, certified under the hand of such Register of Probates as being a true copy of the Will proved before the Surrogate, and filed in his office, may be registered in the office of the Register of Deeds in any County in this Province, without further proof than the production of such certificate; which Registry shall have the like force and effect in all respects the same as if the original Will had been duly proved and registered in the County where such copy is so registered, agreeably to the directions of the said recited Act.

Proof of Deeds by Corporations to be by subscribing witness proving the Seal.

II. ‘ And whereas doubts have arisen as to the proper mode of taking the proof of Deeds made by a Corporation for the purpose of Registry, and it is desirable to declare the Law in this respect;’ Be it therefore declared and enacted, That the proof of any such Deed, for the purpose of Registry, may be by the subscribing witness proving before the like authorities as in other cases provided for in said recited Act, that the Seal thereto affixed is the Seal of the said Corporation; a certificate of which proof shall be endorsed on such Deed, as in other cases.

III. ' And whereas it is considered expedient to make further provision for the entry of satisfaction of any judgment whereof a memorial may now or hereafter be registered; Be it therefore enacted, That the plaintiff in any judgment, or the defendant, in case the judgment be for the defendant, whereof a memorial may have been registered, his executors, administrators or assigns, may acknowledge the payment, and cause satisfaction thereof to be entered in the margin of the Registry Book against the Registry of such memorial, and subscribe his proper hand and name thereto, in presence of the Register, who shall also sign his name as a witness thereto; which entry of satisfaction so made, shall be as effectual to all intents and purposes as if satisfaction had been certified, registered and entered agreeably to the provisions of the twenty first section of the said recited Act.

Entry of satisfaction of a judgment may be by acknowledgement of satisfaction on the margin of the Registry Book.

CAP. XVIII.

An Act to continue an Act relating to Circuit Courts in this Province, and to provide for the Travelling Expenses of the Judges holding such Courts. 9 v. c. 57.

Passed 30th March 1848.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth year of the Reign of Her present Majesty Queen Victoria, intituled *An Act relating to Circuit Courts in this Province, and to provide for the Travelling Expenses of the Judges holding such Courts*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty one.

Act 9 V. c. 57, continued.

CAP. XIX.

An Act to alter and amend an Act relating to the Great Roads of Communication through this Province.

Passed 30th March 1848.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Road leading from the Bridge across the North West River, by the Chapel at Dagle's Creek, and through the Town of Richibucto, to the Bridge across Davidson's Creek, be established as a part of the Great Road leading from Dorchester to Miramichi, instead of the Road from the said North West Bridge, passing in rear of the Town of Richibucto, to the said Bridge across Davidson's Creek.

Great Road from Dorchester to Miramichi in part altered.

II. And be it enacted, That the Road from the Bridge across Davidson's Creek to the Bridge across McAlmon's Creek, thence in a direct line to the new Bridge across the Richibucto River, and thence along the Galloway Road till it meets the Road leading from Richibucto to Buctouche, be established as one of the Great Roads of Communication of this Province.

Line of Road from Bridge across Davidson's Creek to the Road leading from Richibucto to Buctouche, established as a Great Road.

CAP. XX.

An Act for the regulating of the Navigation of small Rivers and Streams, and the building of Dams across the same, in this Province.

Passed 30th March 1848.

WHEREAS the erecting of Mill Dams across the small Rivers and Streams of this Province, without passage ways for Timber, Logs and other Lumber, through or over the same, impedes or stops the transport of all such Timber and other cumbrous articles, to the great injury of the Lumbering Interest of the Province, as well as retards the settlement of the Wild Lands on such Rivers or Streams;

Preamble.

I.

Surveyors of Mill Dams to be appointed by the Sessions, and sworn as other Parish Officers.

On application, Surveyors of Dams to examine Streams, and Dams without Sluiceways, and report to the Justices in writing.

Justices to examine and may order Sluiceways to be formed by the owner of the Dam.

On failure of erection, Dam to be deemed a nuisance.

Surveyor's remuneration to be paid by the party applicant.

Act not to affect local enactments.

Limitation.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for the Justices of the Peace in General Sessions, for the several Counties in this Province, to appoint one or more proper person or persons for each Parish (where the same may be required,) as Surveyors of Dams, and who shall be duly sworn to the faithful performance of his duty, in like manner as other Parish Officers so chosen or appointed, and whose duty shall be, when called upon for that purpose by any person or persons who may require a sluice way for the purpose of driving Timber, Logs, Deals or other Lumber down or over any Dam or Dams now erected or hereafter to be erected across any of the small Rivers or Streams in this Province, to proceed to and examine the said Stream or Streams, as well as all Dams across the same having no proper sluice way therein, and report to the said Justices his or their opinion as to the necessity of such sluiceway in the said Dam or Dams; which report shall be made in writing under the hand of said Surveyor to the said Justices in General Sessions, which said Justices shall on receipt of such report recommending such sluiceway in any such Dam or Dams across any such small River or Streams in their respective Counties, proceed to investigate the same, giving the party or parties interested an opportunity of stating their objections to such contemplated sluiceway; and if upon such investigation they should determine to adopt the suggestions of the said report, then and in such case the said Justices shall give notice in writing to the owner or owners, occupier or occupiers of such Dam or Dams, that a good and sufficient sluiceway is required in such Dam or Dams, when the said owner or owners, occupier or occupiers of such Dam or Dams, shall at his or their own expense, erect such sluiceway within such number of days, after such notice being given, as they the said Justices may think proper; and in case the said owner or owners, occupier or occupiers of any such Dam or Dams, shall refuse or neglect to erect the said sluiceway within the time so appointed, the said Dam or Dams shall be deemed a public nuisance, and the party or parties being convicted of offending therein, on trial by indictment for the same at the General Sessions held for the County in which the said Dam or nuisance may be, shall be fined at the discretion of the said Court in a sum not exceeding twenty pounds; and the said Court are hereby empowered, on such conviction, to order the said nuisance to be abated; provided always, that the necessary expense incurred by the said Surveyor in execution of said duty, with a reasonable allowance for his time when so employed, shall be paid by the party or parties making application for such sluiceway.

II. Provided always, and be it enacted, That nothing herein contained shall affect any local enactment now in force concerning any particular River or Stream therein named, or the rules and regulations of such River or Stream therein authorized or established, or the common law rights of any individual.

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

CAP. XXI.

An Act to revive, continue and amend the Act for the establishment of Boards of Health in this Province.

Passed 30th March 1848.

Act 3 W. 4, c. 28, revised.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the establishment and*

and regulation of Boards of Health in the several Counties in this Province, be and the same is hereby revived and declared to be in full force, and shall continue in operation until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty; provided always, that all former Boards of Health heretofore appointed and established while the said recited Act was in operation shall be deemed to have been dissolved, and not revived by this Act.

Former Boards of Health not to be deemed revived.

II. And be it enacted, That no money shall be expended by any Board of Health, appointed or to be appointed under and by virtue of this Act, until such expenditure so to be made shall have first received the sanction and approbation of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, in Council, any thing contained in the said recited Act to the contrary notwithstanding.

No money to be expended without the previous sanction of the Lieutenant Governor.

CAP. XXII.

An Act to authorize the Justices of the Peace in the several Counties of this Province to make Regulations for the Markets.

Passed 30th March 1848.

WHEREAS the want of properly established Markets in the several Towns in this Province is found to be attended with great inconvenience to the inhabitants of the said Towns; for remedy whereof,

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the several Counties in this Province, at any General Sessions of the Peace to be holden in and for the said Counties, to establish and define the bounds of one or more Market Places as may be required in each Town; and to make regulations for the slaughtering of any animals in the said several Towns, and for the selling or vending of any dead meats, and to make such rules and regulations for the care and management of any Public Market House now or hereafter to be established in the said several Towns, and to enforce such fines and penalties, not to exceed the sum of forty shillings, for the non-observance of any such rules and regulations as the said Justices may deem necessary to make; any law, usage or custom to the contrary notwithstanding; provided always, that nothing in this section contained shall authorize the said Justices to lay any tax on any such dead meats, or on the sale thereof.

Justices in General Sessions authorized to establish Market Places, and regulate the slaughtering of animals and sale of dead meat; and management of Market Houses.

II. And be it enacted, That this Act shall not extend or be construed to extend to the City of Saint John.

Act not to extend to the City of Saint John.

III. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty three.

Limitation.

CAP. XXIII.

An Act to regulate the measurement of Fire Wood and Bark.

Passed 30th March 1848.

WHEREAS it is desirable that a more uniform and certain mode be established in this Province for the measurement of Fire Wood and Bark;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, all Fire Wood and Bark, when bought or sold by measurement within this Province, shall be measured by the cord; which cord, when the said Wood or Bark is measured on the ground or other flat surface, shall be eight feet in length, four feet in breadth or width, and

The cord measure by which Wood and Bark are to be sold, defined.

Quarter cords in
Carts defined.

and four feet and four inches in height; and when the said Wood or Bark is measured in carts or other carriages after the rate of one quarter of a cord to each load of such cart or carriage, the said quarter of a cord or load shall be four feet in length, two feet and nine inches, on an average, in breadth or width, and three feet and three inches in height.

Construction of
Carts or Carriages
for conveying
Firewood or
Bark.

II. And be it enacted, That every cart or other carriage, intended and used for the measurement and carriage of Fire Wood or Bark, at the rate of one quarter of a cord to each load thereof, shall be provided with stakes or stanchions on each side of such cart or carriage; which stakes or stanchions shall be so placed as to leave a clear space of two feet eight inches in width between the foremost stakes or stanchions, and of two feet ten inches in width between the two hindmost stakes or stanchions, and the said stakes or stanchions shall be three feet and three inches high from the floor of the cart or carriage, and no higher; and the said stakes or stanchions shall be shouldered with a band of iron round the part which enters the mortice, and the mortices cased with iron, to preserve them, and that at no less than two feet nine inches distance from the floor of such cart or carriage shall be an iron chain fixed across the cart or carriage to the stakes or stanchions, to prevent them spreading wider than the space above mentioned; that the said Wood or Bark shall be well stowed between the said stakes or stanchions up to and even with the tops thereof, and no higher; and the upper surface of the said Wood or Bark, between the tops of the said stakes or stanchions shall be made as flat and level as may be, so that a straight edge may be even, and as nearly as may be in contact with the said Wood or Bark, from the top of each of the stakes or stanchions on one side of the cart or other carriage to the top of each of the stakes or stanchions on the other side of the same, without any rounding or heaping up whatever of the said Wood or Bark higher than the tops of the said stakes or stanchions, any law, usage or custom to the contrary thereof notwithstanding.

[Stowage of the
Wood or Bark.]

Owners of Carts or
Carriages used for
the measurement,
&c. of Wood or
Bark, not so con-
structed, to be
liable to a fine of
five shillings for
each time
employed.

III. And be it enacted, That if any cart or other carriage used for the measurement and carriage of Fire Wood or Bark, shall not be in all respects according to the provisions and requirements of this Act, or if Fire Wood or Bark shall be laid, put or measured on the same otherwise than is described in and by this Act, the owner or driver of such cart or other carriage shall forfeit and pay for every time the said cart or carriage shall be used for the measurement and carriage of Fire Wood or Bark, the sum of five shillings, to be recovered with costs, on complaint and due proof thereof before any one of Her Majesty's Justices of the Peace for the County or City and County wherein the offence shall be committed, and to be appropriated one half to the Overseers of the Poor of the proper Parish, and the other half to whomsoever shall sue for the same.

CAP. XXIV.

An Act to grant a Bounty on the destruction of Bears and Wolves in this Province.

Passed 30th March 1848.

A Bounty granted
for the killing of
Bears and Wolves.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, a reward of thirty shillings shall be paid to any inhabitant or native Indian of the Province for each and every Wolf they may kill or destroy within the limits of the same, and the sum of fifteen shillings for each and every Bear they may kill or destroy within the limits aforesaid.

The issue of
Treasury Warrants
in sums not ex-

II. And be it enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, on application

application to him from time to time to be made by any of the several Clerks of the Peace of the Counties in this Province respectively, by and with the advice and consent of Her Majesty's Executive Council, to issue his Warrant on the Treasurer of this Province, or any of his Deputies, directing him to pay over to such Clerk of the Peace, or to his order, out of any monies of any nature or kind soever then in the hands of the said Treasurer or Deputy Treasurer, such sum of money not exceeding fifteen pounds at any one time, as to His Excellency and Her Majesty's Executive Council may seem meet; to be applied by such Clerk of the Peace, and accounted for by him, in the manner hereinafter provided.

ceeding £15, in favour of the Clerks of the Peace, on applications, authorized.

III. And be it enacted, That to entitle any person or persons to the reward of thirty shillings for killing a Wolf, or fifteen shillings for killing a Bear, as mentioned in the first section of this Act, he or they shall bring the nose or noses of the Wolf or Wolves, Bear or Bears, for the killing of which the Bounty is claimed, to any one of Her Majesty's Justices of the Peace residing nearest to the place where the same may have been killed, and shall take and subscribe, (or affix his ordinary mark,) to the following oath, printed or written, that is to say:—

To entitle to the Bounty, the nose of the Bear or Wolf to be produced, and prescribed affidavit made.

' I (or we) do swear, that I (or we) did on the — day of — kill, or assist to kill a Bear (or Bears) or a Wolf (or Wolves) at [here describe the place as near as may be,] in the Province of New Brunswick, and that the nose (or noses) now produced by me (or us) is (or are) the nose (or noses) of the Bear (or Bears) Wolf (or Wolves) so killed, for which the Bounty granted by Law is claimed, and that no other person has received the Bounty for the same.'

Ref: 20/21 by 1/6 Dec 48 by [unclear] Justice Province

Which oath the said Justice is authorized and required to administer without any fee; and shall burn or otherwise destroy the nose or noses so produced before him; and shall also certify under his hand in the jurat of the said affidavit, that he verily believes the statement therein contained to be true, and that he has burned or destroyed the said nose or noses, and shall deliver the said affidavit and certificate to the deponent or deponents.

Justice to certify his belief of the facts, on the jurat.

IV. And be it enacted, That it shall and may be lawful for the several Clerks of the Peace, in their respective Counties, and they are hereby required on presentation of any such affidavit or affidavits, with certificate or certificates as aforesaid, to any of them respectively, forthwith and without any fee, reward, deduction or abatement whatsoever, to pay over to the deponent or deponents, or his or their order, out of the monies in the hands of the said Clerks of the Peace, by virtue of the Warrant in the second section of this Act mentioned, the sum of thirty shillings for each and every Wolf, and the sum of fifteen shillings for each and every Bear so proved to have been killed as aforesaid, for which the said deponent or deponents, or person receiving the same, shall thereupon give the Clerk of the Peace paying the same a receipt or acquittance.

Clerks of the Peace to pay the Bounty on production of the certified affidavit;

V. And be it enacted, That it shall and may be lawful for the several and respective Clerks of the Peace who may make application for and receive a Warrant or Warrants on the Treasury under the provisions of this Act, and they are hereby required on or before the first day of December in each and every year, to make up and transmit to the Office of the Secretary of the Province, a statement in writing signed by such Clerk of the Peace, and sworn to before any Justice of the Peace of this Province, who is hereby authorized to administer such oath, crediting the Province with the amount of monies by him received by virtue of such Warrant, and specifying by names the several parties to whom he may have paid Bounties during the preceding year, and the amount paid to each, accompanied with the vouchers and receipts for the same; which Schedule, vouchers and receipts shall be laid before the House of Assembly at its next sitting.

And transmit Accounts by the 1st of December, to the Provincial Secretary.

Commission of five per cent. allowed.

On receipt of moneys, the Clerks to be deemed Provincial Debtors.

Limitation.

VI. And be it enacted, That the said Clerks of the Peace so intrusted with the distribution of the Wolf and Bear Bounties in their respective Counties as aforesaid, shall be allowed to retain out of the gross amount of the Warrants to them severally made payable, at and after the rate of five per centum and no more; and that immediately on the receipt of the monies in the Warrant or Warrants in their favour respectively specified, the said Clerks of the Peace shall be and be deemed and taken to be debtors to the Province in the amount of the same respectively, subject nevertheless to the provisions of this Act.

VII. And be it 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 fifty two.

CAP. XXV.

An Act to prevent the growth and increase of Thistles.

Passed 30th March 1848.

Justices in General Sessions to make regulations to prevent the increase of Thistles.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Her Majesty's Justices of the Peace in their General Sessions, shall make such rules and regulations as to them from time to time shall seem proper and necessary for the preventing the growth and increase of Thistles within such Counties respectively; and the rules and regulations so made, shall be published by posting the same in three or more of the most public places in the Parish or Parishes within the said County in which Parish or Parishes such rules and regulations are to be in force.

Inspectors to be appointed in each Parish to carry the rules into execution

II. And be it enacted, That the said Justices in their General Sessions as aforesaid, shall appoint two or more persons in each Parish within such County, to be Inspectors for the purpose of carrying into execution the rules and regulations so made; and if the persons so to be appointed, or any or either of them, shall refuse to accept such office, or having accepted the same shall neglect his or their duty therein, he and they shall forfeit and pay a fine not exceeding two pounds, to be recovered with costs on complaint and due proof before any one of Her Majesty's Justices of the Peace of the County in which the offence shall be committed, and on non-payment thereof, to be levied by distress and sale of the offender's goods and chattels, by Warrant under the hand and seal of the said Justice, one half of such fine to be paid to the person or persons who shall prosecute the same to effect, and the other half to be paid into the hands of the County Treasurer for the use of the said County.

Penalty for neglect of duty.

Recovery.

Application.

Inspectors to notify parties on whose lands Thistles may be growing, to destroy them.

III. And be it enacted, That it shall and may be the duty of the said Inspector or Inspectors, at such times and seasons as the said Court of General Sessions by their said rules and regulations may direct, and at all and any other time or times in which it may be thought necessary, by a written or verbal notice, to order and direct the owner or occupier of any land on which Thistles may be growing and likely to run to seed, to the injury and annoyance of the adjacent lands, to cut down, pull up or otherwise destroy the said Thistles; and in case the said owner or occupier of any land, after six days notice, shall neglect or refuse to obey the directions therein contained or expressed, he or they shall be liable to pay a fine not exceeding forty shillings, to be recovered with costs on the oath of one or more credible witness or witnesses, on complaint and due proof thereof before any Justice of the Peace of the County in which such offence shall be committed, such fine to be paid into the hands of the County Treasurer for the use of the said County.

Penalty on the land occupant for neglect.

Recovery.

Application.

IV. And be it enacted, That it shall and may be lawful for the Courts of General Sessions of the Peace in their respective Counties as aforesaid, to allow such compensation to any Inspector or Inspectors appointed under the authority of this Act, for services rendered in the execution of the duties imposed upon him or them, as to the said Court may seem meet, and to cause the same to be paid either as a Parish charge or out of the County funds, at their discretion.

Inspector's compensation to be such as the Justices deem meet.

V. And be it 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 fifty, and no longer.

Limitation.

CAP. XXVI.

An Act to explain an Act, intituled *An Act to enable the Justices of the Peace of the several Counties in this Province for the time being to receive for public uses Grants of Land lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same.*

26 G. 3, c. 38.

Passed 30th March 1848.

WHEREAS doubts have arisen whether under the powers of the second section of an Act, made and passed in the twenty sixth year of the Reign of His Majesty George the Third, intituled *An Act to enable the Justices of the Peace of the several Counties in this Province for the time being to receive for public uses Grants of Land lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same*, the Justices of the Peace in the several Counties are able and capable in Law to bring and maintain any action at Law for the recovery of the Rents of any Land held by them in trust, and leased by virtue of the provisions of the said recited Act, or on account of any holding or agreement in respect of any such Land so held in trust as aforesaid;

Preamble.

26 G. 3, c. 38.

Be it therefore declared and enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace in such Counties shall by the style and title of "The Justices of the Peace of the County (or City and County), of —," be able and capable in Law to bring and maintain any action for, and to sue for, recover and receive the rents, issues and profits of any Lands received and retained by them in trust, and leased by them for any term of years under the provisions of the said recited Act, or on account of any holding or agreement in respect of any such Land so received and retained in trust as aforesaid.

Justices may maintain actions for rents of lands held by them in trust.

CAP. XXVII.

An Act for ascertaining the Population of this Province, and for other purposes therein mentioned.

Passed 30th March 1848.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace in the several Counties in this Province shall and may and they are hereby required at their first General Sessions to be holden after the receipt of this Act by the Clerk of the Peace for the County as hereinafter provided, or at any Special Sessions to be for that purpose expressly convened, to appoint such and so many fit person or persons within each Town or Parish within their respective Counties, as they shall think expedient, to take an account of the Population thereof, in manner hereinafter directed; and if more than one person shall be so appointed for any Town or Parish, then to divide such Town or Parish into convenient Districts, assigning to each person so appointed to take such account in his particular District; which persons so appointed to take such account shall be liable in all respects to

Justices in General Sessions to appoint persons to take account of the Population, &c.

*Amended by resolution
Suspended till 1st
January 1857
6
12 lbs
Cap 24*

Corporation of
Saint John to make
the appointments
for the City.

the same rules and regulations, penalties and forfeitures, as Town or Parish Officers are subject and liable to by virtue of any Law in force for the appointment and regulation of Town or Parish Officers; provided that the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, shall as soon as conveniently may be after the time appointed for this Act to come into operation, appoint such and so many fit person or persons as to them shall seem meet, to take such account within the said City, in like manner with the Justices of the Peace for the several Counties at their General or Special Sessions as aforesaid.

Account to be taken
in manner directed.

II. And be it enacted, That the persons so appointed as aforesaid, shall at the times and in the manner hereinafter directed, severally take an account of the number of persons who shall be actually found at the time of taking such account, within the limits of the Parish, City or District for which they may be respectively appointed, and shall set down the several particulars respecting the same, according to the form prescribed in the Schedule annexed to this Act.

Copies of this Act
to be sent to the
Clerks of the Peace,
and by them to the
Justices;

III. 'And for the more speedy and effectual obtaining of such accounts;' Be it further enacted, That a sufficient number of printed copies of this Act, and of the Schedule thereto, (such number to be regulated and determined by Order of His Excellency the Lieutenant Governor or Administrator of the Government for the time being,) shall as soon as may be after the passing of this Act, be transmitted by the Queen's Printer to the Clerks of the Peace in the several Counties, and the said several Clerks of the Peace shall, and they are hereby required with all convenient speed to cause the said Act to be distributed among the Justices of the Peace in the several Counties, so that at least one Justice in each Parish may be furnished with one of the said printed copies of the said Act; and also to cause two of the said printed Schedules to be delivered to each person to be appointed as aforesaid to take the account required by this Act, within the said several and respective Counties.

Also two printed
Schedules for the
persons appointed
to take the account.

Persons appointed
to inform them-
selves by going from
house to house, or
otherwise;

IV. And be it enacted, That the persons so appointed to take such accounts as aforesaid, shall with all convenient expedition after receiving such Schedules, and within such time as will enable them to deliver or transmit their respective answers and returns to the Clerks of the Peace by the day hereinafter limited for that purpose, proceed to take an account in writing of the number of persons at the time of taking such account, being within the limits of the Parish, City or District for which they may be respectively appointed as aforesaid, and inform themselves of the several particulars relating to the matters specified in the questions contained in the said Schedules, by proceeding from house to house, or otherwise as they shall judge expedient, for the better execution of this Act; and from such information and lists shall prepare duplicate answers or returns to the said questions, according to the forms prescribed in the said Schedules, and shall sign and make oath to the same before a Justice of the Peace of the County, according to the said forms, which oath any such Justice is hereby authorized and required to administer; and the better to enable such persons so appointed, as aforesaid, to make such answers and returns, they are hereby severally and respectively authorized and empowered to ask all such questions of the persons within the Parish, City or District for which they may be respectively appointed as aforesaid, respecting themselves and the number and the quality of the persons constituting their respective families, as shall be necessary for stating the particulars required to be stated concerning them in the said answers and returns; and every person refusing to answer or wilfully giving a false answer to such questions, or any of them, shall for every such refusal or false answer forfeit a sum not exceeding

And prepare
duplicate answers
and returns on
oath.

Penalty for refusing
to answer, or giving
a false answer.

exceeding three pounds nor less than twenty shillings, at the discretion of the Justices before whom complaint thereof shall be made; and the said persons so appointed as aforesaid to take such account, shall deliver or transmit their several and respective answers and returns in duplicate as aforesaid, to the Clerks of the Peace for the several and respective Counties, on or before the first day of November next after this Act shall come into operation.

V. And be it enacted, That the several Clerks of the Peace shall on or before the tenth day of November next after this Act shall come into operation, transmit one copy of such answers and returns as they shall have received in manner aforesaid, together with a list of the Parishes, Districts or places within their respective Counties, from which no returns may have been received, to the Office of the Secretary of the Province, and shall place and keep the other copy of such answers and returns on file in their offices respectively; and the answers and returns which shall be so transmitted to the Office of the Secretary of the Province, shall be digested and reduced into order by such officer or person as the Lieutenant Governor or Administrator of the Government for the time being, shall appoint for that purpose, and an abstract thereof shall be laid before the General Assembly at their next Session.

Clerks of the Peace to transmit one of the Returns, with a list of places from which no Returns have been received, to the Secretary's Office, and file the other copy.

Returns to be digested and laid before the General Assembly.

VI. And be it enacted, That there shall be allowed and paid out of the Province Treasury to each Clerk of the Peace, for the services required of him by this Act, the sum of ten pounds, and to each and every person appointed and employed under this Act to take such account as aforesaid, who shall make and transmit to the Clerk of the Peace of the County, by the day hereinbefore limited for that purpose, due answers and returns according to the Schedule to this Act annexed, the sum of ten shillings for each and every day that such person shall make it appear to the Justices of the Peace for the several Counties at the General Sessions, that he has been actually employed in the services required of him by this Act; the number of days to be certified by the said Justices at their General Sessions, to the Lieutenant Governor or Administrator of the Government for the time being; which said sums in this Section mentioned, shall be paid out of any monies in the Province Treasury, by Warrant of the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, in favour of the Clerk of the Peace, to be by him paid to the respective persons entitled to the same, without any deduction whatever.

Remuneration to the Clerks of the Peace and persons appointed to take the accounts.

VII. And be it enacted, That any person appointed under this Act, to take such account as aforesaid, who shall refuse or neglect to perform any of the duties required of him by this Act, shall for each and every such refusal or neglect, forfeit and pay a sum not exceeding five pounds, nor less than forty shillings, at the discretion of the Justice before whom complaint shall be made.

Penalty for neglect of duty by the persons appointed.

VIII. And be it enacted, That the several and respective forfeitures and penalties hereinbefore mentioned, shall and may be recovered upon complaint made before any Justice of the Peace for the County, or City and County, where the offence may be committed, upon the oath of one or more credible witness or witnesses, and be levied by distress and sale of the goods and chattels of the offender, rendering the overplus, (if any) after deducting the costs and charges of prosecution and sale, to such offender, and to be applied, one half to the use of the person who shall sue for the same, and the other half to the use of the poor of the Parish where the offence may be committed.

Recovery and application of the penalties.

IX. And be it enacted, That this Act shall not come into operation or be in force until the first day of January which will be in the year of our Lord one thousand eight hundred and forty nine.

Limitation.

SCHEDULE.

Schedule.
Form of Return.

SCHEDULE.

Questions, to which, by direction of an Act of Assembly passed in the eleventh year of the Reign of Her Majesty Queen Victoria, intituled "An Act for taking an Account of the Population of this Province, and other purposes therein mentioned," with Answers in Duplicate, are to be returned by the persons appointed under and by virtue of the said Act, to take such Account, signed and attested, upon oath, by such persons respectively.

Name and description of Parish or City, or District in such Parish or City, and within what County situate.	Question 1st.	Question 2nd.	Question 3rd.	Question 4th.	Persons, including Children of whatever age.	Births.	Deaths.	Grammar Schools.	Parish Schools.	Cleared Land.	Crops.	Stock.	Persons engaged in various employments.	Buildings of different kinds.	Manufactured Articles, &c. &c. &c.																																																
	Inhabited Houses.	By how many Families inhabited.	Houses now Building.	Uninhabited Houses.	Stores, Barns and Out-houses.	Number of Males over 16.	Number of Females over 16.	Number of Males under 16.	Number of Females under 16.	Number of Births during preceding year.	Number of Deaths during preceding year.	Number of Children attending Grammar Schools.	Number of Children attending Parish Schools.	Estimated quantity of Cleared Land.	Number of Tons Hay cut.	Number of Bushels of Wheat raised.	Number of Bushels of Barley raised.	Number of Bushels of Oats raised.	Number or Bushels of Buckwheat raised.	Number of Bushels of Indian Corn raised.	Number of Bushels of Peas and Beans raised.	Number of Bushels of Turnips raised.	Number of Bushels of Potatoes raised.	Number of Bushels of other Root crops raised.	Number of Neat Cattle.	Number of Cows, how many milked.	Quantity of Butter churned.	Number of Horses.	Number of Sheep.	Number of Swine.	Number of Farmers.	Number of Mechanics.	Number of Merchants and Traders.	Number of persons engaged in Fishing.	Number of persons engaged in Lumbering.	Number of Doctors.	Number of Clergymen or Ministers.	Number of Churches and places of Worship.	Number of Schools.	Number and value of Saw Mills, and hands employed.	Number and value of Grist Mills, and hands employed.	Number and value of Lanneries, and hands employed.	Number and value of Foundries, and hands employed.	Number and value of Weaving and Carding Establishments, and hands employed.	Number of Hand Looms.	Number of Yards of Woolen Cloth manufactured.	Number and value of Factories, other than the above, and hands employed.	Value of Boots and Shoes manufactured.	Value of Leather manufactured.	Value of Candles manufactured.	Value of Wooden Ware manufactured, other than Cabinet Makers.	Value of Soap manufactured.	Value of Chairs and Cabinet Ware manufactured.	Value of Fish caught, and quantities.	Value of Hats manufactured, and number.	Value of Iron Castings manufactured.	Quantity of Coal raised.	Number of Breweries.	Number of Gallons of Malt Liquor manufactured.	Casks of Lime burnt, and value.	Number and value of Grindstones.	Tons and value of Gypsum quarried.	Quantity of Maple Sugar manufactured.

CAP. XXVIII.

An Act in addition to the Acts relating to the Provincial Penitentiary.

Passed 30th March 1848.

WHEREAS it has been found necessary to make further provision for
 'the management and safe keeping of the prisoners confined in the
 'Provincial Penitentiary;'

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Sheriff of any County, or City and County, or any Deputy Sheriff, Constable or other Officer, by direction of such Sheriff, or of any Constable, to convey and take any offender sentenced to imprisonment in the Provincial Penitentiary, to the said Provincial Penitentiary, and then deliver such offender to the Keeper there, pursuant to the sentence passed upon such prisoner, without any further warrant, order or direction than the passing of such sentence by the Court before whom such offender shall be tried, and a copy of the sentence passed upon such offender from the Minutes of the Court before whom such offender shall be tried, certified by any Justice or by the Clerk or acting Clerk of such Court.

Sheriff, &c. to convey to the Penitentiary, without further warrant than a copy of the sentence, offenders sentenced to be confined there.

II. And be it enacted, That the Sheriff or Gaoler, and every person employed in the conveyance of any offender to the Provincial Penitentiary, there to be imprisoned, may in such manner as he shall think fit, carry and secure such offender in and through any County in this Province; and that all reasonable expenses which such Sheriff, Gaoler or other person shall incur in every such removal, if the conviction had been before any Court other than the Court of Oyer and Terminer and General Gaol Delivery, shall be paid by the County for which the Court in which the offender was convicted shall have been held, to be paid by the Treasurer of such County, such reasonable expenses being first allowed by order of the Justices of the Peace at their General Sessions or other Sessions of the Peace, who are hereby required to make such order as shall be just in that behalf; and if the conviction had been before the Court of Oyer and Terminer and General Gaol Delivery, the same shall be paid by the Province, and shall be drawn from the Treasury by Warrant under the hand and seal of the Lieutenant Governor or Administrator of the Government for the time being; the amount of such charges and expenses being first ascertained and settled by Her Majesty's Justices of the Peace of the proper County at their General Sessions, or at any Special Sessions of the Peace to be by them for that purpose holden, and duly audited by the Provincial Auditor.

Offenders to be conveyed and secured as the officer in charge may think fit.

Expenses to be defrayed by the County when the sentence is passed by other than the Court of Oyer and Terminer;

If by the Court of Oyer and Terminer, expenses to be paid by the Province.

III. And be it enacted, That after the delivery of any such offender as aforesaid, to the Keeper of the said Penitentiary, such Keeper or other person having the custody of criminals or convicts under his direction, shall during the term for which such criminals or convicts shall be ordered to remain in his custody, have the same power over such convicts as are incident to the office of a Sheriff or Gaoler, and in case of any abuse of such custody or other misbehaviour or negligence in the discharge of his office, shall be liable to the same punishment to which a Gaoler is now liable by Law.

Keeper of the Penitentiary and under Officer to have the same power over convicts as a Sheriff or Gaoler.

IV. And be it enacted, That any criminal or convict who shall be ordered or sentenced to be imprisoned in the said Penitentiary, who at any time during the term of such confinement, shall break prison or escape, or who, while being conveyed to such Penitentiary, shall escape from the person or persons having the lawful custody of such convict, he or she so breaking prison, or escaping, shall be guilty of felony.

Escape from the Penitentiary made felony.

Rescuing a convict, or aiding or permitting an escape, made felony.

Supplying arms, disguises, &c. made felony, though no escape be made.

Negligently permitting an escape, made a misdemeanor.

Persons introducing articles not allowed by the Prison regulations, may be apprehended, and on conviction, committed to the Penitentiary.

When a period of imprisonment expires on the Lord's Day, prisoner to be discharged on the preceding Saturday.

Sentences to House of Correction, &c., may be to the Penitentiary.

Trials for escapes, &c. may be had where offence committed or offender apprehended.

Custody of offender may be laid in the Keeper of the Penitentiary.

V. And be it enacted, That if any person shall rescue any convict or criminal who shall be ordered or sentenced to be imprisoned in the said Provincial Penitentiary, either during the time of his or her conveyance to the said Penitentiary, or of his or her imprisonment therein, or if any person shall be aiding or assisting in any such rescue, every person so rescuing, aiding or assisting, shall be guilty of felony; and if any person having the custody of any such convict or criminal, or being employed as Keeper, Under Keeper, Assistant or Guard, shall knowingly and wilfully permit such convict to escape; and if any person shall by supplying arms, tools or instruments of disguise, or otherwise be in any manner aiding or assisting any such convict in any escape or prison breach, or in any attempt to make an escape, though no escape be actually made; or shall attempt to rescue any such convict or criminal, or be aiding or assisting in any such attempt, though no rescue be actually made; every person so permitting, attempting, aiding or assisting, shall be guilty of felony; and if any person having such custody, or being so employed by the person having such custody as aforesaid, shall negligently permit any such convict or criminal to escape, such person shall be guilty of a misdemeanor, and being lawfully convicted of the same, shall be liable to fine or imprisonment, or to both, at the discretion of the Court.

VI. And be it enacted, That if any person shall carry or bring, or attempt or endeavour, by throwing over the walls, or any other means to introduce into the said Provincial Penitentiary, any letters, tobacco, liquor, or other articles not allowed by the rules of the said Prison, it shall be lawful for any person to apprehend such offender and to carry him or her before any Justice of the Peace, who is hereby authorized to hear and determine such offence in a summary way; and if he shall lawfully convict such person of such offence, he shall forthwith commit such offender to the Provincial Penitentiary, there to be kept with hard labour for any time not exceeding one calendar month, without bail or mainprize, unless such offender shall immediately pay down such sum of money, not exceeding five pounds nor less than one pound, as such Justice shall impose, and such fine shall be paid to the Commissioners of the Provincial Penitentiary towards the expenses of the maintenance of said prison.

VII. And be it enacted, That every person confined in the Provincial Penitentiary or any other Prison, whose term of imprisonment would, according to his or her sentence, have expired on any Lord's Day, shall be entitled to his or her discharge from such Prison on the Saturday next preceding such Lord's Day; and every person having the custody of any such prisoner as aforesaid, is hereby authorized and required to discharge such prisoner on the Saturday next preceding any such Lord's Day.

VIII. And be it enacted, That whenever by any Act of Assembly or Statute made or hereafter to be made, authority is given to confine or imprison any person in any House of Correction, or in any Gaol with hard labour in this Province, or in the Provincial Penitentiary, such confinement may be adjudged to be or may be in the Provincial Penitentiary with hard labour.

IX. 'And to the intent that prosecutions for escape, breaches of the Penitentiary, and rescues, may be carried on with as little trouble and expense as possible;' Be it further enacted, That any offender or criminal escaping, breaking the Penitentiary, or being rescued therefrom, or in going thereto, may be tried either in the jurisdiction where the offence was committed, or in that where he or she shall be apprehended and taken; and in case of any prosecution for any such escape, attempt to escape, breach of the Penitentiary, or rescue, either against the offender escaping or attempting to escape, or having broken the Penitentiary, or having been

been rescued, or against any other person or persons concerned therein, or aiding, abetting or assisting the same, the custody of such offender may be laid in the indictment as being in the Keeper of the Provincial Penitentiary; and a certificate given by the Clerk of the Court in which such offender shall have been convicted, shall together with due proof of the identity of the person, be sufficient evidence to the Court and Jury of the nature and fact of the conviction, and of the specific period of confinement to which such person was sentenced.

Evidence of nature and fact of conviction.

X. And be it enacted, That any person guilty of felony under this Act, and being convicted thereof, shall be liable to be imprisoned in the said Penitentiary for any term not exceeding seven years nor less than one year, as the Court shall award.

Punishment for felony under this Act.

XI. And be it enacted, That so much of the ninth section of an Act made and passed in the fourth year of the Reign of Her present Majesty, intituled *An Act to establish a Provincial House of Correction*, as requires the visiting Commissioner to make a report in writing as specified in the said section, at every meeting of the Board of Commissioners, be and the same is hereby repealed; and in lieu thereof, be it enacted, that a report, as specified in the said ninth section of the said recited Act, shall be made by the visiting Commissioner to the Board of Commissioners at intervals of not more than three calendar months.

Act 4 V. c. 44, s. 9. in part repealed.

Visiting Commissioner to report at intervals of not more than three months.

XII. And be it enacted, That the provisions of all Acts of the General Assembly, now made or hereafter to be made for protecting Justices of the Peace and Constables in the execution of their duty, shall extend to the Commissioners of the Provincial Penitentiary, and the Keeper and Officers thereof; and that every Under Keeper, Turnkey, or other person employed in the keeping of the prisoners in the said Provincial Penitentiary, shall, within the City and County of Saint John, in addition to any other power or authority he may have by Law, have, receive and enjoy all such powers, authorities, advantages and immunities as any Constable duly appointed enjoys within his Constablewick, by virtue of the Common and Statute Law, or any Act of Assembly in force in this Province.

Acts for protecting Justices of the Peace and Constables to extend to the Commissioners of the Penitentiary and Officers.

Under Keepers, &c. to have the powers, &c. of Constables within their Constablewick.

XIII. 'And for the further protection of all persons acting in the execution of this Act, or of any Act made and passed in the fourth year of the Reign of Her present Majesty, intituled *An Act to establish a Provincial House of Correction*, or of an Act made and passed in the fifth year of the Reign of Her present Majesty, intituled *An Act to make further provision relative to the Provincial House of Correction, and to give it the name of 'The Provincial Penitentiary;'*' Be it enacted, That all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act, or the said recited Act, shall be laid and tried in the County, or City and County, where the fact was committed, and shall be commenced within three calendar months after the fact committed, and not otherwise; and notice in writing of such action, and of the cause thereof, shall be given to the defendant one calendar month at least before the commencement of the action; and in any such action the defendant may plead the general issue, and give this Act, and the said recited Acts, and the special matter in evidence at any trial to be had thereupon; and no plaintiff shall recover in any such action, if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into Court after such action brought, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become non-suit, or discontinue any such action after issue joined, or if upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover his full costs, as between attorney and client, and have the like remedy for the same as any defendant hath by Law

Actions for doings under this Act, and the Acts 4 V. c. 44, and 5 V. c. 25, to be laid in the City of Saint John, and commenced within three months after cause of action.

One month's notice to be given.

General Issue.

Tender of amends.

Costs.

in

in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the Judge before whom the trial shall be, certify his approbation of the action, and of the verdict obtained thereupon.

Commissioners empowered to contract for the erection of a third tier of Cells and the completion of the Fence around the Penitentiary.

XIV. And be it enacted, That the Commissioners of the Provincial Penitentiary be and they are hereby authorized to contract and agree with sufficient workmen for the erection and completion of a third tier of Cells in the said Provincial Penitentiary, and for the completion of the Picket Fence now in the course of erection around the said Penitentiary, and that it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, to draw by Warrant upon the Treasury for a sum not exceeding seven hundred and fifty pounds, for the purpose of making the said erections.

CAP. XXIX.

An Act to amend an Act for the amendment of the Charter of the City of Saint John.

Passed 30th March 1848.

Preamble.

6 V. c. 35, s. 11.

‘**W**HEREAS in and by the eleventh section of an Act made and passed in the sixth year of Her present Majesty’s Reign, intituled *An Act for the amendment of the Charter of the City of Saint John*, it is enacted that the Salary of the Common Clerk of the said City shall be settled, adjusted and determined by the Common Council of the said City, provided that the Salary of the Common Clerk so to be settled, should not be less than five hundred pounds: And whereas the Salary of five hundred pounds is greater than is sufficient to provide for the efficient discharge of the duties of the Common Clerk;’

Act 6 V. c. 35, s. 11, in part repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the said eleventh section of the said recited Act as relates to the Salary of the said Common Clerk, be and the same is hereby repealed; and in lieu thereof,

Salary of the Common Clerk to be settled by the City Corporation.

Not to be less than £350, in lieu of all fees as Common Clerk.

Fees as Clerk of the Peace reserved.

II. Be it enacted, That the Salary of the said Common Clerk of the said City of Saint John, shall be settled, adjusted and determined by the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened; provided always, that the Salary of the said Common Clerk so to be settled, shall not be less than the sum of three hundred and fifty pounds, which Salary shall be in lieu and substitution of all fees by him receivable under and by virtue of his said Office of Common Clerk; and further provided, that nothing herein contained shall prevent the said Common Clerk from receiving or retaining to his own use all fees by Law receivable by him as Clerk of the Peace and of the Sessions of the Peace and Clerk of the Inferior Court of Common Pleas of the said City and County.

CAP. XXX.

An Act to amend an Act to provide for increasing the number of Special Constables in the City of Saint John, and for appointing Special Constables in the City and County of Saint John.

Passed 30th March 1848.

Preamble.

7 W. 4, c. 12.

‘**W**HEREAS certain provisions of an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for increasing the number of Constables in the City of Saint John, and for appointing Special Constables in the City and County of Saint John*, are not found sufficient for the purposes of the said Act;’

I.

I. ~~Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the seventh section of the said recited Act be and the same is hereby repealed.~~ Act 7 W. 4, c. 12, s. 7, repealed.

II. And in lieu thereof, Be it enacted, That in all cases where it may be found necessary under the provisions of the said Act to appoint and swear in Special Constables, it shall and may be lawful for the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace, or at any Special Sessions to be for that purpose holden, to borrow such sum of money as they in their discretion may deem meet for the purpose of paying and providing for the services and expenses of such Special Constables, and to order the same, if they shall think fit, to be repaid out of the contingent funds of the said City and County; or to order an assessment to be made upon the said City of Saint John, or upon any Parish or Parishes in the said City and County, for payment thereof; and to order and direct what portion of such assessment shall be raised and levied by a Poll Tax upon the inhabitants of such City or Parish, for the purpose of paying such sum of money so borrowed for the purposes aforesaid; or in case they shall not see fit, or be unable, to borrow money for the purposes aforesaid, to order an assessment to be made for the purpose of meeting the amount of expenses incurred under any of the provisions of the said Act; provided always, that not more than one fourth part of any such assessment shall be levied by such Poll Tax. The Justices authorized to borrow or assess money to pay the Special Constables.

III. And be it enacted, That the said Justices in General Sessions, or at any Special Sessions for that purpose to be holden, shall have power and are hereby authorized to make an allowance to all or any of the Constables or other Peace Officers of the City of Saint John, or City and County of Saint John, for any services by them performed in the execution of their offices, or in attending any of the Courts held in the City of Saint John, or in apprehending or searching for and endeavouring to apprehend any felon or person charged with or suspected of any felony, and to offer and pay any rewards for the apprehension of any felon or person accused or suspected of felony, as the said Justices in their discretion shall think needful in promoting the due and proper execution of the Laws and the duties of such Officers, and shall order all such sums of money to be paid out of the contingent funds of the said City and County. Justices authorized to pay Constables or other Peace Officers for their services; and offer and pay rewards for the apprehension of felons, &c.

IV. And be it enacted, That in case the contingent funds for the year shall not be sufficient, in the opinion of the said Justices in Sessions, to bear any expenses incurred or payable under this Act or the Act of which this is an amendment, it shall and may be lawful for the said Justices to order what amount shall be levied and rated in addition to the annual rate or assessment for the contingent expenses for the said City and County, and to direct that the said additional sum shall be levied and assessed with the said annual contingent assessment, which said additional sum shall be paid into the hands of the County Treasurer for the purposes of this Act, when so levied and assessed. Expenses under this Act, or 7 W. 4, c. 47, may be levied in addition to the annual assessment for contingent expenses.

V. And be it enacted, That ~~this Act shall apply and extend to the several Counties in this Province.~~ Act extended to the several Counties.

CAP. XXXI.

An Act further to continue an Act, intituled *An Act to extend the jurisdiction of the Corporation of the City of Saint John, for the regulation of the rates of Pilotage, beyond the limits now prescribed by Charter.* 3 V. c. 70.

Passed 30th March 1848.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of Her present Majesty, Act 3 V. c. 70, continued.

Majesty, intituled *An Act to extend the jurisdiction of the Corporation of the City of Saint John, for the regulation of the rates of Pilotage, beyond the limits now prescribed by Charter*, be and the same is hereby further continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and sixty.

CAP. XXXII.

An Act relating to the Public Burial Ground in the City of Saint John.

Passed 30th March 1848.

Preamble.

‘ **W**HEREAS from the great increase in the extent and population of the City of Saint John, it is apprehended that the interment of the dead in the Public Burial Ground adjacent to King’s Square in the said City, if continued, may be detrimental to the health of the inhabitants of the said City ;’

Interments within the Public Burial Ground in the City, prohibited.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That upon and after the first day of May next, it shall not be lawful to inter, bury or place the corpse of any deceased person within the Public Burial Ground in the City of Saint John, as now enclosed, and bounded on the North by the rear of the Lots fronting on Union Street, on the South by Great George Street, on the East by Carmarthen Street, and on the West by Sidney Street ; provided that nothing herein contained shall prevent the placing or exposing the corpse of any person unknown in the dead house now erected in the said Burial Ground, for the purpose of recognition before interment, for the space of one year.

Penalty for interring or assisting therein.

II. And be it enacted, That if any person or persons shall after the first day of May next, inter, bury or place, or shall aid or assist in interring, burying or placing, any corpse within the said Burial Ground, he, she or they so offending, shall forfeit and pay the sum of one hundred pounds, to be recovered by an action of debt in any of Her Majesty’s Courts of Record in this Province, by and in the name of the County Treasurer of the City and County of Saint John ; to be paid and applied to the Commissioners of the Alms House for the City and County of Saint John, for the use of the poor thereof ; and it shall and may be lawful for any of the Justices of the Peace of the said City and County, and they are hereby required to order and direct the disinterring and removal of any corpse interred, buried or placed in the said Burial Ground contrary to the provisions of this Act, and to cause the same to be decently interred in any other Burial Ground, at the discretion of such Magistrate.

Justices to order the removal of the corpse so buried.

City Corporation not to disturb any grave, or remove any corpse, &c. except at the request of the representatives of the deceased.

III. ‘ And whereas under and by virtue of the Charter of the City of Saint John, the legal estate in the said Burial Ground became vested in the Mayor, Aldermen and Commonalty of the City of Saint John, and the same has been since held by them as and for a Public Burial Ground, and for no other use or purpose : And whereas certain rights have been acquired by the representatives and relatives of deceased persons there interred, and are now existing to certain portions of the said Burial Ground, and to certain enclosures, erections, monuments and tombstones now there standing and being ;’ Be it therefore enacted, That it shall not be lawful for the said Mayor, Aldermen and Commonalty of the said City, or any person by their direction or authority, to disturb any grave or remove any corpse in the said ground, lawfully interred, unless at the request and desire of the legal representative of the deceased person so to be removed, or to pull down, displace, or remove, or to prevent the repair or removal of any enclosure, paling, erection, monument or tombstone heretofore placed or standing in the said Burial Ground.

IV. And be it enacted, That all and every grant and conveyance whatsoever heretofore made or hereafter to be made by the said Mayor, Aldermen and Commonalty of the City of Saint John, of the said Burial Ground, or any part or portion thereof, is and shall be ipso facto void; and that the same and every part and portion thereof shall not be liable to be levied upon or taken in execution for the debts of the said Mayor, Aldermen and Commonalty of the City of Saint John, or any person whatever, but shall be altogether free from seizure at the suit of any person or persons whatsoever, and that the area of the same shall be and forever remain open and unoccupied, and unappropriated to any use or uses, public or private; and that all buildings, houses and erections of any nature or kind soever that shall be erected, placed or found in the said Burial Ground contrary hereto, shall be held, taken, decreed and adjudged to be public and common nuisances, and be treated as such accordingly; provided that nothing herein contained shall prevent the maintaining and keeping by the said Mayor, Aldermen and Commonalty, of a good and sufficient enclosure round the said ground, with proper gates and conveniences to admit the passage into the said ground of all persons under such regulations as to the said Mayor, Aldermen and Commonalty may seem meet, or to prevent the ornamenting, planting or otherwise improving the said Burial Ground.

Conveyances heretofore made of the Burial Ground declared void, and the premises freed from liability to seizure.

Area to remain open.

Buildings thereon declared nuisances.

Not to prevent fencing and ornamenting.

V. And be it enacted, That on application to be made to the Commissioners of the Alms House for the City and County of Saint John, for the interment of the corpse of any pauper, it shall be the duty of the said Commissioners, and they are hereby required to provide a proper conveyance and other things needful for the decent interment of such corpse in the ground attached to the Alms House of the said City and County, or elsewhere, in some proper and convenient place, at their discretion, the expense of any such interment to be borne and defrayed in like manner as any charge for the maintenance of the poor of the said City and County.

Commissioners of the Alms House to provide for the interment of paupers, on application.

CAP. XXXIII.

An Act to authorize the Justices of the Peace for the City and County of Saint John to raise a sum of money for making certain alterations in and additions to the Common Gaol of the said City and County.

Passed 30th March 1848.

WHEREAS in order to the preservation of the health and comfort of the inmates of the Common Gaol of the City and County of Saint John, it is found necessary to make certain additions to and alterations in the said building;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Justices of the Peace for the said City and County of Saint John, at any General Sessions of the Peace hereafter to be holden, or the major part of them so assembled, be and are hereby authorized and empowered by themselves, or one or more Committees of Management for that purpose to be appointed, to contract and agree with able and sufficient workmen for erecting, placing and finishing in or connected with the said Common Gaol, suitable and necessary privies or water closets for the comfort and accommodation of the inmates of the said Common Gaol.

Contracts for water closets, &c. in connexion with the Gaol, may be made.

II. And be it enacted, That the said Justices, at any General Sessions of the Peace for the said City and County, be and are hereby authorized to borrow such sums as may be necessary for the purpose aforesaid, not exceeding the sum of five hundred pounds, the same to be taken in loans of not less than fifty

Money not exceeding £500, may be borrowed.

fifty pounds, and that Certificates or Notes in the following form, or to that effect, shall be prepared and delivered to the persons from whom such loans may be obtained, to wit:—

Form of Certificate.

‘ Number —

‘ City and County of Saint John, ss.

‘ These are to certify, that [*here insert residence and addition of lender*] hath lent and advanced to the Justices of the Peace for the said City and County, the sum of — pounds currency, which sum is payable to him or his order, together with interest, at and after the rate of — per centum per annum, pursuant to an Act of Assembly made and passed in the eleventh year of the Reign of Her Majesty Queen Victoria, intituled *An Act to authorize the Justices of the Peace in and for the City and County of Saint John to raise a further sum of money for making certain alterations and additions to the Common Gaol of the said City and County.* Dated the — day of — in the year of our Lord one thousand eight hundred and forty —.

‘ By order of the Sessions.

‘ A. B., Presiding Justice.’

Which same certificates or notes shall be signed by the Justice presiding at the said Sessions, and counter signed by the Clerk, and shall be respectively numbered according to the time in which the same may be made and issued, and a memorandum thereof shall be duly entered by the Clerk in the Minutes.

Certificates to bear interest.

III. And be it enacted, That the said certificates and notes shall be negotiable in the same manner as promissory notes, and that the holders thereof shall be entitled to receive interest for the same annually, to be paid by the Treasurer of the said County out of the assessments hereinafter mentioned.

An annual assessment to be made for such an amount as will pay expenses of assessments and interest on loan under this Act, until debts contracted under Acts 1 V. c. 16, and 2 V. c. 33, are paid off, after which an assessment may be made to pay off the debt hereby authorized to be contracted.

IV: And be it enacted, That it shall and may be lawful for the said Justices of the Peace of the said City and County, and they are hereby authorized and required to make a rate and assessment each and every year, of such a sum of money, besides the charge for assessing and collecting, as will discharge the interest of the loan contracted by virtue of this Act, until the total amount of the loan, and all interest thereon heretofore obtained by virtue of the Act of Assembly made and passed in the first year of the Reign of Her Majesty Queen Victoria, intituled *An Act to authorize the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same,* and until the total amount of the loan, and all interest thereon heretofore obtained by virtue of the Act of Assembly made and passed in the third year of the Reign of Her present Majesty, intituled *An Act to authorize the Justices of the Peace in and for the City and County of Saint John to erect a building in the said City for a Common Gaol, and to raise a sum of money for erecting and completing the same,* are severally paid off and discharged; and from and after the time of payment and discharge of the total amount of said several loans so contracted by virtue of the said several Acts, it shall and may be lawful for the said Justices, and they are hereby authorized and required to make a rate and assessment of the said sum, not exceeding five hundred pounds, besides the charge for assessing and collecting, for the purpose of discharging the principal and interest then due upon the loan contracted by virtue of this Act, for the purpose of paying off the same; which said sums of money are to be assessed, levied, collected and paid, in such proportion, and in the same manner as other County Rates for public charges are or may be assessed, levied, collected and paid under and by virtue of any Act or Acts made or to be made for assessing, levying and collecting rates for public charges.

V. And be it enacted, That the interest upon the money to be raised by virtue of this Act, with the charge for assessing and collecting the same, shall be assessed and levied under one rate, with the interest of the loans heretofore contracted under the said Act, intituled *An Act to authorize the Justices of the Peace in and for the City and County of Saint John to erect a building in the said City for a Common Gaol, and to raise a sum of money for erecting and completing the same*, in the same manner as if the money raised by virtue of this Act had been raised, and were a part of the sum of money borrowed under and by virtue of the said last recited Act.

Expenses of assessment and interest of loan under this Act to be levied in same rate with interest of loans contracted under Act 3 V. c. 38.

VI. And be it enacted, That the monies so to be assessed as aforesaid shall be applied, after discharging all interest due on the loans contracted by virtue of this Act, to the payment of the principal sums mentioned in such certificates or notes; and that the Treasurer of the said City and County shall give one month's public notice by advertisement in one of the newspapers published in the said City, for calling in the said notes, when he is prepared to pay off the same, and that from and after the time specified in such notice the interest on said certificates or notes shall cease.

Moneys assessed to be applied towards payment of the loan after all the interest is paid.

VII. And be it enacted, That the County Treasurer shall be entitled to have and retain the sum of one pound per centum on every hundred pounds for his services in receiving and paying the said monies so to be assessed under the provisions of this Act, and no more.

Remuneration of the County Treasurer.

CAP. XXXIV.

An Act to authorize the Justices of the Peace for the City and County of Saint John to levy an assessment for the payment of expenses incurred in the preservation of the Public Peace in the Parish of Portland, and in lighting a part of the said Parish with Gas.

Passed 30th March 1848.

WHEREAS under the provisions of an Act made and passed in the seventh year of the Reign of His Majesty King William the Fourth, intituled *An Act to provide for increasing the number of Constables in the City of Saint John, and for appointing Special Constables in the City and County of Saint John*, a number of Special Constables were employed in the month of November last, and are now employed in preserving and keeping the Peace in the Parish of Portland, in the said City and County: And whereas it has been found necessary to light a part of the said Parish with Gas; and in order to make provision for the payment of the services of the said Special Constables, and of lighting the said Parish,

Preamble.

7 W. 4, c. 12.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace for the City and County of Saint John, at any General or Special Sessions of the Peace hereafter to be holden therein, be and are hereby authorized and empowered to make such rate or assessment, in the manner hereinafter provided, upon the said Parish of Portland, of any sum not exceeding five hundred pounds, as they in their discretion may think necessary for the purpose of defraying the expenses of the said Special Constables so as aforesaid employed, and of lighting a part of the said Parish with Gas.

Assessment of £500 for expenses of Special Constables, and lighting part of Portland, authorized.

II. And be it enacted, That the said sum of five hundred pounds, together with the expenses of collecting and assessing the same, shall be rated, assessed, levied and raised upon the inhabitants, and the personal property and income of the inhabitants of the said Parish of Portland, and upon the real property situate within the said Parish, by a Poll Tax and Real and Personal Property Tax, and shall

To be assessed as other County or Parish Rates;

shall be collected and paid in the same manner as any other County or Parish Rates are rated, assessed, levied, raised, collected and paid under or by virtue of any Act now or hereafter to be in force for the assessing, levying and collecting Parish Rates, and when received shall be paid over by the Collector into the hands of the County Treasurer, to be disbursed by him from time to time, on the order of the said Justices, in any General or Special Sessions to be made, for the purposes of this Act.

and paid by the
Collector to the
County Treasurer.

One fourth of the
assessment to be
raised by a
Poll Tax.

III. 'And whereas in and by the first section of an Act made and passed in the first year of the Reign of Her present Majesty, intituled *An Act to provide for the better assessment of County and Parish Rates*, it is provided that not more than one eighth part of any whole Rate should be raised by a Poll Rate: And whereas it is considered just that in levying a Rate to pay the expenses of keeping the Peace a greater proportion than one eighth part of such Rate should be raised by a Poll Rate; Be it therefore enacted, That in lieu of the said provisions of the said recited Act, one fourth part of the Rate hereby authorized and required to be levied, shall be assessed, levied and raised by an equal rate upon the Poll of all male inhabitants of the said Parish of Portland of the age of twenty one and upwards, not being paupers.

Remuneration of
the County Treasur-
er, limited.

IV. And be it enacted, That the Treasurer of the said City and County shall be entitled to the sum of one and a quarter per cent. for receiving and paying all sums of money raised under the provisions of this Act.

CAP. XXXV.

7 V. c. 28.

An Act to continue an Act to prevent the spread of a Disorder now existing in certain parts of the Counties of Gloucester and Northumberland.

Passed 30th March 1848.

Act 7 V. c. 28,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to prevent the spread of a disorder now existing in certain parts of the Counties of Gloucester and Northumberland*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXXVI.

An Act to provide for a Town Clock in Fredericton.

Passed 30th March 1848.

Preamble.

WHEREAS the providing for and setting up a Town Clock in a central and conspicuous part of the City of Fredericton, will be a public advantage: And whereas it is just and equitable that the expense thereof should be defrayed and sustained by the inhabitants of the said City who will be accommodated by the said Clock;

Justices in General
Sessions authorized
to provide a Town
Clock.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the General Sessions of the Peace for the County of York, at any General Sessions or Special Session for that purpose holden, to contract for and provide a good and sufficient Town Clock, the expense and setting of which shall not exceed the sum of three hundred and thirty pounds, and to cause such Clock to be set up and placed in a central and conspicuous part of the said City, in or upon such building as they can provide or as they may agree for by such contract or agreement with the proprietors thereof, as they shall deem for the benefit and advantage of the said City.

II.

II. And be it enacted, That in deciding all questions relating to the purchasing and setting up of the said Clock, such of the Justices of the Peace of the County of York as are resident in the City of Fredericton, shall alone be entitled to vote.

Justices resident in Fredericton alone to vote on the question.

III. And be it enacted, That it shall and may be lawful for the Justices of the Peace for the County of York, at any General Sessions of the Peace for the said County, to raise by loan a sum of money, not exceeding three hundred and thirty pounds, for the purpose of providing and paying for a good and sufficient Town Clock in Fredericton, the expense and setting up of which to be paid off and discharged in the manner hereinafter mentioned, the same to be taken in loans of not less than twenty five pounds, and that Debentures in the following form, or to that effect, shall be delivered to the person or persons from whom such loan shall be obtained, viz:—

Funds not exceeding £330, may be borrowed.

‘ Number—

‘ County of York, ss.

Form of Debenture.

‘ These are to certify, that [*here insert name, residence and addition of lender,*] hath lent and advanced to the Justices of the Peace for the said County, the sum of twenty five pounds currency, which sum is payable to him or order (*or her as the case may be,*) together with lawful interest, pursuant to an Act of Assembly made and passed in the eleventh year of the Reign of Queen Victoria, intituled *An Act to provide for a Town Clock in Fredericton.* Dated the — day of —, in the year of our Lord one thousand eight hundred and forty —.

‘ By order of the Sessions.

‘ A. B., Presiding Judge.

‘ C. D., Clerk of the Peace.’

Which Debentures shall be signed by the presiding Justice of the Sessions for the said County, and countersigned by the Clerk, and shall be respectively numbered according to the time at which the same be made and issued, and a memorandum thereof shall be submitted by the Clerk at the next General Sessions, and the same shall be entered on the Minutes of the said Court.

Registry.

IV. And be it enacted, That the monies so authorized to be borrowed by the said Justices, shall from time to time be paid to and received by the County Treasurer, and shall be paid out by him from time to time when required by the orders of the said General Sessions, in such sum or sums as they may think fit for the purpose of providing and paying for the said Clock, and the expense of setting it up; and the said County Treasurer shall at every General Sessions of the Peace for the said County render a just and true account, on oath if required, of the sums of money received and paid by him on this account, separate and distinct from other accounts.

Money to be paid to and disbursed by the County Treasurer.

V. And be it enacted, That the said holders of such Debentures shall be entitled to receive interest for the same annually, not exceeding six per cent., to be paid by the Treasurer of the County out of the assessment hereinafter mentioned, upon the orders of the said General Sessions, to be made in manner hereinafter mentioned.

Debentures to bear interest.

VI. And be it enacted, That it shall and may be lawful for the said Justices of the Peace of the said County, and they are hereby authorized and required to make a rate and assessment upon such parts of the Parish of Fredericton, as they or the major part of them may deem benefited thereby, of one hundred pounds in each and every year, besides the charge of assessing and collecting, for paying off and discharging the loans contracted for the purpose hereinbefore mentioned by virtue of this Act, until the same shall be paid off; the said several sums to be assessed,

Annual assessment not exceeding £100, and charges, to be made until the debt be paid off.

assessed, levied and collected in such proportions and in the same manner as is provided by any Act now or then in force for the assessing, levying and collecting County and Parish Rates.

Money to be applied in payment of the yearly interest and principal, as directed by the Sessions.

VII. And be it enacted, That the monies to be assessed as aforesaid, shall from time to time be applied, after discharging the yearly interest due on the several principal sums mentioned in such Debentures in due order according to their number, beginning with number one, and that the said County Treasurer shall so often as he may be directed by the said General Sessions of the Peace, give one month's public notice by advertisement in one of the newspapers published in the County for calling in such and so many of the Debentures as the said Justices are prepared to pay off, specifying the number in such advertisement, and the same by and under such orders as aforesaid, shall pay off accordingly, and that from and after the expiration of such notice, the interest on such Debentures shall cease.

Money received by the Treasurer to be paid out to the order of the Sessions, who are to appropriate the same to the liquidation of the Debentures.

VIII. And be it enacted, That whereas the said Justices may receive any sum or sums of money as and for or on account of the said debt, the same shall be paid to and received by the said County Treasurer, and shall be paid out by him to the orders of the said General Sessions, in such sums and at such times as the said Sessions may think fit, he rendering an account thereof in the same manner as in the case of monies hereinbefore mentioned; and it shall and may be lawful for the said Justices in their said General Sessions, and they are hereby required to appropriate and apply such monies so as aforesaid received for such debts from time to time in the payment of a certain number of the said Debentures, with the interest due thereon, in their due order as aforesaid, causing the like notice to be given as aforesaid.

Expenses of maintaining the Clock to be paid from the County funds.

IX. And be it enacted, That after the said Clock is so set up as aforesaid, the expenses of keeping the same in repair, and of taking care of the same, and any and every contingent expence incident thereto, shall be annually defrayed and paid for out of the County Funds of the County of York, in such manner as the Justices of the Peace of the said County of York, shall from time to time order and direct.

Remuneration of the County Treasurer.

X. And be it enacted, That the County Treasurer of the County of York shall be entitled to receive the sum of two per cent. for paying and receiving all monies collected under the authority of this Act.

CAP. XXXVII.

An Act to authorize Her Majesty's Justices of the Peace for the County of Charlotte to assess the inhabitants of said County to pay off the County Debt, and to provide for the contingent expenses thereof.

Passed 30th March 1848.

Assessment not exceeding £400, authorized, to pay off the County Debt and contingent expenses.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace for the County of Charlotte, at any General Sessions to be hereafter holden, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding four hundred pounds, as they in their discretion may think necessary, for the purpose of paying off the County Debt, and contingent expenses of the said County; the same to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for assessing, collecting, levying and paying of the County Rates.

CAP. XXXVIII.

An Act to enable the Justices of the Peace for the County of Carleton to pay certain expenses incurred in preserving the Peace in said County.

Passed 30th March 1848.

WHEREAS the Justices of the Peace of the County of Carleton incurred Preamble.
 a heavy expense in preserving the Peace in the said County in July
 last, a large part of which it is proposed to pay by a Legislative Grant, and the
 remainder by assessment upon the County of Carleton;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assessment of not
 exceeding £301 10s
 authorized to be
 made, to defray
 expenses of pre-
 serving the Peace.
 &c.
 Assembly, That the Justices of the Peace for the County of Carleton, at any
 General Sessions of the Peace hereafter holden, be and they are hereby authorized
 and empowered to make such rate and assessment of any sum not exceeding five
 hundred and ninety one pounds ten shillings, in such sums and at such times as
 they in their discretion may deem necessary, for defraying the expenses incurred
 in preserving the Peace in the said County in July last, to be assessed, levied,
 collected and paid agreeably to any Law in force for collecting and levying County
 or Parish Rates.

II. And be it enacted, That notwithstanding the provisions of any Act or Acts One fifth may be
 assessed as a Poll
 Tax.
 now in force for levying, assessing and collecting County and Parish Rates, the
 Justices of the General Sessions of the Peace for the County of Carleton shall
 have full power and authority, if they in their discretion shall see fit, to assess
 one fifth of any assessment to be made under this Act, upon the polls of the
 inhabitants of the said County.

CAP. XXXIX.

An Act to authorize the Justices of the Peace for King's County to levy an assessment to pay
 off the County Debts.

Passed 30th March 1848.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, Assessment autho-
 rized to pay the
 County Debt.
 That the Justices of the Peace for King's County, at any General Sessions
 of the Peace to be hereafter holden, or at any Special Sessions to be for that pur-
 pose convened, be and they are hereby authorized and empowered to make such
 rate and assessment of any sum not exceeding two hundred pounds, as they in
 their discretion may think necessary, for paying off the debts due from the said
 County; the same to be assessed, levied and paid agreeably to and under and by
 virtue of any Act or Acts which are now or hereafter may be in force in this
 Province for assessing, levying and collecting the Rates for public charges.

CAP. XL.

An Act to authorize the Justices of the Peace for the County of Sunbury to levy assessments to
 defray the County and Contingent expenses thereof.

Passed 30th March 1848.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, Assessment autho-
 rized to pay the
 contingent and
 other expenses of
 the County.
 That the Justices of the Peace for the County of Sunbury, at any General
 Sessions of the Peace hereafter to be holden, be and they are hereby authorized
 and empowered to make such rate and assessment of any sum not exceeding one
 hundred pounds, in such sums and at such times as they in their discretion may
 think necessary, to defray the contingent and other expenses of the said County;
 the same to be levied, assessed, collected and paid under and by virtue of any
 Act or Acts of the General Assembly of this Province in force for assessing and
 collecting of County Rates.

CAP. XLI.

An Act to authorize Her Majesty's Justices of the Peace for Queen's County to make provision for the payment of the County Contingencies.

Passed 30th March 1848.

Preamble.

WHEREAS the local Revenues of Queen's County have been found inadequate to meet the annual expenditure of the said County;

An annual assessment authorized to defray the contingent expenses of the County.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for Her Majesty's Justices of the Peace of the said County, at any General Sessions of the Peace of the said County to be thereafter holden, annually to make and order an assessment on the inhabitants of the said County for such sum as they in their discretion shall see fit, not exceeding the sum of one hundred and fifty pounds in any one year, for the purpose of providing for the annual contingent expenses of the said County; such sum to be assessed, levied, collected and paid agreeably to the provisions of any Acts now or hereafter to be in force for the assessing, levying and collecting of County Rates; provided nevertheless, that the assessment for the present year may be made by any Special Sessions of the Peace to be holden for that purpose.

Limitation.

II. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty two.

CAP. XLII.

An Act to provide for the more effectually repairing the Streets and Bridges in the Town Plat of Saint Andrews.

Passed 30th March 1848.

Preamble.

WHEREAS the rate now payable by persons liable to perform Statute Labour within the Town Plat of Saint Andrews is unnecessarily high for the requirements thereof;

A payment at the rate of 1s. 3d. per day to be made by persons liable to perform Statute Labour.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all persons liable to perform Statute Labour on the Streets and Bridges within the Town Plat of Saint Andrews, in the County of Charlotte, shall in future pay the sum of one shilling and three pence for each and every day's labour such persons are respectively liable to perform.

To be assessed as other County or Parish Rates.

II. And be it enacted, That the monies required to be paid by virtue of this Act shall be assessed, levied and collected in the same manner as any Parish or County Rates are assessed, levied and collected, by virtue of any Law now in force or hereafter to be in force for that purpose in this Province; and such monies, when collected, shall be paid over to a Commissioner of Highways to be appointed for that purpose, in the same manner and by the same authority as Commissioners of Highways are now appointed, to be by him expended on the Streets and Bridges within the above described limits in the same manner as any monies received in lieu of Statute Labour have been hitherto expended.

Limitation.

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

CAP. XLIII.

An Act to empower and authorize the Justices of the Peace for the County of Charlotte to Lease a certain piece of Common Land in the Parish of Saint Andrews, and to invest the proceeds towards the support of the Poor of the said Parish.

Passed 30th March 1848.

WHEREAS a certain piece of Land situate in the Parish of Saint Andrews, in the County of Charlotte, was granted by Letters Patent under the Great Seal of this Province to the Justices of the Peace for the County of Charlotte, in trust for the benefit of the inhabitants of the Town of Saint Andrews, which said piece of Land contains ninety eight acres, and is situated at the south east end of the Town Plat of Saint Andrews, and is known as part of the Commons of the said Town: And whereas the Saint Andrews and Quebec Rail Road Company are desirous of leasing a part of the said Commons;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Justices of the Peace for the County of Charlotte be and they are hereby authorized and empowered, by a good and sufficient Lease, to grant and to farm let such part, not exceeding twelve acres, of the hereinbefore described tract or parcel of Land, as they in their discretion may think fit, for any term not exceeding twenty one years, and to appropriate the proceeds arising therefrom towards the support of the Poor of the said Parish of Saint Andrews; provided always, that such Lease shall be made only to the Quebec and Saint Andrews Rail Road Company for the purposes of such Rail Road.

Justices authorized to lease a part of the Common to the Quebec and Saint Andrews Rail Road Company.

CAP. XLIV.

An Act to authorize the Rector, Church Wardens and Vestry of Saint Mary's Church, in the Parish of Richibucto, to sell certain Lands granted to the said Corporation, and vest the proceeds in other Lands.

Passed 30th March 1848.

WHEREAS the Rector, Church Wardens and Vestry of Saint Mary's Church, in the Parish of Richibucto, are seized and possessed of certain Lands in the Parish of Richibucto, under and by virtue of a Grant from the Crown bearing date the twenty sixth day of September, in the year of our Lord one thousand eight hundred and thirty eight: And whereas a portion of the said Lands, prior to the issuing of the Grant, had been improved by George Kinread, who is now in the occupation thereof; and the said George Kinread hath agreed to purchase from the said Rector, Church Wardens and Vestry, one hundred acres of the said Land, to include the improvements made by him, at and for a certain sum of money; and the said Rector, Church Wardens and Vestry are desirous of disposing of the same to the said George Kinread, and vesting the proceeds arising from such sale in other Lands for the said Corporation;

Preamble.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Rector, Church Wardens and Vestry of Saint Mary's Church, in the Parish of Richibucto, by and with the approbation of the Lord Bishop of the Diocese, be and they are hereby authorized and empowered to sell and dispose of one hundred acres of Land to the said George Kinread, his heirs and assigns, in fee simple, for such sum or price as they may agree, and to vest the sum so received in other Lands for the purpose of a Glebe for the Rector of the said Church.

Corporation of Saint Mary's Church, Richibucto, authorized to sell a described tract of Land, and re-invest the proceeds in other lands for a Glebe.

CAP. XLV.

An Act to authorize and empower the Rector, Church Wardens and Vestry of Saint Thomas' Church, in the Parish of Saint James, in the County of Charlotte, to sell and convey certain Glebe and Church Lands in said Parish, and vest the proceeds in other Lands more productive.

Passed 30th March 1848.

Preamble.

WHEREAS certain tracts of Land, situate in the Parish of Saint James, in the County of Charlotte, heretofore granted by Letters Patent under the Great Seal of this Province, to the Rector, Church Wardens and Vestry of Saint Thomas' Church, in said Parish of Saint James, in part for the use, benefit and behoof of the Rector for a Glebe, and in part for the use of the Church, now yield no income either to the Rector or the Church: And whereas it is believed that the several tracts of Glebe and Church Lands could now be sold in Farm Lots, at fair prices, and that the money arising from said sales might be invested in the purchase of other Lands, for the use and benefit of the said Rector, and of the said Church, which would be more productive to each respectively;

Corporation of Saint Thomas' Church, in Saint James, authorized to sell certain Church and Glebe Lands.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Rector, Church Wardens and Vestry of Saint Thomas' Church, in the Parish of Saint James, be and they are hereby authorized and empowered to sell, in Farm Lots, all or any of said Glebe and Church Lands, and make good and sufficient deeds of conveyance of the same, with the concurrence of the Lord Bishop of the Diocese, or in his absence, of the Archdeacon or Ecclesiastical Commissary of the Province, one or other of whom shall be a party to every such deed of conveyance, and sign and seal the same.

Proceeds to be re-invested in other Lands.

II. And be it further enacted, That the amounts arising from such sales of Glebe and Church Lands respectively, shall be re-invested by the said Rector, Church Wardens and Vestry, in the purchase of other Freehold Property, that is to say, the amount arising from the sales of Glebe Lands in Glebe Property to them and their successors, for the use, benefit and behoof of the Rector of the said Church of Saint Thomas, in the Parish of Saint James, for the time being, and the amount arising from the sales of the Church Lots in Freehold Property to them and their successors, for the use of the Church.

CAP. XLVI.

An Act to amend an Act, intituled *An Act to authorize the granting of a Tract of Land as a Mill Reserve to the Honorable John Robertson.*

Passed 30th March 1848.

Preamble.

19 V. c. 86.

WHEREAS the Mill Reserve mentioned in an Act made and passed in the tenth year of the Reign of Her present Majesty, intituled *An Act to authorize the granting of a Tract of Land as a Mill Reserve to the Honorable John Robertson*, was originally granted on a certain condition, not mentioned in the said recited Act, but attached to the said Mill Reserve, as well as to all other Mill Reserves granted in this Province, and the same was omitted to be inserted in the said recited Act;

Act 19 V. 86, not to prevent the sale of any part of the Reserve for actual settlement.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That nothing in the said recited Act made and passed in the tenth year of the Reign of Her present Majesty, intituled *An Act to authorize the granting of a Tract of Land as a Mill Reserve to the Honorable John Robertson*, shall extend or be construed to extend to prevent the Government from selling or disposing of such Mill Reserve, or any part or portions thereof, for actual settlement, in like manner as if such Reserve had not been made, or authorized to be granted,

as

as in the said recited Act mentioned, and in like manner as in the case of all other Mill Reserves in this Province, any thing in this Act, or the said recited Act to which this is an amendment, to the contrary notwithstanding.

CAP. XLVII.

An Act to authorize the Exploration and Survey of a Line for a Rail Road between Shediac and the City of Saint John.

Passed 30th March 1848.

WHEREAS it is deemed expedient to make a Survey and Exploration of a Line for a Rail Road between Shediac and the City of Saint John;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, and he is hereby authorized to employ competent Engineers and Surveyors for the performing, surveying, determining and reporting upon the most favourable Line for the construction of a Rail Road between Shediac, in the County of Westmorland, and the City of Saint John.

Governor in Council authorized to employ Engineers and Surveyors to survey, &c. a line of Rail Road between Shediac and Saint John.

II. And be it enacted, That the Engineers and Surveyors so to be appointed under and by virtue of this Act, shall have power and authority by themselves, assistants, workmen and labourers, to enter in and upon any granted or ungranted Lands, for the purpose of making Surveys and Explorations, doing as little damage as possible thereto.

Entry on Lands authorized.

III. And be it enacted, That for the purpose of completing the said Survey and Exploration, and paying the expenses thereof, it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, to draw by Warrant upon the Province Treasury a sum not exceeding one thousand pounds.

£1000 may be drawn from the Treasury to defray the expense.

CAP. XLVIII.

An Act in addition to and amendment of an Act further to amend and extend the provisions of an Act, intituled *An Act to incorporate the Saint Andrews and Quebec Rail Road Company.*

Passed 30th March 1848.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in determining the amount of damages or compensation to be paid by the said Saint Andrews and Quebec Rail Road Company to the proprietors or occupiers of any land or premises, which the said Company may require for the purposes of the said Rail Road, or which may be damaged in any way by the construction of the same, regard shall be had to the value of such land or premises before the present year, and not to the increased value which the construction of the said Rail Road will occasion, and that such damages or compensation, in case of disagreement, shall be ascertained and determined in such manner and form, and by such ways and means, as shall be directed and prescribed by any Act now in force or to be passed at the present or any future Session of the General Assembly of this Province.

Amended by 12 Oct 1848
60
Damages or compensation on account of Land not to be determined according to the value as increased by the Rail Road

And in cases of disagreement, to be ascertained as directed by Law.

II. And be it enacted, That at the next annual general meeting of the said Saint Andrews and Quebec Rail Road Company, and at every subsequent annual general meeting thereafter, it shall and may be lawful for the shareholders present, or appearing by proxy, instead of thirteen Directors as heretofore, to choose by a majority of votes, twenty Directors, being proprietors of at least ten shares each in the said Company; which Directors so chosen, shall remain in office one year,

Twenty Directors to be chosen at the annual meetings.

Ten shares to be the qualification.

or

A President to be chosen.

Quorum.

Chairman.

Votes.

On failure to choose Directors on first Tuesday in May, they may be chosen on any other day, after public notice.

Supply of vacancies occasioned by removal for misconduct;

Death, resignation, &c.

Authority given to set apart 4000 shares, to be distinguished as class A, for shareholders in the United Kingdom.

Authority given to assign guarantees of interest, &c. to holders of class A Certificates;

or until others are chosen in their place, and shall at the first meeting after their election, choose one of their number President of the said Company; provided always, that not less than five Directors shall form a quorum for the transaction of business; and in case of absence of the President, the Directors present shall have power to appoint one of their number Chairman for the occasion; and provided also, that the President or Chairman for the time being, shall vote at the board as a Director, and in case of there being an equal number of votes for and against any question before the Board of Directors, shall have the casting vote, although he may have given one vote before.

III. And be it enacted, That if it should so happen that the said Directors or other officers in the said Saint Andrews and Quebec Rail Road Company should not be chosen on the first Tuesday in May in any year, as directed by the Act of Assembly incorporating the said Company, made and passed in the sixth year of the Reign of His late Majesty William the Fourth, that then it shall and may be lawful to choose such Directors and Officers on any other day, between the hours of twelve at noon and three in the afternoon of such day, on giving fourteen days notice of the time and place of such meeting in the Royal Gazette or other newspaper published at Fredericton, also in one of the newspapers published in the City of Saint John, and also in one or more newspapers, if any, published in Saint Andrews; and in case any Director shall be removed by the Stockholders for misconduct or mal-administration, his place shall be filled up by the stockholders, fourteen days notice being in like manner given of the time and place of meeting for such purpose; and in case of any vacancy among the Directors by death, resignation, or disqualification by sale and transfer of stock, then and in either of such cases the said Directors shall and may fill up such vacancy, by choosing one of the stockholders, duly qualified, in his stead; and the person so chosen by the stockholders or Directors, shall serve until another be chosen in his room, any thing in the hereinbefore mentioned Act incorporating the said Company to the contrary notwithstanding.

IV. ' And whereas four thousand shares of the capital stock of the said Saint Andrews and Quebec Rail Road Company have been set apart by the said Company for shareholders in the United Kingdom, and a portion of such shares have already been subscribed and a deposit paid thereon by noblemen and gentlemen there resident: And whereas the said Company are desirous of creating a distinction between the shares held in the United Kingdom and the other shares in the said Company, and of yielding certain privileges and advantages to the ' shares held in the said United Kingdom; ' Therefore be it enacted, That four thousand shares in the said Company shall and may be set apart by the Directors of the said Company for shareholders in the United Kingdom, to be designated as shares in class A, and shall be numbered consecutively from number one to number four thousand inclusive, in the said class A; and that all other shares in the said Company shall be designated as class B, and shall be numbered consecutively from number one to such number of shares as may be subscribed for or issued by the said Company.

V. And be it enacted, That the Directors of the said Company shall and may have power to assign and transfer to the holders of shares in class A, the whole or any part of any guarantee of interest, grant of money or lands, or other benefit, profit or advantage, which now hath been, or hereafter may be granted, conceded or allowed to the said Company, by Act of Assembly in this Province, or otherwise howsoever; and that for the more effectually carrying out and perfecting the said assignment or transfer, or more than one if necessary, that the Directors of the

the said Company shall have power to establish an agency in London for the transaction of business with reference to the said shares in class A, subject to such rules and regulations as shall be prescribed by the bye laws of the said Company.

And establish an agency in London.

VI. And be it enacted, That whenever it shall be necessary to move any of the Officers or Soldiers of Her Majesty's Forces of the Line, Ordnance Corps, Marines, Militia, or Police Force, by the said Saint Andrews and Quebec Railway, or any of its Branches, the Directors thereof shall and they are hereby required to provide conveyances for the said Military, Marine, and Police Forces respectively, with their Baggage, Stores, Arms, Ammunition and other necessaries and things, at such time or times, whether the same shall be the usual hours of starting trains or not, as shall be required or appointed by any Officer duly authorized for that purpose, at such prices and upon such conditions as may from time to time be contracted for between the Secretary at War or some Officer duly authorized for that purpose, and the said Company.

Officers and Men of Her Majesty's Forces of the Line, Ordnance, Marines, &c., to be conveyed on the Rail Road when required.

VII. And be it enacted, That if a Line of Electrical Telegraph shall be established by the said Company upon the Line of the said Saint Andrews and Quebec Railway, or any part thereof, or upon any of its Branches, otherwise than exclusively for the purposes of the said Railway, the use of such Electrical Telegraph for the purpose of receiving and sending messages, shall be subject to the prior right of use thereof for the service of Her Majesty, and for the purposes of the said Company, and subject also to such equal charges and to such reasonable regulations as may be from time to time made by the said Company, be open for the receiving and sending of messages by all persons alike, without favour or preference.

A preference in the use of any public line of Electrical Telegraph to be established by the Company, secured to Her Majesty and the Company.

VIII. And be it enacted, That it shall be lawful for the Lieutenant Governor or Administrator of the Government in this Province for the time being, at any time either before or after any bye law, order, rule or regulation laid before him by the said Company, shall have come into operation, to notify to the said Company his disallowance thereof, and in case the same shall be in force at the time of such disallowance, the time at which the same shall cease to be in force, and no bye law, order, rule or regulation which shall be so disallowed, shall have any force or effect whatsoever, or if it shall be in force at the time of such disallowance, it shall cease to have any force or effect at the time limited in the notice of such disallowance, saving in so far as any penalty may have been already incurred under the same.

Authority given to the Governor of the Province to disallow any bye law, &c., of the Company.

CAP. XLIX.

An Act in amendment of and in addition to an Act, intituled *An Act to incorporate the South Bay Boom Company.*

Passed 30th March 1848.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if at the time appointed by the South Bay Boom Company, incorporated by Act of Assembly of this Province made and passed in the tenth year of Her present Majesty's Reign, or the Directors thereof, for the payment of any call already made or hereafter to be made, any shareholder shall have failed or shall fail to pay the amount of such call, or any part thereof, it shall be lawful for the said Company to sue such shareholder for the amount thereof, or so much thereof as may be and remain due and owing thereon, in any Court of Law or Equity, having competent jurisdiction, and to recover the same with lawful interest from the day on which such call was payable, with costs of suit.

On failure of payment of calls on account of Stock, the delinquent may be sued.

II.

Unnecessary to set out the special matter in the Declaration in the suit.

II. And be it enacted, That in any action or suit to be brought by the said Company against any shareholder to recover any money due for any call, it shall not be necessary to set forth the special matter, but it shall be sufficient for the said Company to declare that the defendant is the holder of one share or more in the said Company, [*state the number of shares*] and is indebted to the said Company in the sum of money to which the calls in arrear shall amount in respect of one call or more upon one share or more, [*state the number and amount of such calls*] which an action hath accrued to the said Company by virtue of this Act.

Sufficient to prove defendant a stockholder, that the call was made, and notice given.

III. And be it enacted, That on the trial or hearing of such action or suit, it shall be sufficient to prove that the defendant at the time of making such call was a holder of one share or more in the said undertaking, and that such call was in fact made, and such notice thereof given, as is directed by the Act incorporating the said Company, and to which this Act is an addition and amendment, and it shall not be necessary to prove the appointment of the Directors who made such call, nor any other matter whatsoever, and thereupon the said Company shall be entitled to recover what shall be due upon such call, and interest thereon, unless it shall appear due notice of such call was not given.

Directors authorized to raise money for carrying on the object of the Company, by pledging its property, &c.

IV. And be it enacted, That it shall and may be lawful for the Board of Directors of the said Company, when and so often as they may deem it expedient and necessary for the interests of the said Company, to raise such sum or sums of money as may be required for completing, extending, repairing, or otherwise improving the said Piers and Booms, or other the property of the said Corporation, or for the purpose of more effectually enabling the said Directors to carry into effect the objects and intentions of the said Company, by pledging as security therefor the property of said Company, or the boomage, property and proceeds thereof, in such manner and for such times, and upon such terms as they may consider expedient or right, provided the whole amount so obtained does not exceed the sum of two thousand pounds.

A new rate of boomage substituted for that in Act 10 V. c. 72.

V. And be it enacted, That the said Corporation shall be entitled to receive on all timber, logs, masts, spars or other lumber which shall be carried or received, or which shall enter into or within said Piers or Booms, or any of them, and which shall be fastened to or secured by the said Piers or Booms, or any of them, on the outside thereof, a sum not exceeding two pence for each and every ton of square timber; three pence for each and every ton of round timber, measured as square; four pence for each and every thousand superficial feet of logs, masts, spars and round timber; the above rates to be chargeable by the said Corporation up to the first day of June next ensuing the time the timber, logs, masts, spars or other lumber shall be received or deposited, and one half of the said rates, in addition for each succeeding year, or any part thereof, that the said timber, logs, masts, spars and other lumber shall be continued within said Boom, the same to be in lieu of the rates established and authorized by the Act incorporating the said Company; and for securing and recovering the payment of which Boomage, the said Company shall have in every respect the same lien and the same remedies as are given and provided for in and by the said Act of incorporation for securing and recovering the payment of the boomage authorized thereby.

Penalty on others than the owners, &c., for intermeddling with warps, or rafts of timber, logs, &c.

VI. And be it enacted, That from and after the passing of this Act, if any person or persons whomsoever, (except the owner or owners, or person or persons lawfully in charge of any rafts of timber, logs, masts, spars or other lumber placed within said Boom, or attached thereto, or otherwise lawfully authorized) shall cut, remove, displace or otherwise intermeddle or interfere with

with any warp which fastens any such raft of logs, masts, spars, timber or other lumber, or shall, not being duly authorized, remove, displace, carry away, or otherwise interfere or intermeddle with any timber, logs, masts, spars or other lumber placed within such Boom, or attached thereto, then, or in any of such cases, the party so offending shall forfeit and pay the sum of ten pounds, together with the costs of recovering the same, to be recovered upon conviction before any one of Her Majesty's Justices of the Peace for the City and County of Saint John, on the oath of one or more credible witness or witnesses, and on refusal to pay the same, to be levied by distress and sale of the offender's goods and chattels, and for want of sufficient distress, such offender shall suffer thirty days imprisonment in the Common Gaol of the said City and County, unless the penalty and costs shall be sooner paid; which penalty, when recovered, shall be paid into the hands of the Overseers of the Poor for the Parish in which such offence shall have been committed, to be by them applied towards the support and maintenance of the Poor of said Parish.

Recovery.

Application.

VII. And be it enacted, That should any timber, logs, masts, spars or other lumber placed within the said Boom, or made fast to said Boom or the Piers thereof, be so placed as to prevent or hinder, or otherwise obstruct the access to the said Boom, or the taking or removing from the said Boom, any timber, logs, masts, spars or other lumber, it shall be the duty of the superintendent or agent, appointed by the Directors of the said Company, to notify such owner or owners, person or persons having charge of such timber, logs, masts, spars or other lumber, and to require such owner or owners, person or persons so to place the same as not to prevent, hinder or otherwise obstruct the taking into or removing from said Boom, such timber, logs, masts, spars or other lumber; and if such owner or owners, or person or persons having charge of timber, logs, masts, spars or other lumber, shall neglect or refuse for the space of three days to remove or place such timber, logs, masts, spars or other lumber, so as not to prevent, hinder or otherwise obstruct the access into or out of said Boom, or the taking or removing from said Boom any such timber, logs, masts, spars or other lumber, then it shall be lawful for the said Company, by their superintendent or other officers or servants, to remove or place such timber, logs, masts, spars or other lumber so hindering or otherwise obstructing as aforesaid, in such position as will secure full and free ingress and egress to and from the said Boom, replacing or otherwise securing said timber, logs, masts, spars or other lumber, as fully and effectually as the same was before its removal; and the said Company shall charge the expenses incurred in such removal, replacing or otherwise securing such timber, logs, masts, spars or other lumber, to the person or persons liable for the boomage under the Act of incorporation of the said Company or under this Act; which expenses the said Company shall have power and authority to collect in the same manner as the boomage due or payable on said timber, logs, masts, spars or other lumber, and shall likewise have the same lien for securing the payment thereof as are given in and by the said Act of incorporation for securing the payment of the said boomage.

On notice, owners or persons in charge of Timber, &c. within or made fast to the Boom, to place the same so as not to obstruct the egress or ingress of other Timber, &c.

On failure, the Company may do so, and charge the expenses.

VIII. And be it enacted, That the stockholders of the said Corporation shall be and they are hereby empowered and authorized from time to time hereafter, at any general meeting to be for that purpose called and holden, to increase the capital stock of the said Company to an amount not exceeding in the whole seven thousand five hundred pounds; which additional stock shall be divided into two hundred and fifty shares of six pounds each; making the whole of the capital stock of the said Company when called in, to consist of twelve hundred and

Capital stock may be increased on a vote made at a general meeting.

and fifty shares, and which shall be disposed of in such manner and subject to such rules and regulations as the said stockholders may prescribe and determine.

The additional shares in the capital stock to be subject to the Act of incorporation.

IX. And be it enacted, That all and every the additional shares in the capital stock of the said Company, created under and by virtue of the provisions of this Act, and the holders thereof, shall at all times be subject and liable to all and singular the rules and regulations, clauses and provisions of the Act incorporating the said Company and the Law of this Province.

CAP. L.

An Act further to amend and continue the Act to incorporate the Fredericton Boom Company. Passed 30th March 1848.

Preamble.

7 V. c. 34.

8 V. c. 99.

So much of Act 7 V. c. 34, s. 7 & 8, as requires the Corporation to pick up all Timber, &c. below Crock's Point, repealed.

Corporation to pick up the Timber, &c. below the Nashwaak;

and be entitled to charge rates herein specified.

Act 7 V. c. 34, s. 10, repealed.

Corporation to protect abandoned Rafts floating into their Booms, and be entitled to charge as herein specified.

Corporation not to be liable for Timber, &c. found below their Booms after 31st August, in cases where the parties may have rafted above the Booms, Timber, &c. of which the

WHEREAS the Act to incorporate the Fredericton Boom Company made and passed in the seventh year of the Reign of Her Majesty Queen Victoria, and the Act to amend the Act to incorporate the Fredericton Boom Company made and passed in the eighth year of the Reign of Her Majesty Queen Victoria, intituled *An Act to amend the Act to incorporate the Fredericton Boom Company*, severally require to be amended;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the seventh and eighth sections of the Act to incorporate the Fredericton Boom Company as requires the said Corporation to collect together, pick up, and float down into the Company's Booms, all timber and logs floating in the River Saint John, or aground on any flat or shore, or any of the islands or bars below Crock's Point, so called, be repealed; and in lieu thereof, the said Corporation shall from and after the passing of this Act only be required to pick up, collect together, and float down, all such timber, logs, masts, spars and other lumber which may be floating in the River Saint John, or aground on any bar in the said River below the Nashwaak, and then to secure and raft in the manner provided in the said seventh and eighth sections of the said Act, all such timber, logs, masts, spars and other lumber as shall or may be so found below the River Nashwaak and driven into their Booms, and shall be entitled to receive a sum not exceeding one shilling and one penny for every ton of timber they shall so secure and raft, and the sum not exceeding three shillings and six pence per thousand for every thousand superficial feet of masts, spars or other lumber they shall so secure and raft in manner provided in the said recited Act.

II. And be it enacted, That the tenth section of the said recited Act to incorporate the Fredericton Boom Company be repealed; and in lieu thereof, Be it enacted, That for any floating joints or rafts of timber, logs, masts, spars or other lumber, without men on, which may run into the said Boom or Booms from force of the current or accident, or be caught therein, the said Corporation shall protect such joints or rafts, and be entitled to receive therefor at and after the rate of four pence per ton for each and every ton of such timber, and nine pence per thousand superficial feet for every thousand superficial feet of logs, masts, spars or other lumber, provided that the Corporation shall not be entitled to receive for any such rafts or joints a larger sum than three pounds.

III. And be it enacted, That notwithstanding the provisions of the third section of the Act made and passed in the eighth year of Her Majesty's Reign, intituled *An Act to amend the Act to incorporate the Fredericton Boom Company*, the said Corporation shall not be liable to pay to the owner or owners of any timber, masts, spars, logs or other lumber that may be found below the Company's Booms after the thirty first day of August in any year, the value thereof,

in any case where the owner or owners of such timber, masts, spars, logs or other lumber shall have picked up, collected together and rafted at any place above the Company's Booms, any portion of the timber, masts, spars, logs or other lumber of which such owner or owners shall have furnished the Corporation with the marks thereof.

marks may have been given to the Corporation.

IV. And be it enacted, That the said Corporation shall make, allow and pay reasonable and proper compensation and satisfaction for all lands, tenements and hereditaments taken, used, occupied, altered, damaged or spoiled by means of and for the uses and purposes of the said Corporation, and shall pay to the owner or owners of any lands, tenements or hereditaments they may require for the purposes of the said Corporation, a reasonable and proper compensation and satisfaction therefor, to be agreed upon by the said Corporation and the respective owners and occupiers of such lands, tenements and hereditaments; and in case of disagreement between the said Corporation and the said owners or occupiers, or any of them, then such compensation and satisfaction shall be determined by three arbitrators, one to be chosen by the said Corporation, and one by the owner or owners, occupier or occupiers of the private property in question; which two arbitrators so chosen shall choose the third arbitrator; and in case of their not agreeing in such choice within ten days after their appointment, then and in such case it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, upon application of the said Corporation, to appoint the third arbitrator; the award of the said arbitrators, or any two of them, shall be final and conclusive in the matters referred to them; and in case any of the said owners or occupiers of such private property shall decline making any such agreement, or appointing such arbitrator, then and in every such case, the said Corporation shall make application to the Supreme Court of this Province, stating the grounds of such application, and such Court is hereby empowered and required from time to time upon such application, to issue a Writ or Warrant directed to the Sheriff of the County of either York or Sunbury, according to the situation of the lands, tenements or hereditaments, or in case of his being a party interested, then to the Coroner of the said County, and in case of the said Sheriff and Coroner being both interested, then to some person or persons who may be disinterested, commanding such Sheriff, Coroner, person or persons as the case may be, to summon and empanel a Jury of three freeholders within the said County, who may be altogether disinterested; which Jury, upon their oaths, (all which oaths, as well as the oaths to be taken by any person or persons who shall be called upon to give evidence in the matter, the Sheriff, Coroner, or person or persons summoning such Jury, is hereby empowered to administer) shall inquire, ascertain and assess the distinct sum or sums of money, or annual rent to be paid as the amount of compensation and satisfaction for the damages that may and shall be sustained by such owner or owners, occupier or occupiers of such private property as aforesaid; and the inquisition, award or verdict of such Jury shall be returned and filed in the office of the Clerk of the Pleas in the said Supreme Court, and shall be final and conclusive between the parties: which amount so assessed as aforesaid, and the costs and expenses of such proceeding to be taxed and allowed by the said Supreme Court, shall be borne by the said Corporation, and shall be by them paid within thirty days after the said inquisition, award or verdict shall be filed as aforesaid.

Corporation to make compensation for lands, &c. occupied by them.

To be determined by arbitrators, in cases of disagreement.

V. And be it enacted, That if any person or persons shall wilfully and maliciously, and to the prejudice of the said Corporation, cut, break, damage, throw down or destroy any of the Company's Booms or works erected or made by virtue

Penalty for malicious injury to Corporation works.

of this Act, any such person shall be adjudged guilty of a misdemeanor, and every such person so offending and being thereof lawfully convicted, shall be liable to the punishment prescribed for a misdemeanor by any law in force at the time of the commission of the offence.

Act 7 V. c. 34,
s. 16, repealed.

VI. And be it enacted, That the sixteenth section of an Act made and passed in the seventh year of the Reign of Her Majesty Queen Victoria, intituled *An Act to incorporate the Fredericton Boom Company*, be and the same is hereby repealed.

Corporation to
maintain a Boom
at Crock's Point.

VII. And be it enacted, That it shall be the duty of the said Corporation, and they are hereby required every year during the continuance of this Act, while they keep up the Boom or Booms at the Company's principal place of business below Fredericton, and carry on the business of collecting and picking up timber there, also to keep up a sufficient Boom at Crock's Point, for the purpose of preventing, as far as possible, timber, logs, masts, spars and other lumber from floating down behind the islands in the River Saint John, and such Boom to keep in a good and efficient state, with a sufficient number of men to protect and take care of the same during the period the said Company shall or may collect timber, masts, spars and other lumber at their principal Boom below Fredericton.

This Act, together
with Act 7 V. c. 34,
and 8 V. c. 90,
to continue in force
till 1st May, 1860.

VIII. And be it enacted, That this Act, together with an Act made and passed in the seventh year of the Reign of Her Majesty Queen Victoria, intituled *An Act to incorporate the Fredericton Boom Company*, and also another Act made and passed in the eighth year of the same Reign, intituled *An Act to amend the Act to incorporate the Fredericton Boom Company*, except such parts of the said recited Acts as are repealed by this Act, be and the same are severally continued until the first day of May which will be in the year of our Lord one thousand eight hundred and sixty.

CAP. LI.

An Act to continue and amend the Act to incorporate the Arestook Boom Company.

Passed 30th March 1848.

Preamble.

7 V. c. 49.

8 V. c. 91.

Boom to be kept
open after the
1st of October in
each year.

WHEREAS an Act made and passed in the seventh year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to incorporate the Arestook Boom Company*, and another Act, intituled *An Act to continue and amend the Act to incorporate the Arestook Boom Company*, require to be amended;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, notwithstanding any thing contained in either of the said recited Acts, the said Corporation shall and they are hereby required to keep the Boom erected by the said Company open during each and every year, from and after the first day of October in each and every year, under the penalty of one hundred pounds for each and every day the said Boom shall be kept closed after the said first day of October in each and every year.

This Act, together
with 7 V. c. 49,
and 8 V. c. 91,
continued to
1st August, 1855.

II. And be it enacted, That the said Act made and passed in the said seventh year of the Reign of Her said present Majesty Queen Victoria, intituled *An Act to incorporate the Arestook Boom Company*, and also the said other Act made and passed in the eighth year of the Reign of Her said present Majesty Queen Victoria, intituled *An Act to continue and amend the Act to incorporate the Arestook Boom Company*, be and the same are hereby severally continued until the first day of August which will be in the year of our Lord one thousand eight hundred and fifty five.

CAP. LII.

An Act to amend the Act to incorporate the Nashwaak Boom Company.

Passed 30th March 1848.

WHEREAS it is expedient to amend the Act made and passed in the eighth year of the Reign of Her Majesty Queen Victoria, intituled *An Act to incorporate the Nashwaak Boom Company*, in several respects;

Preamble.

S V. c. 55.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That if the owner or owners of any timber, logs or other lumber, shall not within three days after the same has been rafted and surveyed, either by himself or his agent, pay the boomage thereon to the said Corporation, or their agent or agents, and take the possession and charge thereof, the said Company shall be entitled to receive a reasonable compensation for keeping of the said timber, logs or other lumber, which shall be deemed to be at the risk of the owner or owners thereof; or they are hereby authorized, if they see fit, to send the said timber, logs or other lumber, to Saint John, at the risk of the owner, and then, after ten days personal notice, or thirty days notice, in a newspaper published in Fredericton, to sell so much thereof as shall be sufficient to pay the boomage, together with the usual freight to Saint John, expense of keeping, expenses of the sale, and all other incidental expenses; rendering the overplus (if any) to the owner; and the remaining part of such timber, logs or other lumber, shall be kept until required by the owner, at his risk and expense.

On failure of payment of boomage within three days after rafting, the Corporation to receive additional compensation;

or may send the Timber, &c. to Saint John, and sell it after notice.

II. And be it enacted, That from and after the passing of this Act, instead of the price provided by the seventh section of the said recited Act for rafting logs and other lumber, the said Corporation shall be entitled to receive a sum not exceeding three shillings per thousand for each and every thousand superficial feet of logs or other lumber, they shall secure and raft in the manner provided by the said seventh section of the said recited Act.

A scale of remuneration substituted for that in S V. c. 55

III. And be it enacted, That from and after the passing of this Act, so much of the sixth section of the said recited Act, to which this is an amendment, as requires the Corporation to keep the Booms open and in order, to receive timber, logs and other lumber, until the tenth day of November in each and every year, be and the same is hereby repealed; and in lieu thereof, the said Corporation shall and they are hereby required to keep the said Booms open in the manner and for the purposes mentioned and provided in the said sixth section, until the tenth day of October in each and every year.

Boom to be kept open for the purposes mentioned in S V. c. 55, s. 6, till 10th October.

IV. And be it enacted, That this Act shall continue and be in force so long as the Act to which it is in amendment, and no longer.

Limitation.

CAP. LIII.

An Act to incorporate the King's County Central Agricultural Society.

Passed 30th March 1848.

WHEREAS Elias Wetmore, Ebenezer Smith, Allen Otty, Oliver Hallett, George Crawford, Daniel Hatfield, Robert Matthew, Isaac Raymond, Monmouth Fowler, James Fairweather, Sylvester Z. Earle, John Hayes, and others, inhabitants and landowners in the Parishes of Norton and Hampton, in King's County, have formed themselves into a Society for the promotion and improvement of Agriculture in the said Parishes, and it would be more beneficial to the interests of the said Society, and enable them more effectually to carry out the intentions and promote the objects thereof, if the said Society were incorporated;

Preamble.

Company incorporated by the name of "The King's County Central Agricultural Society."

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Elias Wetmore, Ebenezer Smith, Allen Otty, Oliver Hallett, George Crawford, Daniel Hatfield, Robert Matthew, Isaac Raymond, Monmouth Fowler, James Fairweather, Sylvester Z. Earle, John Hayes, and all such other persons who are now or who may hereafter be admitted members of the said Society, their associates and successors, be and they are hereby erected into a Body Corporate under the name and style of "The King's County Central Agricultural Society," for the purposes of promoting and encouraging Agriculture and rural and domestic economy and industry within the said Parishes, and for these purposes shall have and enjoy all general powers made incident to Corporations by Act of Assembly of this Province.

Annual meeting at which Directors are to be chosen, to be held on first Monday in September.

Directors to choose one President, and a Vice President for each Parish, and also a Secretary and Treasurer.

II. And be it enacted, That there shall be a general meeting of the members of the said Corporation to be annually held on the first Monday in September in each and every year, at Hampton Ferry, in the said County; at which annual meeting there shall be chosen by a majority thereof, six Directors from each Parish; which said Directors when so elected as aforesaid shall choose from their own body, one President, and shall also choose a Vice President for each Parish hereinbefore named; and shall also appoint a Secretary and Treasurer, from among the members of the said Society; which said officers, when so chosen, elected and appointed as aforesaid, shall continue in office for one year, or until others are chosen, elected and appointed in their room; in the choice of which said Directors each member of the said Corporation shall have one vote for each Director, and that every member may vote by proxy, provided such proxy be a member, and previously to voting, produce a sufficient authority in writing from his constituent and constituents.

CAP. LIV.

An Act to incorporate the Carleton County Agricultural Society.

Passed 30th March 1848.

Preamble,

WHEREAS John Dibblee, Charles Perley, Charles Peabody, James R. Tupper, Charles Emery, Richard English, James Robertson, Henry E. Dibblee, Elisha A. Cunliffe, Gilbert Spurr, James Ketchum, Ralph Ketchum, Joseph Harvey, Benjamin Churchill, and others, inhabitants of the County of Carleton, did in the year one thousand eight hundred and forty, form themselves into a Society for the promotion of Agriculture in the said County, which said Society has been ever since, in active and useful operation: And whereas the said Society, from not being incorporated, is subject to many inconveniences, and has in consequence thereof been found unable, in many instances, efficiently to carry out the intentions and promote the object of the Society;

Company incorporated by the name of "The Carleton County Agricultural Society."

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That John Dibblee, Charles Perley, Charles Peabody, James R. Tupper, Charles Emery, Richard English, James Robertson, Gilbert Spurr, Henry E. Dibblee, Elisha A. Cunliffe, James Ketchum, Ralph Ketchum, Joseph Harvey, William J. Baird, Benjamin Churchill, and all other such persons as are now or may hereafter be admitted members of the said Society, their associates and successors, be and they are hereby erected into a Body Corporate, under the name and style of "The Carleton County Agricultural Society," for the purpose of promoting and encouraging Agriculture, and rural and domestic economy and industry within the said County, and for these purposes shall have and enjoy all general powers made incident to Corporations by the Act of the General Assembly of this Province passed in the sixth year of the Reign of His late Majesty King William the Fourth.

II. And be it enacted, That there shall be a general meeting of the members of the said Corporation, to be annually holden on the Monday next before the last Tuesday in September, in each and every year, at Woodstock, in the said County; at which annual meeting there shall be chosen by a majority thereof, one President, ten Vice-Presidents, a Treasurer and Secretary, who shall continue in office for one year, or until others are chosen in their room; in the choice of which, each member of the said Corporation shall have one vote for each of the aforesaid officers, and that every member may vote by proxy, provided such proxy be a member, and previously to voting, produce a sufficient authority in writing from his constituent or constituents.

An annual meeting at which Officers are to be chosen, to be held on the Monday next before the last Tuesday in September.

III. And whereas at a general meeting of the members of the Society hereby incorporated, held at Woodstock, in the County of Carleton aforesaid, one President, ten Vice-Presidents, a Treasurer and Secretary, were elected by the votes of the said members for the current year; Be it enacted; That the said officers so elected as aforesaid, are hereby declared to be the officers of the said Corporation until the Monday next before the last Tuesday in September next, or until others are chosen in their stead.

Officers already elected to serve until the Monday before the last Tuesday in September next.

CAP. LV.

An Act to incorporate the New Brunswick Electric Telegraph Company.

Passed 30th March 1848.

WHEREAS the speedy transmission of information by means of the Electric Telegraph has become a matter of great importance, and it is highly desirable that Lines of communication by such Telegraph should be established in this Province, and that the same should be connected with other Lines in Nova Scotia, Canada and the United States: And whereas certain persons are desirous of being incorporated for the purpose of establishing such communication;

Preamble.

incorporated by Act of 12th May 1848

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Thomas Leavitt, Charles Ward, William M'Lauchlan, John Duncan, Robert Jardine, John V. Thurgar, Israel D. Andrews, Francis O. J. Smith, Nathan Cummings, and Amos Kendall, their associates, successors and assigns, shall be and they are hereby erected into a Body Politic and Corporate, by the name of "The New Brunswick Electric Telegraph Company," and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of constructing, maintaining and working lines of communication, by means of the Electric Telegraph, within the Province of New Brunswick, as hereinafter more particularly set forth.

Company incorporated by the name of "The New Brunswick Electric Telegraph Company."

II. And be it enacted, That the capital stock of the said Corporation shall not be more than the sum of twenty five thousand pounds, and shall be divided into two thousand five hundred shares of ten pounds each, to be paid in at such times and in such instalments as the business of the said Company shall require; provided always, that the money so to be raised as aforesaid, is hereby directed and required to be laid out for and towards the making, completing and maintaining the said Electric Telegraph, and other purposes therewith connected, and to no other use or purpose whatsoever.

Stock not to exceed £25,000, divided into 2500 shares.

III. And be it enacted, That it shall be lawful for the said Company, and they are hereby authorized and empowered by themselves, their deputies, agents, officers and workmen, to make and complete a single or double line of Electric Telegraph, communicating from the boundary line between this Province and

Company authorized to complete a double or single line of Electric Telegraph in specified directions.

Nova

Nova Scotia, by way of Sackville, Dorchester, Moncton, Sussex Vale, and Hampton, to the City of Saint John, and thence to Saint Andrews and Saint Stephen, in the County of Charlotte; and also with power to extend branches from such main line of communication, by Electrical Telegraph, from the City of Saint John to Fredericton, in the County of York, and thence to Woodstock, the Grand Falls, and the Canadian boundary in that direction; and from Fredericton to Miramichi; with such other branch lines within this Province as the increase of business, the establishment of Rail Roads, or the settlement of the country may render necessary or expedient; and for the purposes of the said main line and the several and respective branches thereof, to make such erections as may be necessary, and to purchase and acquire such machinery and contrivances, and real or movable property, as may be necessary for the making, maintaining and working the said Electrical Telegraphic communication, and may use, hold and possess the land over which the said Electric Telegraph is to pass, in the manner and under the provisions hereinafter set forth.

Authority given to enter on the sides of public roads, bridges, &c. and erect their works;

IV. And be it enacted, That it shall and may be lawful for the said Company, their deputies, agents, servants, and workmen, to enter upon the side or sides of all or any of the Public Roads, Bridges, Streets or Highways in this Province, and on the same to set up, erect and construct such and so many posts or other works or devices, as they in their discretion may deem necessary for making, completing, supporting, using and maintaining the said Electric Telegraph; and from time to time, as often as the said Company, their deputies, agents, officers or workmen shall think proper, to break up and open any part whatsoever of the said Road, Streets or Highways, not interfering with that part of the same appropriated for the use of carriages, waggons, or horses, and to keep the same open during the time necessary for the setting up, erecting, and constructing of such posts, works, or devices; provided always, that nothing herein contained shall extend or be construed to extend to permit the setting up, erecting, or constructing of any post, work, or device which may in any way obstruct any of the said Public Roads, Streets, Bridges, or Highways; and provided also, that the said Company, their deputies, agents, officers, and workmen, shall and do at their own proper costs and charges, and without unnecessary delay, repair and amend the said Public Roads, Streets, and Highways, in any part where they shall be so broken up and opened as aforesaid, to the like condition in which they were before breaking up the same.

but so as not to obstruct the use of any of the roads, &c.

Company to replace the parts broken up.

Company authorized to enter on private property when necessary for the erection of their works.

V. And be it enacted, That if it shall at any time be deemed necessary by the said Company, their agents or servants, to carry any part of the said main line of Electrical Telegraph communication, or any of the branches thereof, through or over any estates, lands or grounds, being private property, it shall be lawful for the said Company, by their agents or servants, to enter into and upon the lands of any person, bodies politic or corporate, as they shall think necessary for making, completing, maintaining, or repairing the said line of Electric Telegraph, or any of its branches, and on such lands to set up, construct, or build such posts, buildings, or other erections as may be necessary for such line or the branches thereof, and do all other matters and things which they the said Company shall think convenient and necessary for the making, extending, improving, completing, and easy using of the said Electric Telegraph or any of its branches, or any of the works therewith connected; they, the said Company, doing as little damage as may be in the execution of the several powers to them hereby granted, and agreeing with the owner or owners, occupier or occupiers of such private property, as to the amount of compensation to be paid to such owners or occupiers respectively;

respectively; and in case of disagreement as to the amount of damages or compensation to be paid by the said Company, then the amount of such damages or compensation shall be ascertained and determined by three arbitrators, one to be chosen by the said Corporation, their agents or servants, and one by the owner or owners, occupier or occupiers of the private or corporate property in question; which two arbitrators so chosen, shall choose a third arbitrator; and in case the two first mentioned arbitrators shall not agree in the choice of a third arbitrator, then and in such case it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, upon application of the said Corporation, to appoint the third arbitrator; and the award of the said arbitrators, or any two of them, shall be final and conclusive in the matters referred to them; and in case any of the said owners or occupiers of such corporate or private property shall decline making any such agreement, or appointing such arbitrators, then and in every such case the said Corporation shall make application to the Supreme Court of this Province, or to any one of the Judges thereof, stating the grounds of such application; and such Court or Judge is hereby empowered and required from time to time, upon such application, to issue a Writ or Warrant directed to the Sheriff of the County in which such lands lie, or in case of his being a party interested, then to any Coroner of such County, and in case of the said Sheriff and of the said Coroner being both interested, then to some person or persons who may be disinterested, commanding such Sheriff, Coroner, person or persons disinterested, as the case may be, to summon and empanel a Jury of twelve freeholders within the said County, who may be altogether disinterested; which Jury upon their oath, which oath, as well as the oaths to be taken by any person or persons who shall be called upon to give evidence in the matter, the Sheriff, Coroner, or person or persons summoning such Jury, is and are hereby empowered to administer, shall inquire, ascertain, and assess the distinct sum or sums of money or annual rent to be paid as the amount of compensation and satisfaction for the damages that may and shall be sustained by such owner or owners, occupier or occupiers of such corporate or private property as aforesaid; and the inquisition, award, or verdict of such Jury, shall be returned and filed in the Office of the Clerk of the Pleas in the said Supreme Court, and shall be final and conclusive between the parties; which amount so assessed as aforesaid, and the costs and expenses of such proceedings, when taxed and allowed by the said Supreme Court, or one of the Judges thereof, shall be borne by the said Corporation, and shall be by them paid within thirty days after the said inquisition, award or verdict shall be filed as aforesaid.

Compensation to be made according to private agreement, or as fixed by arbitrators appointed as herein directed.

VI. And be it enacted, That so soon as the said main line of communication by the said Electric Telegraph, or any part thereof, or any of its branches, shall be completed and opened, it shall be lawful for the said Corporation, at all times thereafter, to ask, demand, take, sue for and recover, to and for their own proper use and behoof, such rates, tolls or dues, for the transmission and writing out of any and every message or communication of any kind soever, transmitted and conveyed at the cost and charge of the said Company, by or upon the said Electric Telegraph, and such sum or sums of money as the said Company may think just and reasonable.

Company authorized to make and recover charges for the transmission of communications. &c.

VII. And be it enacted, That it shall be lawful for the Lieutenant Governor or Administrator of the Government of this Province for the time being, to have and enjoy, at all reasonable and proper times, and in preference to all others whomsoever, the right and privilege of using the said line of Electric Telegraph, and branches, for the transmission of messages relating to the public service only, whether

A preference in the use of the Electric Telegraph secured to the Lieutenant Governor.

whether Imperial or Provincial, from or to any Stations in and throughout the Province; and that the rates of charge therefor shall not in any one case, or at any one time, exceed the established and ordinary rates of charge made to private individuals and others, for the transmission of like messages; provided always, that such messages are strictly and solely of a public nature.

Stock subscription book to be opened, and no person to subscribe for more than twenty shares for first thirty days thereafter.

VIII. And be it enacted, That it shall be lawful for the persons first named in this Act, immediately after the passing thereof, to open a Book for the subscription of shares in the said Company, and no person shall be entitled to subscribe for more than twenty shares until thirty days shall have elapsed from the day on which such Subscription Book shall have been opened, nor until after ten days public notice given by advertisement in at least two of the newspapers published in the City of Saint John; and if, at the end of ten days after such public notice so given, the whole number of shares in the said Company shall not be taken up or subscribed, then any person may subscribe for the residue of such shares, including the previous holders of shares, as well as others.

A meeting of the shareholders may be called after one fourth of the shares are subscribed for.

Officers may be then chosen and bye laws made.

IX. And be it enacted, That when one fourth of all the shares in the said Company shall be subscribed, it shall and may be lawful to call a meeting of the shareholders, at the City of Saint John, upon giving fourteen days previous notice of the time and place of such meeting in at least two of the newspapers published in the said City; and at such meeting, or any adjournment thereof, to choose a President, Directors, and Officers of the said Company, and to make bye laws, rules and ordinances for prescribing the duties, powers and authorities of the said President, Directors and Officers; for limiting the number of Directors; for regulating the transfer, registry and forfeiture of shares; for the making of calls on shares, and the time of paying such calls; the times of holding meetings of the said Company, or of the Directors; the right of voting in respect of the number of shares held by each shareholder respectively, and of voting either personally or by proxy; and generally for the good order, conduct and government of the said Company, its affairs and business, as may be requisite and necessary; provided always, that no bye law, rule or ordinance shall be repugnant to this Act, or to the Laws of this Province, or those in force within the same; and provided also, that a majority of the Directors of the said Company shall always be resident within the Province.

Joint stock to be alone responsible for the debts in the first instance; after exhaustion, the property of the stockholders to double the amount of shares.

X. And be it enacted, That the joint stock and property of the said Company shall alone in the first instance be responsible for the debts and engagements of the same; and that no creditor or person having any demand against the said Company, for or on account of any dealing with the said Company, shall have recourse against the separate property of any shareholder on account thereof, except in case of deficiency, or where the joint stock of the said Company shall fall short of or not be equal to the payment of any debt due by or demand against the said Company, or upon nulla bona being returned on any execution issued against the goods and chattels of the said Company, then and in either of such cases, the goods and chattels, lands and tenements of each shareholder shall and may be levied upon and seized respectively to satisfy such debt or demand, to the extent of double the amount of the share or shares, or interest of such shareholder in the joint stock or capital of the said Company, but no more; and that such double amount, or so much thereof as may be necessary to satisfy such debt or demand, shall and may be levied and seized by process of execution in the same suit in which such debt or demand may be recovered against the said Company.

XI. And be it enacted, That if any person shall by any means or in any manner or way whatsoever obstruct or interrupt the free use of the said Telegraph or any of its branches, or other works incidental or relative thereto or connected therewith, such person shall for every such offence incur a penalty or forfeiture of not less than five pounds nor exceeding ten pounds currency, to be recovered by summary conviction before one or more Justices of the Peace for the County, or City and County, where such offence is committed; one half of the same, when levied and recovered, to be paid to the informer or person prosecuting for the same, and the other half to be paid into the hands of the Treasurer of such County, and applied to the public uses of such County; provided always, that the payment of such penalty or forfeiture shall not be held to relieve or discharge the person convicted of the same from any claim for damages by the said Company for any loss or injury sustained by them in consequence of such obstruction or interruption.

Penalty for obstructing the use of the Telegraph or works.

Recovery.

XII. And be it enacted, That if any person or persons shall wilfully, maliciously, and to the prejudice of the said Company, break, throw down, damage or destroy any post or posts, rail, support, wire, machine, machinery, or other works or device erected, constructed or possessed under the authority of this Act, or do any other wilful act, hurt or mischief, to disturb, hinder or prevent the carrying into execution, making, completing, supporting, maintaining and using the said Electric Telegraph, either on the main line or on any of its branches, or other works therewith connected, every such person or persons so offending shall forfeit and pay to the said Company the amount of the damages and the costs of suit in that behalf incurred, in like manner as for any other trespass; and for the further protection of the said Company, all persons wilfully breaking, throwing down, damaging or destroying any of the works or property of the said Company as aforesaid, shall also be liable to the punishment prescribed for felony in any Act now or hereafter to be in force within this Province.

Malicious damage to the Company's property to be paid.

Malicious injuries made felony.

CAP. LVI.

An Act for the incorporation of the Saint John Rural Cemetery Company.

Passed 30th March 1848.

WHEREAS from the great increase of the Population of the City and County of Saint John, the want of a suitable place for the Burial of the Dead is much required;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Robert Jardine, the Honorable Robert L. Hazen, Beverley Robinson, James Pettingell, Solomon Hersey, William G. Lawton, George P. Peters, John M. Walker, William Parks, Charles Drury, Adam Jack, and LeBaron Botsford, their associates, successors and assigns, be and they are hereby declared to be a Body Politic and Corporate, by the name of "The Corporation of the Saint John Rural Cemetery Company," and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province.

Company incorporated by the name of "The St. John Rural Cemetery Company."

II. And be it enacted, That the capital stock of the said Corporation shall consist of the sum of three thousand pounds, and shall be divided into twelve hundred shares of two pounds ten shillings each, and be paid in such sums and at such time or times as the Directors of the said Corporation shall from time to time appoint; and every shareholder in the said Corporation shall have and be entitled to have a Certificate under the Seal of the said Corporation, and signed by the President and Secretary thereof, certifying his property in such shares as shall be expressed in the certificate.

Capital to be £3000, divided into 1200 shares.

III.

Treasurer to give notice of any assessments on the shares.

On failure of payment, shares to be advertised and sold.

III. And be it enacted, That whenever any assessment shall be made, it shall be the duty of the Treasurer to give notice thereof in two or more newspapers printed in the said City of Saint John, requiring payment of the same within thirty days; and if any shareholder shall neglect or refuse to pay to the Treasurer the amount of such assessment upon his share or shares at the time prescribed, it shall be the duty of the Treasurer to advertise such delinquent share or shares for sale at public auction, giving at least ten days notice of the time and place of such sale; and such share or shares upon which the assessment or assessments, or instalment thereof, shall then remain unpaid, shall be sold to the highest bidder, and such sale shall be a legal transfer of the share or shares so sold, to the purchaser or purchasers thereof, and shall be recorded accordingly in the Book so to be kept by the Directors for that purpose as aforesaid, and such purchaser or purchasers shall be entitled to receive a certificate in the form prescribed in the fifth section of this Act.

Preamble.

Bounds of land secured for the Burying Ground.

Said land exempted from taxes.

Proprietors of lots not less than one hundred and fifty feet square, to be members of the Corporation.

IV. And whereas a piece of land containing one hundred and ten acres, and lately belonging to the late James Peters, Junior, and Henry Gilbert, Esquire, situate in the Parish of Simonds, in the County of Saint John, has been secured for the purpose of a Burying Ground, and with the exception of a portion which has been laid aside for the Church of England, shall be forever free to all denominations of Christians, to be divided into Lots and sold to such individuals as may be willing to purchase the same, and which said land is described as follows, to-wit: Beginning on the north eastern side of the Marsh Road at the north west corner of lands owned by Thomas Trafton, thence north forty seven degrees thirty minutes west along the Marsh Road, twenty chains ninety one links to the south western line of Wiggin's Marsh, thence south forty degrees east to edge of Upland, thence along the edge of Upland and Marsh to the south west line of Jarvis' Upland, thence south forty degrees east twenty three chains to the old Westmorland Road, thence along the old Westmorland Road thirty seven chains south westerly to the north eastern line of Thomas Trafton's farm, thence north forty degrees west twenty seven chains and fifty links to the place of beginning; Be it therefore enacted, That the said land above described, be and hereby is declared to be exempted from all rates, assessments and taxes so long as the same shall remain dedicated to the purposes of a Cemetery.

V. And be it enacted, That all persons who shall hereafter become proprietors of Lots in the Cemetery aforesaid, of a size not less each than one hundred and fifty square feet, shall thereby become members of the said Corporation, and shall have and be entitled to have a Certificate under the Seal of the Corporation, signed by the Secretary, in the form following:—

Form of Certificate.

' Saint John Rural Cemetery Company.

' No. —

' This is to certify, that A. B. is the proprietor of Lot number —, containing — square feet, on — Avenue, (or Path,) in the Saint John Rural Cemetery Company, situate in the Parish of Simonds, in the County of Saint John, subject to the rules, regulations and bye laws of the said Corporation, and for which he has this day paid the sum of —.

' [L. S.] In testimony whereof, the Seal of the said Corporation is hereunto affixed, the — day of —, A. D. 18—.

' C. D., Secretary.'

Certificate to be a valid instrument of transfer.

And such Certificate shall constitute a valid instrument of transfer of such Lot or Lots as may be expressed therein, and shall be held by the purchaser or purchasers

purchasers thereof for the use of Burial only, subject, nevertheless, to all the bye laws of the said Corporation.

VI. And be it enacted, That a general meeting of the stockholders and proprietors of the said Corporation shall be held at the City of Saint John, on the first Monday in May in each and every year, for the purpose of choosing twelve Directors for the management of the said Corporation; which Directors, so chosen, shall remain in office for one year, or until others are chosen in their stead, and shall, at their first meeting after their election, choose one of their number President of the said Corporation; provided always, that not less than five Directors do form a quorum for the transaction of business; and in case of the absence of the President, the Directors shall have power to appoint one of their number Chairman for the occasion.

An annual general meeting to be held on first Monday in May for choosing Directors.

Quorum for business.

VII. And be it enacted, That the Directors for the time being shall and may appoint a Secretary and Treasurer, and such other officers, clerks and servants as they, or the major part of them, shall think necessary for executing the business of the said Corporation, and shall allow them (out of the funds of the said Corporation) such compensation for their respective services as to them shall appear reasonable and proper; and the Directors shall likewise exercise such other powers and authorities, for the well regulating the affairs and managing the business of the said Corporation, as shall be prescribed by the bye laws.

Directors to appoint and pay officers, and otherwise manage the business of the Corporation.

VIII. And be it enacted, That every person owning a share in the capital stock of the said Corporation, and every proprietor of a Lot of not less each than one hundred and fifty square feet, shall be a member of the said Corporation, and entitled to vote at all meetings of the said Corporation, and members may give as many votes as they may own shares, and absent members may vote by proxy, such proxy being a shareholder, and producing sufficient authority in writing from his constituent; provided nevertheless, that no stockholder, by himself or proxies, shall have more than one hundred votes.

Owners of shares and lots to be entitled to vote at all meetings of the Corporation.

Votes by proxy.

IX. And be it enacted, That the shares of the said Corporation shall be assignable and transferable according to such rules and regulations as may be established in that behalf, but no assignment or transfer shall be valid and effectual unless the same shall be entered and registered in a Book, to be kept by the Directors for that purpose.

Shares to be assignable.

X. And be it enacted, That in case of any vacancy among the Directors by death, resignation, disqualification, or otherwise, then and in either of such cases, the said Directors shall and may fill up such vacancy by choosing one of the shareholders or proprietors of Lots of not less each than one hundred and fifty square feet, and the person so chosen by the Directors shall serve until another is chosen in his room.

Vacancies in the directorship by death, &c. to be filled up by the Directors.

XI. And be it enacted, That the several shareholders in the said Corporation shall be members of the same until they be repaid (out of the funds of the said Corporation) the amounts by them respectively invested, together with interest on the same at the rate of eight per centum per annum, when they shall cease to have any interest in the said Cemetery; and the property shall from thence be vested in Robert Jardine, Henry Gilbert, John M. Walker, George P. Peters, James Pettingell, William G. Lawton, LeBaron Botsford, William Parks, Adam Jack, and Edward B. Peters, (being the present proprietors of Lots in the said Cemetery,) and all future proprietors of Lots of not less each than one hundred and fifty square feet.

Shareholders to be members of the Corporation until repaid their investments.

Thenceforth property to be vested as herein directed.

XII. And be it enacted, That from and after the payment to the several shareholders of the amount so invested by them respectively, together with interest, as

Funds after payment of investment to be appropriated to the embellish-

ment, &c. of the premises.

in and by the eleventh section is provided, the proceeds of all sales of Lots, after deducting the annual expenses of the said Cemetery, shall be forever devoted and applied to the preservation, improvement, embellishment and enlargement of the said Cemetery, and for no other purpose whatsoever.

Destruction, &c. of tombstones, trees, &c., firing of guns, commission of nuisances, &c. made a misdemeanor.

XIII. And be it enacted, That if any person or persons shall wilfully destroy, mutilate, injure or remove any tomb, monument, grave stone, or other structure placed in the Cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of any tomb, monument, grave stone, or other structure aforesaid, or shall wilfully destroy, remove, cut, break, or injure any tree, shrub, or plant, within the limits of the said Cemetery, or shall play at any game or sport, or discharge any gun or other fire arm, save at a military funeral, within the said Cemetery, or who shall wilfully and unlawfully disturb any persons assembled in the Cemetery for the purpose of burying any body therein, or who shall commit any nuisance within the said Cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before any Justice of the Peace, be punished by a fine of not less than one pound nor more than five pounds, or be committed to the Common Gaol for the space of not more than ten days, according to the nature and aggravation of the offence; and such offender shall also be liable in an action of trespass to be brought against him in any Court of competent jurisdiction, in the name of the Corporation of the Saint John Rural Cemetery Company, to pay all such damages as shall have been occasioned by his or their unlawful act or acts; which money, when recovered, shall be applied by the said Corporation to the reparation of the property destroyed or injured as above; and members of the said Corporation shall be competent witnesses in such suits.

Punishment.

Offender to be also liable to an action of trespass.

Cemetery lots not to be liable to seizure in execution,

Nor interfere with insolvent debtor Act.

XIV. And be it enacted, That the Lots in the said Cemetery shall not be levied upon or taken in execution, but shall be altogether free from seizure at the suit of any person or persons whomsoever, and that the property in any such Burial Lots, or part thereof, shall not prevent any confined debtor from receiving support under the Law in force for the relief and support of confined debtors.

CAP. LVII.

An Act to incorporate the Saint John Temperance Temple Company.

Passed 30th March 1848.

Preamble.

WHEREAS the dissemination of total abstinence principles tends greatly towards improving the morality of society, and it is desirable to erect a Building in the City of Saint John, in which Temperance Lectures may be delivered, and for other purposes;

Company incorporated by the name of "The St. John Temperance Temple Company."

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Nathan S. Demill, John Paddock, M. D., Thomas Harding, John Humbert, Peter LeSueur, Robert Reed, Colin E. Cross, Levi H. Waterhouse, and Douglas B. Stevens, their associates, successors and assigns, shall be and they are hereby erected into a Body Politic and Corporate, by the name of "The Saint John Temperance Temple Company," and shall have all the general powers and privileges made incident to a Corporation by the Acts of Assembly in this Province, for the purpose of erecting a Temperance Temple in the City of Saint John, and for other purposes connected therewith, and maintaining, supporting and managing the same.

Capital to be £6000, with power to increase it to £10,000.

II. And be it enacted, That the capital stock of the said Corporation shall be six thousand pounds of current money of New Brunswick, and shall be divided into

into twelve hundred shares of five pounds each; provided that the said Corporation, if necessary, have leave to extend the said capital stock to the sum of ten thousand pounds of like current money, and shall have power to increase the number of shares accordingly, or to assess such increase upon the original number of shares; and provided also, that the said Corporation shall not be entitled to purchase any property, real or personal, or incur any debts or liabilities whatsoever, until ten per centum of the capital stock as aforesaid shall be paid in.

No real property to be acquired till 10 per cent. be paid in.

III. And be it enacted, That the first meeting of the said Corporation shall be held at the City of Saint John, and shall be called by Nathan S. Demill, or in case of his death, neglect or refusal, by any two of the said Company, by giving notice in one or more of the public newspapers for twenty days previous to such meeting, for the purpose of establishing bye laws, choosing nine Directors, and such other officers as may be necessary for the management of the affairs of the said Company; which Directors and officers so chosen, shall serve until the first annual meeting, or until others are chosen in their stead, and shall have full power and authority to manage the concerns of the said Corporation, subject to the rules and regulations hereinafter provided, and the bye laws of the said Corporation.

First meeting of the Company to be called by public notice.

Directors and other officers to be chosen.

IV. And be it enacted, That an annual meeting of the stockholders of the said Corporation shall be held at the City of Saint John on the first Tuesday in June in each year, for the purpose of choosing nine Directors and such other officers as may be required by the bye laws of the said Corporation to be so chosen; which Directors and officers so chosen, shall remain in office for one year, or until others are chosen in their stead; and the said Directors shall at the first meeting after their election, choose one of their number President of the said Company; provided that not less than five Directors do form a quorum for the transaction of business, and that in case of the absence of the said President the Directors shall have power to appoint one of their number Chairman for the occasion.

A meeting to be annually held for choosing Directors.

Directors to choose a President.

V. And be it enacted, That no person, except he be of the full age of twenty one years, and hold four or more shares of the said capital stock of the said Corporation, shall be eligible as a Director.

Qualification of Directors.

VI. And be it enacted, That the number of votes to which each stockholder shall be entitled on every occasion when in conformity to the provisions of this Act or the bye laws of the said Corporation the votes of the stockholders are to be given, shall be for from one to two shares, one vote; from three to five shares, two votes; from six to ten shares, three votes; from eleven to twenty shares, four votes; from twenty one to forty shares, five votes; from forty one to seventy shares, six votes; from seventy one to one hundred and four shares, eight votes; one hundred and five shares and upwards, ten votes; all the numbers reckoned inclusively, and that all stockholders may vote by proxy, such proxy being a stockholder, and producing sufficient authority in writing from his constituent.

Number of votes ascertained.

VII. And be it enacted, That the shares in the said Corporation shall be assignable and transferable according to such rules and regulations as may be established in that behalf; but no assignment or transfer shall be valid and effectual unless the same shall be entered and registered in a Book to be kept by the Directors for that purpose; and that in no case shall any fractional part of a share or other than a complete share or shares be assignable or transferable; that whenever any stockholder shall transfer in manner aforesaid all his stock and

Shares to be assignable.

shares

shares in the said Company, he shall cease to be a member of the said Corporation.

Vacancies in the
Directorship by
death.

VIII. And be it enacted, That in case of any vacancy among the Directors by death, resignation, disqualification, or otherwise howsoever, it shall be lawful for the remaining Directors, or a quorum thereof, to fill the vacancy by choosing one of the stockholders who may be qualified to act as a Director, and the person so chosen shall serve as a Director until the next annual meeting.

Joint stock to be
alone responsible
for the debts.

IX. And be it enacted, That the joint stock of the said Company shall alone be liable for the debts of the said Company.

Corporation em-
powered to assess
the shares.

X. And be it enacted, That the said Corporation shall have power to levy and collect assessments upon the shares from time to time of such sums of money as may be deemed necessary for carrying on the business of the said Corporation; and when any assessment shall be made by the said Company, it shall and may be the duty of the Treasurer to give notice thereof in two or more newspapers printed in the City of Saint John, requiring payment of the same within thirty days; and if any stockholder shall neglect or refuse to pay to the said Treasurer the amount of such assessment upon his share or shares at the time prescribed, it shall be the duty of the said Treasurer to advertise all such delinquent shares for sale at public auction, giving at least thirty days notice of the time and place of such sale; and all shares so advertised, upon which the assessment and expenses tending such advertisement, together with the interest upon such assessment as not been paid, shall be sold to the highest bidder, and after retaining the amount of assessment, interest and expenses due, the residue, if any, shall be paid to the former owner, and a new certificate or certificates of the share or shares so sold shall be made to the purchaser; provided always, that no assessment shall be made except by a vote of the stockholders and a majority of all the shares.

Delinquent shares
to be advertised
and sold.

Shareholders may
be sued for the
assessments.

XI. And be it enacted, That each and every shareholder in the said Corporation shall be held liable to the said Company for each and every call or assessment made, (not however to exceed in amount the stock so subscribed for) for the purpose of enabling the said Company to pay the debts and engagements of the said Corporation, or to carry on the operations for which the said Company is incorporated, and shall and may be sued for by the said Corporation, and recovered in any Court of Record within the Province.

Meetings of the
Corporation to be
held by public
notice.

XII. And be it enacted, That all the meetings of the stockholders of the said Corporation shall be called by public notice being given of the time and place in one or more newspapers printed in the City of Saint John seven days at least before the time of such meeting, and that special meetings may be called by the Secretary under the authority of the President, a quorum of the Directors, or by shareholders representing not less than two hundred shares, upon giving the like notice.

CAP. LVIII.

An Act to incorporate the Woodstock Steam Mills and Manufacturing Company.

Passed 30th March 1848.

Company incor-
porated by the name
of "The Wood-
stock Steam Mills
and Manufacturing
Company."

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That James Ketchum, Charles Marvin, James Tibbits, John Wilson, Adam B. Sharp, H. M. G. Garden, Ralph Ketchum, Benjamin Beveridge, Richard R. Ketchum, Hezekiah Stoddard, Andrew W. Rainsford, Francis E. Winslow, Elisha A. Cunliffe, Ambrose Sherman Carman, James A. Phillips, Thomas Pickard, Junior, their associates, successors and assigns, shall be and they are hereby

hereby erected into a Body Politic and Corporate, by the name of "The Woodstock Steam Mills and Manufacturing Company," and shall have all the powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of erecting Steam Mills and necessary works therewith connected, in the Parish of Woodstock, in the County of Carleton, for the manufacture of lumber, flour, oat meal and corn meal, and for other purposes connected therewith, and for carrying on and managing the same.

II. And be it enacted, That the capital stock of the said Corporation shall be eight thousand pounds of the current money of the Province of New Brunswick, and shall be divided into six hundred and forty shares of twelve pounds ten shillings each, to be paid in at such times and in such instalments as the business of the said Company shall require; provided that twenty five per centum of the capital stock of the said Company, amounting to two thousand pounds, shall be actually paid in and invested in the business of the said Corporation, within two years after the passing of this Act; and provided also, that the said Corporation shall not be entitled to purchase any property, real or personal, or to incur any debts, until the said twenty five per centum of the said capital stock shall have been paid in.

Capital Stock to be £8000: 25 per cent. to be paid in within two years.

III. And be it enacted, That the first meeting of the said Corporation shall be held at Woodstock, and shall be called by Adam B. Sharp, or in case of his death, neglect or refusal, by any two of the said Company, by giving notice in any paper printed in the County of Carleton, or in the Royal Gazette, at least twenty days previous to such meeting, for the purpose of establishing bye laws, choosing five Directors, and such other officers as may be necessary for the management of the affairs of the said Company; which Directors and officers so chosen, shall serve until the first annual meeting, or until others are chosen in their stead, and shall have full power and authority to manage the concerns of the said Corporation, subject to the rules and regulations hereinafter provided; provided always, and be it further enacted, that so soon as the said capital stock of eight thousand pounds shall have been paid in and expended for the purposes by this Act provided, it shall and may be lawful for the said stockholders at any general meeting to be called for that purpose, to increase the said capital stock from time to time, in such sum or sums as they may deem expedient, to a sum not exceeding twenty thousand pounds, which additional capital stock shall be divided into shares of twelve pounds ten shillings each.

First meeting to be called by public notice.

Directors to be chosen.

Capital may be increased to £20,000.

IV. And be it enacted, That a general meeting of the stockholders of the Corporation shall be held on the first Monday in June in each and every year, for the purpose of choosing five Directors and such other officers as may be necessary for the affairs of the said Corporation; which Directors so chosen, shall remain in office for one year or until others are chosen in their place, and shall at their first meeting after their election, choose one of their number President of the said Company; provided always, that not less than three Directors do form a quorum for the transaction of business; and in case of the absence of the President, the Directors shall have power to appoint one of their number Chairman for the occasion.

An annual general meeting to be held on first Monday in June, to choose Directors.

Quorum for business.

V. And be it enacted, That no person shall be eligible as a Director unless such person is a stockholder, and holds not less than twelve shares of the capital stock of the said Corporation, and is of the full age of twenty one years.

Qualification of Directors.

VI. And be it enacted, That the number of votes to which each stockholder shall be entitled on every occasion when in conformity to the provisions of this Act the votes of the stockholders are to be given, shall be in proportion of one

Votes of stockholders ascertained.

vote

vote to each share of stock, and that absent stockholders may vote by proxy, provided such proxy be a stockholder and produce sufficient authority in writing.

Shares to be assignable.

VII. And be it enacted, That the shares in the said Corporation shall be assignable and transferable according to such rules and regulations as may be established in that behalf, but no assignment or transfer shall be valid or effectual unless entered or registered in a Book to be kept by the Directors for that purpose; that in no case shall any fractional part of a share, or other than a complete share or shares, be assignable or transferable; that when any stockholder shall transfer in manner aforesaid all his stock or shares in the said Company, he shall cease to be a member of the said Corporation.

On failure to elect the Directors at the annual meeting, they may be chosen on any other day, after public notice.

VIII. And be it enacted, That if it should happen that the said Directors or other officers should not be chosen on the said first Monday of June in any year as aforesaid, it shall and may be lawful to choose them on any other day between the hours of ten in the forenoon and six in the afternoon of such day, on giving twenty days notice of such meeting by personal notice, or by notice in writing sent by Mail, or by publication in any newspaper printed in the County of Carleton; and in case any Director shall be removed by the stockholders for misconduct, neglect, or mal-administration, his place shall be filled up by the stockholders, twenty days notice of the time and place of meeting for such purpose being first given as last aforesaid; and in case of any vacancy among the Directors by death, resignation, absence, or disqualification by sale or transfer of stock, then and in either of such cases, the said Directors shall and may fill up such vacancy by choosing one of the stockholders, and the person chosen by the stockholders or Directors shall serve until another is chosen in their stead.

Joint stock to be alone responsible for the company debts in the first instance.

IX. And be it enacted, That the joint stock and property of the Company shall alone in the first instance be responsible for the debts and engagements of the said Company; and that no creditors or person or persons having any demand against the said Company for or on account of any dealings with the said Company, shall have recourse against the separate property of any shareholder on account thereof, except in case of deficiency, or where the joint stock of the said Company shall fall short of, or not be equal to the payment of any debt, due or demand against the same, or upon nulla bona being returned on any execution issued against the goods and chattels of said Company, that then and in either of such cases the goods and chattels, lands and tenements of each shareholder shall and may be levied upon and seized respectively, to satisfy such debt or demand, to the extent of double the amount of the share or shares or interest of such shareholder in the joint stock of the said Company, but no more; and that such double amount, or so much as may be necessary to satisfy such debt, due or demand, shall and may be levied and seized by process of execution in the same suit in which such debt, due or demand may be recovered against the said Company.

Shareholders may be sued for assessments.

X. And be it enacted, That each and every shareholder in the said Corporation shall be held liable to the said Company for each and every call or assessment made (not however to exceed in amount the stock so subscribed for) for the purpose of enabling the said Company to pay the debts and engagements of the said Corporation, or to carry on the operations for which the said Company is incorporated, and shall and may be sued for by the said Corporation, and recovered in any Court of Record within the Province.

Shares to be numbered, and each member to get a certificate.

XI. And be it enacted, That all the shares in the said Company shall be numbered in progressive order, beginning at number one; and every member of the said Company shall have a certificate under the Seal of the said Corporation, and

and signed by the President and Secretary thereof, certifying his property in such shares as shall be expressed in the certificate.

XII. And be it enacted, That the said Company shall have power to levy and collect upon the shares from time to time such sum or sums of money as shall be judged by such Corporation necessary for the payment of any debts of the said Corporation, and for the purchase of such real and personal property, and the erecting, building, making, setting up, and procuring such buildings, dams, sluices, mills, boats, machinery, and other things as may be deemed necessary and requisite for carrying on the business of the said Corporation; and whenever any assessment shall be made by the stockholders of the said Company, it shall be the duty of the Secretary or Agent thereof to give notice of such assessment in some newspaper printed in the said County of Carleton, or in the Royal Gazette, requiring payment of the same within thirty days; and if any stockholders shall neglect or refuse to pay to the Secretary or Agent the amount of such assessment upon his shares at the time prescribed, it shall be the duty of the Secretary or Agent to advertise all such delinquent shares for sale at public auction, giving at least thirty days notice of the time and place of such sale; and all shares upon which the assessment is not then paid, with interest from the time when such assessment became due, shall be sold to the highest bidder, and after retaining the amount of assessment and interest due on the same, and the expense of advertising and selling, the residue (if any) shall be paid over to the former owner, and a new certificate or certificates of the shares so sold be made out and delivered to the purchaser or purchasers; provided always, that such assessment or assessments shall not in the whole exceed the amount of the capital stock appointed by this Act, or the capital stock to be increased as is hereinbefore directed; and also provided, that no assessment shall be made except by a vote of the stockholders and a majority of all the shares.

Shares may be assessed for carrying on the business of the Corporation.

Delinquent shares may be advertised and sold.

No assessment to be made except by vote of the stockholders.

Special meetings may be called.

XIII. And be it enacted, That a special meeting of the said Company may be called by the Secretary or Agent, under the authority of the Directors, or of the stockholders representing not less than two hundred shares of stock, thirty days notice at least of the time and place of such meeting being given in some newspaper published in the said County of Carleton, or by personal notice, or by notice in writing by Mail as aforesaid.

XIV. Provided always, and be it enacted, That unless twenty five per centum of the said capital stock shall be paid in for the purpose of this Corporation, and a certificate of such payment, signed and verified on oath by the Directors, or a majority of them, before any Justice of the Peace, shall be filed in the office of the Secretary of the Province before the expiration of two years next after the passing of this Act, the operation of this Act shall cease, and the existence of this Corporation be terminated at the end of the said two years.

Act to be void if 25 per cent of the capital be not paid in, and certificate lodged in the Secretary's Office within two years.

CAP. LIX.

An Act to incorporate the Dorchester Temperance Hall and Mechanics' Institute.

Passed 30th March 1848.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Dorchester Temperance Hall and Mechanics' Institute, now established in the Village of Dorchester, in the County of Westmorland, for the purpose of instructing Mechanics and others in the different Branches of Science, be incorporated; and that the Honorable Edward B. Chandler, William Wilson, Thomas S. Sayre, Christopher Milner, Thomas Keillor, John Hickman, Senior, Gideon Palmer, John Weldon, Amasa Weldon, John Robb, Albert J. Smith, John Hickman,

Dorchester Temperance Hall and Mechanics' Institute incorporated

Hickman, Junior, Charles E. Knapp, Andrew Weldon, John C. Turner, Robert B. Chapman, David Chapman, Edward B. Chandler, Junior, and such others as are or may become members of the said Institute, shall be and they are hereby constituted a Body Corporate for the purposes above mentioned, and none other, by the name aforesaid, with all the general powers and privileges incident to Corporations by Act of Assembly in this Province; provided always, that the real estate which the said Corporation may at any time hold shall not exceed the sum of eight hundred pounds.

Real Estate limited to £800.

CAP. LX.

An Act to incorporate the Woodstock Mechanics' Institute.

Passed 30th March 1848.

Woodstock Mechanics' Institute incorporated.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Woodstock Mechanics' Institute now established in the Town of Woodstock, in the County of Carleton, for the purpose of instructing Mechanics and others, in Physics, Literature, and the different Branches of Science, be incorporated, and that John Bedell, Richard English, William T. Baird, Charles H. Connell, James Robertson, J. N. Baker, William Lindsay, George W. Cleary, Edwin R. Parsons, Robert A. Hay, and such other persons as are or may become members of the said Institute, shall be and they are hereby constituted a Body Corporate for that and no other purpose, by the name aforesaid, with all the general powers and privileges incident to Corporations by Act of Assembly of this Province; provided always, that the real estate which the said Corporation may at any time hold, shall not exceed eight hundred pounds.

Real Estate limited to £800.

CAP. LXI.

An Act to incorporate the City of Fredericton.

Passed 30th March, 1848.

179 p. 2000 by 1848
Cap 175 local acts

Amended by 12 vic cap 259

WHEREAS an improvement in the Local Government of Fredericton is deemed necessary;

The City of Fredericton incorporated, with powers incident to Corporations.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, all the inhabitants of that part of the Parish of Fredericton which is bounded and described as follows: Beginning on the north easterly bank or shore of the River Saint John, in the north eastwardly prolongation of the lower boundary line of the Parish of Kingsclear, thence extend to and along the said boundary line of the Parish of Kingsclear south westwardly, until it intersects the north westerly extremity of the north easterly boundary of a tract of land heretofore granted to William F. Odell and associates; thence along the said last mentioned boundary and its prolongation, south easterly, to intersect the upper or north easterly boundary line of the County of Sunbury, thence along the said boundary line of the County of Sunbury north easterly; until it intersects the north easterly bank or shore of the River Saint John above mentioned, and thence along the said bank or shore along the line of high water mark, north westerly, or up stream, to the place of beginning; shall be a City Corporate, in right and in name, by the name of "The City of Fredericton," and shall have perpetual succession, and a Common Seal, with power to break, renew and alter the same at pleasure; and shall be capable in Law of suing and being sued, and of purchasing and holding lands and tenements for the use of the said inhabitants, and of making and entering into such contracts and agreements as may be necessary for the exercise of their corporate functions, and to do and execute

Amended by 13 vic cap 22 of local acts

execute every other matter or thing incident to such Corporation, subject to the regulations hereafter provided.

II. And be it enacted, That for the purposes of this Act, and the better government of the said City, it shall be and is hereby divided into five Wards, which shall be known, distinguished, bounded and described as follows:—

To be divided into five Wards.

The first Ward to be known and distinguished as Wellington Ward, and to be bounded on the north east, the north west, and the south west, by the north easterly, north westerly and south westerly bounds of the City, and on the south east by the centre of Northumberland Street, and the prolongation of a line drawn along the centre of the said street north easterly and south westerly to the north easterly and south westerly bounds of the City:

Wellington Ward.

The second Ward to be known and distinguished as Saint Ann's Ward, and to be bounded on the north east and south west by the north easterly and south westerly bounds of the City, on the north west by Wellington Ward, and on the south east by the centre of York Street, and the prolongation of a line drawn along the centre of the said street north easterly and south westerly to the north easterly and south westerly bounds of the said City:

Saint Ann's Ward.

The third Ward to be known and distinguished as Carleton Ward, and to be bounded on the north east and south west by the north easterly and south westerly bounds of the City, on the north west by Saint Ann's Ward, and on the south east by the centre of Regent Street, and the prolongation of a line drawn along the centre of the said street north easterly and south westerly, to the north easterly and south westerly bounds of the City:

Carleton Ward.

The fourth Ward to be known and distinguished as Queen's Ward, and to be bounded on the north east and south west by the north easterly and south westerly bounds of the City, on the north west by Carleton Ward, and on the south east by the centre of Church Street, and the prolongation of a line drawn along the centre of the said street north easterly and south westerly to the north easterly and south westerly bounds of the City:

Queen's Ward.

The fifth Ward to be known and distinguished as King's Ward, to be bounded on the north east, south east and south west by the north easterly, south easterly and south westerly bounds of the City, and on the north west by Queen's Ward.

King's Ward.

III. And be it enacted, That the administration of the fiscal, prudential and municipal affairs, and the government of the said City, shall be vested in one principal Officer, who shall be and be styled the Mayor of the City of Fredericton, and nine other persons, who shall be and be styled Councillors of the City of Fredericton, to be severally elected as is hereinafter directed; and such Mayor and Councillors for the time being shall be and be called the Council of the said City; and all Bye Laws made by the said City Council shall express to be enacted by "The City Council of the City of Fredericton."

The government of the City vested in a Mayor and nine Councillors, to be styled "The City Council."

IV. And be it enacted, That the City Council shall annually elect and choose for the said City, from persons possessing similar qualifications to the Councillors, three Officers, to be called the Assessors for the said City.

City Council to annually elect three Assessors.

V. And be it enacted, That the first election after the passing of this Act, of the Mayor and Councillors of the said Corporation, shall be conducted and made in manner following, that is to say: the Sheriff of the County of York, by himself and his sufficient Deputy or Deputies by him named for that purpose, shall within sixty days after the passing of this Act, appoint a day and place for the election of two persons to serve in the City Council for each Ward, whereof he shall give notice in the public newspapers published in Fredericton, and by advertisements in the several Wards, for ten days previous thereto, and shall agreeably

Mode of conducting the first election of City Councillors.

Qualification of voters.

agreeably to such notice, conduct such elections; and all the male inhabitants of the age of twenty one years, who shall have resided in the said City for at least two years then next preceding, and being British subjects, and each of whom shall actually and within the Ward for which he shall vote, then be and for two months previously have been actually and in his own right the *bona fide* tenant and occupier, under some tenure not less than a tenancy for one year, or *bona fide* owner and occupier in his own right of an entire and separate dwelling house, or an entire and separate warehouse, counting house, field, wharf, office, shop, or other tenement, severally of the *bona fide* rent or yearly value of fifteen pounds currency or upwards, and shall have been rated in the said City to Poll, Road Rate, and Rate for relief of the Poor, to the amount of twenty shillings currency in the whole, and shall have paid such rates which have fallen due within three calendar months next before the day of the said election, or each of whom shall actually and within the Ward for which he shall vote, have been for the time and under the tenure aforesaid, in like manner the *bona fide* tenant and occupier, or *bona fide* owner or occupier of some share, part or interest in some dwelling house, warehouse, counting house, field, office, shop, or other tenement, the *bona fide* yearly value or rent of his own proportion whereof shall be fifteen pounds currency and upwards, and shall have been rated and paid in the said City all road rates and rates for the relief of the poor, to the amount of not less than twenty shillings currency in the whole, and shall have paid such rates which have fallen due within three calendar months next before the day of the said election, or each of whom shall actually and within the Ward for which he shall vote have been for the time *bona fide* owner of real or personal property of the clear value of one hundred pounds currency or upwards, and shall have been rated and paid in the said City all rates for the roads or the relief of the poor, to the amount of twenty shillings in the whole, (and no other persons,) shall be entitled to vote at the said election for such Councillors in the said Wards respectively; and that the Sheriff, in case no scrutiny be demanded, shall immediately return to the Office of the Secretary of the Province the names of the persons having the majority of votes at the said election; and the said Secretary, by the authority of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, shall cause the said return to be published in the next Royal Gazette; and the persons so returned by the Sheriff as having the majority of votes shall be deemed and held to be the Councillors of the said Wards respectively; and the said Councillors shall, as soon as may be convenient after such publication, assemble at the County Court House, in the City of Fredericton, and having chosen a Chairman, shall then and there, by a majority of votes, by way of ballot or otherwise, as they may think proper, elect one fit and proper person out of their own body, to be Mayor of the said City; provided that all the necessary expenses incurred for holding the said first election shall be paid out of the City funds; provided always, that all the said first elections of Councillors shall take place on the same day and hour in all the several Wards; and that the said first elections of Councillors shall be conducted by open voting in public, in manner practised in the election of Members of the Assembly; and that any person whose right to vote thereat shall be questioned at the time of offering his vote, shall take the following oath, before the presiding officer shall receive or take down his vote, which the presiding officer is hereby authorized to administer, that is to say:

'I do solemnly swear, that I have resided in Fredericton for two years or upwards, now next preceding, and that I am of the age of twenty one years, and am a British subject, and am duly qualified to vote at this election, within this Ward.'

Return by the Sheriff to the Secretary's Office.

Councillors to elect a Mayor from their own body.

Voter's oath.

And the presiding officer, before administering the said oath, shall distinctly read over the qualification required by the Act for every such person so claiming to vote, to such person so claiming, and also to mark every such oath as having been sworn, on his Book; and provided that the said elections shall respectively continue open no longer than one day, and shall be closed at five o'clock in the afternoon, unless previously closed by proclamation when a vote shall not have been polled for an hour; and the presiding officer shall at the close of each election declare the majorities; and in case any person who had voted at the same election shall then publicly demand a scrutiny of the election of any one or more of the said Councillors, the presiding officer shall note such demand in his Book; and every such scrutiny, if persevered in, shall be finally determined by the judgment of the Councillors elect, whose elections are not disputed, and who shall have power to hear witnesses on oath, and to appoint a Chairman with right to vote, and if need be, to give a casting vote; and if any of the said Councillors elect shall not attend, the remainder of them shall act; but if three cannot be procured, then the said High Sheriff aforesaid, with any two of them, or any two of the other presiding officers, shall hear and determine such scrutiny as aforesaid; provided that no votes shall be scrutinized but those marked as having been sworn, and that such scrutiny or scrutines shall be proceeded in on the day next after the close of the said elections, and thenceforth day by day (Sundays excepted) except Good Friday and Christmas Day, until all the said scrutines, in rotation, if more than one, shall be determined, no one scrutiny being allowed to engage more than two days; and the Sheriff shall immediately on the close of all the said scrutines make return to the Secretary's Office of all the said elections as aforesaid, and shall therein be governed by the decisions made on the said scrutines, and the said returns shall be published, and the further proceedings hereinbefore provided shall hereafter be had as in cases where no scrutiny occurred:

Mode of conducting scrutines.

VI. And be it enacted, That on the last Monday in March in the year of our Lord one thousand eight hundred and forty nine, and in every succeeding year, five of the Councillors shall go out of office according to the rule hereinafter contained and prescribed; provided that at the last quarterly meeting next before the last Monday in March in the year of our Lord one thousand eight hundred and forty nine, the Councillors shall determine by lot which shall go out of office for that year; but thenceforward, in all future years, those persons who shall have been Councillors the longest without re-election, shall vacate their seats; and in all cases of doubt, the Councillors shall determine by lot who shall vacate his seat for that year.

Five Councillors annually to vacate their seats.

VII. And be it enacted, That on the last Monday in March in the year of our Lord one thousand eight hundred and forty nine, and on the same day in every succeeding year, or if the annual elections and returns shall not in any one year be then complete, then and in every such case within ten days after they shall be perfected, the Councillors of the said City shall elect out of their own body, by a majority of votes by ballot or otherwise, a fit person to be Mayor of the said City, who shall continue in office for one whole year; and in case a vacancy shall occur in the said office of Mayor by reason of any person who shall have been elected to that office not accepting the same, or by reason of his dying or ceasing to hold the said office, the Councillors of the said City shall, within ten days after such vacancy, elect out of their own body another fit person to be Mayor thereof for the remainder of the period for which the Mayor, whose place is to be supplied, was to serve; provided that after any such election, the former Mayor shall occupy the office and place in the City Council of the Mayor then elect, and go out of office

Mayor to be annually elected.

Vacancy by death, &c. to be supplied.

office at the time and in the manner such Mayor elect might or could have done if not elected Mayor, unless the outgoing Mayor shall desire to retire from the City Council, and shall, within two days after his Mayoralty, give notice in writing of his resignation to the City Council, in which case a Councillor shall be elected by the Ward by which the Mayor elect was elected, in manner herein prescribed.

The Mayor elect to be subject to the approval of the Lieut. Governor.

VIII. And be it enacted, That immediately after the election of any person to fill the office of Mayor, under this Act, the name of the Mayor elect shall be submitted to the Governor of this Province for his approval, in the manner following, that is to say, in the case of the first election, three of the Councillors; and in the case of all future elections, the City Clerk shall transmit in writing the name of the person so elected, to the Secretary of the Province, for such approval; and in case such approval is given, the said Mayor elect shall be sworn into office, as hereinafter provided; and in case such approval be not given, a new election or elections shall take place in the manner herein provided for the election of Mayor, until such approval be obtained; and no election of Mayor shall be complete, nor shall any person act or have any authority to act as Mayor, until such approval shall first have been given and procured conformably hereto.

Mayor, Councillors and Assessors to be sworn.

IX. And be it enacted, That the Mayor, Councillors and Assessors shall before entering on the duties of their offices respectively be sworn by taking and subscribing the Oath of Allegiance and Oath of Office; and such oaths shall be administered to the Mayor elect, by the Governor, or in his absence, before a Judge of the Supreme Court, or the Secretary of the Province, in the presence of two Councillors; and such oaths shall be administered to the Councillors and Assessors by the Mayor, being himself first qualified as aforesaid; and a certificate of such oaths having been taken, shall be entered by the City Clerk on the City Minutes; and the said Oath of Office shall be in the following form:—

‘ I, A. B., do swear, that I am qualified, as required by Law, for the office of —, to which I have now been elected or appointed, and that I am seized or possessed for my own use of real or personal estate, or both, in the City of Fredericton, over and above all legally recorded incumbrances, of the value of — pounds, and have paid all Rates and Taxes therefor, to the amount of —, (as the office may be,) and that I have not fraudulently or collusively obtained the same or a title to the same, for the purpose of qualifying myself to be appointed or elected to the said office, or any other office in the said City; and I do swear that I will diligently, faithfully and impartially, and to the best of my ability, discharge the several duties which appertain to the said office of —, while I hold the same. So help me God.’

And into which oath shall be filled in the foregoing blanks, before being sworn to, the title of office and the sum of money required by this Act as the qualification of the officer making the oath.

Certain offices and circumstances to disqualify a person for the office of Councillor.

X. And be it enacted, That no person being of Holy Orders, or being a Minister or Teacher duly licenced by any denomination of Christians in this Province, shall be qualified to be elected a Councillor of the said City, nor shall any one be qualified to be elected a Councillor of the said City who shall not be seized or possessed of real or personal estate, or both, to the amount of five hundred pounds over and above all legally recorded incumbrances, and shall have been assessed in respect to all rates for the relief of the poor, road, and other rates, and shall have paid such rates to the amount of two pounds ten shillings, which have fallen due and payable one month previous to the day of election, or during such time as he shall hold any office or place of profit, other than that of Mayor, in the gift

gift or disposal of the said Council, or during such time as he shall have, directly or indirectly, by himself or his partner, any share or interest in any contract or employment with or on behalf of the Council; provided that no person shall be disqualified from being a Councillor as aforesaid, by reason of his being a proprietor or shareholder of any Company which shall contract with the Council for lighting or supplying with water or insuring against fire any part of the said City.

XI. And be it enacted, That the Councillors of the said City of Fredericton, at the periods hereinafter appointed, shall be chosen by the majority of votes of such persons only, being inhabitant householders within the Ward for which such election shall be had, as shall severally be possessed, and be actually in the occupation as the *bona fide* tenant and occupier at the time of the election, and for not less than two months next before such election, of an entire and separate dwelling house within the said Ward, of the actual and *bona fide* yearly rent or value of fifteen pounds or upwards, or of some share, part or interest in some dwelling house within the said Ward, the *bona fide* yearly rent or value of which share, part or interest shall be fifteen pounds or upwards, held by them respectively, in freehold, or for a term of years, or for a term not less than one year, and who shall have been resident within the said City during two years or more previous to any such election; and part of a dwelling house in which an inhabitant shall reside as a householder, and not as a boarder or lodger, and having a separate communication with the street, and being in every respect distinct and separate from any part of the same or any other house, shall be considered a dwelling house within the meaning of this enactment; provided always, that when and so soon as any rate or rates, assessment or assessments shall be paid for the roads or the relief of the poor by and under the authority of this Act, or otherwise, no such inhabitant householder shall be entitled to vote at the election of Councillors as aforesaid, unless he shall have been rated to and in respect of the rates or assessments laid as aforesaid, and shall have paid his rates and assessments in full, to the amount of twenty shillings, which fell due one month before the time of such election; of which payment the evidence shall be the receipt of the Treasurer or the Collector of Rates, produced at the time of voting, if required, and then lodged with the returning officer of any such election; and provided also, that after any such rate or assessment shall have been laid as aforesaid, every male person, though not a householder, who shall have been resident in the said City during two years next preceding any such election of Councillors, and who shall have been the *bona fide* tenant and occupier, or the owner and occupier in his own right of any warehouse, counting house, or shop, office, field, or wharf, of the *bona fide* yearly rent or value of fifteen pounds or upwards, or who shall have been the *bona fide* tenant and occupier, or the owner and occupier in his own right, of any share, part or interest in some warehouse, counting house, or shop, office, field or wharf, the *bona fide* yearly rent or value of which share, part or interest shall be fifteen pounds or upwards, within any of the Wards of the said City, during twelve months next preceding, and at the time of such election, and shall have been rated for not less than one year in the said City for any such rate or assessment as aforesaid, and shall have paid such rates to the amount of twenty shillings in manner aforesaid, shall be entitled to vote at the election of Councillors to be had in the Ward in which such premises shall be situated; and provided also, that no such inhabitant householder, or occupier of a warehouse, counting house, or shop, office, field, or wharf, or share, part or interest therein aforesaid, within the said City, shall be entitled to vote at any such election of Councillors unless he shall have paid the amount of all rates and assessments within the said City

Councillors to be chosen by persons qualified as herein specified.

of Fredericton that may have been due and payable by him, one month before the holding of any such election; of which payment the evidence shall be the receipt of the City Treasurer or Collector of Rates, produced, if required, at the time of voting, and then lodged with the returning officer at any such election.

Qualified voters to assemble annually, and fill up vacancies in the Council.

XII. And be it enacted, That on the last Monday in March which will be in the year of our Lord one thousand eight hundred and forty nine, and on the same day in every succeeding year, the inhabitant householders and persons qualified to vote as aforesaid, shall openly assemble in the several Wards aforesaid, and elect from the persons qualified to be Councillors such and so many fit and proper persons to be City Councillors for each of such Wards respectively, or so many as shall be required to supply the places of those who shall then go out of office.

Places where, and parties before whom such elections are to be held.

XIII. And be it enacted, That the election of Councillors to be had as aforesaid on the last Monday in March which will be in the year of our Lord one thousand eight hundred and forty nine, and all subsequent elections of Councillors to be had under the provisions of this Act, shall after notice as hereinbefore prescribed in regard to the past election, be held at convenient places in the said several Wards of the said City, and shall respectively be held by and before such of the Councillors of the said City, as may by the Mayor of the said City for the time being be appointed, or in the case of vacancy in the office of Mayor, by the Councillors of the said City.

Time and manner of conducting elections of Councillors.

XIV. And be it enacted, That at elections of Councillors as aforesaid, the poll shall be opened at nine o'clock in the forenoon, and shall continue open till five o'clock in the afternoon of the same day; and the name of each elector voting at such election shall be written in Poll Lists to be kept at such election, by the officer or person holding the same; and after finally closing the poll at any such election, the officer or person by whom the same shall be held, shall forthwith proceed publicly to declare the number of votes given for each candidate or person for whom votes shall have been taken, and shall declare the person or persons having the majority of votes in his or their favour to be duly elected as aforesaid; and if there should be at the final closing of the poll as aforesaid, an equal number of votes polled for two or more persons, it shall be lawful for the officer or person holding such election, and he is hereby required, whether otherwise qualified or not, to give a vote for one or other of the persons having such equality of votes, in order to give a majority to one of them, and determine the election; and the Poll Lists kept at such election, shall, by the officers or persons holding the same, be delivered within three days after the conclusion of every such election, to the Clerk of the City, to remain in his office, where they shall be open to inspection by any elector, on the payment of the fee of one shilling; provided that in case of a scrutiny being demanded, every such scrutiny, if persevered in, shall be finally determined by the City Council, by the judgment of the Councillors elect, or any three of them, whose elections are not disputed, and who shall have power to hear witnesses on oath, and to appoint a Chairman, with right to vote, and if need be, to give a casting vote; provided that no vote shall be scrutinized but those marked as having been sworn, and that such scrutiny or scrutines shall be proceeded in on the day next after the close of the said elections, and thenceforth day by day, without intermission, (Sundays, Christmas Day, and Good Friday, excepted,) until all of the said scrutines, in rotation, if more than one, shall be determined, no one scrutiny being allowed to engage more than two days; and provided also, that the returning or presiding officer shall in the case of all after the first, make the same returns to the City Council,

[Poll Lists to be filed, and open for inspection.]

Scrutiny.

Return.

as is hereinbefore directed to be made by the Sheriff to the Secretary's Office in the case of the first election, and the City Council shall thereupon in every case publish such returns immediately thereafter.

XV. And be it enacted, That it shall be the duty of the presiding officer at any Ward meeting for the election of officers, or for any other purpose now or hereafter to be appointed, and they shall and are hereby declared to have full power and authority to preserve order and decorum, and to suppress all riotous, tumultuous and disorderly conduct therein, and for that purpose to call to his aid any Constable or other peace officer, and also to command the aid and assistance of any person or persons who may be present; and any peace officer or other person neglecting or refusing to afford such aid shall be taken and deemed to be guilty of a misdemeanor; and such presiding officer shall for the time being have the power and authority of a Justice of the Peace, and shall have authority to cause any person or persons who shall be guilty of any riotous, tumultuous or disorderly conduct at any such meeting, to be taken into custody and committed to Gaol; provided however, that such imprisonment or restraint shall not at any time continue more than forty eight hours after the adjournment or dissolution of such meeting; and provided further, that the person so guilty of such disorderly conduct shall be liable, notwithstanding such restraint, to be prosecuted and punished in the same manner as if such arrest had not been made.

Powers and duties of officer presiding at elections.

XVI. And be it enacted, That persons entitled to vote at the election of Councillors as aforesaid, may vote in any and every Ward in which they may respectively be qualified.

Electors may vote in each Ward in which they have a qualification.

XVII. And be it enacted, That every person desirous of voting at any election of Councillors shall, before he be permitted to vote, if required by the officer or person holding any such election, or by any person qualified to vote at the same, make oath to the particulars of his qualification, and that he has not before voted at such election in manner hereinbefore provided, which oath the officer or person holding such election is hereby authorized and required to administer, and which oath shall be in the form following, that is to say :

Intending voters may be sworn.

' I, A. B., do solemnly swear, that I am a British subject, that I have resided in this City for two years or upwards now next preceding, and am qualified by Law to vote at this election, and have not voted before at this election within this Ward. So help me God.'

Form of oath.

And in every case the presiding officer shall note in his Poll Book that the voter was sworn, and which of the said qualifications, and the nature of the tenure he swore to.

XVIII. And be it enacted, That if any person shall knowingly swear falsely as to any of the particulars of his alleged qualification, or if he shall knowingly swear falsely in taking any or either of the oaths prescribed by this Act, he shall be deemed guilty of wilful and corrupt perjury, and suffer the pains and penalties provided by law in cases of wilful and corrupt perjury.

False swearing deemed perjury.

XIX. And be it enacted, That all Officers of the City, who, by the provisions of this Act, shall go out of office, shall be capable of immediate re-election, if then qualified.

Retiring officers may be re-elected.

XX. And be it enacted, That if at any election of a Councillor or Councillors as aforesaid, any person shall be elected a Councillor for more than one Ward of the said City, he shall, within three days after notice thereof, make his option, or, on his default, the Mayor of the said City shall declare for which one of the said

Councillors elected for more than one Ward to choose which they shall serve; on default, Mayor may decide.

Wards

Wards such person shall serve as Councillor, and thereupon such person shall be held to have been elected in that Ward only, and in no other; and another election shall thereupon be held in the Ward for which such person shall not elect to serve, as in other cases of extraordinary vacancies.

A City Auditor to be appointed.

XXI. And be it enacted, That on the last Monday of March in the year of our Lord one thousand eight hundred and forty nine, and in every succeeding year, or as soon thereafter as the returns of the members elect shall be complete, the members of the said Council shall elect a reputable inhabitant of the said City to be and who shall be called Auditor of the said City of Fredericton, whose duties shall be defined by the bye laws of said Corporation; and every such Auditor shall continue in office until the first Monday of April in the year following his election; provided always, that no member of the said Council, nor the Clerk, nor the Mayor of the said City, shall be capable of being elected an Auditor as aforesaid.

Elections to supply extraordinary vacancies in the office of Councillor to be held on a day to be fixed by the Mayor.

XXII. And be it enacted, That if any extraordinary vacancy shall occur in the office of Councillor of the said City, after the first election of such officers to be had as aforesaid, the persons qualified to vote shall on a day to be fixed by the Mayor, (such day not being later than ten days after such vacancy,) elect from the persons qualified to fill such office, another person duly qualified to fill such vacancy; and such election shall be held, and the voting or other proceedings be conducted in the same manner, and subject to the same provisions as are hereinbefore enacted with respect to the elections of the like officers to be had as aforesaid; and every person so elected shall hold such office until the period at which the person in the room of whom he shall have been chosen would, in the ordinary course, have gone out of office, when he shall go out of office.

Fines for non-acceptance of office:

XXIII. And be it enacted, That every person, duly qualified, who shall be appointed or elected to the office of Mayor, Councillor, Auditor or Assessor of the said City, shall accept the office to which he shall have been so appointed or elected, or shall, in default thereof, pay to the Treasurer of the said City, to and for the use of the said City, a fine as follows, that is to say: for the non-acceptance of the office of Councillor, a fine of five pounds; for non-acceptance of the office of Auditor or Assessor, a fine of three pounds; and for non-acceptance of the office of Mayor, a fine of ten pounds; and the election to any of the said offices shall be held *prima facie* evidence of qualification on the part of the person appointed, unless such person shall make oath before the Mayor, who is hereby authorized to administer such oath, that he is not possessed of the qualification for the office required by this Act, in some particular or particulars to be stated in such oath; and every such fine, if not duly paid, shall be levied under the authority of the Warrant of any Justice of the Peace having jurisdiction within the said City, who is hereby required, on the application of the said Council of the said City, to issue the same, by distress and sale of the goods and chattels of the person so refusing to accept such office, with the reasonable charges of such distress; and every person so elected shall accept such office by taking the Oath of Allegiance and Oath of Office hereinbefore mentioned, within four days after the notice of his election, and in default thereof shall be liable to pay the fine aforesaid, as for his non-acceptance of such office, and such office shall thereupon be deemed to be vacant, and shall be filled up by a new election, to be made in the manner hereinbefore prescribed; provided always, that no person disabled by lunacy or imbecility of mind shall be liable to such fine as aforesaid; and provided also, that every person so elected to any such office who shall be above the age of sixty five years, or who shall already have served such office, or paid the fine for not accepting such office, within five years next preceding the day on which

Councillor, Auditor or Assessor, Mayor.

Recovery of fine.

Exempts.

which he shall be so re-elected, shall be exempted from accepting or serving the same office, if he shall claim such exemption within five days after notice of his election; and provided also, that no Military, Naval, or Marine Officer, in Her Majesty's Service, on full pay, nor the Members of the Legislature of this Province, the Members of the Executive Council, nor persons who at some former time have been Members of the Executive or Legislative Councils of this Province, nor the Surveyor General, the Adjutant General of the Militia, the Provincial Secretary, Clerks in Public, Civil or Military Departments, the Post Master General and his Deputies, Custom House Officers, the Sheriffs and Coroners, the Clerks and Commissioned Officers of the Legislature and of the Executive Council, practising Attorneys, and Schoolmasters, shall be held or bound to accept of any such office as aforesaid, or any other office in the said City.

XXIV. And be it enacted, That if any person holding the office of Mayor or Councillor shall be declared Bankrupt, or shall apply to take the benefit of any Act for the relief of Insolvent Debtors, or shall compound by deed with his Creditors, or being Mayor, shall be absent from the said City for more than two calendar months, or being a Councillor, for more than six months, at one and the same time, (unless in case of illness,) then and in every such case, such person shall immediately become disqualified, and shall cease to hold the office of Mayor or Councillor as aforesaid; and in the case of such absence, shall be liable to the same fine as if he had refused to accept such office, unless such absence be by leave first obtained from the City Council.

Mayor or Councillor to be disqualified by bankruptcy, absence, &c.

XXV. And be it enacted, That the said Mayor for the time being, shall, during his continuance in such office, be and be deemed within the limits of the said Corporation, a Justice to keep the Peace in and for the said City, and shall have, use, and exercise the same and the like powers and authorities as if he were nominated and commissioned a Justice of the Peace in and for the said City, provided he shall first take and subscribe the oaths by law required for Justices of the Peace; and provided nothing in this Act contained shall be construed to give him authority as a Justice of the Peace over the County, or beyond the said limits; and provided also, that nothing herein contained shall be construed to affect the jurisdiction, within the said City, of Justices of the Peace for the County of York, now or hereafter to be appointed, except as hereinafter excepted.

Mayor to be a Justice of the Peace within the City.

XXVI. And be it enacted, That there shall be paid from and out of the monies belonging to the said City, to the said Mayor for the time being, in lieu of all fees and perquisites, a salary not exceeding fifty pounds currency.

Mayor's salary not to exceed £50.

XXVII. And be it enacted, That it shall be lawful for the said Council of the said City, from time to time, as occasion may require, to appoint a fit and proper person, not being a Member of the Council, to be Clerk of the said City; and another fit person, not being a Member of the said Council, and not being City Clerk, to be Treasurer of the said City; a City Marshall or High Constable of the said City; and two Constables for each Ward; and which said City Marshall or High Constable and Constables respectively, shall be duly sworn before the Mayor to the due execution of the duties of their office, and have all the power and authority vested by law in any Constable of the County of York; one or more fit person or persons, not being of the Council, to be Clerk or Clerks of the Markets of the said City; and one Surveyor of Highways, Streets, and Bridges; and one or more Collectors of Rates for said City; one or more Pound Keeper or Pound Keepers for the said City; and such other officers as they may think necessary to enable them to carry into execution the powers vested in them by this Act; and to prescribe and regulate the duties of all such officers respectively,

City Council to appoint a City Clerk, Treasurer,

Marshall, and Constables,

Clerks of the Markets, Surveyor of Highways, Collectors of Rates, Pound Keepers, and other necessary officers.

and

and at their pleasure to remove any such officer, and appoint another in his place; and the said Council shall take such security for the due execution of the offices of City Clerk, Treasurer, or other officer, as they shall think proper; and shall and may grant and alter in each and every year to the City Clerk, and other officers to be appointed as aforesaid, such salary, allowance, or other compensation for their services, as they may think fit; provided that no person shall be capable of acting as City Treasurer until he shall have been sworn before the Mayor faithfully to perform the duties of his office, as hereinbefore prescribed, nor until he shall have executed a Bond to the City of Fredericton, with two sufficient sureties to be approved by the City Council, in such sum as the Council shall prescribe, conditioned for the faithful performance of the duties of his office, in such form as the Mayor may approve, or any bye law require.

Treasurer to pay moneys on the order of the Council only.

XXVIII. And be it enacted, That the Treasurer of the said City shall not pay any monies in his hands as such Treasurer, otherwise than upon an order in writing of the Council of the said City, signed by the Mayor, or in his absence, by the presiding Councillor, and countersigned by the Clerk of the City.

City Treasurer to receive all rates, taxes, &c.

XXIX. And be it enacted, That the said City Treasurer shall receive all rates, taxes and assessments which shall be levied or imposed upon or payable by the inhabitants of the said City, in the manner and with all the power and authorities now vested by law, or exercised by the Treasurer for the County of York, in that part of the Parish of Fredericton herein incorporated, under and by virtue of the several Acts of Assembly now in force, and shall be entitled to receive such compensation, by way of salary or commission, as the Council of the said City shall from time to time allow.

Clerk, Treasurer, and other officers, to account when required by the City Council.

XXX. And be it enacted, That the Clerk, Treasurer and other officers of the said City, appointed by the Council as aforesaid, shall, respectively, at such times during their continuance in office, and also within three months after they shall respectively cease to be in office, and in such manner as the said Council shall direct, deliver to the said Council, or to such person as they shall authorize to receive the same, a true account in writing of all matters committed to their charge by virtue or in pursuance of this Act, and also of all monies which shall have been by them respectively received by virtue or for the purpose of this Act, and how much thereof shall have been paid and disbursed, and for what purposes, together with proper vouchers for such payments; and every such officer shall pay all such monies as shall remain due from him to the Treasurer for the time being, or to such person as the said Council shall authorize to receive the same; and if any such officer shall refuse or wilfully neglect to deliver such account, or the voucher relating to the same, or to make payment as aforesaid, or shall refuse or wilfully neglect to deliver to the said Council, or to such person as they shall authorize to receive the same, within three days after being thereunto required by the said Council, all books, documents, papers and writings in his custody or power, as such officer aforesaid, then and in every such case, on complaint made on behalf of the said Council, by such person as they shall authorize for that purpose, of any such refusal or wilful neglect as aforesaid, to any Justice of the Peace for the District or County wherein such officer shall reside or be, such Justice of the Peace shall be and is hereby authorized and required to issue a Warrant under his hand and seal, for bringing any such officer before any two Justices of the Peace for such District or County; and upon the said officer not appearing, or not being found, it shall be lawful for the said Justices to hear and determine the matter in a summary manner; and if it shall appear to such Justices that any monies remain due from such officer, such Justices may, and they are hereby authorized

Proceedings on neglect.

authorized and required, on non-payment thereof, by Warrant under their hands and seals, to cause such monies to be levied by distress and sale of the goods and chattels of such officer; and if sufficient goods and chattels shall not be found to satisfy the said monies and charges of distress, or if it shall appear to such Justices that such officer has refused or wilfully neglected to deliver such account, or the vouchers relating thereto, or that any books, documents, papers or writing which were or are in the custody or power of such officer, in his official capacity, have not been delivered as aforesaid, or are wilfully withheld, then and in every such case, such Justices shall, and they are hereby required to commit such offender to the Common Gaol or House of Correction for the District or County where such offender shall reside or be, there to remain without bail until he shall have paid such monies as aforesaid, or shall have made satisfaction to the said Council, or until he shall have delivered a true account as aforesaid, together with such vouchers as aforesaid, or until he shall have delivered up such books, documents, papers and writings, or have given satisfaction in respect thereof to the said Council; provided always, that no person so committed, shall be detained in prison for want of sufficient distress only, for a longer space of time than three calendar months; provided also, that nothing in this Act contained shall prevent or abridge any remedy by action against any such officers so offending as aforesaid, or against any surety for any such officer.

XXXI. And be it enacted, That the Treasurer of the said City, shall, in Books to be kept for that purpose, enter true accounts of all sums of money by him received and paid as such Treasurer, and of the several matters for which such sums shall have been received and paid; and the Books containing the said accounts shall at all seasonable times be open to the inspection of the Mayor or any of the Councillors of the said City; and all the accounts of the said Treasurer, with all vouchers and papers relating thereto, shall in the months of May and November in every year, be submitted by such Treasurer, to the Auditor elected for the said City as aforesaid, and to such member of the said Council as the Mayor of the said City shall name, on the first day of May in every year, or in case of any extraordinary vacancy of office, within ten days next after such vacancy, for the purpose of being examined and audited, from the first day of November in the year preceding to the first day of May, and from the first day of May to the first day of November in the year in which the said Auditor shall have been elected and named; and if the said accounts shall be found to be correct, the Auditor shall certify the same to be so; and after the said accounts shall have been so examined and audited in the month of November in every year, the Treasurer shall make out in writing, and cause to be printed, a full abstract of his accounts for the year, and a copy thereof shall be open to the inspection of all the rate-payers of the said City applying for the same, on payment of a reasonable price for each copy.

Accounts of moneys to be entered in Books open to the inspection of the Mayor, &c.;

and submitted semi-annually for audit.

A full abstract to be printed.

XXXII. And be it enacted, That in all meetings of the said Council to be held in pursuance of this Act, a majority of the members present at such meetings shall determine all questions and matters submitted to or under the consideration of the said Council; provided that the number present at the said meetings be not less than one half part of the entire number of Councillors composing the said Council; and at all such meetings the Mayor of the said City, if present, shall preside, and in case of his absence, such Councillor as the members of the Council so assembled shall choose to be Chairman of any such meetings, shall preside at the same; and in case of an equality of votes, the Mayor or Chairman presiding shall have a casting vote.

Decision of business before the Council.

Quorum.

XXXIII.

Quarterly meetings of the Council to be held.

XXXIII. And be it enacted, That there shall be in each year four quarterly meetings of the said Council, which shall be held on such days in each and every year as shall be provided by any bye law in that behalf; and the said meetings shall not at any one time be held for a longer period than three successive days, in which Sunday shall not be included.

Special meetings may be called by the Mayor; or on refusal, by three Councillors.

XXXIV. And be it enacted, That it shall be lawful for the Mayor of the said City to call a special meeting of the said Council when and as often as he may deem it proper, after three days previous notice thereof; and in case the said Mayor should refuse to call any such meeting, after a requisition for that purpose signed by three or more members of the said Council, it shall be lawful for such three or more members to call a meeting of the said Council, after three days previous notice, which notice shall specify the business for which the proposed meeting is to be held, and shall be signed by the members; and in all cases of such special meetings as aforesaid, a summons to attend the Council, specifying the business to be transacted at such meetings, and signed by the City Clerk, shall be left at the usual place of abode of every member of the said Council three days at least before such meetings.

Minutes of proceedings to be entered in a Book.

XXXV. And be it enacted, That the Minutes of the proceedings of all meetings to be held as aforesaid, shall be drawn up and fairly entered in a Book to be kept for that purpose, and shall be signed by the Mayor or Councillor presiding at such meeting; and the said Minutes shall be open to the inspection of all persons qualified to vote at the election of Councillors on payment of a fee of one shilling; and the said meetings shall be held with open doors.

Committees of the Council for business may be appointed.

XXXVI. And be it enacted, That it shall be lawful for the said Council to appoint from and out of the members composing such Council, such and so many Committees, consisting of such number of persons as they may think fit for the better transaction of the business before such Council, and for the discharge of such duties within the scope of their powers as may by the said Council be prescribed, but subject in all things to the approval, authority and control of the said Council.

City Council invested with power to make bye laws touching

XXXVII. And be it enacted, That the said City Council, in addition to the powers specially conferred in this Act of making Bye Laws for the good government of the said City, and the other powers incident thereto by the provisions of this Act, shall in the manner hereinafter mentioned have full power and authority from time to time to make, ordain, revise, alter, amend, administer, and enforce such laws as they may deem proper for the several purposes following, that is to say:

Markets;

First—To regulate and manage the Market or Markets, and to establish and regulate Market Days and Fairs; to regulate the place and manner of selling and weighing Butcher's meat, hay, straw, fodder, wood, lumber and fish; to restrain and regulate the purchase and manner of selling of all vegetables, fruit, country produce, poultry, and all other articles or things, or animals exposed for sale or marketed in the open air; to restrain and regulate the purchase of any such things by hucksters and runners living within the City, and one mile distant from the outer limits thereof; to regulate the measurement, length, and weight of coal, lime, boards and other lumber, shingles, lath, cord wood, and other fuel, and to impose penalties for light weight or short count or measurement in any thing marketed; to have the exclusive right of regulating weights and measures in the markets and within the said City, according to the lawful standard, and to seize and destroy such as are not according to the standard; to regulate all vehicles, vessels, and other things in which any thing may be exposed for sale or marketed

in

in any street or public place ; to seize and destroy all tainted and unwholesome meat, poultry, fish, or articles of food :

Secondly—To regulate the lading and unlading of vessels and other craft arriving at the said City ; to impose and collect such reasonable dues thereon as may be necessary ; to regulate and provide for the erection and rent of wharves, piers, quays and docks in the said City, and the toll to be paid for vessels or steam boats touching thereat ; and to prevent the filling up or incumbering the River Saint John within the limits of the said City, or impeding the free navigation thereof, and to regulate the Ferries :

Lading and unlading of Vessels ;
Ferries, &c.

Thirdly—To regulate the assize and price of bread, and to provide for the seizure and forfeiture of bread baked contrary thereto ; to regulate carters, waggons and cartmen, the price to be paid them for hauling loads in the said City, and the quantity comprising a load :

Assize of Bread :

Fourthly—To enforce the due observance of the Sabbath ; to prevent vice, immorality and indecency in the streets or other public places, and to preserve peace, health and good order, and for the prevention or spread of infectious or other diseases ; to prevent the excessive beating or cruel and inhuman treatment of animals ; to prevent the sale of any intoxicating drink to children, apprentices, or servants, without the consent of their legal protectors ; to impose penalties on the keepers of low tipling houses, visited by dissolute and disorderly characters, where spirituous liquors are not sold ; to licence, regulate, or prevent billiard tables, bowling alleys, or other places of amusement ; to restrain or suppress gambling houses, and to enter into them and seize and destroy *rouge et noir*, and *roulette* tables, and other devices for gambling ; to restrain and punish all vagrants, drunkards, mendicants, and street beggars ; to restrain or regulate the licencing of all exhibitions of natural or artificial curiosities, theatres, circuses, or other shows, or exhibitions for hire or profit, and preserve order and quiet thereat :

Observance of the Sabbath, vice, tipling, gambling, &c. ;

Fifthly—To establish and regulate one or more Pounds, and the fees to be taken thereat, and to restrain and regulate the running at large of horses, cattle, swine, goats, sheep, dogs, geese, and poultry, and to impound the same ; to impose a tax on owners or harbourers of dogs ; to regulate and prevent dogs running at large, and to kill such as are found running at large contrary to law, after public notice given ; to abate, and cause to be removed, all public nuisances ; to regulate the construction of privy vaults ; to cause vacant lots in central situations, when they become nuisances, to be properly enclosed ; to regulate and prevent the erection or continuance of slaughter houses, distilleries, or other manufactories or trades which may prove to be nuisances ; to prevent the ringing of bells, blowing of horns, shouting, and other unusual noises in the streets and public places ; to prevent the injuring or destroying of trees planted within any of the streets or public grounds of the said City ; to prevent immoderate riding or driving ; to prevent or regulate bathing in the River Saint John or any public water in or near the City :

Pounds, dogs, nuisances, inclosures, slaughter houses, noises, trees, furious driving, &c. ;

Sixthly—To regulate and licence owners of livery stables or other owners of horses or carriages letting out the same for hire or profit, carters, porters, butchers, or hucksters :

Livery Stables ;

Seventhly—To establish and regulate a Police for the said City, and to provide for the proper keeping of any house of refuge, hospital, work house, bridewell, or house of correction, that may be erected in the said City :

City Police ;

Eighthly—To erect, preserve and regulate public cisterns, reservoirs, or other conveniences for the supply of good and wholesome water, or for the extinguishment of

Supply of Water ;

of fires, and to make reasonable charge for the use thereof; and to prevent the waste and fouling of public water, and for establishing, making and regulating public fountains, pumps and wells:

Fire arms, powder,
dangerous lights,
buildings,
chimneys, fire
buckets, &c.;

Ninthly—To prevent or regulate the firing of guns or other fire arms; to prevent or regulate the firing or setting off of fire balls, squibs, crackers, or other fire works; to prevent or regulate the keeping or transporting of gunpowder or other combustible dangerous materials; to prevent or regulate the use of fire, lights, or candles, in livery or other stables, cabinet makers and carpenters shops, and other combustible places; to regulate the carrying on of manufactories or trades dangerous in causing or promoting fire; and to regulate and require the safe keeping of ashes in proper deposits; to make such bye laws as they may deem expedient for the security, safety and advantage of the inhabitants, containing rules, regulations and restrictions to be observed by all persons in the erection of buildings to be built within the populous parts of the said City; to regulate the construction of any chimney, flue, fire place, stove, oven, boiler, or other apparatus or thing in any house, manufactory, or business, which may be dangerous in causing or promoting fire; to enforce the proper sweeping or cleaning of chimneys; to require the inhabitants of the said City to provide so many fire buckets in such manner and time as they shall prescribe, and to regulate the examination of them, and the use of them at fires; to regulate the conduct and enforce the assistance of the inhabitants at fires, and the preservation of property thereat; to make regulations for the suppression of fires, and the pulling down or demolishing of adjacent houses, and remunerating the owners thereof; to compel the owners of houses to have ladders leading to and on the roofs of such houses; to purchase fire engines, and establish and regulate fire, hook, ladder, and property saving companies:

Public property;

Tenthly—To regulate the management and provide for the security of the public property of the said City of every kind, and to provide for the permanent improvement of the said City in all matters as well ornamental as useful:

Registration of
electors;

Eleventhly—To regulate the registration of electors, and to regulate and prescribe the duties of all officers acting under the authority of the City Council, and the penalties on their default of duty:

Lighting the City.

Twelfthly—For defraying out of the funds of the said City, if necessary, the expense of lighting the same, or any part thereof, with gas, oil, or other substances, and the performing of any kind of work required for the purpose of supplying the said City with gas, and for obliging the proprietors or occupiers of real property to allow such work to be done, and fixtures placed in or about their premises, that may be necessary, such work and fixtures to be done at the expense of the City, and for the erection of all works connected therewith, or necessary to provide a supply of gas for the inhabitants of the said City, and to provide for the erection, preservation and security of lamp posts, sign boards, and other fixtures; and generally, make all such laws as may be necessary and proper for carrying into execution the powers herein or hereafter vested in the said City Council, or any department or office therein, subject to the limitation with regard to penalties contained and prescribed in the next succeeding section of this Act.

Council empowered
to make bye laws
for the government
of the City, and for
raising money for
the execution of
their powers.

XXXVIII. And be it enacted, That it shall be lawful for the said Council of the said City, at a meeting or meetings of the said Council, composed of not less than two thirds of the members thereof, to make such bye laws as to them shall seem meet for the good rule, peace, welfare and government of the said City, and for raising, assessing and applying such monies as may be required for the execution of the powers with which the said Council is hereby invested, and for maintaining

maintaining in the said City a good and efficient system of Police, in such manner as may by law be provided, either by imposing tolls and rates to be paid in respect of any public works, or in any other matter or thing within the said City, or by means of any rate or assessment to be assessed and levied on real or personal property, or both, within the said City, or upon the owners or occupiers thereof, in respect of such property, or upon the sale of goods by public auction within the said City; and to impose by such bye laws, such fines not exceeding five pounds, and such imprisonment not exceeding thirty days; as they may deem proper for enforcing the same; and provided that not more money in the whole than five hundred pounds shall in any one year be assessed or levied on, or be collected or raised from the said City, by authority of the City Council, for any purpose which the said City Council may not be authorized by virtue of the power now vested in the Justices of the Peace for the County of York, and by this Act transferred to the said City Council; and that if for any purpose the City Council shall deem a larger amount to be requisite or proper, the said City Council shall make application to the Lieutenant Governor or the Administrator of the Government for the time being, and the Executive Council of the Province, for leave to increase such amount, who shall thereupon have power, by an order, from time to time, in such application to be made and passed, to authorize the City Council to assess or levy on, or collect and raise from the said City, a further sum for the object and purposes expressed in the application of the City Council in that behalf, and which shall be expressed in said order, not to exceed five hundred pounds additional; and provided every such application shall be passed in the City Council by a majority of the Board present on the occasion, and that the number of the members of the City Council then present, who shall have voted for such application being made, shall be at least six; and provided every such member shall have signed in the Record of the said City Council's proceedings, the resolution passed in favour of making such application, and shall also sign the application to be therefor made to the Governor and Council as aforesaid.

Annual amount limited.

XXXIX. Provided always, and be it enacted, That a copy of every bye law to be made by virtue of this Act, which is intended to be in force for a longer period than twelve months, shall be transmitted with all convenient speed after the making thereof, to the Governor of this Province for the time being; and it shall be lawful for the said Governor, by and with the advice of the Executive Council of this Province, within one month from and after the receipt of such copy, to disallow any such bye law, and such disallowance shall, without delay, be signified to the Mayor of the said City, and thenceforward such bye law shall be void and of no effect; provided also, that all bye laws repugnant to any law of the land, or to any Act of the Legislature of this Province, shall be null and void; and no bye law shall have any force or effect for a longer period than twelve months after the making thereof, unless the same shall have been made, and shall be so transmitted as aforesaid, and then approved, or until after the said one month without disapproval.

Bye Laws having more than twelve months duration, to be submitted to the Governor in Council, with power to disallow.

XL. And be it enacted, That from and after the passing of this Act, all power and authority granted to the Justices of the Peace for the County of York, to make bye laws, rules or regulations upon any subject, and for any purpose whatever within the said City, shall be deemed vested exclusively in the said Council, as fully to all intents and purposes as if the authority aforesaid had been particularly vested in the said Council; provided always, that nothing herein contained shall have the effect of repealing any such bye law, rule or regulation, until the said Council shall expressly declare such repeal, so far as it relates to the said City, by a bye law.

Powers of Justices of the County to make bye laws applicable to the City, transferred to the Council.

On the making of bye laws for extinguishing fires, &c., operation of Provincial Fire Laws to cease.

XLI. And be it enacted, That when the said Council shall make a bye law for the extinguishing of Fires and the establishment of an efficient Fire Police, the operation of any Law of the Province relating to the extinguishment of Fires in the said City, shall cease and be of no effect, save only the right and interest, debts and claims of any person or persons incurred or induced by the authority in any such law contained, or the power therein granted; but such law shall be, and is hereby continued until the making of such bye law; provided that all property, engines, buckets, hose, and fire apparatus, previously purchased by the Fire Wards of Fredericton for the use of the inhabitants, shall be deemed to be the property of the Corporation.

Council may appoint a Recorder, with a Salary not exceeding £30.

XLII. And be it enacted, That the City Council, if they shall think fit to do so, shall appoint a Recorder for the said City, being a Barrister of the Supreme Court of New Brunswick, of at least three years standing, whose duty it shall be to afford legal advice and assistance to the Mayor, Council, and other officers of the said City, in the performance of their respective duties, and in the business of the Police, when occasion shall require such advice therein; and the said Recorder shall hold his office during good behaviour, and shall receive a salary not exceeding thirty pounds, from the City funds, in lieu of all fees; provided that no person shall have any authority to act in or hold the said office, until his election and appointment shall be approved by the Governor of the Province, in the manner herein directed in the case of Mayor, and after such approval, until he shall have been sworn before the said Governor, or in his absence, the Chief Justice or any other the Justices of the Supreme Court, or the Secretary of this Province, faithfully to perform the duties of his office.

Officer elect to be approved by the Governor.

Licences not otherwise provided for, to be granted by the Mayor and two Councillors.

XLIII. And be it enacted, That all Licences not hereinbefore provided for, which are now by law required or appointed to be granted for any purposes within that part of the Parish of Fredericton hereby incorporated, shall be granted by the Mayor and any two Councillors of the said City; and the duties and fees thereupon payable shall be paid into the City Treasury, and the same shall form part of the City funds.

Mayor, Recorder and Councillors to be *ex officio* Justices of the General Sessions of the Peace.

XLIV. And be it enacted, That the Mayor and Recorder, when appointed, and the Councillors of the said City, shall be *ex officio* Justices of the General Sessions of the Peace for the County of York, and as such shall severally exercise all the powers the Justices of the Peace for the County of York can exercise in in the said General Sessions or any Special Sessions.

Mayor and Recorder to be *ex officio* Judges of the Common Pleas.

XLV. And be it enacted, That the Mayor and Recorder, when appointed, shall be severally *ex officio* Judges of the Inferior Court of Common Pleas for the said County.

All officers to be remunerated by salaries.

Fees to be paid over to the Treasurer.

Exceptions.

XLVI. And be it enacted, That all the officers of the said City shall be remunerated by fixed salaries, to be adjusted, settled and fixed from time to time by the said City Council; and all fees of any nature or kind which may be paid to or received by any officer of the said City for any act, matter and thing done by him in virtue of such his office, shall be paid over to the City Treasurer, and form part of the funds of the said City; save and except any fees paid to or received by the Mayor or Recorder when appointed as a Justice or Justices of the Inferior Court of Common Pleas for the County of York, which shall be retained by the said Mayor or Recorder.

Certain properties exempted from taxation.

XLVII. And be it enacted, That all lands, tenements, hereditaments, goods, chattels or effects belonging to King's College, any other ecclesiastical or charitable Corporation, or to any Church, Chapel, or place of Public Worship, or Her Majesty, Her Heirs or Successors, or the Provincial Government, or any department

department thereof, and all shares or stock in any Banking or Insurance Company, or other joint stock Company, owned by any person or persons not resident in the said City, shall be exempted from taxation under the authority of this Act.

XLVIII. And be it enacted, That the Sheriff of the County of York, and such and so many of the Coroners of the said County as shall be resident freeholders or householders in the said City, shall be respectively Sheriff and Coroner or Coroners of the said City.

Sheriff of York, and resident Coroners, to be Sheriff and Coroners of the City.

XLIX. And be it enacted, That the Register of the County of York shall be *ex officio* Register of the said City.

Register of County to be Register of the City.

L. And be it enacted, That the Common Gaol of the County of York shall be deemed and taken to be the Common Gaol of the said City.

County Gaol to be the City Gaol.

LI. And be it enacted, That the Treasurer of the said City shall, from the City funds, contribute and pay to the Treasurer of the County of York, annually, or at such times and in such manner as may be agreed upon between the said City Council and the Justices of the Peace for the County of York, the fair proportion of the expenses attendant upon the administration of justice in the said County, which the said City should pay; the amount thereof, when adjusted and regulated, shall not exceed the proportion that the population of the City bears to the population of the County.

Proportionate share of expenses of administering justice to be paid to the County Treasurer.

LII. And be it enacted, That the lands vested in the Justices of the Peace for the County of York by an Act made and passed in the ninth year of the Reign of Her Majesty Queen Victoria, intituled *An Act relating to an exchange of Lands in Fredericton with the Ordnance Department*, for the use and benefit of the said City, shall be deemed vested in the said Corporation; and the said City Council shall have full power and authority to collect the rents and profits accruing from the said land, or to lease any such land upon the terms, conditions and covenants prescribed by an Act made and passed in the tenth year of the Reign of Her Majesty Queen Victoria, intituled *An Act relating to certain public Lands in Fredericton*; and any sum or sums of money heretofore collected or paid to the Treasurer of the County of York for rent of any of the said land, shall be paid to the City Treasurer for the use of the said Corporation, subject alone to the deduction of any monies specially authorized to be paid by the said last recited Act; and any lease executed by the Justices for the County of York with any person or persons shall be deemed to be made to and on behalf of the said City, without any assessment thereof; provided always, that such City Council shall have no power to appropriate the piece or parcel of the Hospital Lot (so called) to any other purpose than a Market, nor to dispense with the conditions and covenants with regard to the erection of brick or other buildings on the six Town Lots of the said land leased upon such covenants.

Lands exchanged with the Ordnance, and their issues, vested in the City Council.

LIII. And be it enacted, That notwithstanding any licence heretofore granted by the Justices of the Peace for the County of York to any person or persons, the said City Council shall have full power and authority to impose such toll and to exact such rent for any Ferry now or hereafter established across the River Saint John, opposite to the said City, as they may deem advisable; provided that nothing herein contained shall be construed to extend to interfere with the Ferry granted to King's College, or to authorize the imposition of any toll or rent thereon.

Rents of Ferries to be regulated by the City Council.

LIV. And be it enacted, That any balance of the Fredericton Improvement Fund (so called) now remaining in the hands or under the control of the Commissioners appointed by the Executive Government to expend the same, shall be paid over to the Treasurer of the said City, for the use of the said City, as soon after the appointment of the said Treasurer as may be.

Balance of Fredericton Improvement Fund to be paid to the City Treasurer.

LV.

Lands, &c. granted, reserved, &c., for the use of the inhabitants of Fredericton, vested in the City Corporation.

Reservations.

City Council to have the power of the General Sessions in assessing the City for special objects.

Appeals from assessments to be made to the City Council.

Assessors to annually make an assessment of the value of property in each Ward.

Assessment Books to be made up from such Returns.

Powers of the General Sessions in granting Tavern and other Licences for the sale of Spirituous Liquors within the City, transferred to the City Council.

Specialties.

LV. And be it enacted, That from and after the passing of this Act, all the lands, tenements or hereditaments granted to any person or persons, or body politic, for or reserved for the use of the inhabitants of Fredericton, or by any law declared to be vested in any person or persons for the use of the said City, shall be and become vested in the said Corporation, for the use and purpose of the original grant or reservation, and all the rents, issues and profits thereof shall enure to the said Corporation; provided always, that nothing herein contained shall be construed to affect the rights of the Queen, or Her Heirs and Successors, or any person or persons deriving his or their interest therein or thereto from Her Majesty, or Her Royal Predecessors; and all grants and assurances of any of the said land, by Her Majesty, or Her Royal Predecessors, to any person or persons, or body corporate, shall be deemed valid and effectual, notwithstanding the said original reservation thereof, and any laws relating thereto shall continue in full force and effect in the same manner as if this Act had not been passed.

LVI. And be it enacted, That the said City Council shall have power to assess the City of Fredericton, for all the purposes and objects which the General Sessions of the Peace for the County of York, or any Special Sessions, or any other person or persons now have power to assess that part of the Parish of Fredericton herein incorporated, by any law specifying such purpose, in addition to the power conferred by this Act; provided that the said Justices of the General Sessions shall have no power of assessment within the said City for any purpose whatever; and further provided, that nothing in this Act contained shall be construed to extend to prevent the collection of any assessment previously made upon the inhabitants of the said City.

LVII. And be it enacted, That all appeals from the assessment of rates authorized and to be made in the City of Fredericton by and under the authority of this Act, or of any other Act of the General Assembly, instead of being made to the Court of General Sessions of the Peace for the County of York, as is prescribed by the several Acts in force relating to assessing and collecting County and Parish Rates, shall hereafter be made to the City Council in the same manner and under the like direction as are now by law provided.

LVIII. And be it enacted, That it shall be the duty of the City Assessors, once in each year, at least, or oftener if required so to do, to make, under the direction of the City Council, and upon the requisition of the City Clerk, an assessment of the value of the property in each Ward, in the manner now prescribed by law for the assessment of the Poor and County Rates, and shall return such assessment to the City Council in thirty days after the receipt of the said requisition; and that the said Assessors, or any two of them, to be appointed by the said Council, shall thereupon forthwith proceed to make up the assessment Books for the City from the returns of the Assessors, in the manner now required to be done.

LIX. And be it enacted, That the City Council shall have full power to grant Licences to Innkeepers within the said City; and also Licence for the sale of Liquors of any kind, in all cases wherein the Court of Sessions for the County of York, or any Special Sessions, or any Justice or Justices of the Peace have heretofore been authorized to grant Licences; and the said City Council shall be vested with all the power that Justices are vested by any law in force for the purpose of enforcing any rules or regulations made to govern Innkeepers, and to compel the attendance of witnesses; and in granting such Licences it shall be lawful for the City Council to annex thereto such reasonable conditions in regard to time and place and other circumstances under which such Licence shall be acted

acted upon, as in their judgment the peace, quiet and good order of the City may require; and also to take Bonds of all persons so licenced, in reasonable sums, and with sufficient sureties to be approved by the Mayor of the City for the time being, conditioned for a faithful compliance with the terms of their said Licences, and of all laws and regulations respecting the subject of such Licences; and the said City Council, after the granting of any such Licence, shall have power to revoke or suspend the same, if, in their judgment, the order and welfare of the said City require it; and any person or persons who shall sell Liquors of any kind within the said City, without having first obtained a Licence therefor, or in any manner contrary to the terms of the said Licence, or after the same shall have been revoked or suspended, such person or persons shall be liable to the same penalties and forfeitures, and be prosecuted in the same manner as now by law provided in such case; and shall also be taken and deemed to have forfeited their Bonds, respectively given as aforesaid, upon which suits may be instituted against such licenced persons, or their sureties, at the discretion of the said City Council, in such manner as they may direct for the purpose of enforcing such forfeitures; and that all Innkeepers, retailers, and other licenced persons, under or in pursuance of this Act, shall be liable for and pay the same licence duty now imposed by law, to the City Treasurer, in the same way and manner as the same is now by law required to be paid to the Clerk of the Peace of the County of York, or other person or persons authorized to receive the same; and that the City Clerk shall exercise all the powers and authority and duties now vested by law in the Clerk of the Peace of the County of York; but the fees accruing to such Clerk, and the Licence money, shall be paid to the City Treasurer, for the use and benefit of the Corporation.

LX. And be it enacted, That the said City Council shall have the exclusive power to open, lay out, regulate, repair, amend and clean the streets and alleys of the said City, and of putting drains and sewers therein, and to prevent the encumbering of the same in any manner, and to protect the same from encroachment and injury by such bye laws, and ordinances as they may from time to time pass; and for making, levelling, flagging, paving, macadamizing, raising, repairing, lighting, watching, planting, and cleaning any of the streets, squares, lanes, walks, side walks, crossings, roads, bridges, wharves, docks, slips, sewers, and shores, now laid out and erected, or being or hereafter to be laid out and erected, within the limits of the City, and to regulate or prevent the encumbering, injuring or fouling of the same by any animals, vehicles, vessels, craft, lumber, building or other materials or things, or in any way whatsoever; to regulate the breaking of the roads and streets of the said City in the winter, and to require the owners of horses, sleds, and other teams, to assist thereat, and the cutting holes in the ice of the River Saint John in front of the said City; for directing and requiring the removal, at any time, of any door steps, porches, railings or other erections, projections, or obstructions whatsoever, which may project into or over any public street, square or road, at the expense of the proprietors or occupants of the real property in or near which such projection or obstruction may be found; for assessing the proprietors of real property immediately benefited by such improvements, for such sum or sums as may at any time be necessary to defray the expense of making or repairing any common sewer, drain, flagging, posts, or pavement of stone, deal, or plank, in any public street, square or place, and for regulating the time and manner in which such assessment shall be collected and paid; and all power and authority vested in the Justices of the Peace for the County of York, or in the Commissioners of Highways for the Parish of

Council to have the exclusive power in opening, repairing and cleaning the streets, and freeing them of incumbrances.

Powers of Justices of the Peace, or Commissioners of Highways, vested in the City Council.

Fredericton,

Fredericton, by any law now in force relating to Highways, or to provide for the repair of the streets and highways in that part of the Parish of Fredericton incorporated by this Act, shall be vested in the said City Council, who are hereby empowered to carry into effect the provisions of such law; provided that nothing herein contained shall be construed to extend to authorize the opening of any roads and highways through the private property of any person or persons, without complying with the provisions of any Act or Acts then in force providing for the awarding of damages to any person or persons who may be injured thereby.

Officers for the City now appointed by the General Sessions, to be appointed by the City Council.

LXI. And be it enacted, That the appointment of all officers of, or pertaining to the said City, who are now nominated and appointed by the Court of Sessions in pursuance of the several Provincial Statutes in such case made and provided, shall be vested in the City Council; and the persons so by them appointed shall have and exercise all the power and authority which can be enjoyed by the said officers respectively under the present mode of appointment; provided always, that the said City Council shall exercise and enjoy full power and authority from time to time to decide upon the expediency of filling up any such office, and to prescribe the duties of all such officers, and to fix the rate of compensation to be paid or received by each of them respectively, as they may see fit, and that nothing in this section contained, shall be construed to abridge the authority which by virtue hereof the City Council would otherwise possess over the said offices, or their respective officers.

Parties intrusted with the expenditure of public moneys under the Corporation, to account thereto.

LXII. And be it enacted, That all Boards, Commissioners and officers appointed to act under the authority of said Corporation, and entrusted with the collection or expenditure of any public money, shall be accountable therefor to the said Corporation in such manner as may be ordained and directed by the bye laws and ordinances of the said City; and that the Books of Accounts of said Corporation, shewing the amount, particulars, state and circumstances, and also the receipt and expenditures of, and on account of the property, funds, taxes, effects and fees, belonging and accruing, or payable to the said Corporation or any of its officers, shall be deposited and kept in the office of the City Clerk, and shall be there opened and exhibited on the first Monday of every month from the hours of ten o'clock A. M., to four P. M., for inspection and examination by every elector of the City who may on that day apply to see and inspect the same.

Accounts, after approval by the Council, to be published.

LXIII. And be it enacted, That the said City Council, after the Accounts of the said City and Corporation shall be checked, audited, discussed and approved by the said Council, shall cause the same to be published in detail, countersigned by the Mayor and City Clerk, in such way and manner as may appear the best adapted to make generally known the said Accounts.

This Act not to affect the jurisdiction of the Inferior Court of Common Pleas, &c., in criminal matters, nor in other matters not transferred to the Corporation or its officers.

LXIV. And be it enacted, That nothing herein contained shall be construed to repeal or vacate the jurisdiction or Sittings of the Inferior Court of Common Pleas for the County of York, as now by law established, or the jurisdiction or Sittings of the Court of Quarter Sessions, or of any Special Sessions of the Peace, or of any Justices of the Peace, or of the Grand Jury as Grand Inquest of the County, within the said City, in matters of criminal nature, and not affecting the fiscal, prudential or municipal affairs of the said City, which are not hereby transferred or granted to the said Corporation or some of its officers; provided always, that so far as relates to the fiscal, prudential and municipal affairs of the said City, the said Justices shall have no right to interfere.

The fact of being a citizen, or officer of the Corporation, to be no objection as a witness.

LXV. And be it enacted, That in all actions, suits, indictments, informations, or prosecutions whatever, civil or criminal, at law or equity, or otherwise, in which the said City or Corporation shall be a party concerned, it shall not be received

received or allowed as an objection to the competency of any witness that he is a citizen or officer of the said City or Corporation, that such objection shall go to the credit only.

LXVI. And be it enacted, That it shall be lawful for any person holding the office of Councillor, to resign his said office at any time by a declaration to that effect under his hand, and on the payment of a fine of five pounds, and thereupon a Councillor shall be elected in the manner aforesaid, for the Ward for which such Councillor so resigning was elected.

Councillors may
resign their office.

LXVII. And be it enacted, That nothing in this Act contained shall in any manner derogate from or affect, or be construed to derogate from or affect, the rights of Her Majesty, Her Heirs or Successors, except in so far as the same may be specially affected by the provisions of this Act.

Rights of Her
Majesty reserved.

LXVIII. And be it enacted, That the words "Governor of this Province," or "Governor," whenever they occur in the foregoing enactments, are to be understood as meaning and comprehending the Governor or the person authorized to execute the Commission of Lieutenant Governor within this Province for the time being, and the month shall be construed to mean a calendar month.

Construction
of Act.

LXIX. And be it enacted, That the said City Council shall have full power and authority to make such agreement with the Justices of the Peace for the County of York, or the Commissioners of the Alms House for the time being, relative to the Alms House now erected in the said City, and the land connected therewith, and relative to the management of the same and the support of the Poor of the said City, as the interests of the said City shall require, and as may be agreed upon and determined between the said City Council and the said Justices or Commissioners aforesaid, or both, as the case may be.

An agreement may
be made relative to
the Alms House,
and support of the
Poor of the City.

LXX. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and sixty, and no longer.

Limitation.

Anno Decimo VICTORIÆ Reginae.

CAP. LXXXIV.

An Act to facilitate the making of a Rail Road from Saint Andrews, in the County of Charlotte, to Woodstock, in the County of Carleton, and Branches thereof.

Passed 23rd March 1847.

WHEREAS the facilities for travelling and the transportation of goods afforded by Rail Roads, are necessary to the development of the agricultural, manufacturing and commercial resources of the Province, and the introduction of population and capital from abroad: And whereas private Companies, organized for the purpose of constructing Rail Roads, are entitled, by the public advantages accruing from their labours, to Legislative encouragement; and the Company incorporated by an Act of the General Assembly made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to incorporate the Saint Andrews and Quebec Rail Road Company*, is desirous to proceed immediately to construct that part of the contemplated Quebec and Saint Andrews Rail Road which may lie between Saint Andrews and Woodstock;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, be and he is hereby authorized and empowered to grant unto the Saint Andrews and Quebec Rail Road Company, and the said Company are hereby invested with the right, by their agents, servants, and workmen, to enter and go in and upon the Crown Lands lying in the route or line of the contemplated Rail Road from Saint Andrews to Quebec, or of any of its Branches, for the purpose of making examinations, surveys, and other necessary arrangements; and also for the construction and repair of that part of the said contemplated Rail Road which may lie between Saint Andrews and Woodstock, and the Branches connected therewith, its several station houses, and depots, and for fuel for the use of the engines, station houses and depots belonging to the said part of the said contemplated Rail Road, and the said Branches, to dig for, take, remove, and use, any earth, gravel, stone, timber, wood, or other matter, under, on or from the Crown Lands contiguous to the Rail Road.

II. And be it enacted, That it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, and he is hereby fully authorized and empowered to grant unto the said Company, without pecuniary consideration, from the vacant Crown Lands, a belt or strip of such parts of the Crown Lands as the said part of the said contemplated Rail Road, and the said Branches, may pass over and through; the said belt or strip to extend two hundred feet on both sides of the track of the Rail Road, measured from the centre thereof; and also additional pieces or parcels of land severally not exceeding four hundred feet in length, and three hundred feet in breadth, measured along and at right angles to the line of the said belt or strip of land, at such points, and at distances from each other not less than ten miles, as may be necessary, and the said Company may select and determine.

Preamble.

6 W. 4, c. 31.

Right granted to enter on the Crown Lands on the route from St. Andrews to Quebec:

and to take materials and fuel for the part of the Rail Road and its Branches between St. Andrews and Woodstock, free of expense.

Certain portions of Crown Lands to be granted for the Rail Road track and depots.

III.

Grants and privileges to revert, if said part of the Rail Road be not completed within ten years.

III. Provided always, and be it enacted, That if the said part of the said contemplated Rail Road shall not be completed and in full operation within the space of ten years from the time this Act shall come into operation, all and every the said grants of land, and the rights and privileges conferred by this Act, shall be utterly null and void, and the land and privileges shall revert to and revest in Her Majesty, as fully as if no grant had been made or rights or privileges conferred.

On completion, contiguous lands to be surveyed, and 20,000 acres granted to the Company.

IV. 'And for the further encouragement of the said undertaking,' Be it enacted, That on the completion of the said part of the said contemplated Rail Road, it shall and may be lawful for the said Company, at their own proper cost and charges, and under the supervision of the Surveyor General of the Province, to survey and lay out the Crown Lands contiguous to the said part of the said contemplated Rail Road, and the said Branches, in lots of one hundred acres each, with a front of fifty rods on the Rail Road, and to choose and select in an uniform manner, and as nearly as may be at regular intermediate distances, such and so many of the lots so surveyed and laid out as will make up the total quantity of twenty thousand acres of land; which said quantity of twenty thousand acres of land, according to the several divisions thereof, the said Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, shall and he is hereby authorized and empowered to grant in fee simple to the said Company, free from any charge, save and except the expenses of the survey as aforesaid.

Faith of the Province pledged for ten years to make up any deficiency in an annual profit of 5 per cent. on capital not exceeding £100,000.

V. 'And in order to encourage the investment in the said undertaking of private capital from abroad;' Be it enacted, That from and after the time when the said part of the said contemplated Rail Road shall be completed and in efficient operation, with substantial and sufficient locomotive cars, carriages, and other vehicles propelled by steam, for the accommodation of passengers and the transportation of merchandize, the faith and credit of this Province shall stand pledged, and the same is hereby pledged to the said Company, to make up and pay any deficiency of the clear profits arising from the traffic of merchandize and passengers, and otherwise, on the said part of the said contemplated Rail Road, and the said Branches, whereby the said Company may realize a less annual profit or interest than five per centum on such capital sum, not exceeding one hundred thousand pounds, as may be invested in the said undertaking.

Authority given to issue a Warrant on the Treasury, on a certificate of deficiency.

VI. And be it enacted, That when and for each and every year during the continuance of this Act, not exceeding ten years, that it shall be certified by persons appointed for that purpose by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, that the said part of the said contemplated Rail Road has been in efficient operation as aforesaid, for the period of one year from the date of its being finally opened, (or from the date of the next previous certificate in each year after the first year,) and that for the year for which the certificate is granted the whole net proceeds and earnings of the said Company from the said traffic on the said part of the said contemplated Rail Road, after all actual and necessary contingent and annual expenses have been deducted, are insufficient to cover and pay the said annual profit or interest of five per centum on the capital sum, not exceeding one hundred thousand pounds, invested as aforesaid, and are deficient in a certain sum to be specified in the certificate of the persons to be appointed as aforesaid, it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, to issue a Warrant under his hand and seal, on the Provincial Treasury, for the payment to the said Company of the sum so certified to be deficient;

deficient; which Warrant the Treasurer of the Province is hereby required to pay in the regular course out of the monies then in the Treasury, or as payments may be made at the same; provided always, that unforeseen casualties, by which temporary suspensions of the traffic of and travelling on the said part of the said contemplated Rail Road, not involving neglect on the part of the said Company, shall not be deemed sufficient to authorize the persons so appointed as aforesaid to withhold their certificate, and thereby prevent the payment of the sum necessary to make up such deficiency as aforesaid that may occur in the year in which the casualties may take place; it being the true intent and meaning of this Act, that the said Company shall realize and receive as a clear profit, arising from the net profits, or from the net profits and sum to be paid by the Province jointly; a rate of interest equal to five per centum on such capital sum not exceeding one hundred thousand pounds, as may be invested in the said part of the said contemplated Rail Road, and its said Branches, during each and every year, not exceeding ten years in the whole, that the said part of the said contemplated Rail Road shall be in efficient operation as aforesaid.

VII. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto first had and declared.

Act suspended until Her Majesty's approbation be declared.

[This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 20th day of May, 1847, and published and declared in the Province the 23d day of June, 1847.]

CAP. LXXXV.

An Act to facilitate the making of a Railway across the Isthmus which connects the Provinces of New Brunswick and Nova Scotia, to open the communication between the Waters of the Gulf of Saint Lawrence and the Bay of Fundy.

Passed 14th April 1847.

WHEREAS the facilities for travelling and the transportation of merchandise afforded by Rail Roads are necessary to the development of the commercial resources of the Province: And whereas private Companies, organized for the purpose of constructing Rail Roads, are entitled, by the public advantages accruing from their labours, to Legislative encouragement; and the Company incorporated by an Act of the General Assembly made and passed during the present Session, intituled *An Act to incorporate the Chignecto Railway Company*, is desirous to proceed immediately to construct the Railway aforesaid;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, be and he is hereby authorized and empowered to grant unto the Chignecto Railway Company, and the said Company are hereby invested with the right, by their agents, servants, and workmen, to enter and go in and upon the Crown Lands lying in the route or line of the contemplated Railway, for the purpose of making examinations, surveys, and other necessary arrangements; and also for the construction and repair of the said Railway across the Isthmus which connects the Provinces of New Brunswick and Nova Scotia, and the Branches connected with the said Railway, its several station houses and depots, and for fuel for the use of the engines, station houses and depots belonging thereto, and the said Branches, to dig for, take, remove and use any earth, gravel, stone, timber, wood, or other matter, under, on or from the Crown Land contiguous to the Railway, free from any duties or charges therefor.

Right granted to enter on the Crown Lands on the route of the Railway, and also to take fuel and materials for its use.

II.

Certain portions of Crown Lands to be granted for the Rail Road track and depots.

II. And be it enacted, That it shall and may be lawful for the said Lieutenant Governor or Administrator of the Government for the time being, by and with the consent aforesaid, and he is hereby fully authorized and empowered to grant unto the said Company, without pecuniary consideration, from the vacant Crown Lands, a belt or strip of such part of the Crown Lands as the said contemplated Railway, and the said Branches, may pass over and through; the said belt or strip to extend two hundred feet on both sides of the track of the Railway, measured from the centre thereof; and also additional pieces or parcels of land severally not exceeding five hundred feet in length, and three hundred feet in breadth, measured along and at right angles to the line of the said belt or strip of land, at such points, and at distances from each other not less than five miles, as may be necessary, and the said Company may select and determine.

Grants and privileges to revert, if the Rail Road be not completed within ten years.

III. Provided always, and be it enacted, That if the said contemplated Railway shall not be completed and in full operation within the space of ten years from the time this Act shall come into operation, all and every the said grants of land, and the rights and privileges conferred by this Act, shall be utterly null and void, and the land and privileges shall revert to and revest in Her Majesty, as fully as if no grant had been made or rights and privileges conferred.

Faith of the Province pledged to make up any deficiency in an annual profit of 5 per cent. on capital not exceeding £25,000.

IV. 'And in order to encourage the investment in the said undertaking of private capital;' Be it enacted, That from and after the time when the said contemplated Railway shall be completed and in efficient operation, with substantial and sufficient locomotive cars, carriages, and other vehicles propelled by steam, for the accommodation of passengers and the transportation of merchandize, the faith and credit of this Province shall stand pledged to the said Company to make up and pay any deficiency of the clear profits arising from the traffic of merchandize and passengers, and otherwise, on the said contemplated Railway, and the said Branches, whereby the said Company may realize a less annual profit or interest than five per centum on such capital sum, not exceeding twenty five thousand pounds, as may be invested in the said undertaking.

Authority given to issue a Warrant on the Treasury, on a certificate of deficiency.

V. And be it enacted, That when and for each and every year during the continuance of this Act, not exceeding ten years, that it shall be certified by persons appointed for that purpose by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, that the said contemplated Railway has been in efficient operation as aforesaid, for the period of one year from the date of its being finally opened, or from the date of the next previous certificate in each year after the first year, and that for the year for which the certificate is granted the whole net proceeds and earnings of the said Company from the said traffic on the said contemplated Railway, after all actual and necessary contingent and annual expenses have been deducted, are insufficient to cover and pay the said annual profit or interest of five per centum on the capital sum, not exceeding twenty five thousand pounds, invested as aforesaid, and are deficient in a certain sum to be specified in the certificate of the persons to be appointed as aforesaid, it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, to issue a Warrant under his hand and seal, on the Provincial Treasury, for the payment to the said Company of the sum so certified to be deficient; which Warrant the Treasurer of the Province is hereby required to pay in the regular course out of the monies then in the Treasury, or as payments may be made at the same; provided always, that unforeseen casualties, by which temporary suspensions of the traffic of and travelling on the said contemplated Railway, not

not involving neglect on the part of the said Company, shall not be deemed sufficient to authorize the persons so appointed as aforesaid to withhold their certificate, and thereby prevent the payment of the sum necessary to make up such deficiency as aforesaid that may occur in the year in which the casualties may take place; it being the true intent and meaning of this Act, that the said Company shall realize and receive as a clear profit, arising from the net profits, or from the net profits and sum to be paid by the Province jointly, a rate of interest equal to five per centum on such capital sum, not exceeding twenty five thousand pounds, as may be invested in the said contemplated Railway, and its said Branches, during each and every year, not exceeding ten years in the whole, that the said contemplated Railway shall be in efficient operation as aforesaid.

VI. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto first had and declared.

Act suspended until Her Majesty's approbation be declared.

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 22d day of July, 1847, and published and declared in the Province the 25th day of August, 1847.*]

CAP. LXXXVI.

An Act to authorize the granting of a tract of Land, as a Mill Reserve, to the Honorable John Robertson.

Passed 14th April 1847.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That any law, usage or custom to the contrary notwithstanding, it shall and may be lawful for His Excellency the Lieutenant Governor or the Administrator of the Government for the time being, by and with the consent and advice of Her Majesty's Executive Council, by private sale, without auction or public competition, on such terms as they in their discretion may deem reasonable, and at the rate of ten shillings per square mile, to grant to the Honorable John Robertson, of Saint John, Merchant, his executors, administrators or assigns, for a term of five years, and no longer, a certain tract of vacant Crown Lands, as and for a Mill Reserve, situate in the County of Kent, in this Province, and abutted and bounded as follows, that is to say: Beginning at the mouth of Nevers' Brook, Little Fork Stream of Salmon River; thence up said Nevers' Brook, to the line between ranges number sixteen and number seventeen, at a marked maple tree; thence due north four hundred and fifty chains, to a marked spruce; thence due east four hundred and four chains, to a maple; thence south, forty nine degrees east, four hundred and thirty eight chains, to a marked yellow birch; thence south, forty five degrees west, two hundred and eighty chains; thence north, forty five degrees west, eighty chains; thence south, sixty degrees west, two hundred and forty five chains; and thence west one hundred and twenty chains, to the place of beginning; and containing twenty seven thousand acres, be the same more or less; provided that nothing in this Act shall extend or be construed to extend to the granting of any reserve of Crown Lands by private sale under the provisions of this Act the Timber and Logs growing within one mile of the banks of any Streams which empty into the Waters of the Gulf of Saint Lawrence; and provided also, that nothing herein contained shall extend or be construed to extend to authorize the said Honorable John Robertson, his executors, administrators or assigns, to have, hold, occupy and use the said tract of land otherwise than as a reserve for the cutting of Logs for the use of his Mills at Saint John.

See Note
Governor in Council authorized to grant to the Hon. J. Robertson a described tract of Land, as a Mill Reserve, for the period of five years.

Act suspended
until Her Majesty's
assent be declared.

II. And be it enacted, That this Act shall not be or come into force or effect until Her Majesty's Royal assent shall be thereto had and declared.

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 22d day of July, 1847, and published and declared in the Province the 25th day of August, 1847.*]

CAP. LXXXVII.

An Act to repeal the Duties imposed upon articles imported into this Province under the Act of the Imperial Parliament, intituled *An Act to regulate the Trade of British Possessions abroad.*

Passed 14th April 1847.

Preamble.

WHEREAS in and by an Act of the Imperial Parliament made and passed in the ninth and tenth years of Her Majesty's Reign, intituled *An Act to enable the Legislatures of certain British Possessions to reduce or repeal certain Duties of Customs*, power is given to the Legislature of this Province of New Brunswick to reduce or repeal all or any of the Duties of Customs set forth in a certain Table in an Act made and passed in the eighth and ninth years of Her Majesty's Reign, intituled *An Act to regulate the Trade of British Possessions abroad*: And whereas it is deemed advisable that all Duties imposed by the said last mentioned Act upon the importation into this Province of the several articles enumerated in the said last mentioned Act, should be repealed from and after the first day of April which will be in the year of our Lord one thousand eight hundred and forty eight;

Duties imposed by
Act of Parliament
8 & 9 V. c. 93,
repealed from
1st April, 1848.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, in General Assembly convened, and by the authority of the same, under the power given and granted by an Act of the Imperial Parliament made and passed in the ninth and tenth years of the Reign of Her present Majesty, intituled *An Act to enable the Legislature of certain British Possessions to reduce or repeal certain Duties of Customs*, that from and after the first day of April which will be in the year of our Lord one thousand eight hundred and forty eight, the Duties imposed in and by the said Act of the Imperial Parliament, intituled *An Act to regulate the Trade of British Possessions abroad*, upon all articles imported or brought into this Province, be and the same are hereby repealed.

Act may be altered
this Session.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed at this present Session of the Legislature.

Act suspended
until Her Majesty's
approbation be
declared.

III. And be it enacted, That this Act shall not be in force or take effect until Her Majesty's Royal approbation be thereunto first had and declared.

[*This Act was specially assented to, and such assent ordered to be proclaimed by an Order of Her Majesty in Council, dated the 10th day of August, 1847, and the same was published and declared in the Province the 22d day of September, 1847.*]