

131
ACTS

OF THE

GENERAL ASSEMBLY

OF

HIS MAJESTY'S PROVINCE

OF

New-Brunswick,

PASSED IN THE YEAR

1822.



FREDERICTON:

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MDCCCXXII.

MAR 9 1909

ANNO REGNI

GEORGIIV.

Britanniarum Regis, Tertio.



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

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THE
ACTS
OF THE
GENERAL ASSEMBLY,
&c.

CAP. I.

An ACT to extend the provisions of an Act, for appointing Firewards in the Towns of Fredericton and Saint Andrews, and ascertaining their power and duty, and for more effectually preventing Fires in the said Towns, to the Parish of Portland, in the County of Saint John.

Passed the 21st March, 1822.

WHEREAS the increase of population, and of buildings, in the Parish of Portland, in the County of Saint John, renders it necessary to make provision for appointing Firewards, and for more effectually preventing Fires in the said Parish--- Preamble.
Be it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed

Provisions of the Act 57 Geo. 3. c. 9, extended to the Parish of Portland in the County of Saint John.

Governor, with the advice of the Council, to appoint Firewards, who are to be sworn and to carry into effect all the provisions of the Act of 57 G. 3.

passed in the fifty-seventh year of the Reign of His late Majesty King George the Third, intituled "An Act for appointing Firewards in the Towns of Fredericton and Saint Andrews, and ascertaining their power and duty, and more effectually to prevent Fires in the said Towns," and the several clauses, matters, and things, therein contained, be, and the same are hereby extended to the said Parish of Portland, in the County of Saint John. And the Governor, or Commander in Chief for the time being, by and with the advice of His Majesty's Council, is hereby authorised and empowered, from time to time, to appoint Firewards for the said Parish, who shall be sworn to the faithful discharge of their duty, and such Firewards, and all other persons, are hereby required to carry into execution, and conform to all and singular the provisions of the said Act, in the said Parish of Portland, as fully and effectually, to all intents and purposes, as if the said Parish had been originally named in the said Act.

CAP. II.

An ACT to make perpetual an Act, to prevent the destruction of the Cod and Scale Fisheries in the Bays and Harbours of this Province.

Passed: the 21st March, 1822.

58 Geo. 3. c. 2, made perpetual.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the fifty-eighth year of the Reign of His late Majesty King George the Third, intituled "An Act to prevent the destruction of the Cod and Scale Fisheries in the Bays and Harbours of this Province,"

“Province,” be, and the same is hereby made perpetual.

CAP. III.

An ACT to continue an Act, to regulate the Herring Fisheries in the Parishes of West Isles, Campo Bello, Pennfield, and Saint George, in the County of Charlotte, and an Act to extend the provisions of the said Act, to the Parish of Grand Manan.

Passed the 21st March, 1822.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the fifty-ninth year of the Reign of His late Majesty King George the Third, intituled “An Act to regulate the Herring Fisheries in the Parishes of West Isles, Campo Bello, Pennfield, and St. George, in the County of Charlotte,” and an Act made and passed in the second year of the Reign of His present Majesty, intituled “An Act to extend the provisions of an Act, intituled “An Act to regulate the Herring Fisheries in the Parishes of West Isles, Campo Bello, Pennfield, and Saint George, in the County of Charlotte, to the Parish of Grand Manan,” be further continued, and the same are hereby further continued for the term of two years, and thence until the end of the next Session of the General Assembly.

59 Geo. 3, c. 16,
continued for two
years.

2. 9. 4. C. 8

CAP. IV.

An ACT to make perpetual an Act, intituled “An Act for the better security of the Navigation of certain Harbours in the County of Northumberland.”

Passed the 21st March, 1822.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the fiftieth year of the Reign

Repealed by
10 & 11 G. 4. c. 16.

50 Geo. 3, c. 5,
made perpetual.

Reign of His late Majesty King George the Third, intituled "An Act for the better security of the Navigation of certain Harbours in the County of Northumberland," be, and the same is hereby made perpetual.

CAP. V.

An ACT to continue an Act, intituled "An Act to prevent the destruction of Moose on the Island of Grand Manan."

Passed the 21st March, 1822.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled "An Act to prevent the destruction of Moose on the Island of Grand Manan," be, and the same is hereby continued and declared to be in force for two years, and from thence to the end of the next Session of the General Assembly.

50 Geo. 3. c. 22,
continued for two
years.

CAP. VI.

An ACT to alter the time of holding one of the additional Terms of the Inferior Court of Common Pleas, in the County of Westmorland.

Passed the 21st March, 1822.

WHEREAS the time for holding one of the additional Terms of the Inferior Court of Common Pleas, in the County of Westmorland, has been found inconvenient---

Preamble.

Court to be holden
1st Tuesday in
April, instead of
2d Tuesday in
March.

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That the said Court shall be hereafter holden on the first Tuesday in April, instead of the second Tuesday in March, in each and every year.

No Process to a-
bate, or business
to be discontinued.

II. *And be it further enacted,* That no Process shall abate, or other business of what nature

nature or kind soever, be discontinued, by reason of the alteration of the said Term, but shall and may be proceeded upon, heard, and determined, at the time herein appointed, in the same manner as they might have been proceeded upon had no alteration been made.

CAP. VII.

An ACT further to continue an Act, intituled " An Act to provide for the erecting of Fences with Gates, across Highways leading through intervale Lands in Queen's County and the County of Sunbury, where the same may be found necessary," and to extend the provisions of the same to King's County.

Passed the 21st March, 1822.

*Contd. to 1. April
1834. by 9. G. A. C.
15. + to 1. April
1831 by 4. G. A. C.
24-*

I. **BE** it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled " An Act to provide for the erection of Fences with Gates, across Highways leading through intervale lands in Queen's County and the County of Sunbury, where the same may be found necessary," be further continued, and the same is hereby further continued for the term of five years, and thence until the end of the then next Session of the General Assembly.

50 Geo. 3, c. 21,
continued for five
years.

II. *And be it further enacted*, That all and singular the provisions of the said herein before recited Act, be extended to King's County, and the same are hereby extended thereto, in as full and ample manner, to all intents and purposes, as if the said County had been named in the same Act.

Provisions of the
recited Act, ex-
tended to King's
County.

CAP. VIII.

An ACT to amend an Act, intituled " An Act to prevent the
" importation or spreading of Infectious Distempers within
" this Province."

Passed the 21st March, 1822.

Preamble.

39. G. C. 2.

WHEREAS the provisions of an Act made and passed in the thirty-ninth year of the Reign of His late Majesty King George the Third, intituled " An Act to prevent the importation or spreading of Infectious Distempers within this Province," have not been found effectual---

No person belonging to or coming in any Vessel having on board pestilential or contagious distempers, to land within any County without permission first obtained under the hand and seal of a Justice of the Peace,

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,* That from and after the passing of this Act, no Master, Mariner, or Passenger, whatsoever, belonging to, or coming in any vessel having on board the yellow fever, putrid bilious fever, or other pestilential or contagious distemper, shall land within the limits of any County in this Province, without permission first had and obtained in writing, under the hand and seal of one of His Majesty's Justices of the Peace for such County; and if any Person shall land from such vessel without such permission first had and obtained, the Master of such vessel, and every Person so landing, shall severally forfeit the sum of *ten pounds*, to be recovered before any two of His Majesty's Justices of the Peace for the County where such offence shall be committed, on the oath of one or more credible witness or witnesses, by any person who shall prosecute for the same, and shall be divided, one moiety to the person who shall so prosecute for the same, the other moiety to the use of the County.

under the penalty of £10, to be recovered before two Justices, and applied half to the Prosecutor, remainder to the use of the County.

II. *And*

II. *And be it further enacted,* That the Justices of the General Sessions of the Peace for the several Counties in this Province where it may be deemed necessary, shall and may, at the time of making the annual appointment of Parish Officers, appoint so many fit and proper persons as may be deemed necessary, to act as Health Officers within such County, which Officers shall be duly sworn faithfully and diligently to carry this Act, and also the one to which this is an amendment, and every matter and thing therein contained, into effect; and such Officer, and Officers, shall have full power and authority to execute all and every matter and thing needful and necessary to be done, touching and concerning the performing of quarantine, and the carrying the several provisions contained in this Act, and the one to which this is an amendment, into full force and effect.

Justices in Sessions, to appoint Health Officers, who shall be sworn and have power to execute all things needful to be done concerning the performing of Quarantine and carrying into effect the provisions of this and of the Act 39 Geo. 3, c. 8.

III. *And be it further enacted,* That this Act shall not extend, or be construed to extend, to the City of Saint John.

Not to extend to Saint John.

CAP. IX.

An ACT for raising a Revenue in this Province.

Passed the 21st March, 1822.

I. **B**E it enacted by the Lieutenant-Governor, Council, and Assembly, That from and after the first day of April next, there be and is hereby granted to the King's Most Excellent Majesty, His Heirs and Successors, for the use of this Province, and for the support of the Government thereof, the several rates and duties on the articles herein after mentioned, which shall or may be brought

Feb: 2. 9. 4. c. 24.

This Section repealed by 7. 9. 4. c. 26 & 18. 9. 4. c. 2.

brought or imported into any Port or Place within this Province, to be paid by the Importer or Importers thereof, that is to say--- For every Gallon of Rum and Whiskey, *tenpence*, where two-thirds of such Rum and Whiskey, have been purchased with the Produce of this Province, and imported in a Vessel, or Vessels, part whereof is owned therein, and an additional *twopence* per Gallon on all Rum and Whiskey otherways imported--- For every Gallon of Wine, *one shilling and threepence*, where two-thirds of such Wine have been purchased with the Produce of this Province, and imported in a Vessel, or Vessels, part whereof is owned therein, and an additional *threepence* per Gallon on all Wines otherways imported--- For every Gallon of Shrub, Santa, or Cordials of any kind, *threepence*, where two-thirds of such Shrub, Santa, or Cordials, have been purchased with the Produce of this Province, and imported in a Vessel, or Vessels, part whereof is owned therein, and an additional *one penny* per Gallon on all Shrub, Santa, or Cordials, otherways imported--- For every Gallon of Brandy, and all other distilled Spirituous Liquors, *one shilling and sixpence*--- For every Gallon of Molasses, *one penny*--- For every Pound of Coffee, *one penny*--- For every gross Hundred Weight of Brown Sugar, on the amount of the original Invoice, allowing *twenty-five* per cent. for tare and wastage, *two shillings and sixpence*, where two-thirds of such Sugar have been purchased with the Produce of this Province, and imported in a Vessel, or Vessels, part whereof is owned therein, and *four shillings*

Duties per Gallon
on Rum, Whis-
key, Brandy, &c.

Vid. 55. 4. 17.

Duties on Wine
altered by 5. 5. 4.
c. 21. 17. 5.

Molasses and
Brown Sugar.

shillings per Hundred Weight on all Brown Sugar otherways imported.

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

To be paid at the time of importation,

unless they amount to upwards of £10, then Bonds to be taken.

Bonds to be taken
in the name of the
King's Majesty,
and payable to
His said Majesty,
His Heirs and
Successors.

respectively, to take a Bond, executed in like manner, for the payment of the same, one-third in six months, one-third in twelve months, and the remaining third in eighteen months; all which bonds shall be taken in the name of the King's Majesty, and be payable to His said Majesty, His Heirs and Successors, and conditioned for the payment of the amount of the said rates and duties respectively, at the time or times specified therein, either to the Treasurer for the time being, or his Deputy, if taken in St. John, or to the Deputy Treasurer for the time being, at the port or place where the same may be taken.

Masters within
24 hours to re-
port in writing,
under oath,

III. *And be it further enacted,* That every Master of any Ship or Vessel coming into any port or harbour of this Province, shall within twenty-four hours after his arrival, and before breaking bulk, make report to the said Treasurer or his Deputy there, in writing, by him subscribed, and under oath, of all the packages or articles, whether dutiable or not, on board such ship or vessel, describing and specifying the same, and shall in the same report state, that there has not to his knowledge or belief, been landed or taken from on board such ship or vessel, any such articles, or any part thereof, since the sailing of such ship or vessel from the port or place where such articles were laden on board the same for exportation; and in case of refusal or neglect of any such Master, he shall forfeit and pay the sum of *one hundred pounds*, to be recovered by information to be made and filed by His Majesty's Attorney General,

and state that
nothing has been
landed,

under penalty of
£100.

How recovered.

General, in the Supreme Court of Judicature in this Province, upon the filing whereof the first Process in all cases shall be a Capias, to be directed to the Sheriff or Coroner of the place where the offender may be found, by virtue of which Process, the said offender shall be held to bail for his appearance at the return of the Process, to answer the matters charged in such information; and if it shall appear, or there shall be reasonable cause to suspect that such articles hereby made dutiable, have been clandestinely landed, brought or imported into this Province, before entry and report made as aforesaid, or not being duly entered as aforesaid, shall be found on board any ship or vessel after such entry and report, or if any such articles shall have been landed from any ship or vessel after entry and report made as aforesaid, other than were specified in such report, or for which a permit shall not have been obtained agreeably to the provisions of this Act, such dutiable articles so landed or found on board, contrary to the true intent and meaning of this Act, shall be, and the same are hereby declared to be forfeited, and shall and may be seized and detained by the said Treasurer or his Deputy or Deputies respectively, and information made by His Majesty's Attorney General, and proceedings to condemnation had in the Supreme Court: And the Master of such ship or vessel, and each and every person concerned, shall also be liable to the penalty of *one hundred pounds*, to be recovered in manner as is herein first before set forth, all which penalties and forfeitures, after

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

and the master and every person concerned, to forfeit & 100.

Forfeitures how
applied.

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

and being authorized by writ of assistance,

to examine houses, stores, &c.

ter deducting the costs and charges of prosecution, together with all reasonable charges that may have accrued, shall be paid as follows :---that is to say, one-half part to the officer seizing and prosecuting the same articles to condemnation, or complaining against and prosecuting such offender or offenders to conviction, and the other half into the hands of the Treasurer of the Province, for the use thereof: And it shall and may be lawful for the said Treasurer and his Deputy or Deputies respectively, at all times to enter on board any ship or vessel, and to examine and search throughout the same for dutiable articles, and there to seize and from thence to carry away, all such as are by this Act made liable to seizure; and being authorised by writ of assistance under the seal of His Majesty's Supreme Court, or of the Inferior Court of Common Pleas of the County in which the articles hereinafter mentioned shall be found (which writ the proper officers of such Courts respectively, are hereby authorised and required to issue upon the allowance or fiat of one of the Justices of such Court, to be filed together with the affidavit upon which the same is grounded) to take the High Sheriff in person, or his Deputy, or any Coroner of the County, and in the day time to enter and go into any house, store, warehouse, or outhouse, and in case of any resistance, to break open doors and open and examine casks, chests, or other packages, and there to seize and from thence to carry away, any such dutiable articles whatsoever, so landed, brought,

or

or imported as aforesaid, contrary to the provisions and true intent and meaning of this Act.

IV. *And be it further enacted,* That in addition to the entry and report herein before required to be made by the Master of any ship or vessel arriving in any port or place in this Province, the owner or consignee of the dutiable articles on board such ship or vessel (and in cases where there may be several owners or consignees of the same cargo, each owner or consignee thereof) shall make report in writing, by him subscribed under oath before the said Treasurer, or either of his Deputies, of all dutiable articles belonging to or consigned to him as aforesaid, on board such ship or vessel, and before such entry and report shall be made by the owner or consignee as aforesaid, the said articles shall not be permitted to be landed from on board such ship or vessel.

Owner or consignee to report in writing, and under oath.

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

Treasurer to put bonds in suit, if not paid in time,

Process

or be answerable
for the same.

Treasurer to ap-
point Deputies to
be approved of by
the Lieut. Govern-
or,

who are to give
security,

Vid. 2 G. 4. c.

24. J. 3.

and shall have
power to make
seizures, &c.

Allowed ten per
Cent.

Treasurer in case
of sickness, &c.
to appoint a De-
puty in St. John,

Process to be issued as aforesaid; the said Treasurer or his Deputy so neglecting, shall be answerable for and chargeable with the same.

VI. *And be it further enacted,* That it shall be the duty of the Treasurer of the Province, for the time being, to appoint fit persons (to be approved by the Lieutenant-Governor or Commander in Chief) to be his Deputies in the several ports and places in this Province, where the same may be necessary, to perform the duties and services in and by this Act required, which persons so appointed shall give good and sufficient security by Bond, to His Majesty, for the faithful discharge of their duty respectively, and to be accountable to the said Treasurer, when thereunto required, for all sums so to be received by virtue of this or any former Act, and that such Deputies shall have the same powers to make seizures and proceed to condemnation, as are given to the Treasurer by virtue of this Act, and shall and may (exclusive of their proportion of the proceeds of the penalties and forfeitures incurred by this Act, retain *ten pounds* for every *hundred pounds* they shall so receive in full for their services: *Provided always,* that the same does not exceed the sum of *three hundred pounds* to any one Deputy for his services in any one year.

VII. *And be it further enacted,* That it shall and may be lawful for the Treasurer of the Province, in case of sickness or necessary absence from the City and County of Saint John, to appoint a fit person to act as his
Deputy

Deputy there, for whose acts the said Treasurer shall be responsible, which Deputy shall have the same power and authority in every respect during his continuance in office, as the said Treasurer hath by virtue of this Act, when present and capacitated to execute the duties incident to his office: *Provided always*, that such Deputy in the City of Saint John, shall not be entitled to any allowance whatever from the Public Treasury for his services, except his proportion of the proceeds of any penalties and forfeitures incurred by this Act, which may arise in consequence of any seizure made by him, any thing herein contained to the contrary thereof in anywise notwithstanding.

who has no allowance.

VIII. *And be it further enacted*, That the Tide Surveyors for the City and County of Saint John and County of Charlotte respectively now appointed, or who shall hereafter be appointed by the Lieutenant-Governor or Commander in Chief, shall in all respects be subordinate to and under the direction and controul of the Treasurer or his Deputies for the respective places aforementioned, and that from and after the entry of any ship or vessel at the office of the Treasurer or his Deputies for the respective places aforementioned, there shall be a Permit or Permits made out and directed by the said Treasurer or his Deputy at such place, to the Tide Surveyor there, expressing therein the quantities of the several dutiable articles contained in the cargo of the said ship or vessel as entered at the said Treasurer's or Deputy Treasurer's office, and no dutiable

Tide Surveyor in Saint John and Charlotte, to be under the direction of the Treasurer.

Permits to be made out by the Treasurer,

without which no dutiable goods to be landed.

Tide Surveyor to attend to the unloading of vessels,

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

to detain the same and report to the Treasurer.

Forfeitures how applied.

dutiable articles shall be landed from on board any ship or vessel, within the said City and County of Saint John or the said County of Charlotte without such Permit or Permits so to be given as aforesaid, and that it shall be the particular duty of the said Tide Surveyors respectively, to attend to the unloading of any such ship or vessel, under the Permits so to be given by the said Treasurer or his Deputies respectively, and if any dutiable articles are found landed from on board any such ship or vessel, within the said City and County of Saint John, or the said County of Charlotte, before entry and report made and a Permit or Permits obtained as herein before required, or if there shall be found on board any such ship or vessel, any such dutiable articles not mentioned in the same Permit or Permits, or if any such dutiable articles shall at any time be found to have been landed there from any ship or vessel, or otherways brought or imported contrary to the provisions of this Act, it shall be the duty of the said Tide Surveyors respectively, and they are hereby required forthwith to take possession of and detain the same, and immediately make report thereof to the said Treasurer, or his Deputies at such places respectively, in order that the same articles may be seized and prosecuted to condemnation in manner as herein before provided. And any such Tide Surveyor for taking and detaining such articles, shall have and receive one moiety of the part of such forfeitures herein before directed, to be paid to the officers seizing and prosecuting the same. IX. And

IX. *And be it further enacted,* That the rates and duties arising by virtue of this Act, shall be paid or secured to be paid in manner as is herein before provided, at the time of entry and report of the ship or vessel having on board such dutiable articles, and before bulk be broken. And if the whole or any part of such dutiable articles shall be intended for exportation, the same shall be mentioned, and such articles particularly specified in the entry and report, which is by this Act required to be made of such vessel and cargo, at the Treasurer's office; and in case such articles so reported for exportation, shall be actually exported in the same bottom in which they were imported or reshipped, and put on board of any ship or vessel before being landed, either in the Harbours of the City of St. John, St. Andrews, West Isles, or in the Miramichi River, from and out of the same bottom in which such articles were imported, and shall be actually exported in any such ship or vessel, to any port or place without the limits of this Province, then and in either of such cases any monies which may have been paid for the rates and duties arising thereon, shall be repaid, and the Bond or Bonds which may have been taken to secure the said duties, so far as may relate to them, shall be cancelled and considered of no validity.

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

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

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

X. *And be it further enacted,* That the evidence to be required of such exportation when made in the same bottom, shall be the following oath, to be taken and subscribed by the Master of such ship or vessel, before

Master to make oath.

the said Treasurer or either of his Deputies :
to wit, I do swear, that the following
 articles, *to wit*, are now actually on
 board the whereof I am Master, that
 the same articles were imported into this
 Province in the same vessel, and are the
 same articles mentioned and specified in the
 entry and report of the same vessel and car-
 go, at this office, on the day of
 that the said articles are now in the same
 state and condition in which they were at the
 time of importation into this Province ; that
 no part thereof hath been landed since the
 entry and report thereof as aforesaid ; and
 that the same or any part thereof are not to
 be landed in any part of this Province, to
 the best of my knowledge and belief : So
 help me God. And the owner or consignee
 of the same articles, shall at the same time
 make and subscribe an affidavit (to be indor-
 sed upon the said affidavit of the said master)
 before the said Treasurer or one of his De-
 puties, stating that he is the owner or con-
 signee of such articles, and that the contents
 of such affidavit so made by the said master,
 are just and true, according to the best of
 his knowledge and belief.

Owner or consi-
 gnee to make affida-
 vit.

XI. *And be it further enacted*, That the
 evidence to be required of such exportation
 from the harbours of the City of Saint John,
 Saint Andrews, or West Isles, or the Mira-
 michi River, in any ship or vessel other than
 the same bottom in which such dutiable ar-
 ticles shall have been imported, shall be the
 following oath, to be taken and subscribed
 by the Master of the vessel in which they
 were

Evidence required
 of exportation
 from St. John, St.
 Andrews, West
 Isles, or Mirami-
 chi.

were imported, before the Treasurer or his Deputy, at either of the said places in that behalf abovementioned:---to wit, I do swear, that the following articles, to wit, were imported into this Province, in the vessel called the whereof I am Master, and are the same articles mentioned and specified in the entry and report of the same vessel and cargo, at this office, on the day of that the said articles are now in the same state and condition in which they were at the time of importation into this Province, and that no part thereof have been landed since the entry and report thereof as aforesaid, and that the same articles have been really and bona fide shipped and put on board of the vessel called the in the harbour of whereof I am Master, and that the same or any part thereof, are not again to be landed in any part of this Province, to the best of my knowledge and belief: So help me God. And the owner, importer, or consignee, of the same articles, shall at the same time make and subscribe an affidavit, to be indorsed on the foregoing affidavit of the same Master, before the said Treasurer or his said Deputy, stating that he is the owner, importer, or consignee, of such articles, and that the contents of such affidavit so made by the said Master, are just and true, according to the best of his knowledge and belief. And the Master of the ship or vessel, on board of which such articles have been reshipped, shall at the same time make and subscribe an affidavit, in like manner to be endorsed on

Owner, Importer, or Consignee, to make affidavit.

Master of the vessel to make an affidavit.

on

on the said first mentioned affidavit, that the articles therein mentioned are actually on board of his said ship or vessel, and that the same or any part thereof, are not again to be landed in any part of this Province, to the best of his knowledge and belief: *And provided further*, it shall be incumbent on the owner, importer, or consignee, of such dutiable articles, (previous to the repayment of any monies which may have been paid for the duties arising thereon, or before the cancelling the Bond or Bonds which may have been given to secure the payment thereof) to produce to the Treasurer, or to his Deputy at Saint John, Saint Andrews, West Isles, or Miramichi, from whichever of these places such dutiable articles were so reshipped as aforesaid, a certificate under the hand and seal of the Collector or principal officer of the Customs, at the port or place to which such articles shall have been exported, that the same have been there landed, or in cases of exportation to any port or place within the United States of America, a like certificate under the hands and seals of two Merchants there residing: *And provided also*, that it shall be further incumbent on the owner, importer, or consignee, upon producing such certificate, to make and subscribe the following oath before the Treasurer or his Deputy, at either of the said ports of Saint John, Saint Andrews, West Isles, or Miramichi, from which such articles may have been exported as aforesaid:---*to wit*, I do swear that the following articles by me imported into this Province, in the vessel called the

Owner, Importer, or Consignee, to produce a certificate under hand and seal of an Officer of Customs at the port or place to which the articles have been exported.

or if exported to the United States, a certificate under the hands and seals of two Merchants.

+ repealed by S.
G. L. C. 24.

Oath to be made by the Owner, Importer or Consignee.

the whereof was Master, and which were specified in the entry and report of the same vessel and cargo, at this office, on the day of for exportation, which were shipped and put on board of the ship or vessel whereof was Master, then laying in the harbour of have been really and bona fide, as I verily believe, landed at and that the same or any part thereof, are not again to be landed in any part of this Province, to the best of my knowledge and belief.

XII. *And be it further enacted*, That if at any time it shall be found, that all or any of the articles so reported for exportation, have been landed contrary to the provisions of this Act, every ship or vessel in which the same were imported, together with all and every such articles, shall be forfeited, and shall and may be seized and prosecuted to condemnation, and the proceeds thereof applied in the manner herein before mentioned.

Articles reported for exportation being landed contrary to this Act, vessel and goods to be forfeited.

XIII. *And be it further enacted*, That if at any time within one year after the report so made of the articles intended to be exported, it shall be discovered that any of those articles have been fraudulently landed in any part of this Province, the owner or consignee of such articles, and the master or owner of such ship or vessel, shall severally forfeit and pay the sum of *one hundred pounds* for each offence, to be recovered by information to be made and filed by His Majesty's Attorney General, in manner as before mentioned, and applied (after deducting the costs and charges) one half to the informer, and

If discovered within one year, that articles reported for exportation have been fraudulently landed, the owner or consignee, and master and owner of the ship, to forfeit £100 each.

How recovered and applied.

the

the other half to be paid into the hands of the Treasurer of the Province, for the use thereof.

Drawbacks allowed upon articles for which the short duties have been paid or secured.

Drawbacks on Wines disallowed by 6. G. 4. c. 22. Vid: 7. G. 4. c. 26. As to drawbacks on Wine Brandy, see: in Indials as: headed by 8. G. 4. c. 24.

XIV. *And be it further enacted,* That upon the following dutiable articles, which shall be imported into this Province after the first day of April next, and upon which the short rates and duties herein before imposed, have been paid or secured to be paid as aforesaid, and which have not been exported in the same bottom or reshipped without being landed in manner before mentioned, there shall be allowed upon exportation of the same, the following drawback, to wit, For every gallon of Rum and Whiskey, *ninepence*; for every gallon of Wine, *one shilling and twopence*; for every gallon of Shrub, Santa, or Cordials, *twopence*; for every gallon of Brandy and other distilled Spirituous Liquors, *one shilling and fivepence*; and for every gross Hundred Weight of Brown Sugar, *two shillings*.

100 gallons of Liquor, or 10 cwt. of Brown Sugar, to be exported at one time.

Provided always, That one hundred gallons or more of Liquor in the original package or cask, or ten hundred weight or more of Brown Sugar, are exported in one ship or vessel at one time, and also that the same be exported within twelve months from the time of the importation thereof.

Drawback upon articles for which the long duties have been paid or secured.

Repealed as to drawbacks on Wines &c. by 8. G. 4. c. 24.

XV. *And be it further enacted,* That upon the following dutiable articles which shall be imported into this Province after the first day of April next, and upon which the long rates and duties herein before imposed, have been paid or secured to be paid as aforesaid, and which have not been exported in the same

same bottom or reshipped without being landed in manner before mentioned, there shall be allowed upon exportation of the same, the following drawback, to wit: For every gallon of Rum and Whiskey, *elevenpence*; for every gallon of Wine, one *shilling* and *fivepence*; for every gallon of Shrub, Santa, or Cordials, *threepence*; for every hundred weight of Brown Sugar, *three shillings* and *sixpence*; and upon the exportation of all Molasses, upon which any duties have been paid or secured to be paid as aforesaid, there shall be allowed a drawback of all the duties which have been so paid as aforesaid, excepting *two shillings* and *sixpence* for each and every hogshead of Molasses; all of the said dutiable articles to be subject nevertheless to the proviso contained in the last preceding section of this Act.

XVI. *And be it further enacted*, That no Rum, Whiskey, Shrub, Santa, Cordials, Wine, Brown Sugar or Molasses, imported into this Province and which at the time of the importation thereof, were subject to the payment of the long duties, shall be intitled to the drawback in the next preceding section mentioned, unless the owner or consignee shall make oath at the time of the importation thereof into this Province, before the Treasurer or either of his Deputies, that he is owner or consignee of such Rum, Whiskey, Shrub, Santa, Cordials, Wine, Brown Sugar or Molasses, and that the same are owned by and are the exclusive and sole property of British Subjects; and shall also at the time of exportation thereof, make the like

Drawback on Wine as allowed by 6. G. 4. C. 22.

Vid: 7 G. 4. C. 26

Articles not entitled to drawback unless oath made by the Owner or Consignee.

like oath before the Treasurer or either of his Deputies, who are hereby required and authorised to administer the said oaths.

Drawback to be paid out of the Duties on the articles exported.

XVII. *And be it further enacted,* That the drawbacks herein before allowed, shall be paid by the Treasurer or one of his Deputies as aforesaid, to the owner or importer thereof, out of the monies arising from the duties on the same articles so exported, when the same monies shall be received, and not before.

Proviso.

Provided always, that previous to any part of such drawback being paid, the owner or importer of such articles shall at the time of exporting the same, make and subscribe the following oath, before the Treasurer or one of his Deputies, *to wit*.---I do swear,

Oath of the Importer.

that the _____ by me now shipped on board the _____ whereof _____ is master, was lawfully imported into this Province, in the _____ master, from _____ and that the duties thereon, have been paid by me or secured to be paid at this office, and that the same or any part thereof is not intended to be reloaded in any part of this Province, to the best of my knowledge and belief. So help me God.

And provided also, That the master of the ship or vessel in which the same articles are to be exported, shall make and subscribe the following oath, to be indorsed on the last mentioned affidavit, before the Treasurer or one of his Deputies, *to wit*: I do swear that

Oath of the Master.

the articles shipped by _____ as mentioned in the affidavit upon the other side hereof, are now actually on board the _____ whereof I am master, bound for _____ and that the same or any part thereof are not again to be

be relanded in any part of this Province, to the best of my knowledge and belief. So help me God. *And provided also*, That it shall be incumbent on the owner or importer of such dutiable articles to produce to the Treasurer or to the Deputy to whom the duties shall have been secured, a certificate under the hand and seal of the Collector or principal Officer of the Customs at the port or place to which the same shall be exported, or in cases where such port or place shall be within the United States of America, a certificate under the hands and seals of two Merchants there residing, that the same articles have been there landed. *And provided also*, that it shall be further incumbent on the owner or importer (upon producing such certificate and requiring the drawback as aforesaid) to make and subscribe the following oath, before the Treasurer or one of his Deputies, *to wit* :---I do swear, that the articles and make oath
by me exported on board the master, a certificate of the landing of which is now by me exhibited, have been really and bona fide landed at and that the same or any part thereof, are not again to be landed in any part of this Province, to the best of my knowledge and belief. So help me God.

XVIII. *And be it further enacted*, That no drawback whatever on any duties, shall hereafter be allowed on any Rum, Whiskey, Shrub, Santa, Cordials, Wine, Brown Sugar, or Molasses, exported from this Province, and landed at any port or place in the United States to the eastward of Machias harbour. No drawback allowed on articles exported and landed to the eastward of Machias Harbour.

Articles fraudulently re-landed, to be forfeited.

XIX. *And be it further enacted,* That if any dutiable articles whatever shall be fraudulently re-landed in any part of this Province, after shipment for exportation, the same shall be forfeited, proceeded against, and applied in the manner herein before described in and by the 3d section of this Act.

If discovered within one year, that articles have been fraudulently re-landed, owner or importer to forfeit £100.

XX. *And be it further enacted,* That if it shall be discovered at any time before or within one year after the drawback shall be so received upon the exportation of any dutiable articles as aforesaid, that any of those articles have been fraudulently re-landed in any part of this Province, the owner or importer of such articles, shall forfeit and pay the sum of *one hundred pounds* for each offence, to be recovered by information to be made and filed by His Majesty's Attorney General, in manner as aforementioned, and applied (after deducting the costs and charges) one half to the informer, and the other half to be paid into the hands of the Treasurer of the Province, for the use thereof.

How recovered and applied.

XXI. And in order to deter and prevent as much as possible, persons from being engaged in illicit trade, which if practised, will operate greatly to the prejudice of the fair dealer, as well as to the Public Revenue of this Province: *Be it further enacted,* That it shall be the duty of the Treasurer of the Province, and all and every of his Deputies, and also of the Tide Surveyors in the City of Saint John and County of Charlotte, to be vigilant in detecting all persons that may be so engaged, as well as all articles made liable to duty by virtue of this Act, illegally introduced

Treasurer to be vigilant.

duced or smuggled into any part of this Province, and all articles in and by this Act made dutiable which shall be seized and condemned and sold at the Custom-House, or by any Officer of the King's Customs in any part of this Province, for having been illegally introduced or smuggled into the same, shall be liable to the same rates and duties as if those articles had been legally imported and entered at the Treasurer's office, as required by this Act; and the purchaser or purchasers of any such articles at such Custom-House sales, shall within twenty-four hours after the same purchases shall be made, and before any part of such articles shall be vended or consumed, make report to the said Treasurer or his Deputy at that place, in writing and under oath, before the said Treasurer or his Deputy as aforesaid, of the articles so purchased as aforesaid, and the duties arising thereon shall at the same time be paid or secured to be paid, in the same manner and under the same regulations as duties arising upon such articles when legally imported as aforesaid; and in case of refusal and neglect so to make report and entry of such articles so purchased, the same are hereby declared forfeited, and shall and may be searched for, seized, condemned, sold, and applied, in the same manner as is herein before provided by the third section of this Act; and if any such articles, or any part thereof, cannot be found, then the purchaser thereof shall forfeit and pay the sum of *one hundred pounds*, to be recovered and applied in the same manner and to the same uses as is provided

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

Purchasers to report to the Treasurer,

and pay or secure the duties,

and for refusal or neglect, to forfeit the articles purchased,

and if such articles cannot be found, to forfeit £100.

vided

vided in and by the same section of this Act.

Drawback allowed on exportation of purchased articles.

XXII. *And be it further enacted*, That upon the exportation of any such articles so purchased at the Custom House sales as aforesaid, and upon which the duties have been paid or secured to be paid, the purchaser shall be entitled to the like drawback as is herein before allowed upon the exportation of similar articles, under and subject to the like regulations, provisos, and restrictions, as are herein before made and provided.

Rum, &c. to be gauged by Gunter's Calliper's, by sworn Gaugers.

XXIII. *And be it further enacted*, That the quantities of dutiable Liquors and Molasses shall be ascertained by the instrument commonly called Gunter's Callipers, and by no other instrument whatever, and shall be gauged by a sworn Gauger or Gaugers, legally appointed or to be appointed for that purpose by the Lieutenant-Governor or Commander in Chief, if in the City of Saint John or County of Charlotte, and in the several other Counties by the Justices in their General Sessions or any Special Sessions for that purpose holden. *Provided*, that no Gauger shall gauge any dutiable articles which shall be his own property, or consigned to him.

No Gauger to gauge his own property.

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

XXIV. *Provided always and be it further enacted*, That no goods imported into this Province, and consigned to any person in the Province of Nova Scotia, shall be liable to any of the duties imposed by this Act, but such goods may be landed and reshipped for the said Province, provided they are exported within ninety days after landing, in the same

same casks or packages in which they were landed, and the consignee or person to whose charge or care such goods may be sent or committed, make oath before the Treasurer or either of his Deputies, that such goods were originally shipped for the purpose of being conveyed into the Province of Nova-Scotia, and not intended for sale or consumption in this Province, and that the same goods are reshipped in the same state and casks or packages they were landed and received by him.

XXV. *And be it further enacted*, That any articles made dutiable by this Act, which may be imported into this Province expressly for the use of His Majesty's Army, Navy, or Ordnance, shall be, and are hereby declared to be exempted from the payment of any duties herein before imposed. *Provided always*, that whenever any such articles are so imported for the uses aforesaid, the Commissary or other agent or person duly authorised, on the part of His Majesty, to receive the same, shall produce an Invoice of such articles to the Treasurer or his Deputy at the port or place of importation, and shall declare on oath, and subscribe the same before the said Treasurer or his Deputy as aforesaid, that the several articles contained in such Invoice, are imported expressly for the use of His Majesty's Army, Navy, or Ordnance, as the case may be, to be issued to the same for and on account of His Majesty, and for no other use or purpose whatever; and in default of such Invoice and oath, such articles shall not be intitled to such

Articles imported expressly for the use of the Navy, Army, or Ordnance, exempted from duty.

Invoices to be produced to the Treasurer.

If such articles after importation be disposed of otherwise than for His Majesty's Service, they shall be liable to duties, entitled to drawback, and liable to seizure as other dutiable articles.

such exemption. *And provided also*, that in case any such articles shall at any time after importation thereof, be sold or disposed of in any other way than being issued in and for His Majesty's service as aforesaid, they shall be liable to the same rates and duties as if then imported on private account, and shall be liable to the same regulations as to reporting the same to the Treasurer or his Deputy, and paying and securing the duties thereon, and as to drawbacks in cases of exportation, and shall be subject and liable to the same seizures, forfeitures, and penalties, in all respects as dutiable articles sold at Custom-House sales are herein before made subject and liable to.

Resident Merchants supplying articles for the use of the Navy, Army, or Ordnance, shall have credit for duties.

XXVI. *And be it further enacted*, That if any Merchant or other person resident in this Province, shall supply for and on account of His Majesty's Army, Navy, or Ordnance, within this Province, any articles made dutiable by this Act, for which he shall have paid or secured the duties as by Law required, such Merchant or other person shall be entitled to have credit or be repaid for the duties so secured or paid: Provided such dutiable articles so sold and delivered for His Majesty's service, shall have been delivered over to one of His Majesty's Commissaries, or to some other agent or person duly authorised on the part of His Majesty to receive the same in the presence of the Treasurer or his Deputy for the port or place in which the same shall be so sold and delivered, and such Merchant or other person or persons shall produce to the Treasurer or his

Provided the articles be delivered in presence of the Treasurer or his Deputy.

his Deputy as aforesaid, from such Commissary or other agent or person duly authorised to receive the same as aforesaid, a certificate under his hand and seal, that such dutiable articles so supplied by the said Merchant or other persons, on account of His Majesty, for the use of the Army, Navy, or Ordnance, as the case may be, have been actually issued in and for His Majesty's service. *And provided also*, that the said Merchant or other person so supplying such dutiable articles, shall make and subscribe the following oath, which the said Treasurer or his Deputy as aforesaid, is hereby authorised to administer :---

And a certificate that the articles have been issued in and for His Majesty's Service, & on oath of the Merchant.

I do swear, that I did on the day of in the year of our Lord bona fide sell and deliver to for the use of His Majesty's [Army, Navy, or Ordnance, as the case may be] at (here enumerate the dutiable articles sold and delivered) for and on account of His Majesty and for no other use; that such sale and delivery was an absolute sale and delivery of such without any express or implied condition, trust, or confidence, on the part of to whom the same were delivered, or of any other person or persons whomsoever, and that I do verily believe the said have been actually issued for or applied to the purpose they are above stated by me to have been delivered for.

XXVII. *And be it further enacted*, That the said Treasurer of the Province, and all and every of his Deputies, are hereby authorised and empowered to administer the several

Treasurer authorised to administer oaths.

False oath made
perjury.

several oaths herein required to be made and taken, and every person who shall be convicted of making or taking a false oath to any of the facts herein directed or required to be sworn to, shall be deemed guilty of perjury, and shall be liable to the pains and penalties to which persons are by law liable for wilful and corrupt perjury.

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

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

Right of recovery
of penalties in-
flicted by Act 58
Geo. 3, saved.

XXIX. *And be it further enacted,* That the right of recovery of any of the penalties and forfeitures inflicted and incurred under and by virtue of the provisions of an Act made and passed in the fifty-eighth year of the Reign of His late Majesty King George the Third, intituled "an Act for raising a Revenue in this Province," and of the several Acts made in amendment thereof, be, and the same is hereby saved.

Limitation.

Continued by 4. 5. 4. c. 1.

5. 5. 4. c. 17

6. 5. 1. c. 21

7. 5. 4. c. 26

8. 5. 4. c. 25

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

CAP. X.

An ACT to continue an Act, intituled "An Act to provide for
"and encourage the settlement of Emigrants in this Province."

Passed the 21st March, 1822.

60 Geo. 3, c. 22,
continued for two
years.

BE it enacted by the Lieutenant-Governor,
Council, and Assembly, That an Act
made and passed in the sixtieth year of the
Reign

Reign of His late Majesty King George the Third, intituled "An Act to provide for "and encourage the settlement of Emigrants "in this Province," be, and the same is hereby continued and declared to be in force for four years, and from thence to the end of the next Session of the General Assembly.

CAP. XI.

An ACT further to assess the County of Westmorland, for the completing and finishing the Court House and Gaol in said County.

Passed the 21st March, 1822.

WHEREAS the money already assessed for the erecting a Court House and Gaol in the County of Westmorland, has been insufficient---

Preamble.

Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That the Justices of the Peace for the said County, at any General Session of the Peace hereafter to be holden, or the major part of them, or at any Special Sessions for that purpose convened and holden, be, and they are hereby authorized and empowered to make a rate and assessment of any sum not exceeding the sum of *seven hundred pounds*, as they in their discretion may think necessary, for the completing and finishing the Court House and Gaol in said County, the same sum to be assessed, levied, and collected, and paid, in such proportion and in the same manner as any other County rates can or may be assessed, levied, collected, and paid, by virtue of an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act

The Justices at a General or Special Sessions, may make an assessment, not exceeding £700,

to be assessed, levied, and collected, as other County rates.

“ for assessing, levying, and collecting County rates,” or any other Act hereafter to be made for the like purpose.

CAP. XII.

An ACT for altering the Term of holding the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of King's.

Passed the 21st March, 1822.

Preamble.

WHEREAS the Term appointed for holding the Courts of General Session of the Peace and Inferior Court of Common Pleas in the County of King's, have been found inconvenient: For remedy thereof,

Courts to be holden on the first Tuesday in March, instead of the first Tuesday in January.

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That the said Courts shall be hereafter holden on the first Tuesday in March, instead of the first Tuesday in January, in each and every year.

No process to abate or business be discontinued, by reason of the alteration.

II. *And be it further enacted,* That no Process shall abate, or other business of what nature or kind soever be discontinued, by reason of the alteration of the said Term, but shall and may be proceeded upon, heard, and determined, at the time herein appointed, in the same manner as they might have been proceeded upon had no alteration been made.

CAP. XIII.

An ACT further to amend the Laws now in force relating to Trespasses.

Passed the 21st March, 1822.

WHEREAS in and by the third Section of an Act made and passed in the forty-first year of the Reign of His late Majesty King George the Third, intituled

“ An

*Repealed by 1. W. 4.
Ch. 9.*

Preamble.

41. G. 3. C. 3.

“ An Act to repeal all the Acts now in force relating to Trespasses, and for making new regulations to prevent the same,” the Justices of the Peace in their General Sessions, are empowered to make such regulations for preventing trespasses by horses, swine, sheep, goats, and neat cattle, as shall be most expedient and agreeable to the nature and circumstances of the several Counties, Towns, and Parishes, and it is thereby further enacted, that if any horses, swine, sheep, goats, or neat cattle, shall be found going at large, contrary to any regulations so made, the owner or owners thereof shall forfeit and pay to the use of the Poor of the Parish where such horses, swine, sheep, goats, or neat cattle, shall be so found going at large, a fine not exceeding *five shillings* for each and every of them so found going at large as aforesaid, to be recovered on complaint to a Justice of the Peace, who is thereby empowered to hear and determine the same, provided the said complaint be prosecuted within one month : And whereas the penalty so made recoverable before a Justice of the Peace is in most cases found ineffectual for the purpose intended---

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That the said Justices of the Peace in their General Sessions, shall and may, if they think fit, in lieu of the said penalty, provide and require, in and by any regulations to be made under and by virtue of the said in part recited section of the said Act, that the Hogreeve or other Parish Officer, to be by them named and appointed for

Justices in Sessions empowered to require the Hogreeve or other Parish Officer to be appointed for that purpose, to impound animals going at large contrary to the regulations to be made,

and to receive a sum not exceeding 5s. for each beast impounded, together with Pound Keeper's charges, before the beast be liberated.

Provisions of the Act 2 G. 4. c. 14, so far as they relate to charges of Pound Keepers, extended to the case of beasts impounded under regulations to be made by virtue of this Act.

for that purpose, shall take up, and impound in the Parish Pound, any horses, swine, sheep, goats, or neat cattle, found going at large, contrary to any regulations so to be made, and shall and may receive a sum, to be specified in such regulation, not exceeding *five shillings* for each and every beast so taken up and impounded, to be paid, together with the charges of the Pound Keeper, by the owner or owners of such beast, before the same shall be delivered from the Pound.

II. *And be it further enacted*, That all and singular the regulations and provisions of an Act made and passed in the second year of His present Majesty's Reign, intituled "An Act to amend the Laws now in force relating to Trespasses, and to make further regulations to prevent the same," so far as the same relate to the charges of the Pound Keeper, and the keeping, sale, rescue, and undue delivery of beasts impounded, be extended, and the same are hereby extended to cases of beasts taken up and impounded for going at large contrary to any regulations to be made by the Justices at their Sessions as aforesaid, as fully and amply to all intents and purposes, as if the same had been expressly named and mentioned in the said last recited Act.

CAP. XIV.

An ACT for the better securing of the Navigation of the inner Bay of Passamaquoddy, and to indemnify the Deputy Province Treasurer at Saint Andrews, against any demands for monies collected for tonnage duties since the former Acts for this purpose expired.

Passed the 21st March, 1822.

See g. l. c. 3.

J. W. l. d. 7.

WHEREAS an Act passed in the forty-first year of His late Majesty's Reign, intituled "An Act for the better securing the Navigation of Passamaquoddy Bay, within Deer Island," also an Act passed in the fiftieth year of the same Reign, intituled "An Act to revive, continue, and amend an Act, for the better securing the Navigation of Passamaquoddy Bay, within Deer Island," have expired: And whereas great advantages accrued to the Navigation of the said Bay from the operation of the above recited Acts---

Preamble

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,* That it shall and may be lawful for such Commissioners as His Excellency the Lieutenant-Governor shall appoint, or the major part of them, to ask, demand, sue for, and receive, from the Deputy Province Treasurer at St. Andrews, for the County of Charlotte, his heirs or executors, or any other person or persons, all such sum or sums of money as he or they may have received, or may have become indebted for, by virtue of the said Acts, and also to examine, adjust, settle, and pay off, all demands arising in consequence of the services performed in and by virtue of the said Acts,

Commissioners to receive monies collected under the Acts 41 Geo. 3, c. 4, and 50 Geo. 3, c. 3, and pay all demands for services performed under those Acts.

II. *And*

Commissioners to build, replace, & support Beacons or Buoys in the inner Bay of Passamaquoddy, build Slips in St. Andrews Harbour, and enlarge the Channel of the Bar.

II. *And be it further enacted*, That it shall and may be lawful for the Commissioners aforesaid, or the major part of them, to build, rebuild, replace, and support, such Beacons or Buoys on the different reefs of rocks, sand reefs and bars, in the inner Bay of Passamaquoddy, and also to build and keep in repair a slip or slips in St. Andrews Harbour, to widen and deepen the channel of the Bar of said Harbour, and generally to improve said Harbour as they may deem necessary and expedient.

Duty of one penny per ton on all inward bound vessels entering Passamaquoddy Bay within Deer Island.

III. *And be it further enacted*, That from and after the passing of this Act, there be, and are hereby granted to His Majesty, His Heirs and Successors, for the purposes aforesaid, the following duties of tonnage on all inwardbound vessels entering Passamaquoddy, within Deer Island, of the following description, and at the following rate, namely, on all vessels (coasting craft excepted) *one penny* per ton for every ton they respectively admeasure agreeable to register, for each time they arrive in Passamaquoddy Bay, within Deer Island aforesaid.

Masters of vessels neglecting for 48 hours after arrival to call on the Deputy Province Treasurer at Saint Andrews, and pay duty, to forfeit a sum not exceeding five pounds.

IV. *And be it further enacted*, That every Master of such ship or vessel who shall refuse or neglect to call upon the Deputy Province Treasurer at Saint Andrews, and pay to him such a tonnage within forty-eight hours after his arrival, shall forfeit and pay a sum not exceeding *five pounds*, to be sued for and recovered before any two of His Majesty's Justices of the Peace, and applied for the purposes aforesaid.

V. *And be it further enacted*, That the Commissioners

*repealed by 9.
S. 4. C. 3. S. 2.
9. 5.*

Commissioners to be appointed as aforesaid, or the major part of them, shall have power and authority to call upon the Deputy Province Treasurer at Saint Andrews, for such sum or sums of money as he shall from time to time have collected under and by virtue of this Act, excepting the amount of five per cent. which it shall be lawful for such Deputy Treasurer to retain, in full for his trouble in collecting the same.

Commissioners may demand of the Deputy Treasurer at St. Andrews, monies collected, excepting five per cent. which he may retain.

VI. *And be it further enacted*, That the said Commissioners shall at the first Court of General Sessions of the Peace in the said County of Charlotte, yearly render an account to the Justices of the said Sessions, of the monies from time to time received and expended by them under this Act.

Commissioners to account annually to the Justices in Sessions.

VII. *And be it further enacted*, That if any person or persons shall take away, cut down, destroy, or deface, either of the said Beacons, Buoys, or Slips, such offender or offenders shall, on due conviction thereof, by the oath of one or more credible witness or witnesses, before any two of His Majesty's Justices of the Peace, forfeit and pay a sum not exceeding *twenty pounds*, to be applied as aforesaid, and on failure of payment thereof, or want of goods and chattels whereon to levy, such offender or offenders shall be committed, by such Justices, to the County Gaol, for a space not exceeding three months.

Persons convicted of destroying or defacing the Beacons, Buoys, or Slips,

to forfeit twenty pounds.

VIII. *And whereas* the Deputy Province Treasurer at Saint Andrews, has collected the tonnage duty on vessels arriving in the inner Bay of Passamaquoddy since the expiration of the Acts authorising the same---

Payments of tonnage duty collected by the Deputy Treasurer since the expiration of the former Acts, made valid.

Be

Sums so collected to be paid and accounted for to the Commissioners.

Treasurer indemnified for having collected such duties.

Be it enacted, that all payments of tonnage duty made to the said Deputy Province Treasurer, according to the provisions of the same Acts, shall be deemed and taken, and are hereby declared to be equally valid and effectual to all intents and purposes, as if the said Acts had been in force; and that all and every such sums of money collected by him since the said Acts have expired, shall be applied to the purposes of said Acts, and shall be paid and accounted for to the said Commissioners, as directed in the first section of this Act; and the said Deputy Province Treasurer is hereby acquitted and discharged of and from any demand of any person or persons whomsoever, other than the said Commissioners as aforesaid, to be made against him, for or on account of the payment of any such monies, and is hereby indemnified against the same and any suit, prosecution, or action, to be brought against him by reason thereof.

Limitation.

IX. And be it further enacted; That this Act shall continue and be in force for the term of five years, thence to the end of the next Session of the General Assembly.

*Continued to 1. April
1835 by 9. 5. 4
C. 3. & v.*

CAP. XV.

Ed. 7. 5. 4. 2. 10. An ACT in amendment of the Laws now in force for the support and relief of Confined Debtors, and for the further relief of Debtors with respect to the imprisonment of their persons.

Repealed by 10 & 11. 5. 4. 2. 30. Passed the 21st March, 1822.

Preamble:

WHEREAS by the Laws now in force, no provision is made for the support of Debtors confined for sums exceeding two hundred pounds, who may be unable to provide or secure their necessary support;

port; and it is expedient to extend the benefits of the several Acts of Assembly in this behalf made, to all Confined Debtors, whatever may be the amount of the Debts for which they are held in confinement---

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That the several and respective provisions and enactments of an Act made and passed in the forty-first year of the Reign of His late Majesty King George the Third, intituled "An Act for the support and relief of Confined Debtors," and of another Act made and passed in the fiftieth year of the same Reign, intituled "An Act to revive and make perpetual an Act, intituled "An Act for the support and relief of Confined Debtors, and further to extend the provisions of the same," and of another Act made and passed in the fifty-ninth year of the same Reign, intituled "An Act in addition to and in amendment of an Act, intituled "An Act for the support and relief of Confined Debtors, and the Act further to extend the provisions thereof," be, and the same are hereby extended, and shall and may be applied to all cases of persons committed to any Gaol in this Province, for debt to any amount, any thing in the said above recited Acts, or any of them, to the contrary thereof in any wise notwithstanding.

Provisions of the
Acts 41 Geo. 3,
c. 5, 50 Geo. 8,
c. 30,

59 Geo. 3, c. 12,

extended and applied to all cases of persons committed for debt to any amount.

And whereas it is expedient to make further provisions for the relief of Debtors with respect to the imprisonment of their persons---

Justices in Sessions in the several Counties, to assign limits for Gaol Yards,

Sed. vid. L.
G. L. L. 10

and make contracts for enclosing them,

and make assessments for defraying the expense,

to be assessed, levied, and collected, as by Law directed.

II. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That the Justices of the Peace in the several Counties in this Province, or the major part of them, shall and may, and they are hereby authorized and required, at the first General Session of the Peace to be holden in the respective Counties after the passing of this Act, or at any Special Session for that purpose to be convened and holden, to designate and mark out by proper limits, fit and convenient Yards for the Gaols in their respective Counties, and to contract and agree with able and sufficient Workmen, for enclosing such Yards, with proper, substantial, and secure walls or fences, not less than ten feet in height, or to appoint Contractors for that purpose, and to agree for such sum or sums of money to be paid therefor, as to them may seem meet; and the said Justices, or the major part of them, are hereby authorized and empowered, at any such Session as aforesaid, to make a rate and assessment of any sum that may appear necessary for the above purpose, the same sum to be assessed, levied, collected, and paid, in such proportion and in the same manner, as any other County rates can or may be assessed, levied, collected, and paid, by virtue of an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for assessing, collecting, and levying County rates," or any other Act now or hereafter to be made for the like purpose. And the walls or fences enclosing such Gaol Yards, shall from time

to

tain Attorney, Executors, Administrators, or Assigns, for which payment well and truly to be made, we bind ourselves and each of us by himself, for and in the whole, our and each and every of our Heirs, Executors, and Administrators, firmly by these presents. Sealed with our Seals, and dated this day of _____ in the year of the Reign of our Sovereign _____ of the United Kingdom of Great-Britain and Ireland Defender of the Faith, &c. &c. and in the year of our Lord one thousand eight hundred and

“ Whereas the above named _____ Sheriff, as aforesaid, hath given permission to the above bounden _____ a Debtor confined in the Gaol of the County [or City and County] abovementioned, to go about and have his liberty within the Yard of the said Gaol---

“ Now the condition of this obligation is such, that if the said _____ shall not go or be at large out of the said Yard of the said Gaol, or escape at any time while he has the liberty of the same as aforesaid, then this obligation to be void, otherwise to remain in full force and virtue.”

Signed, sealed, and delivered, }
in presence of }

Sheriff may upon reasonable cause revoke permission and renew it again if he see fit.

Provided always, That such Sheriff shall and may at any time, upon reasonable cause, revoke and annul such permission to any confined Debtor to have the liberty of the Gaol Yard as aforesaid, and again to renew the same if he shall see fit.

IV. *And*

IV. *And be it further enacted*, That no Sheriff shall be liable to any action of escape, or other suit or information, for or on account of any liberty that may be granted to any confined Debtor, under the provisions and according to the true intent and meaning of this Law. *Provided always*, that if any confined Debtor shall go or be at large in any manner or by any means not authorized and permitted by this Law, the Sheriff shall be liable to all intents and purposes in the same manner as if this Law had not been made.

Sheriff shall not be liable to action of escape or other suit, for liberty granted to Debtors pursuant to this Act.

V. *And be it further enacted*, That this Act shall continue and be in force for five years, and from thence to the end of the then next Session of the General Assembly, and no longer.

Limitation.

Act to 1. April 1823 or by 9. 6. 4. 6.

16

CAP. XVI.

An ACT to continue an Act, intituled "An Act to revive and extend some of the provisions of an Act, intituled "An Act to provide for the necessities of the Province, occasioned by the failure of the late crop."

Passed the 21st March, 1822.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the second year of His Majesty's Reign, intituled "An Act to revive and extend some of the provisions of an Act, intituled "An Act to provide for the necessities of the Province, occasioned by the failure of the late crop," be, and the same is hereby continued and declared to be in force for three years, and from thence to the end of the next Session of the General Assembly.

2 Geo. 4, c. 17, continued for 3 years.

CAP.

CAP. XVII.

An ACT in addition to an Act, intituled " An Act for the better
" extinguishing Fires which may happen in the Towns of Fre-
" dericton and Saint Andrews."

Passed the 21st March, 1822.

WHEREAS by an Act passed in the
fifty-second year of the Reign of
His late Majesty King George the Third,
intituled " An Act in further addition to an
" Act, intituled " An Act for the better ex-
" tinguishing fires that may happen within
" the City of Saint John," the registered
Firemen within the said City of Saint John,
are exempted and free from all Statute La-
bour on the Highways and Streets within
the said City: And whereas it is proper and
expedient to extend the same exemptions to
the Firemen in the Towns of Fredericton
and Saint Andrews---

*Be it therefore enacted by the Lieutenant-
Governor, Council, and Assembly, That the
registered Firemen of the said Towns of Fre-
dericton and Saint Andrews, shall be, and
they are hereby exempted and free from all
Statute Labour on the Highways and Streets
within the said Towns of Fredericton and
Saint Andrews respectively, during their
continuance in the office of Firemen, any
law or usage to the contrary notwithstanding.*

CAP. XVIII.

An ACT further to continue the Acts, for more effectually repairing
the Streets and Bridges in the City and County of St. John.

Passed the 21st March, 1822.

BE it enacted by the Lieutenant-Governor,
Council, and Assembly, That an Act
made and passed in the fiftieth year of the
Reign of His late Majesty King George the
Third,

*repealed as to
Fredericton by 5. G. 4.
C. 5. 1822 to St
Andrews by 9.
Preamble.
5. 4. C. 28*

Registered Fire-
men exempted
from Highway
Labour.

Third, intituled "An Act to provide for the
 " more effectually repairing the Streets and
 " Bridges in the City and County of Saint
 " John," and another Act made and passed
 in the fifty-eighth year of the same Reign, §8 Geo. 3. c. 2.
 intituled "An Act further to continue and
 " to amend an Act, for the more effectually
 " repairing the Streets and Bridges in the
 " City and County of Saint John," be, and
 the same are hereby further continued for continued for 2
 two years, and thence to the end of the then years.
 next Session of the General Assembly.

CAP. XIX.

An ACT to regulate the cutting of Saw Logs on the River Ma-
 gaguadavic and its various branches.

Passed the 21st March, 1822.

WHEREAS the driving Logs of an Preamble.
 unusual length, on the River Ma-
 gaguadavic, endangers the Bridges and ob-
 structs the navigation of the said River---

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,* That no log, spar, tree, or timber whatsoever, of greater length than forty feet, shall be driven or suffered to float unrafted, and unattended by some person to conduct the same, down the said River Magaguadavic, or any of its tributary streams, from any part of the said river or streams above the public bridge on the said river, at Stewart Seeley's. No log or timber more than 40 feet in length to be floated unrafted and unattended, from any part of the River above the public bridge.

II. *And be it further enacted,* That every person offending against this Act, shall for each and every offence, forfeit the sum of *five pounds*, to be recovered, with costs of suit, before any one Justice of the Peace for the County where the offence is committed, on the Five pounds penalty for offences against this Act, to be recovered before a Justice, and levied by distress.
 the

half to the Poor,
and half to the
Informers.

the oath of one or more credible witness or witnesses, and levied by distress and sale of such offender's goods and chattels, and paid one half to the Overseers of the Poor for the Parish where the offence is committed, for the use of the Poor, and one half to the person who shall inform and sue for the same; and for want of sufficient goods and chattels, such offender shall be committed to the County Gaol for a time not exceeding twenty days.

Limitation.

III. *And be it further enacted*, That this Act shall continue and remain in force for three years, and from thence till the end of the next Session of the General Assembly, and no longer.

*contd. of Act 1821 by
7^E G. L. C. 2.*

CAP. XX.

An ACT to continue an Act, to impose a duty on certain articles imported into this Province, and the Act in amendment thereof.

Passed the 21st March, 1822.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act intituled "An Act to impose a duty on certain articles imported into this Province," passed in the fifty-second year of His late Majesty's Reign, and also an Act intituled "An Act to explain and amend an Act, intituled "An Act to impose a duty on certain articles imported into this Province," passed in the fifty-ninth year of the said Reign, be, and the same Acts are hereby continued and declared to be in force for three years, and from thence to the end of the next Session of the General Assembly.

52 Geo. 3, c. 6.

59 Geo. 3, c. 9.

continued for 3
years.

CAP. XXI.

An ACT to authorize the Justices of the Peace in the County of Sunbury, to assess the Inhabitants of the said County, for erecting and building a Gaol in the said County.

Passed the 21st March, 1822.

WHEREAS the Gaol in the County of Sunbury, is so completely out of repair, and is so situated that it is utterly impossible to make it convenient for the purpose of a Gaol in future: *And whereas* it is expedient that a Gaol should be erected in said County---

Preamble.

Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That the Justices of the Peace for the said County, at any General Sessions of the Peace hereafter to be holden, or the major part of them, or at any Special Session for that purpose convened and holden, be, and they are hereby authorized and empowered to contract and agree with able and sufficient Workmen, for building and finishing a Gaol in the Town or Parish of Burton, in the County aforesaid, and to appoint Contractors for that purpose, and to agree for such sum or sums of money as to them shall seem meet; and the said Justices are hereby authorized and empowered to make a rate and assessment, of any sum not exceeding the sum of *five hundred pounds*, as they in their discretion may think necessary for the erecting and finishing a Gaol in the County aforesaid; the same sum or sums to be assessed levied, collected, and paid, in such proportion and in the same manner as any other County rates can or may be assessed, levied, collected, and paid, by virtue of an Act made and passed

Justices at any General or Special Session, may contract for building a Gaol and make a rate and assessment not exceeding £500,

to be assessed, levied, and paid as other County rates.

in the twenty-sixth year of His late Majesty's Reign, intituled "An Act for assessing, collecting, and levying County rates," or any other Act hereafter to be made for the like purpose.

CAP. XXII.

An ACT further to continue the Acts. for laying out, regulating, and repairing Highways and Bridges. in the several Towns and Parishes within this Province.

Passed the 21st March, 1822.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled "An Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, within the several Towns and Parishes in this Province," and another Act made and passed in the fifty-eighth year of the same Reign, intituled "An Act further to continue and amend an Act, intituled "An Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, within the several Towns' and Parishes in this Province," be, and the same are hereby continued for two years, and thence to the end of the then next Session of the General Assembly.

50 Geo. 3, c. 6,

58 Geo. 3, c. 3,

continued for two
years.

CAP. XXIII.

An ACT to alter and amend an Act, intituled "An Act for the
"organization and regulation of the Militia of this Province."

Passed the 21st March, 1822.

repealed by
6. G. 4. c. 18

WHEREAS in and by the ninth Section of an Act made and passed in the fifty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for the organization and regulation of the Militia of this Province," it is enacted, that fines shall be recoverable before the Captains and Commanding Officers of Companies, and be levied by distress and sale of the delinquent's goods, by an order of such Commanding Officer, directed to a Non-Commissioned Officer of the Company, who is thereby authorized to serve and execute the same.

Preamble.

56. G. 3. c. 6

And whereas Non-Commissioned Officers have found it very difficult, and in many cases impossible to levy the fines or execute the warrants in such cases to them directed, and it is considered that the fines may be levied with much greater facility and certainty if the orders and warrants are directed to the Constables in the several Parishes, to be by them executed as Justices' summons and warrants are accustomed to be done: And it is a matter of great importance, in order to enforce the punctual attendance of the Militia, that the fines should be strictly exacted---

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,* That the said ninth Section of the said Act, and also so much of the eleventh and fourteenth Sec-

9th Section of re- cited Act, and so much of the 11th and 14th Sections as relates to the levying of fines by

tions

Non-Commissioned Officers, repealed.

tions of the said Act, as relates to the levying of the fines thereby imposed by the Non-Commissioned Officers of the Company to which the person on whom such fine is imposed, may belong, be, and the same are hereby repealed.

Fines imposed by the 8th, 11th, and 14th Sections of the recited Act, to be recoverable before the Captain, and levied by a Constable of the Parish in which the delinquent resides.

II. *And be it further enacted*, That all fines which may be imposed by virtue of the eighth, eleventh, and fourteenth Sections of the said in part recited Act, shall be recoverable before the Captain or Officer commanding the Company to which the delinquent shall belong, and be levied by distress and sale of the delinquent's goods, by an order of the said Commanding Officer, to the Constable or Constables of the City, Town, or Parish, wherein such delinquent shall reside, which Constables are hereby authorized and required to execute the same, and also the warrants hereinafter mentioned, taking the same fees as in other similar cases, and rendering the overplus, if any, after deducting the cost and charges of such distress and sale, to the delinquent; and if no goods or effects shall be found whereon to levy the said fine, the Constable to whom the execution of the said order may be committed, shall make a return thereof on the back of such order, and thereupon the delinquent shall, by warrant under the hand and seal of such Commanding Officer, be committed to the County Gaol, there to remain for the term of two days for the fine of each day's delinquency; and the Keeper of any Gaol is hereby authorized and required to receive and keep such delinquent during the time specified in such

If no goods whereon to distress, Constable to make return, and thereupon the delinquent to be committed to Gaol for two days for the fine for each day's delinquency.

Keepers of Gaols to receive and keep delinquents.

such warrant, and then discharge him on payment of the customary fees: *Provided always*, that such delinquent shall not be kept in Gaol more than two days beyond the term specified in the warrant, for any default in the payment of fees.

Delinquents not to be kept in Gaol more than 2 days for default of paying fees.

III. *And be it further enacted*, That all orders to be issued by any Commanding Officer of a Company, under and by virtue of the provisions of this Act, or the above in part recited Act, shall be in the form following:

Form of orders to be issued by the Officers commanding companies.

To the Constables of the of
and each and every of them.

You are hereby required forthwith to demand of N. B. the sum of being the amount of a fine imposed upon him under and by virtue of the Militia Law, and on his refusal to pay the same, to levy and distrain the amount thereof of the goods and chattels of the said N. B. and to sell and dispose of the goods and chattels so to be distrained, within six days, unless the said sum of together with reasonable charges of taking and keeping such distress, shall be sooner paid, and return to me what you shall do by virtue of this order.

Given under my hand, this day of

And that all warrants to be issued by the Commanding Officer of any Company, for the imprisonment of any delinquent, shall be in the form following, viz:

Form of warrant of commitment.

To the Constables of the of
and each and every of them.

Whereas a fine of has been imposed on N. B. for an offence against the Militia Law, these are therefore to require and command

mand you to take and arrest the said N. B. and convey and deliver him into the custody of the Keeper of the Common County Gaol, and you the said Keeper are hereby required to receive the said N. B. into your custody in the said Gaol, and him safely keep for the space of days, unless the said fine, with the accustomed fees, shall be sooner paid.

Given under my hand and seal, the
day of 18

Act to extend to the recovery of all fines not already paid.

IV. *And be it further enacted*, That this Act shall extend to the recovery of all fines already imposed, where the same have not actually been paid, or the delinquent taken into custody, as well as to those fines which may be imposed after the passing of this Act.

Constables to pay over fines to the Quarter-Masters, or be liable to an action.

V. *And be it further enacted*, That the Constables shall without unnecessary delay, pay over the fines collected from any delinquent, to the Quarter-Master of the Battalion to which such delinquent shall belong, or in default of payment, shall be liable to an action of debt at the suit of such Quarter-Master, in any Court having jurisdiction of the same.

VI. *And whereas* doubts have arisen whether Aliens who may be prosecuted at the suit of the Quarter-Master, for the recovery of the sum payable by them, in and by the forty-second section of the said in part recited Act, are liable to the costs of prosecution, and it is expedient to make other provision in this regard---

42 § repealed.

Be it further enacted, That the said forty-second section of the said Act, be, and the same is hereby repealed: And in lieu thereof,

Be

Be it enacted, That all persons other than British subjects, (or those who have taken the oath of allegiance prior to the late war between Great-Britain and the United States of America) who shall have resided for the space of two months in this Province, shall pay to the Quarter-Master of the Battalion in the district in which they shall reside, the sum of *thirty shillings*; and the Quarter-Master of such Battalion is hereby authorized and required to proceed for the recovery thereof, with costs of suit, before any one of His Majesty's Justices of the Peace resident within such district; and upon recovery, the said sum of *thirty shillings*, together with all costs of suit, shall be levied by distress and sale of such Aliens' goods and chattels, and for want of such goods and chattels, such Justice shall commit such Aliens to the common Gaol of the County, there to remain for the space of six days, unless the said fine, with costs and all customary fees, be sooner paid; and the Keeper of any Gaol is hereby authorized and required to receive and keep such delinquent Alien, during the term specified in such warrant, and then discharge him on payment of the customary fees. *Provided always*, that such delinquent Alien shall not be kept in Gaol more than three days beyond the term specified in the warrant, for any default in the payment of fees.

Aliens after two months residence, to pay 30s to the Quarter Master, who is authorized to sue for the same.

For want of goods whereon to levy, Alien may be committed to Gaol.

Not to be kept in Gaol more than three days for non payment of fees.

VII. *And be it further enacted*, That the Captains or Commanding Officers of Companies, shall on or before the first day of June in each year, make out and transmit to the Quarter-Master of the Battalion, lists

Officers commanding Companies, to furnish the Quarter Master with lists of Aliens.

of

of all Aliens within the district of their respective Companies.

78th § of recited Act repealed.

VIII. *And be it further enacted*, That the eighteenth Section of the herein before recited Act, to which this is an amendment, be, and the same is hereby repealed.

Commanding Officers of Battalions to appoint proper places for depots of arms.

IX. *And be it further enacted*; That the Commanding Officers of Battalions, when thereunto required by the Governor or Commander in Chief, are hereby authorized and required to appoint fit and convenient places within their respective districts, to serve as depots for arms for the use of their respective Battalions.

Fines, after defraying contingent expenses of Battalion, to be appropriated for cleaning & keeping in repair the arms in the depots.

X. *And be it further enacted*. That all the fines, penalties, and sums of money whatever received under and by virtue of the provisions of this Act, or of the Act to which this is an amendment, from any Battalion of Militia in this Province, shall, after defraying the contingent expenses of such Battalion, pursuant to the forty-third Section of the herein before recited Act, be appropriated by the Commander in Chief, to such an amount as may be necessary, for the cleaning and keeping in repair the arms placed in the depots appointed for the use of such Battalion; and in case the said fines, penalties, and sums of money received from any Battalion, after paying the contingent expenses thereof as aforesaid, shall not be found sufficient to defray the expense incurred in cleaning and keeping in repair the arms placed in depot for the use of such Battalion, that then such further sum as the Commander in Chief may think proper, shall be paid by the Treasurer

In case the fines are insufficient for keeping the arms in order, a further sum not exceeding £20 to any one Battalion, to be paid from the Province Treasury.

surer of the Province, to the Commanding Officer of such Battalion, to be by him appropriated to the cleaning and keeping in repair the arms of such Battalion, by warrant of the Lieutenant-Governor or Commander-in Chief, by and with the advice of His Majesty's Council: *Provided nevertheless*, that no greater sum than *twenty pounds*, over and above the fines, penalties, and sums of money received from such Battalion, after deducting the contingent expenses thereof as aforesaid, shall be paid to the Commanding Officer of any Battalion in any one year, for the purpose of cleaning and keeping in repair the arms of such Battalion.

XI. *And be it further enacted*, That the said eleventh and fourteenth Sections, and all other parts of the said in part recited Act, (except as far as the same are hereby expressly repealed, altered, or amended) shall be, and the same are hereby declared to be and remain in full force.

Recited Act, except wherein hereby altered, to remain in force.

XII. *And whereas* doubts have arisen whether any Officer guilty of disobedience of orders, or other misconduct, in any case when not on real service, can be brought to a Court Martial under and by virtue of the provisions of the said in part recited Act: *Be it declared and enacted*, that any Officer who may disobey orders, neglect his duty, or be guilty of any misconduct, although not on real service, may be brought to a General Court Martial, to be constituted and appointed as in the same Act directed, the proceedings of which Court Martial shall be in the manner in the same Act mentioned,

Officers guilty of disobedience or improper behaviour, although not on real service, may be tried by a General Court-Martial.

which Court Martial shall have power to punish such offender by cashiering, suspension, or reprimand, as the case may require, provided that no sentence of such Court Martial shall be carried into execution until approved of by the Lieutenant-Governor or Commander in Chief for the time being.

CAP. XXIV.

An ACT to alter and amend the Laws now in force, for assessing, collecting, and levying, of rates for public charges.

Passed the 21st March, 1822.

WHEREAS by the Laws now in force for the assessment of rates for public charges and expenses, the Assessors in the several Towns or Parishes are authorized and empowered to apportion the sums to be levied upon the said Towns or Parishes respectively, among the inhabitants thereof, in such manner as they in their discretion shall think just and reasonable: *And whereas* the exercise of such discretion without regulation or appeal, has been productive of great dissimilarity in the mode of apportioning and assessing the rates throughout the Province: *And whereas* by the same Laws the real estate of non-residents is not liable to be assessed---

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That from and after the passing of this Act, all such sums of money to be assessed and raised for any County, or Town, or Parish charges and expenses, under or by virtue of an Act or Acts of the General Assembly for that purpose made, or to be made, shall be assessed, levied, and raised, by an equal rate upon the poll

*Vid: 6 G. 4. c. 15
by which this act is
virtually repealed
even if it could be
Preamble
amended as con-
tained by the
last clause of
that act.
expressly repealed
by 1. W. 4. c. 26*

*Mode of making
assessments.*

poll of all male inhabitants of the Town or Parish, of the age of twenty-one years and upwards (not being Paupers), and by a rate in just and equal proportion upon the inhabitants of such Town or Parish, according to the best discretion of the Assessors, and upon the real estate of non-residents. *Provided always*, that any lands or real estate belonging to any inhabitant of such Town or Parish, that may lie within any other Town or Parish within this Province, and be there liable to be assessed, shall not be accounted or assessed as a part of his property in the Town or Parish where he may reside.

Real estate not to be assessed in two Parishes.

II. *And be it further enacted*, That the fees to the Assessors and Collectors respectively, in the several Towns or Parishes, shall be regulated and established by the Justices of the Peace at their General Sessions, before any assessment is made, as they shall from time to time see fit, so always as that the said Assessors and Collectors respectively, shall not receive for any sum not exceeding *one hundred pounds*, at a greater rate than *ten per cent.* and when the sum to be assessed and collected exceeds that amount, they shall not receive a greater rate than *seven and a half per cent.* for the first *hundred pounds*, and *six per cent.* for all above. *And provided always*, that no Collector shall be allowed his per centage on any greater sum than he may have actually collected and paid in: *And provided also*, that no Collector shall be entitled to his per centage, until he has collected the whole sum mentioned in

Fees to Assessors and Collectors, to be settled by the Sessions.

Not to exceed 10 per cent when assessment is for £100
And for 10, or 20 ms. - 1 for the first £100, and £6 for all above.

Collector not allowed per centage until he has settled his account.

the

the precept, or settled his account to the satisfaction of the Sessions.

Assessors to meet and make out lists of persons to be rated.

III. *And be it further enacted*, That whenever any sum is to be raised by assessment as aforesaid, upon any Town or Parish, the Assessors of such Town or Parish shall meet at an appointed time and place to be agreed on, and at such meeting they, or the major part of them, shall make out a list, with columns therein, of all persons within the Town or Parish who are to be rated by the poll, and of the respective amounts at which they assess the inhabitants of such Town or Parish, and of the respective real estates of non-residents therein, and adding to the sum so to be raised, the amount of the sum to be charged for fees to the said Assessors and Collectors, to be established as herein before provided, shall distribute and assess the same in manner herein before provided, and insert the same in the said list, which list shall be in the form following, that is to say :---

Form of list.

Assessment of the Town or Parish of
in the County of
in pursuance of a warrant of the General
Sessions of the Peace for the said County,
to levy the sum of
for Dated the
day of 18

Names of Persons ratable.	Poll Tax.	Amount at which each person is assessed.	Real estate of non-residents.	Rate thereon at per cent	Total assessment.
	£ s. d.			£ s. d.	£ s. d.

And

And the said Assessors, or the major part of them, shall subscribe the same, and with all convenient speed transmit a copy of the same to the Clerk of the Peace, to be filed in his office; and in Towns or Parishes where there are two or more Collectors of rates, the Assessors, or the major part of them, shall subdivide the said assessment into as many parts as there are Collectors, and endorse on each (or if there be but one Collector, endorse on the entire assessment) a precept under their hands, in the form following, that is to say :

Lists to be subscribed, and a copy sent to the Clerk of the Peace.

Precepts to be endorsed on lists.

To A. B. one of the Collectors of rates in the Town or Parish of or to any other Collector of rates in the said Town or Parish, (or if but one Collector) to the Collector of rates in the Town or Parish of
 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 of Assessment," amounting in the whole to the sum of and to pay the same, when collected, into the hands of [the Overseer of the Poor, or County Treasurer, or otherwise as the case may be.] Given under our hands and seals, the day of in the year of our Lord

IV. *And be it further enacted*, That any person thinking himself or herself aggrieved and overrated, may appeal to the Justices of the Peace at their next General Sessions, after the copy of the assessment shall be filed in the office of the Clerk of the Peace, and the said

Form of precept. Appeal may be made by persons thinking themselves overrated, to the Sessions, who may relieve

said Justices shall and may examine into the appeal; and if the appellant shall make it appear to their satisfaction that he or she has been overrated, said Justices, or the major part of them, shall and may give relief, by allowing to such appellant the sum in which he or she may appear to be overrated, out of the present or any future assessment.

Absent Proprietors of real estate not appearing to pay assessments,

Assessors shall give public notice by advertisement in the office of the Register of Deeds and in a public newspaper for six months.

If no person appears to pay the rate or to appeal,

three Justices may order land to be leased to pay the rate and charges.

V. *And be it further enacted*, That in cases where any proprietor or proprietors of real property, lying within any Town or Parish rated and assessed as aforesaid, do not reside in such Town or Parish, and they or some one on their behalf do not appear to pay such rate and assessment, the Assessors shall as soon as conveniently may be after the assessment made, cause public notice to be given of such rate and assessment, by advertisement in the office of Register of Deeds of the County, and also in one public newspaper published in the County where the lands lie, and in Counties where no newspaper is published, in the Royal Gazette published by the King's Printer in this Province, which advertisement shall be continued for the space of six months, unless some person shall within that time appear on the behalf of such absent proprietor, to pay such rate and assessment, or to appeal to the Sessions; and in case no person shall appear on the behalf of such absent proprietor within that time, to pay such rate and assessment, or to appeal to the Sessions, then and in such case it shall and may be lawful for any three of His Majesty's Justices in the County, at the expiration of the said six months, on the application

tion

tion of such Assessors, and they are hereby authorized and empowered to let out such part of the delinquent's land as may be sufficient by the produce thereof, to pay such rate and assessment, together with the charges of advertising; and in case the lands of such absentees should not for the present produce sufficient to pay such rate and assessment and charges as aforesaid, or no one appear to hire the same, that then it shall and may be lawful for such Justices, by warrant under their hands and seals, to order the Sheriff of the County, to sell at public auction to the highest bidder, first giving sixty days notice of such sale, in manner before mentioned, so much of the lands of such delinquent as may be sufficient to pay such rate and assessment, with all costs and charges attending the same, retaining the overplus, if any, for the use of such delinquent; and the said Sheriff is hereby empowered and directed to execute a deed or deeds to the purchaser or purchasers thereof, his or their heirs and assigns, and deliver seisin and possession of the same to such purchaser. *Provided always*, that such absent proprietor or proprietors shall have within the time herein before limited for advertising such rate and assessment upon the real property of such absent proprietor, like and the same benefit of appeal to the General Sessions, as is given by the fourth section of this Act, and in case of non-payment of any such rate and assessment by such absent proprietor after such appeal is decided, the like proceeding shall be had for the recovery of the same as herein before

If the land do not produce sufficient to pay the rate and charges, or no one appear to hire, it may be sold at auction by the Sheriff, by warrant of three Justices, after sixty days notice.

Sheriff to execute a deed to the purchaser.

Proprietor may have benefit of appeal to the Sessions.

before provided, by letting or selling the lands of such delinquent, as the case may be.

Boundaries of Parishes how to be ascertained.

VI. *And whereas* by reason of the boundary lines of many Parishes in the Province not having been run, and it being therefore uncertain in what Parish many lots both of improved land and land in a wilderness state, are situate: *Be it further enacted*, that such lands shall in every respect be considered as a part of the Parish in which the occupiers thereof have performed the statute labour on the highways, until the true boundaries are duly ascertained, and shall be assessed accordingly.

Clerks of the Peace to transmit warrants of assessment to the Assessors within 10 days, under penalty of £5.

VII. *And be it further enacted*, That it shall be the duty of each and every of the Clerks of the Peace, to transmit to the Assessors of the respective Towns or Parishes, the several warrants of assessment granted from time to time by the Courts of the General Sessions of the Peace, within ten days after issuing thereof, under the penalty of *five pounds* for each and every neglect, and it shall be the duty of the Assessors, within sixty days after receiving every such warrant, to make their assessments and precepts in manner herein before required, and deliver the same to the several and respective Collectors of rates, under the penalty of *ten pounds*, for each and every neglect of any Assessor; and it shall be the duty of the said several Collectors, to proceed with all convenient expedition immediately after the receipt of any assessment and precept, to collect the amount thereby required to be collected, and to pay the same when collected into the hands of the person

Assessors within sixty days to make their assessments,

under penalty of £10.

Collectors to proceed immediately to collect the amount and pay over the same, and within 4 months to render an account under penalty of £10.

or

or persons to whom it is required to be paid, and within four months from the receipt of the assessment and precept, to render an account with vouchers, accompanied by the same assessment, into the office of the Clerk of the Peace, under the penalty of *ten pounds* for neglecting to make and render such an account within the time so limited; all which penalties are hereby made recoverable before any two of His Majesty's Justices of the Peace in the County within which such assessment is made, to be levied by warrant of distress and sale of the goods and chattels of the delinquent, and paid to the County Treasurer for the use of the County.

Mode of recovering penalties.

VIII. *And whereas* it has been found inconvenient in many instances to have the office of Collector of Rates united to that of Constable: *Be it further enacted*, that the said Justices of the Peace of the several Counties, shall and may at the time of making the annual appointment of the Town or Parish Officers, have power and authority to nominate and appoint one or more fit persons to be Collectors of rates for the several Towns or Parishes within the respective Counties, distinct and separate from the said office of Constable, if they shall deem it expedient; which person or persons shall be stiled Collector or Collectors of rates in the Town or Parish for which he or they shall be nominated or appointed, and shall be obliged to take an oath of office in like manner as is required of any Constable, and subject to the like penalties for neglecting to take such oath within the time required for such Constable

Justices to appoint Parish Collectors separate from the office of Constable.

Collectors to be sworn, and liable to penalty for neglect.

to take the same, to be recovered and applied to the same uses and purposes as penalties imposed on such Constables for refusing or neglecting to take such oath of office, and upon any vacancy happening by the death or removal from the Parish of any such Collector, or by the neglect or refusal of any person to take the oath of office within the time required, the said Justices may at any General or Special Sessions for that purpose to be holden, have power and authority from time to time to appoint other fit persons to fill such vacancy, who shall be obliged to accept of such office, and take the like oath within fourteen days after being notified of such appointment, subject to the like penalty for neglect or refusal, to be in like manner recovered and applied, and shall also be subject to the same penalties for neglecting or refusing to demand, levy, and account for Parish rates, as Constables now are for refusing and neglecting to collect County and Parish rates: *Provided* the appointment of a Collector in the City of St. John, shall be and remain with the Mayor, Aldermen, and Commonalty of the said City, as already provided by Act of Assembly.

In case of vacancy Justices to appoint others,

who shall be obliged to accept the office and take the oath within 14 days.

Persons refusing to pay assessment for ten days, to be sued by the Collectors.

IX. *And be it further enacted*, That if any person assessed as an Inhabitant, or resident within any Town or Parish, shall refuse or neglect to pay his or her assessment by the space of ten days after demand of such assessment by the Collector, that then and in such case it shall and may be lawful for such Collector, to sue for and recover the same in his own name, with costs of suit, if such assessment

assessment do not exceed *five pounds*, before any one Justice of the Peace, or in the Clerk's Court in the City of Saint John, and if such assessment exceed the sum of *five pounds*, then before any two Justices of the Peace, the proceedings in any such case to be in like manner and under the same rules and regulations as are contained and mentioned in an Act made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled, "An Act for the more easy and speedy recovery of small debts."

Mode of proceeding.

X. *And be it further enacted*, That an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for the assessing, levying, and collecting County rates," and another Act made and passed in the same year, intituled "An Act to regulate and provide for the support of the Poor in this Province," and all other Acts now in force for the levying, assessing, and collecting monies for County or Parish charges of every kind, shall continue and remain in full force and effect, except wherein they are altered and amended by this Act, any thing herein contained to the contrary notwithstanding.

26 Geo. 3, c. 42,
26 Geo. 3, c. 43,
and all other Acts
for assessing and
collecting County
and Parish charges
continued in force
except as herein
altered.

XI. *And be it further enacted*, That this Act shall continue and be in force for two years, and thence until the end of the then next Session of the General Assembly.

Limitation.

CAP. XXV.

An ACT to provide for the erection of an Alms-House and Work-House within the County of York. and for making rules and regulations for the management of the same.

Passed the 21st March, 1822.

Preamble.

WHEREAS by the modes generally pursued to provide for the support of the Poor in this Province, many persons who might under proper regulations contribute to their own maintenance, have nevertheless become chargeable to, and are entirely maintained by, the inhabitants of the Parishes in which such persons reside, to the very great burthen of such inhabitants: *And whereas* the establishment of suitable Alms-Houses and Work-Houses in proper situations within this Province, would not only enable many poor persons who are now chargeable to the Parishes in which they reside, to contribute materially to their own support, but would also afford the means of checking the disorderly behaviour of divers persons, who by drunkenness and idleness disqualify themselves from earning a proper support---

Justices in General Sessions may agree for erecting a proper building,

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,* That the Justices of the Peace for the County of York, in their General Sessions, be, and they are hereby authorized and empowered, to agree for the erecting and finishing of a proper building for an Alms-House and Work-House, in the Town or Parish of Fredericton, and to fix upon a certain sum of money for defraying the expense thereof, which sum of money shall be raised by an assessment upon the inhabitants of the Parishes of Fredericton,

and fix upon a sum for defraying the expense,

derickton, Saint Mary's, Kingslear, Prince William, and Queensbury, in the said County, in the manner prescribed by the Laws now in force for assessing, collecting, and levying County rates, or by any other Law which may be passed during the present Session of the General Assembly: *Provided*, that such assessment shall not exceed the sum of *seven hundred pounds*.

to be assessed upon the Parishes of Frederickton, Saint Mary, Kingslear, Prince William, and Queensbury,

Not to exceed £700.

II. *And be it further enacted*, That it shall and may be lawful for the Governor or Commander in Chief of this Province, by warrant under his hand and seal, to be issued with the advice of His Majesty's Council, from time to time to appoint so many fit persons, not exceeding seven nor less than five, and of whom two shall be Justices of the Peace for the said County, as he shall think fit, to be Commissioners for superintending and managing the said building, so to be erected for the purposes aforesaid, and that it shall and may be lawful for the said Commissioners from time to time, to provide such materials and things as they shall judge necessary, for the setting to work and employing such poor persons, of what age or sex soever they be, who may apply for relief and shall be capable to work, and shall have power and authority at their discretion, to compel such idle or poor people begging or seeking relief, as do not betake themselves to some lawful employment, or who do or shall hereafter seek and receive alms of any of the said Parishes herein before mentioned, within the said County, or who may stand in need of relief from any of the said Parishes, to dwell, inhabit,

The Governor to appoint Commissioners for superintending the Alms House.

Commissioners to provide materials for employing the Poor.

May compel idle people seeking relief to dwell in the Alms House.

and have power to bind out poor children as Apprentices.

inhabit, and to work in the said Work-House, and to do all such work as they shall think them able and fit for, and shall have the same powers to bind out poor children Apprentices, as are by the Laws of this Province given to the Overseers of the Poor in the several Towns or Parishes.

Commissioners to make rules and regulations for the government of the House,

to be approved by the Justices in Session,

and may inflict reasonable correction and punishment.

III. *And be it further enacted*, That the said Commissioners to be appointed as aforesaid, shall have power to make such rules, orders, and regulations, for the good government and management of the said Alms-House and Work-House, as they shall find necessary (such rules and regulations to be approved of by the Justices in their General Sessions) and to inflict such correction and punishment, by solitary confinement or otherwise, from time to time, as to them shall seem reasonable, on any person or persons within the said Alms-House or Work-House, who shall be so set to work and shall not conform to such rules, orders, and regulations, to be made as aforesaid, or shall misbehave in the same.

Commissioners to account annually to the General Sessions.

Estimate to be made of amount requisite for the maintenance of the Poor for the current year,

IV. *And be it further enacted*, That the said Commissioners shall at the first General Sessions of the Peace to be holden for the said County, annually lay before the Justices in their said Sessions, an account, to be audited by the said Justices, of the expenses incurred by them for the support and maintenance of the Poor of the said Alms-House and Work-House for the past year, together with an estimate of what sum or sums of money will be needful for the maintenance or employment of the Poor of the said House for the current year, in which estimate shall be stated,

stated, the proportion that each Town or Parish within the said County, ought to pay, according to the number of poor persons that such Town or Parish shall have in the said Alms-House, or committed to the care of the said Commissioners, to the intent that no other levy or assessment may be made for any other maintenance or allowance to or for any such Poor, which sum or sums of money shall be assessed, levied, and raised, in such manner and form as by the Laws of this Province is or shall be appointed and directed; and when raised and received, shall be paid to the said Commissioners, for the use aforesaid, and for no other.

with the proportion that each Parish is to pay.

V. *And be it further enacted*, That the Commissioners to be appointed in pursuance of this Act, shall have full power and authority to contract and agree with the Overseers of the Poor of any Parish in the said County, or of any adjoining County of this Province, for the maintenance of any poor persons belonging to such Parishes respectively, which contract and agreement such Overseers are hereby authorized and empowered to make. *Provided always*, that such Overseers shall first pay or secure to be paid to the said Commissioners, such sum or sums of money as shall be so agreed for, and shall also report to the said Commissioners, the names, character, and condition, of all such poor persons within the said Towns or Parishes respectively, in whose behalf such application shall be made.

Commissioners may agree with the Overseers of the Poor of any other Parish in York County, or any adjoining County, for the maintenance of the Poor of such Parish.

Overseers of such Parish shall pay or secure such sum as shall be agreed on, and shall report to the Commissioners the names and character of Paupers.

VI. *And be it further enacted*, That the profits of any work or labour to be performed

Profits of work to be accounted for and applied

towards support
of the Poor in the
House.

formed under the direction of the said Commissioners, shall be duly accounted for by them, and shall be applied towards the support and maintenance of the persons inhabiting within the said Alms-House and Work-House.

Until a house is
built, the Com-
missioners may
hire a suitable
building.

VII. *And be it further enacted,* That until such time as a proper building shall be erected and prepared within the said Town or Parish of Fredericton, for the purposes by this Act contemplated, it shall and may be lawful for the Commissioners, to be appointed as herein before mentioned, to hire and make use of any other House within the said Town or Parish, which they shall think fit and convenient, for an Alms-House and Work-House, in manner and form as by this Act is prescribed.

CAP. XXVI.

An ACT to cancel certain Bonds given by the Assistant Commissary General in this Province, payable at the Treasury thereof, for duties on Rum imported for the use of His Majesty's Troops.

Passed the 21st March, 1822.

Preamble.

WHEREAS certain Bonds have been given to His late Majesty King George the Third, by Thomas Price, Esq. Assistant Commissary General in His Majesty's Service, payable to His said Majesty, His Heirs and Successors, at the Treasury of this Province, and conditioned for the payment of the amount of certain duties on Rum imported into this Province for the use of His Majesty's Troops, and it is expedient that all such Bonds should be cancelled---

Be it enacted by the Lieutenant-Governor, Council, and Assembly, That all and every such

such Bonds at any time heretofore given by the said Thomas Price, Esquire, Assistant Commissary General in His Majesty's Service, payable to His said Majesty, His Heirs and Successors, at the Treasury of this Province, and conditioned for the payment of the amount of any duties on Rum imported into this Province for the use of His Majesty's Troops, be, and the same are hereby cancelled, and declared null and void to all intents and purposes whatsoever.

Bonds given by the Assist. Commissary General for duties on rum imported for the King's Troops, cancelled.

CAP. XXVII.

An ACT to alter an Act to provide for sick and disabled Seamen, not being Paupers belonging to the Province, and to provide Buildings for the accommodation of the same.

Passed the 21st March, 1822.

WHEREAS by the second Section of an Act passed in the sixtieth year of the Reign of His late Majesty King George the Third, intituled "An Act to provide for sick and disabled Seamen, not being Paupers belonging to this Province," it is provided, that the duty imposed by the said Act shall be paid to the Overseers of the Poor for the place where the same is collected: *And whereas* it is expedient to make further and more permanent provision for such Seamen, in the City of Saint John, by erecting an Hospital, and to prevent the importation of infectious distempers by establishing a Pest House---

Preamble.

60. G. 3. C. 15.

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,* That the second Section of the abovementioned Act, so far as it relates to, or concerns the Port and City of St. John, be, and the same is hereby repealed.

2d Section of the Act 60 Geo 3. c. 15, so far as it concerns the Port of St. John, repealed.

Lieut. Governor, with advice of the Council, to appoint Commissioners for a Marine Hospital and Pest House for St. John.

Duties imposed by 60 Geo. 3. c. 15, and collected in St. John, to be paid to the Commissioners by warrant of the Lieut. Governor.

Overplus duty collected at any other Port, and directed by 2d § of 2 Geo. 4. c. 12. to be paid over to be expended in St. John, to be in like manner paid to the Commissioners.

Commissioners to account annually under oath.

Commissioners to apply money for erecting & maintaining a Marine Hospital and Pest House.

II. *And be it further enacted*, That it shall and may be lawful for the Lieutenant-Governor or Commander in Chief, by and with the advice of His Majesty's Council, to appoint five, or more, fit persons to be Commissioners for a Marine Hospital and a Pest House, for the said Port and City, and to displace, re-appoint, or supply all or any of the said Commissioners, as from time to time may be necessary or expedient; and that so much of the said duty imposed by the above-mentioned Act, as is collected at the said Port and City of St. John, shall, when collected, be paid over by the Treasurer to such Commissioners so to be appointed as aforesaid, by warrant of the Lieutenant-Governor or Commander in Chief for the time being, by and with the advice of His Majesty's Council, and also any overplus of such duty collected at any other port or place, which may be directed to be paid over to be expended in the said Port and City of St. John, under and by virtue of the second Section of an Act made and passed in the second year of His present Majesty's Reign, in addition to and amendment of the said herein before recited Act, shall be paid in like manner to such Commissioners.

III. *And be it further enacted*, That the said Commissioners shall render a yearly account under oath, of the expenditure of such monies as may be paid to them as aforesaid.

IV. *And be it further enacted*, That the monies so to be paid to the said Commissioners, by virtue of this Act, may and shall be applied by them for the erecting and maintaining

taining a Marine Hospital, for the relief of such sick and disabled Seamen as are entitled thereto, under the provisions of the herein beforementioned Act, and also for the building and supporting a Pest House for the reception of Seamen who are ill of any infectious disease, and for providing for the necessary care, cure, and maintenance, of the Patients in the said Marine Hospital, and in the said Pest House.

V. *And be it further enacted*, That the said Corporation of the said City of St. John, are hereby authorized to lay out such parts and places of the public lands of the said Corporation as they shall judge most convenient, for the erection and situation of such Marine Hospital and such Pest House; which said houses or erections, and places or pieces of land, when so built and laid out, shall forever thereafter remain and be appropriated solely to the use of this and the herein before mentioned Act (saving nevertheless the rights of all persons other than the said Corporation), and be under the exclusive controul and management of the said Commissioners.

Corporation may lay out part of public land for the Hospital and Pest House,

Verd. 2. Geo: 4. 19.

to remain for the use of this and of the recited Act,

and be under the controul of the Commissioners.

VI. *And be it further enacted*, That the said Commissioners, or the major part of them, may and are hereby authorized to make all necessary contracts for the building, repairing, and maintaining, the said Marine Hospital and the said Pest House, and for the care, cure, attendance, and support, of the Patients therein, and to make such rules and regulations for the good government of the same, as they shall judge fit.

Commissioners to contract for buildings,

and make regulations for their government.

VII. *And*

Commissioners may remove Seamen ill of infectious disease, to the Pest House.

No person to visit Pest House without licence, under penalty of being detained there.

Offences against this Act to be enquired of by the Sessions.

Fines imposed to be paid to the Commissioners.

4 § of 60 Gen 3, c. 16, repealed.

Overseers of the Poor in any Port where overplus duty has been paid over, may send sick or disabled Seamen to the Hospital or Pest House.

VII. *And be it further enacted*, That the said Commissioners may, and are hereby authorized to remove such Seamen as are ill of any infectious disease, to the said Pest House for cure; and no person shall visit such Pest House when any Patient is there lying ill, without licence from one of the said Commissioners; and if any person shall visit such Pest House, when any person is there lying ill, without licence as aforesaid, such person may and shall be there detained and not suffered to depart, without licence of some one of the said Commissioners.

VIII. *And be it further enacted*, That all offences against this Act may be enquired of and determined before the General Sessions of the Peace for the said City and County of Saint John, and the fines imposed therefor shall be levied and paid over to the said Commissioners, for the uses aforesaid.

IX. *And be it further enacted*, That the fourth Section of the said first herein before recited Act, be, and the same is hereby repealed.

X. *And be it further enacted*, That the Overseers of the Poor in any port or place where any overplus of duty collected by virtue of the said Act, shall have been paid over for the building or support of said Hospital or Pest House, shall, if they think proper, send from time to time, any sick or disabled Seamen to the said Hospital or Pest House, the expense of so sending them and of supporting them, to be paid out of monies collected by virtue of the said Act.

IX. *And*

XI. *And be it further enacted*, That until such time as proper buildings shall be erected and prepared within the said Port and City of Saint John, for the purposes by this Act contemplated, it shall and may be lawful for the Commissioners to be appointed as herein beforementioned, to hire and make use of any other houses or buildings within the said Port or City, which they shall think fit and convenient for a Marine Hospital and Pest House, in manner and form as by this Act is prescribed.

Until proper buildings shall be erected, the Commissioners may use other buildings.

XII. *And be it further enacted*, That the last Sections of the herein beforementioned Acts respectively, which limit the continuance thereof to five years, be, and the same are hereby repealed severally and respectively.

The last Sections of the 60 Geo. 3, c. 16 and 2 Geo. 4, c. 10, repealed.

CAP. XXVIII.

An ACT to repeal all the Laws made for preventing the encumbering or filling up of Harbours, and to authorize the appointment of Harbour-Masters, and to make more effectual provision for the same.

Passed the 21st March, 1822.

I. **B**E it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the thirty-third year of the Reign of His late Majesty King George the Third, intituled "An Act to prevent the encumbering or filling up of Harbours," and also an Act made and passed in the fiftieth year of His said late Majesty's Reign, intituled "An Act in addition to an Act, to prevent the encumbering or filling up of Harbours," and also an Act made and passed in the fifty-second year of His said late Majesty's Reign, intituled "An Act more effectually

33 Geo. 3, c. 2,

50 Geo. 3, c. 8,

52 Geo. 3, c. 12,

54 Geo. 3, c. 1,

57 Geo. 3, c. 6,
repealed.

“ effectually to prevent the encumbering or
 “ filling up of Harbours, and to authorize
 “ the appointment of Harbour-Masters,”
 and also so much of an Act made and passed
 in the fifty-fourth year of His said late Ma-
 jesty’s Reign, intituled “ An Act to make
 “ perpetual several Acts of the General As-
 “ ssembly which are near expiring,” as makes
 the said recited Act passed in the fifty-second
 year of His said late Majesty’s Reign, per-
 petual : and also an Act made and passed in
 the fifty-seventh year of His said late Maje-
 sty’s Reign, intituled “ An Act in amendment
 “ of an Act, intituled “ An Act more effec-
 “ tually to prevent the encumbering or fill-
 “ ing up of Harbours, and to authorize the
 “ appointment of Harbour-Masters,” be,
 and the same are hereby repealed.

Ballast not to be
 thrown or landed
 in any Road, Port
 or Harbour, but
 in such place as
 shall be appointed
 by the Justices of
 the County, un-
 der penalty of
 £25.

II. *And be it further enacted*, That no Mas-
 ter or Commander of any ship or vessel shall
 unload or throw overboard any ballast or
 rubbish in any Road, Port, or Harbour, in
 this Province, or land the same in any other
 part of such Road, Port, or Harbour, than
 shall be appointed by the Justices of the
 Peace for the County in which such Road,
 Port, or Harbour, may be, in General Ses-
 sions, under the penalty of *twenty-five pounds*
 for each and every offence.

When ballast is
 discharged into a
 lighter, a piece of
 canvas to reach
 from the ballast
 port to the lighter,
 under penalty of
 £10.

III. *And be it further enacted*, That when
 ballast is discharged in any of the Ports or
 Harbours in this Province, into boats or
 lighters, there shall be a sufficient piece of
 canvas or tarpaulin, reaching from the bal-
 last port or gunwale of such ship or vessel,
 to the boat or lighter, to prevent any part of
 such

such ballast or rubbish from falling into such Port or Harbour, under the penalty of *ten pounds* for each and every offence.

IV. *And be it further enacted*, That it shall and may be lawful for the Justices of the Peace in the several and respective Counties, in General Session, to appoint Harbour-Masters for such Harbours as may be found to require the same, and shall also have power and authority to regulate the ballast-births, and also the manner in which vessels coming into such Ports or Harbours shall anchor and moor, which directions and regulations it shall be the duty of the Harbour-Master to enforce; and the Master or Commander of any ship or vessel who shall refuse or neglect to obey or conform to the directions of such Harbour-Master, shall forfeit and pay the sum of *five pounds* for such refusal or neglect; and it shall and may be lawful for such Harbour-Master to ask, demand, and receive, from the Master, Commander, or Consignee, of every ship or vessel (coasters excepted), the sum of *five shillings*, for all vessels above fifty tons and not exceeding one hundred tons, and *ten shillings* for all vessels above one hundred tons, as Harbour-Masters' fees, which Harbour-Masters shall furnish copies of the regulations made for the respective Harbours, to the Pilots appointed for such Harbour, one copy of which regulations such Pilots are hereby required to give to the Master or Commander of every vessel they may take in charge, for his information, and it shall be the duty of the Harbour-Masters to prosecute all breaches of this Act.

Justices in Session to appoint Harbour-Masters and regulate ballast births, and the anchoring and mooring of vessels

Harbour-Masters to enforce the regulations.

Masters of vessels disobeying Harbour-Masters, to forfeit £5.

Fees of Harbour-Masters.

Harbour-Masters to furnish Pilots with regulations.

Pilots to give one copy to the Master of any vessel they may take in charge.

Harbour-Masters to prosecute offenders.

V. *And*

Penalties recoverable before two Justices for the County where the offence is committed.

Paid to the Commissioners appointed for erecting Beacons, &c.

Not to extend to the City of Saint John.

If there shall not be two Justices residing within ten miles of the place where the offence is committed, penalty may be recovered before one Justice.

Harbour-Masters heretofore appointed to continue in office until others are appointed.

V. *And be it further enacted,* That the several penalties in this Act mentioned, shall be recovered, on oath of one or more credible witness or witnesses, before any two of His Majesty's Justices of the Peace for the County where the offence shall be committed; all which penalties, when recovered, shall be paid into the hands of the Commissioners appointed to erect Beacons, Land Marks, and Buoys, and to make other improvements in the Navigation in their respective Counties, who shall account annually to the Justices of the General Sessions, for the expenditure thereof. *Provided always,* that nothing in this Act shall extend, or be construed to extend to the City of St. John.

VI. *And be it further enacted,* That henceforth in case two Justices shall not be found residing at, or within ten miles, of the place where any offence or offences against this Act may be committed, the several penalties mentioned in the same may be recovered before any one of His Majesty's Justices of the Peace for the County where the offence shall be committed, and applied in the manner herein before directed.

VII. *And be it further enacted,* That the Harbour-Masters heretofore appointed under and pursuant to the provisions of any former Acts made for that purpose, shall remain and continue in the exercise of the duties of their office until other persons are appointed in their stead, under the provisions of this Act, and such Harbour-Masters shall have full power and authority to prosecute and recover all such fines and penalties

ties as may have been incurred under and by virtue of the Acts hereby repealed, or either or any of them.

CAP. XXIX.

An ACT in addition to an Act, intituled " An Act for the appointment of Town or Parish Officers in the several Counties in this Province."

Vol. 3. W. 4 c. 31.

Passed the 21st March, 1822.

WHEREAS by an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled " An Act for the appointment of Town or Parish Officers in the several Counties in this Province," no provision is made for supplying the places of Officers who may refuse or neglect to serve: For remedy whereof,

Preamble.

26. G. 3. c. 28.

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That when any person or persons appointed under and by virtue of the said herein before recited Act, shall refuse or neglect to serve in any of the offices to which he or they may be appointed, it shall and may be lawful for any two of His Majesty's Justices of the Peace for the County, to appoint a fit person or persons, who shall be sworn as directed in and by the said herein before recited Act, and shall serve in such vacant office or offices until other fit person or persons be appointed by the Court of General Sessions at their meeting next ensuing such vacancy, and shall be subject to the like penalties for refusal or neglect to accept, or for being guilty of any neglect or misbehaviour in the execution of his or their office or offices, as by the said herein before recited

In case of refusal by any person appointed to serve in Parish offices, two Justices may appoint others to serve until others be appointed by the General Sessions, at their meeting next ensuing the vacancy.

Persons so appointed to be subject to the like penalties for refusal or neglect, as if appointed by Sessions.

Act are provided for the like offences of persons appointed by the Court of General Sessions.

In case persons appointed by two Justices refuse to serve, two Justices may appoint others, and so toties quoties.

II. *And be it further enacted*, In cases where any Officer or Officers who may be appointed by two Justices of the Peace, under and by virtue of this Act, shall refuse or neglect to serve, it shall and may be lawful for any two Justices as aforesaid, to appoint other officers in the place of such person or persons as may so refuse or neglect, and so on as often as similar cases may arise, and shall be subject to the like penalties for refusal or neglect to serve as are provided in and by the said herein before recited Act.

CAP. XXX.

An ACT to continue an Act, intituled "An Act to increase the Revenue of this Province, by imposing a duty on certain merchandise."

Passed the 21st March, 1822.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the second year of His present Majesty's Reign, intituled "An Act to increase the Revenue of this Province, by imposing a duty on certain merchandise," be, and the same is hereby continued for two years, and from thence to the end of the then next Session of the General Assembly.

2 Geo 4, c. 23, continued for two years.

CAP. XXXI.

An ACT to repeal all the Laws now in force relating to the establishment, regulation, and improvement, of the Great Roads of Communication through the Province, and to make more effectual provision for the same,

*Uel. 6. G. 4. C. 20
2 W. 4. C. 32.
3 W. 4. C. 25.*

Passed the 21st March, 1822.

WHEREAS it is expedient that the several Acts now in force relating to the great roads of communication through the Province, should be repealed, and a more effectual system established for the regulation and improvement of the said roads---

Preamble

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That an Act made and passed in the fifty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for the establishment, regulation, and improvement, of the great roads of communication through the Province," also an Act made and passed in the fifty-seventh year of the same Reign, intituled "An Act in addition to and in amendment of an Act, intituled "An Act for the establishment, regulation, and improvement, of the great roads of communication throughout the Province," also an Act made and passed in the fifty-eighth year of the same Reign, intituled "An Act in addition to and in amendment of an Act, for the establishment, regulation, and improvement of the great roads of communication throughout the Province, and an Act in addition to and in amendment thereof," also an Act made and passed in the sixtieth year of the same Reign, intituled "An Act further to alter and amend an Act, intituled "An Act for the establishment, regulation,

56 Geo. 3. c. 24.

57 Geo. 3. c. 10.

58 Geo. 3. c. 21.

60 Geo. 3. c. 24.
repealed.

“ regulation, and improvement, of the great
 “ roads of communication through the Pro-
 “ vince,” be; and the said several Acts are
 hereby repealed.

Great Roads of
 communication
 established.

Fredericton to
 Westmorland.

II. *And be it further enacted, by the Lieu-
 tenant-Governor, Council, and Assembly, That*
 the roads as herein described, be, and they
 are hereby appointed and established to be
 the great roads of communication through
 the Province---that is to say, That the road
 leading from Fredericton to Westmorland,
 be by the following line or route-- From the
 Market House in Fredericton, to continue
 down on the West side of the River, until it
 comes opposite to Zachariah Bailey's, there
 to cross the river, and thence to join the
 Maugerville road, thence following the pre-
 sent road through Maugerville, Sheffield,
 and Waterborough, to the Jemseg, thence
 across the ferry to Oakley's, thence follow-
 ing the road now laid out to Washademoac
 Lake, thence to the head of Belleisle, thence
 to the Finger Board at Knox's Farm, thence
 through Sussex Vale, thence by Carlisle's
 Portage to James Blakeney's, upon the Pet-
 ticodiac river, thence down the said river to
 the bend, thence through the Portage be-
 tween Petticodiac and Memramcook rivers,
 thence across the Memramcook river by
 the new bridge to the Court-House in
 Dorchester, thence through the Portage
 to Sackville, thence by the road leading
 over the Great Marsh to the Misseguash
 river, to the boundary line of the Pro-
 vince, to join the post road of Nova-
 Scotia.

That

That the road from St. John to the head of the Belleisle, be by the following line or route, that is to say---From the fork of the road on the great marsh near St. John, through the moose path road by Charles Clarke's and the Hon. William Black's farm, to the Gondola Point road, thence by the same road to Gondola Point, thence crossing the river Kennebeckacis to George Burgess' farm, thence following the road lately laid out to the eastward of Bates' mill pond, and through the middle land settlement by way of Lewis Pickett's, to the Guthrie road so called, thence by the road last mentioned to the head of Belleisle Bay, meeting the great road from Fredericton to Westmorland there.

Saint John to the head of Belleisle:

That the road leading from Fredericton to Saint Andrews, be by the following line or route, that is to say---From the Market House in Fredericton, to John Hazen's, near the mouth of the Oromocto river, thence by the road leading through the New Geary Settlement so called, to the Block House near the forks of the Magaguadavic river, thence by the Pleasant Ridge to Whitten's, thence by the Digdeguash river to Connick's, thence to Gillman's, thence to Cookson's, and thence to St. Andrews.

Fredericton to St. Andrews.

Vid. 6. 9. 4. c. 20

S. 1.

2. 10. 4. ch. 7

That the road leading from Fredericton to the Canada line, be by the following line or route, that is to say---From the Market House in Fredericton, on the west side of the river St. John, to Tousant Godine's, thence to cross the river St. John and to join the road at John M^cKean's, on the upper side of the Mactaquack river, from thence to join the road

Fredericton to the Canada line.

Vid. 2. 4. 10. 4.

ch. 2

road lately opened leading to Pennington's bridge, on the great road leading to Joseph Woolverton's, in the Parish of Northampton, thence across the river St. John to Mr. Fraser's lower farm, in Woodstock, thence to the garrison at Presqu' Isle, thence across the larger Presqu' Isle Creek, near the mouth, to the river Roostock, thence across the said river near its mouth, thence to the Grand Falls, and from thence to the Canada line, through the Madawaska settlement.

Fredericton to the river Restigouche.

That the road leading from Fredericton to Ristigouche, in Northumberland, be by the following line or route, that is to say---From Fredericton across the ferry to Moncton, thence following the present road to Porter's, thence along the southeastern side of the S. West branch of Miramichi river, to Robert Doak's farm, thence crossing to the northwestern side of the said branch, thence along the same to Beobear's Point, thence across the northwest branch of Miramichi river, to Patrick Taylor's, on the northern side thereof, thence to continue on the northern side of the said branch and river, to the Court House in Newcastle, thence to the river Nipisigwit, thence along the settlements on the coast of Chaleur Bay to the river Ristigouche.

Saint John to St. Andrews.

That the road leading from St. John to St. Andrews, be by the following line or route, that is to say---From Carleton to Carman's farm lot, at Musquash, from thence to Little's tavern, from thence to the farm lot now occupied by John D. Woodbury, from thence to the Magaguadavic bridge, at Stuart Seeley's, from thence to the Wellington bridge
across

across the Digdeguash river, from thence to Chamcook, by way of John Haycock's, from thence to St. Andrews, by Joseph Walton's.

That the road leading from the City of St. John to Westmorland, be by the following line or route, that is to say---From St. John to Hampton ferry, thence by the road leading through Hampton, to the burnt hill, thence by the new road to Knox's farm, and thence to the Misseguash, as hereinbefore described.

St. John to Westmorland.

Dist. 20 1/2

2 1/2

That the road leading from the bend of the Petticodiac river, in the County of Westmorland, to Chediac, be by the following line or route, that is to say---From the bend of the Petticodiac river, by the present road, to Chediac.

Bend of Petticodiac to Chediac.

That the road from Dorchester to Chatham Village, in the County of Northumberland, be by the following line or route, that is to say---From Amasa Wheldon's house, near the new Memramcook bridge, by the present route over the old bridge to Chediac, from thence by the present route to Buctouche, thence to cross the river at Elijah Ayer's, thence to Mill Creek, by the most practicable route, thence to Nichol's river, thence to the river Richibucto, thence crossing the rivers Kouchibouguack & Kouchibouguakis, to Bay Du Vin river, thence through the upper settlements on Black and Napan rivers, to Chatham Village, on the river Miramichi.

Dorchester to Chatham.

III. *And be it further enacted.* That all the before mentioned public roads shall be laid out four rods wide, and be opened and worked of such width as the Supervisors in their respective

Width of Roads.

respective districts shall in their discretion deem necessary.

Supervisors to be appointed.

IV. *And be it further enacted,* That the Lieutenant-Governor and Commander in Chief for the time being, by and with the advice of His Majesty's Council, is hereby authorized and empowered to appoint, by warrant under his hand and seal, fit and discreet persons to be Supervisors of such parts of the great roads throughout the Province, as hereafter is mentioned, that is to say, one fit and discreet person to be Supervisor of the great road from Fredericton to the Finger Board, at Knox's Farm, and also of the great road from the Fork of the road on the marsh near the City of Saint John, by way of Gondola Point, to the head of Belleisle---one other fit and discreet person to be Supervisor of the great road from Fredericton to Saint Andrews---one other fit and discreet person to be Supervisor of the great road from Fredericton to the Canada line---one other fit and discreet person to be Supervisor of the great road from Fredericton to the river Ristigouche---one other fit and discreet person to be Supervisor of the great road from St. John to St. Andrews---one other fit and discreet person to be Supervisor of the great road from Saint John to the Province line, to join the post road of Nova-Scotia, and also of the great road from the bend of the river Petticodiac to Chediac, and also of the great road from Dorchester to Chediac---one other fit and discreet person to be Supervisor of the great road from Chediac to Chatham Village, in the County of Northumberland.

one or more Supervisors may be appointed for each of the roads by S. G. C. 10. 3. v.

repealed by 6. S. G. C. 20 5. 6. v.

V. *And*

V. *And be it further enacted,* That every Supervisor appointed by this Act, shall give such security for the faithful performance of the duties required of him, and for accounting for the public monies intrusted to him, as His Excellency the Lieutenant-Governor or Commander in Chief for the time being, by and with the advice of His Majesty's Council, shall deem fit and proper.

Supervisors to give security.

VI. *And be it further enacted,* That the Supervisors appointed under and by virtue of this Act, shall have the sole ordering of the repairs and alterations which may be necessary for the completing the said roads within their respective limits or districts, and keeping them at all times, during their continuance in office, in the best practicable state for the passage of men, horses, cattle, teams, and carriages. *Provided always,* that nothing in this Act shall deprive the several Commissioners of Highways, in the several and respective Parishes, of the power of directing the application of the statute labour of the inhabitants, pursuant to the provisions of the Act, "for regulating, laying out, and repairing, Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns and Parishes in this Province," of the said Parishes, either upon the great or other roads within the same, as to the said Commissioners may appear most conducive to the public good.

Supervisors to have the sole ordering of repairs and alterations.

Not to prevent the Commissioners of Highways from the exercise of their powers.

VII. *And be it further enacted,* That each of the said Supervisors shall be allowed to retain for his services, at and after the rate of

Allowance to the Supervisors, 10 per cent.

ten per cent. for every hundred pounds that shall be expended by him, out of the monies granted for the use of said roads: *Provided*, that no Supervisor shall receive a larger sum than one hundred pounds in any one year.

This proviso repeated by 6. G. 4. c. 20. S. 5.

Supervisors to account for monies, and produce receipts.

VIII. *And be it further enacted*, That the said Supervisors shall respectively keep an exact account of the expenditure of all sums of money received by them respectively for the great roads, and shall produce receipts in writing from the several and respective persons to whom any part of the said sums of money shall be paid, as vouchers for the payment, and shall render an account thereof under oath, which oath any Justice of the Peace in the several and respective Counties, is hereby authorized to administer, to be transmitted to the office of the Secretary of the Province, for the inspection and examination of the General Assembly.

Work to be done by contract when practicable.

IX. *And be it further enacted*, That it shall be the duty of the said Supervisors, when practicable, to prefer contracts for the making and repairing the roads and bridges within their respective districts, and to avoid as much as possible the hiring men by days works: the amount of the contracts and the wages of labourers hired by the day, to be paid in cash.

Supervisors may, after notice, seize and dispose of fences, timber, & other things found on the roads

X. *And be it further enacted*, That all fences, timber, wood, stones, boards, plank, and rubbish of any kind, which shall be found to remain upon any part of the said public road after six days previous public notice by the respective Supervisors to remove the same, shall

shall be forfeited; and it shall and may be lawful for the said Supervisors respectively, or any of them, without any suit or process of law whatever, to cause all articles so found to be seized and disposed of, in such way and manner as he or they may think proper, and if the same shall be sold, the proceeds of such sale shall be applied by the said Supervisor or Supervisors, for the repairs and improvement of such roads.

Proceeds of articles sold, to be applied for the roads.

XI. *And be it further enacted*, That in case it shall be necessary or expedient for the Supervisors of their respective districts, to go out of the said roads to procure materials for the repairs of the said roads, it shall and may be lawful for the said Supervisors respectively, when, from the absence or obstinacy of the owner or possessor of the soil, no agreement can be made with him, to enter with workmen, carts, carriages, and teams, upon any uncultivated lands, and therefrom to dig, take, and carry away, for the repairs of said roads, stone or gravel, and also therefrom to cut down and carry away trees and bushes, for logs, poles, and brushwork, to repair the same roads; and the damage done thereby shall be appraised and ascertained by the judgment of three indifferent Freeholders, to be nominated by the nearest Justice of the Peace for that purpose, and the sum so ascertained shall be paid or tendered by the Supervisors respectively, to the owner or possessor of the soil, if demanded, within three months after such appraisal.

Supervisors may, if necessary, go out of the roads to procure materials for repairs.

Damage to be appraised and paid for.

XII. *And*

Persons altering, stopping up, or encroaching on roads, to forfeit £1.

Recoverable before a Justice.

For want of goods offender to be imprisoned.

Persons hindering Supervisors in the discharge of their duty, to forfeit £5.

XII. *And be it further enacted*, That if any person or persons do, or shall hereafter alter, stop up, or encroach upon any of the great roads of communication through the Province, in any way whatever, such persons so offending contrary to the meaning of this Act, shall for every offence forfeit the sum of *two pounds*, to be recovered with costs of suit before any one of His Majesty's Justices of the Peace for the County where such offence shall be committed, upon the oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offender's goods and chattels, rendering the overplus, if any, to such offender; and for want of sufficient goods and chattels, the said Justice is hereby required to commit such offender to the common Gaol of the County wherein such offence shall be committed, there to remain for a term not exceeding eight days, which penalty when recovered shall be paid to the Supervisor, for the use of the great road within the district.

XIII. *And be it further enacted*, That if any person or persons shall wilfully hinder or interrupt any Supervisor in the lawful exercise of the duties incident to his office, such person or persons so offending shall forfeit the sum of *five pounds*, to be recovered before any Justice of the Peace for the County where such offence may be committed, upon conviction upon the oath of one or more credible witness or witnesses, to be levied by warrant of distress and sale of the offender's goods and chattels, to be paid to the Supervisor of the district where such offence shall be

be committed, for the use of the public roads within such district.

XIV. *And be it further enacted,* That in case any action of trespass, or upon the case, shall be brought against any or either of the said Supervisors, by occasion of any thing done by them or him in the execution of his or their duty, under and by virtue of this Act, such Supervisor or Supervisors may plead the general issue, and give the special matter in evidence at the trial, in like manner as if such matter had been fully and specially pleaded.

Supervisors may in actions brought against them, plead the general issue, and give special matter in evidence.

XV. *And be it further enacted,* That in case of the death, removal from the district, or refusal of any of the Supervisors to act, it shall and may be lawful for the Lieutenant-Governor or Commander in Chief for the time being, by and with the advice of His Majesty's Council, to nominate and appoint some other fit person, being a substantial Freeholder, and having a freehold and residence in the district for which such person shall be appointed, to be Supervisor in the room of such person so deceased or removed from the district, or who shall refuse to act.

In case of death, or removal, or refusal to act, Commander in Chief to appoint other Supervisors.

Vid: 5. G. 4th c. 25.

XVI. *And be it further enacted,* That the said Supervisors for the respective districts, shall not make any alteration in any part of the great roads within their respective districts, through any improved lands, without the consent of the owner or owners thereof, or agreeing with or paying to him or them the value of the said improved land so to be laid out into such public road, with such damages as he or they may sustain by the said

Roads thro' improved land not to be altered, without consent of the owner, or paying the value of the land and damages.

Value to be ascer-
tained by ap-
praisement.

said road; and in case they cannot agree, then the true value to be set and appraised by five disinterested Freeholders, to be nominated and appointed by the nearest Justice of the Peace, on the oath of such Freeholders, which oath the said Justice is hereby authorized to administer: the amount of the value and damages, with the incidental expense, to be defrayed by the Supervisors of the respective districts, out of the monies to be granted for the use of the said roads.

Supervisors to
make returns in
writing, of High-
ways, and of al-
terations therein,
to the Secretary's
office, and to the
Clerk of the
Peace.

XVII. *And be it further enacted*, That the Supervisors of the respective districts for which they shall be appointed, shall enter in writing the said public highways, and the alterations that may be made from time to time within the same, and make a return thereof into the office of the Secretary of the Province, and also a duplicate into the office of the Clerk of the Peace for the County in which such public road lies, to be by such Clerk entered into a book kept by him for that purpose, and whatsoever the said Supervisors shall respectively do according to the power to them given in this Act, shall be valid and good.

CAP. XXXII.

An ACT to provide for and maintain an armed Cutter, for the protection of the Revenue of the Province.

Passed the 23d March, 1822.

WHEREAS it has become expedient to provide and maintain an armed Cutter, for enforcing the Revenue Laws of this Province---

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly*, That there
be,

*expired
Vid. further
7. G. C. 6.
Preamble.*

be, and hereby is, granted to the King's most Excellent Majesty, His Heirs and Successors, for the use of this Province, and the purposes hereinafter mentioned, a duty of one per cent. on the invoice value of all merchandise, wares, produce, and goods whatsoever, imported and brought into this Province, from any part of the United States of America.

One per cent. duty on all merchandise imported from the United States.

Vi. L. 11. S. 4. L. 13

II. *And be it further enacted*, That the said duty shall be paid or secured, collected and recovered, in and by the same manner and means, and under the same penalties and forfeitures as are provided in and by the Act, intituled " An Act for raising a Revenue in " this Province," and the same powers are hereby given to the Treasurer and his Deputies, and Tide-Surveyors, for the collection thereof, and the same obligations imposed on the masters of vessels, and owner of goods, as in and by the said Act are given and imposed.

Duty to be collected as directed by the Act for raising a Revenue.

III. *And be it further enacted*, That all vessels arriving from the United States of America with cargoes, shall land the same in the harbours of the respective Free Ports in this Province, and at no other place, under the penalty of *two hundred pounds*, to be recovered in the same manner as is prescribed in the third section of an Act made and passed in the fifty-eighth year of His late Majesty's Reign, intituled " An Act for raising a Revenue in this Province," and to be paid as follows:---one moiety to the informer, and the other moiety into the hands of the Treasurer of the Province, for the use thereof, and that it shall be the duty of the Tide-Surveyors

Vessels arriving from the United States, to land their cargoes in the Harbours of the Free Ports, under a penalty of £200—to be recovered as prescribed in the 3d § of the Revenue Act.

Half to the Informer, and half to the Treasurer.

Tide-Surveyors
in Saint John and
Charlotte County,
to attend to the
unlading of
vessels from the
United States.

veyors for the City and County of St. John, and for the County of Charlotte respectively, to attend to the unlading of any vessel or vessels, so arriving from the United States of America, with cargoes as aforesaid, in the same manner and under the same regulations as is prescribed in the eighth Section of the same above recited Act.

Lieut. Governor
to appoint Com-
missioners, to
whom the duties,
when collected,
shall be paid.

IV. *And be it further enacted*, That it shall and may be lawful for the Lieutenant-Governor and Commander in Chief for the time being, to appoint four or more Commissioners, to whom the money arising from the said duty hereby imposed shall, when collected, be paid by the Treasurer, on the warrant of the Lieutenant-Governor or Commander in Chief, by and with the advice of His Majesty's Council.

Money to be ap-
plied by the Com-
missioners to the
maintaining of an
armed Cutter for
enforcing the Re-
venue Laws.

V. *And be it further enacted*, That the said money so to be paid to the said Commissioners, shall be by them appropriated and applied solely to the providing and maintaining a Revenue Cutter, its necessary armament and crew, to be employed in more effectually enforcing the Revenue Laws of this Province.

Commissioners to
procure a fit ves-
sel and make con-
tracts for arming
and furnishing the
same,

VI. *And be it further enacted*, That the said Commissioners shall have power to hire, purchase, or build, a proper vessel, for the purpose aforesaid, and to make all necessary contracts for the arming, furnishing, and provisioning the same, and to retain and pay such Master and other officers as may be appointed by the Lieutenant-Governor and Commander in Chief, and a sufficient crew for the said Cutter; and the said Commis-
sioners

Pay the master,
officers and crew,

sioners shall render a yearly account of the expenditure of the money so to be paid to them as aforesaid, to the Lieutenant-Governor or Commander in Chief, and His Majesty's Council, and shall pay over the balance and surplus, if any, to the Treasurer of the Province.

To account yearly to the Governor and Council,

And pay surplus money into the Treasury.

VII. *And be it further enacted,* That in case it should be unnecessary to pay all the money arising from the duty hereby imposed, to the said Commissioners for the expense of the said Cutter, or if any balance should be by them repaid to the Treasurer as aforesaid, such surplus and balance shall remain in the Treasury, until the same shall be disposed of by Act of the General Assembly.

Surplus money to remain in the Treasury until disposed of by Law.

VIII. *And be it further enacted,* That the Master of the said Cutter so to be appointed as aforesaid, shall have the same powers to enter and search for uncustomed goods, as belong to the Treasurer or Deputy Treasurers of this Province, and in like manner to detain or seize all dutiable articles imported or landed contrary to the provisions of this or any other Act; and the said Master shall have power to bring to, detain, and examine any vessel or boat which may be found hovering around the coast, and bays, or rivers of this Province, or at anchor off or in the same, or otherwise suspected of violating the Revenue Laws of this Province, and to bring in or send such vessel or boat to some convenient place or harbour, in order that any uncustomed goods which he may have found and seized on board the same, may be unloaded and removed; and the said Master

Master of the Cutter to have the same powers as the Treasurer to search for & seize goods improperly imported,

and to detain vessels or boats suspected of violating the Revenue Laws,

and bring them to convenient places for landing uncustomed goods found on board

Master to give
bonds for the
faithful discharge
of his duty,

and be subject to
the orders of the
Governor.

Limitation.

so to be appointed, shall before the exercise of his said office, enter into bonds to His Majesty, with good and sufficient Sureties, for the faithful discharge of the duties and services hereby enacted and required, and shall be subject to such orders and regulations as His Excellency the Lieutenant-Governor or Commander in Chief for the time being, shall from time to time be pleased to make and give.

IX. *And be it further enacted,* That this Act shall continue and remain in force for two years, and from thence till the end of the next Session of the General Assembly, and no longer.

CAP. XXXIII.

An ACT to encourage inhabitants of this Province, who are engaged in prosecuting the Cod and Seal Fisheries, by granting Bounties on the same.

Passed the 23d March, 1822.

WHEREAS it is deemed expedient to encourage the Cod Fisheries of this Province, by giving a bounty to the owners of vessels which shall be employed in the same upon the coasts thereof, and of the neighbouring Provinces---

Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly, That all vessels of thirty tons and upwards, registered in this Province, and wholly owned by persons residing in the same, which shall be employed and engaged in the Cod Fisheries upon any part of the coasts of this Province, or of the Province of Nova-Scotia, or of the Island of Cape Breton, or in any part of the Gulf of Saint Lawrence, or upon the Labradore Coast,

Bounties granted
on vessels of 30
tons and upwards,
owned in the Pro-
vince & employ-d
in the Fisheries.

Preamble.

*This act extended to
vessels of N. America by
5. G. 4. C. 11.
Vid. 6. G. 4. C. 8.*

Cont. for 17th by 5. G. 4. C. 22

Coast, or in any Bay or Harbour within any of the same places, or upon the Banks of Newfoundland, for the space of four complete calendar months, between the first day of April and the first day of December in any year, during the continuance of this Act, whether such vessel may make a full and complete fare or not, or which shall be so employed for the space of three complete calendar months between the days before specified, and which shall within that time make a complete fare of Cod or Scale Fish, at and after the rate of ten quintals for each and every ton of each and every such vessel, shall be entitled to receive a bounty at and after the rate of *twenty shillings* per ton, according to the registered tonnage thereof, to be paid out of the Province Treasury to the owner or owners of every such vessel, by warrant of the Governor or Commander in Chief for the time being, to be issued by and with the advice of His Majesty's Council. *Provided always*, that the sum to be paid in any one year for such bounties, shall not exceed the sum of *three thousand pounds*. *Provided also*, that all vessels so to be employed in the Cod Fisheries as aforesaid, shall at the time of clearing out at the Custom-House, be fully provided with salt, stores, and equipments, necessary for carrying on the said Fisheries, and that the Master and Owner of such vessel, shall declare it to be his or their intention to prosecute such Fisheries with effect.

To be paid to the owner by warrant.

Bounty in one year not to exceed £ 3000.

Vessels to be provided with salt & other necessaries.

Declaration to be made by the master.

II. *And be it further enacted*, That before any warrant shall issue for the bounty herein before

Proof to be made
before the issuing
of any warrant.

before given and granted, a certificate shall be produced from the proper Officers of His Majesty's Customs at the port or place of clearance, to the effect and in the form contained in the Schedule to this Act annexed, marked A. and proof shall be made to the satisfaction of the said Governor or Commander in Chief for the time being, and His Majesty's Council, by affidavit of the Master, or person acting as such, and the Owner, and the men, or the major part of them belonging to the vessel claiming such bounty, made before one of His Majesty's Justices of the Peace, in the form and to the effect contained in the Schedule to this Act annexed, marked B. *Provided always*, that in cases where there shall be any reasonable ground to suspect fraud in any application for the said bounty, other proof may be required for the removal of such suspicion.

If there be ground
to suspect fraud,
further proof may
be required.

False swearing
made perjury.

III. *And be it further enacted*, That if any person or persons shall be guilty of false swearing in any affidavit so made before any one of His Majesty's Justices of the Peace as aforesaid, such person or persons so offending, shall upon conviction thereof before the Supreme Court, or any Court of Oyer and Terminer or Gaol Delivery, be liable to suffer the pains and penalties by Law inflicted for wilful and corrupt perjury.

Limitation.

IV. *And be it further enacted*, That this Act shall be in force for five years, and until the end of the then next Session of the General Assembly.

*Amended to 1. April
1833. by 9. 5. 4
c. 31*

SHE.

SCHEDULE A.

Custom-House Certificate.

Custom-House at _____ in the Province _____ Form of certificate.
 of New-Brunswick.

This certifies that the _____ or vessel called
 the _____ whereof _____ was Master, and
 whereof _____ are the registered Owners,
 was cleared out at this office on the _____
 day of _____ 182 _____, upon a fishing voyage
 to _____ and that the said _____ is of the
 registered _____ tons, and that at the time
 of so clearing, the said _____ was fully pro-
 vided with salt, stores, and equipments, ne-
 cessary for carrying on the said fishery, and
 that the said Master, and _____ Owners of
 the said _____ did at that time declare that
 it was _____ intention to prosecute the said
 fishing voyage with effect, and that the said
 _____ was entered at this office upon her
 return from the said voyage, on the
 day of _____ then next following, with a
 fare consisting of _____ quintals of _____ fish,
 taken on the said voyage. Dated the
 day of _____ 182 _____.

SCHEDULE B.

Form of Affidavit and Certificates under the Acts of Assembly, to encourage the Fisheries of the Province of New-Brunswick. Form of affidavit.

_____ Master, and _____ Owner, of the
 _____ or vessel called the _____ make oath
 and say, that the said _____ is of the regis-
 tered tonnage of _____ tons,
 and that the said _____ was on the
 day of _____ 182 _____ cleared out at the Custom-
 House in _____ in this Province, upon a
 fishing voyage to _____ and that at the time
 of _____

of so clearing, the said was fully provided with salt, stores, and equipments, necessary for carrying on the same fishery, and that the Deponent, did at that time truly declare, that it was intention to prosecute the said fishing voyage with effect, and that the said sailed on the said voyage on the day of in the same year, and continued to be employed in the same voyage from the said day last mentioned until the day of then next following, on which day the said arrived at in the same Province, on her return from the said voyage, and that during the said voyage the said did make a fare of fish, that is to say, quintals of fish, and that during the said voyage no foreign subject or alien, nor any person whatsoever not residing in this Province, had directly or indirectly, any part, share, or interest, of any nature or kind whatsoever, in the said and the said Master, as aforesaid, and being the major part of the men belonging to the said during the said voyage, severally make oath and say, that the said was actually employed and engaged on the said fishing voyage during the time hereinbefore in that behalf set forth.

Sworn at in the County of
 the day of
 182 ; before me Justice of the
 Peace for said County.

CAP. XXXIV.

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

Passed the 23d March, 1822.

- I. **BE** it enacted by the Lieutenant-Governor, Council, and Assembly, That there be allowed and paid out of the Treasury of this Province, to such person or persons as His Excellency the Lieutenant-Governor or Commander in Chief for the time being, shall appoint, in addition to the sums already granted by Law, and remaining unexpended, the following sums, for the purposes hereafter mentioned---that is to say,
- The sum of seventy pounds, towards erecting a bridge on the Nashwacksis river. Sums to be paid for roads.
Nashwacksis bridge.
- The sum of twenty pounds, towards opening a road to the new settlement on the north-west branch of the Nashwacksis river, from Joseph Dumphy's to Charles King's. From Dumphy's to King's, on the N W branch of the Nashwacksis.
- The sum of seventy pounds, towards erecting a bridge over Garden's Creek, in the Parish of Prince William. Bridge over Garden's Creek.
- The sum of twenty-five pounds, towards opening and bridging a road from Prince William to the Emigrant settlement on the Magundy Ridge. From Prince William to Magundy Ridge.
- The sum of twenty-five pounds, towards opening a road from Nathaniel Churchill's, in Wakefield, to Benjamin Churchill's, a distance of six miles. From Nathaniel to Benjamin Churchill's.
- The sum of twenty-five pounds, towards opening a road from lands granted to the late Charles Matheson, to William Caverhill's and others, to a new settlement. Chat. Matheson's to Wm. Caverhill's.
- The sum of twenty pounds, towards improving the road from Fredericton to John Segee's, in New-Maryland. Fredericton to New-Maryland.

John Segee's to
the Rushagoanis.

The sum of fifty-five pounds, towards opening the road from John Segee's, to the Rushagoanis settlement.

From Yates's to
the head of Large
Loch Lomond,

The sum of twenty-five pounds, for the road from Yates's to the head of the Large Loch Lomond.

Thence to Quaco
Settlement.

The sum of eighty pounds, for the road leading from the head of the Large Loch Lomond, to the Quaco Settlement.

Little River
Bridge to Black
River.

The sum of forty pounds, for the road lately opened from Little River bridge, to the lands in rear of Red Head, thence to Black River.

Little River to
Loch Lomond.

The sum of forty pounds, for the road from Little River to Loch Lomond.

From Westmor-
land road to the
head of 3d Loch
Lomond.

The sum of sixty-five pounds, for the road from the Westmorland road to the second Lake, and to the head of the third Lake, belonging to the chain of waters called Loch Lomond.

Quaco River
Bridge.

The sum of fifty pounds, for building a bridge over Quaco River.

Road to the Set-
tlement in rear of
the Cape Ann
Grant.

The sum of seventy-five pounds, for the road leading from the main road from Fredericton to Saint Andrews, to the new Settlement in the rear of the Cape Ann Grant.

Chamcook Lake
to the main road.

The sum of twenty pounds, for the road from the Settlement on Chamcook Lake, to the main road leading from St. John to St. Andrews.

Pennfield Settle-
ment to the great
road.

The sum of twenty-five pounds, for the road from the Pennfield Settlement, near Hands's farm, to the great road leading from Saint John.

From Porter's
mill to St. Da-
vid's road.

The sum of fifty-five pounds, for the road between Mr. Porter's mill in St. Stephens, and where the same intersects the St. David road leading to Oak Bay. The

The sum of fifty pounds, for building a bridge across the Mohannis river, and the road from the Scotch Emigrant Settlement upon the Cheputnecticook Ridge, to St. Stephens.

Bridge over Mohannis river.

The sum of twenty-five pounds, for the road from the Scotch Emigrant Settlements upon the Basswood Ridge, to the County road in Saint Stephens.

Basswood Ridge to St. Stephens.

The sum of twenty-five pounds, for the road from the new Settlement on Oak Hill, to William Maxwell's, in St. Stephen's.

Oak Hill to Wm Maxwell's.

The sum of twenty-five pounds, for the road between Robert Spence's and the Cheputnecticook river, in St. Stephens.

Between Robert Spence's and the Cheputnecticook river.

The sum of thirty-five pounds, for the road from Stephen Ward's to the Bay Verte.

Stephen Ward's to the Bay Verte.

The sum of twenty pounds, for the road from Gaspereau Bridge to the Shemogue.

Gaspereau Bridge to Shemogue.

The sum of twenty pounds, from where the road turns from the Shemogue road, to the Little Shemogue.

Shemogue road to Little Shemogue.

The sum of forty pounds, from Beaujoggin to Sackville.

Beaujoggin to Sackville.

The sum of fifty pounds, for building a bridge over Scadouc river.

Scadouc River bridge.

The sum of thirty pounds, for the road from Westcock to Cape Maranguin.

Westcock to Cape Maranguin.

The sum of twenty pounds, for the road from Sinton's to Gildart's.

Sinton's to Gildart's.

The sum of thirty pounds, from George Colpitt's to the Dutch Village.

Geo Colpitt's to the Dutch Village.

The sum of twenty pounds, for the road from Jacob Wortman's to the Butternut Ridge.

Jacob Wortman's to Butternut Ridge.

The sum of twenty pounds, for the road from Shearman's to the North River.

Shearman's to North River.

The

- Peter Lutze's to M'Clatchey's.* The sum of twenty-five pounds, for the road from Peter Lutze's to M'Clatchey's.
- Bridge near Dun Campbell's.* The sum of twenty pounds, for building a bridge over the large stream near Duncan Campbell's, in Norton.
- Smith's to M'Vay's.* The sum of twenty pounds, for the road from Samuel Smith's to Andrew M'Vay's.
- Musquash Brook to Jackson's.* The sum of twenty pounds, for the road from Musquash Brook to Henry Jackson, Junior's.
- Picket's mill to Kennebeckasis.* The sum of twenty-one pounds, for the road from Picket's mill to the Kennebeckasis.
- Snider's to Kierstead's mill stream.* The sum of twenty pounds, for the road from James Snider's to Kierstead's mill stream, in Kingston.
- Bates's to Bostwick's.* The sum of fifteen pounds, for the road from Bates's to Bostwick's.
- Long Reach to Kennebeckasis.* The sum of fifteen pounds, for the road from Long Reach to the Kennebeckasis, near Elston's.
- Jones's mill to settlement back of Kimball's manor.* The sum of fifteen pounds, for the road from Jones's mill to the Settlement back of Kimball's manor.
- Jones's mill to the Nerepis settlement.* The sum of fifteen pounds, for the road from near Jones's mill to the Settlement on the Nerepis.
- Widow Smith's to Widow Mallery's.* The sum of fifteen pounds, for the road from the Widow Smith's to Widow Mallery's, in Hampton.
- Lake near Warren's to village road.* The sum of fifteen pounds, for the road from the Lake near Warren's, to the Village road, in Hampton.
- Lamb's ferry to Townsend's.* The sum of fifteen pounds, for the road from Lamb's ferry to Townsend's.
- Seth Seeley's to Cronk's.* The sum of twenty pounds, for the road from Seth Seeley's to Cronk's, in Kingston.
- The

The sum of twenty pounds, for the road from Guthrie's to the head of Belleisle. Guthrie's to head of Belleisle.

The sum of fifteen pounds, for the bridge near Monmouth Fowler's, in Hampton. Bridge near Monmouth Fowler's.

The sum of fifteen pounds, for the road from Maybee's to the Kennebeckasis. Maybee's to Kennebeckasis.

The sum of fifty pounds, for the road from Daniel Curry's to Dingee's mill, in the Parish of Gage-Town. Curry's to Dingee's mill.

The sum of thirty pounds, for the road from the Long Creek to the Settlement called Butternut Ridge, in the Parish of Wickham. Long Creek to Butternut Ridge.

The sum of twenty pounds, for the road from the Sunbury line, on the north side of the Maquapit Lake, to the road on the north side of the Grand Lake, in the Parish of Waterborough. Maquapit Lake to Grand Lake.

The sum of fifty pounds, for the road from Samuel Greenchain's ferry, on the south side of the Washademoac Lake, to the great road at John Watson's, in the Parish of Wickham. Cain's ferry to J. Watson's.

The sum of fifteen pounds, in aid of the statute labour, for the building a bridge across Harrison's Creek, at Point Levi, in the Parish of Waterborough. Bridge over Harrison's Creek.

The sum of fifteen pounds, for the road from Zachariah Roberts's, to the New-Ireland settlement, in the Parish of Hampstead. Zach. Roberts's to New-Ireland.

The sum of twenty pounds, for the road from New-Ireland, to the settlement called Low Valley, in the Parish of Hampstead. New-Ireland to Low Valley.

The sum of fifty pounds, for the road from Tapley's grant, on the east side of the mouth of Coal Creek, to Young's Cove, in the Parish of Waterbury. Coal Creek to Young's Cove.

Bridge over Back
Creek, Oromoc-
to.

The sum of seventy pounds, towards building a bridge across the stream called the Back Creek, on the south branch of the Oromocto, in Burton.

Back settlement
in Burton.

The sum of twenty pounds, to open a road from the main road in Burton, to the settlement in rear of the front lots, near Edward Burpey's.

Carr's to Israel
Tracey's.

The sum of ten pounds, to open a road from the main road in Burton, near Edward Carr's, to Israel Tracey's, near the French Lake.

Bridge near
French Fort Cove.

The sum of two hundred pounds, towards building a bridge over the stream which discharges itself into French Fort Cove.

Settlement in rear
of Moorfield's.

The sum of thirty pounds, to assist in opening a road from the present Highway, to the Scotch Settlement in the rear of Moorfields.

Bridge over Little
Rarabogue river.

The sum of sixty-five pounds, towards building a bridge over the Little Rarabogue river.

Bridge over Mill
Creek, &c.

The sum of fifty pounds, towards building a bridge over the Mill Creek, on the north side of Miramichi river, nearly opposite Middle Island, and for cutting down the steep banks on the sides thereof.

Thos. H. Peters
and Francis Pea-
body.

The sum of twenty-five pounds, to reimburse Thomas H. Peters and Francis Peabody, Esquires, for the balance due to them on building a bridge at Clark's Cove; and the further sum of twenty pounds, to repair damages done to the said bridge by the ice.

Great road from
St John to Mis-
siguash.

The sum of five hundred pounds, for that part of the great road leading from St. John to the Missiguash.

The

The sum of eight hundred and fifty pounds, for that part of the great road leading from Fredericton to Restigouche. The sum of twenty pounds, part thereof, to be expended in exploring a better route from the Miramichi to Nipisigwit, than the present one; and the residue of the sum to be laid out on that part of the same great road which lies between the head of the Nashwack and the river Restigouche.

Fredericton to Restigouche.

The sum of four hundred pounds, for the great road from Fredericton to St. Andrews.

Fredericton to St. Andrews.

The sum of two hundred and fifty pounds, for the great road from St. Andrews to St. John.

St. Andrews to St. John.

The sum of three hundred pounds, for the great road from the fork of the road on the great marsh near the City of St. John, to the head of the Belleisle: one half part thereof to be laid out between the fork of the said road and Gondola Point: the other half part from Gondola Point to the head of Belleisle.

Great Marsh near St. John, to head of Belleisle.

The sum of two hundred and fifty pounds, for that part of the great road from Chediac to Chatham Village.

Chediac to Chatham Village.

The sum of one hundred and twenty-five pounds, for the great road from the river Petticodiac to Chediac.

Petticodiac to Chediac.

The sum of one hundred and twenty-five pounds, for the great road from Dorchester to Chediac.

Dorchester to Chediac.

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

Fredericton to the Finger Board.

The sum of five hundred pounds, for the road from the Gary Settlement to St. John,

Gary Settlement to St. John.

as soon as the most practicable route for the said road shall be determined on by the Committee of this House appointed to explore the same, and their report be approved of by His Excellency the Lieutenant-Governor. The sum of fifty-nine pounds and twopence, part thereof, to be paid to General Coffin, being the sum expended by him over and above the sum allowed to the Neripis road last year.

Fredericton to the
Canada line.

The sum of five hundred pounds, for the great road from Fredericton to the Canada line, as follows :---From John M'Kean's, on the upper side of the Mactaquack river, for the new road from thence to Mr. Pennington's farm, the sum of one hundred and twenty-five pounds : From Presqu' Isle to the river Des Chutes, the sum of one hundred pounds : From the river Des Chutes to the river Restook, the sum of two hundred pounds : From the river Restook to the Great Falls, the sum of seventy-five pounds.

Quaco road to
Hopewell settle-
ment.

The sum of one hundred and fifty pounds, for the road leading from the Quaco road until it reaches Hammond river, and from thence to the Hopewell settlement.

Sums granted in
1816 and 1820,
re-appropriated
for improving the
great roads from
Chediac to Chat-
ham Village.

The sum of forty pounds, appropriated in the Session of 1816, for a bridge over Blanchard's creek ; and the sum of one hundred pounds, for the road from Escuminac to Richibucto, and seventy-five pounds for the road from Richibucto to Buctouche, appropriated in the Session of 1820, be re-appropriated and applied to the purpose of improving the great road from Chediac to Chatham Village, on that part of said road
between

between Buctouche and the said Village, under the direction of the Supervisor of the said road.

The sum of one hundred pounds, for opening a road from the mouth of the Newcastle river, on the Grand Lake, to the upper settlement on the Salmon river.

Newcastle river to upper settlement on Salmon river.

The sum of fifty pounds, for a bridge over Purdie's Cove, and the sum of two hundred and ninety pounds, for roads and bridges from Bartabogue to Nipisigwit, inclusive, appropriated in the year 1816, be re-appropriated and applied as follows:--Two-thirds of the same sums, in improving that part of the great road from Fredericton to Restigouche, which lies between the rivers Miramichi and Nipisigwit; and the remaining one-third in improving a road from about the head of the tide at Bartabogue river, to Tabusintac, crossing the Church River near the head of the tide, under the direction of the Supervisor of the great roads in that district.

Sums granted in 1816, re-appropriated for the great road from Fredericton to Restigouche,

and from the head of the tide at Bartabogue to Tabusintac.

II. *And be it further enacted*, That the said several and respective sums of money, and every part thereof, shall be paid to the several and respective persons who shall actually work and 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 that the several and respective persons who shall be entrusted with the expenditure of the said several and respective sums, shall keep an exact account of the expenditure thereof, and

Money to be paid to the persons who labour.

Commissioners to account.

and shall produce receipts in writing from the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payment, and shall render an account thereof upon oath, (which oath any Justice of the Peace in the several and respective Counties, is hereby authorized to administer), to be transmitted to the office of the Secretary of the Province, for the inspection and examination of the General Assembly at their next Session; and such Commissioners or persons entrusted with the expenditure of the said several and respective sums of money, shall stand charged and chargeable with all sums of money entrusted to them, and not accounted for as aforesaid, and shall repay the same into the Province Treasury.

Commissioners to retain at and after the rate of 5 per cent together with reasonable compensation for actual labour on roads and bridges.

III. *And be it further enacted.* That the said Commissioners or persons 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 cent. out of the said sums so intrusted to them respectively, together with a reasonable compensation for actual work and labour performed by them on the said several roads and bridges.

Allowance not to extend to any Supervisor of great roads.

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

Money to be paid by warrant.

V. *And be it further enacted,* That all the beforementioned several sums of money shall be paid by the Treasurer, by warrant of His Excel-

Excellency the Lieutenant-Governor or Commander in Chief for the time being, by and with the advice and consent of His Majesty's Council, out of the monies now in the Treasury, or as payments may be made at the same, and not otherwise.

CAP. XXXV.

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

Passed the 23d March, 1822.

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

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

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

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

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

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

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

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

Doorkeepers and
Messengers.

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

Tide-Surveyor.

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

Thomas Bonner,
Esq.

To Thomas Bonner, Esquire, such sum as will procure a Bill of Exchange on England, for one hundred pounds sterling, for his services as Agent for the Province, for the year one thousand eight hundred and twenty-one.

Provincial Con-
tingencies.

To His Excellency the Lieutenant-Governor or Commander in Chief, for defraying the contingent expenses of the Province, a sum not exceeding two hundred and fifty pounds, for the year one thousand eight hundred and twenty-two.

Nath. Atcheson,
Esq.

To Nathaniel Atcheson, Esquire, Secretary to the Society of British North American Merchants, and Agent to some of His Majesty's North American Colonies, for his services from February, one thousand eight hundred and twenty-one, to February, one thousand eight hundred and twenty-two, such sum as will procure a Bill of Exchange on England, for one hundred pounds sterling, to be remitted by the Committee of Correspondence.

Clerk of the Council
for an Assistant.

To the Clerk of the Council, the sum of twenty-five pounds, for defraying the expenses

penses of an Assistant during the present Session of the Legislature.

To John Chaloner, for gauging and weighing in the year one thousand eight hundred and twenty-one, the sum of one hundred and nineteen pounds one shilling and sixpence.

John Chaloner,
for gauging.

To the Treasurer of the Province, to defray the expenses incurred by him for stationary, blanks, and advertising, the sum of twenty-seven pounds nine shillings and three-pence.

Treasurer for sta-
tionary, &c.

To the Adjutants of the Militia of the different Counties in this Province, a sum not exceeding one hundred and ninety pounds, for the year one thousand eight hundred and twenty-two, agreeably to a Law of the Province.

Adjutants of Mi-
litia.

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

Treasurer's sala-
ry.

To His Excellency the Lieutenant-Governor, for the purpose of enabling the Treasurer to pay Alexander Miller, a Tidewaiter in the City of Saint John, for his services as such from the twenty-eighth day of March, one thousand eight hundred and twenty-one, to the twenty-eighth day of March, one thousand eight hundred and twenty-two, the sum of sixty-eight pounds eight shillings and nine-pence.

Alexr. Müller.

To the Speaker of the House of Assembly, the sum of one hundred and fifty pounds, and to the Members of the said House of Assembly,

Speaker of the
House of Assem-
bly,
and Members.

sembly, the sum of forty pounds each, for defraying their expenses of attendance during the present Session, and twenty shillings per diem travelling charges, reckoning twenty miles for each day's travel, to be certified by the Speaker agreeably to a Law of this Province.

Fisheries.

To His Excellency the Lieutenant-Governor, a sum not exceeding three thousand pounds, to be paid for the encouragement of the Cod Fisheries of this Province, for the year one thousand eight hundred and twenty-two.

Schools.

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

Bread-Corn.

To His Excellency the Lieutenant-Governor, a sum not exceeding three thousand pounds, to be paid for the encouragement of raising Bread-Corn on new lands, and for bounties on Grain the growth of this Province, agreeably to the provisions of two Acts of the General Assembly.

Light-House on Briar Island.

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

Sam. Buchanan.

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

Keeper of Light-House on Partridge Island.

To the Keeper of the Light-House on Partridge Island, the sum of one hundred and fifty

fifty pounds, for his services for the year one thousand eight hundred and twenty-two.

To the Commissioners to be appointed by Couriers. His Excellency the Lieutenant-Governor, towards defraying the expenses of a Courier for the year one thousand eight hundred and twenty-two, between Fredericton and Newcastle, in the County of Northumberland, a sum not exceeding one hundred and twenty-five pounds.

To the Commissioners to be appointed by His Excellency the Lieutenant-Governor, the sum of sixty pounds, to defray the expenses of a Courier between Newcastle and Nipisigwit, on the Bay of Chaleur, for the year one thousand eight hundred and twenty-two.

To the President and Directors of St. Andrews Grammar School, Saint Andrews Grammar School. the sum of two hundred pounds, for the year one thousand eight hundred and twenty-two, towards the support of a Master, and to defray the contingent expenses of the said School, agreeably to the two Acts of the General Assembly.

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

To the Governor and Trustees of the College of New-Brunswick, College of New-Brunswick. the sum of two hundred and fifty pounds, for the year one thousand eight hundred and twenty-two, agreeably to the two Acts of the General Assembly.

To

Att'y General.

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

Solicitor General.

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

T. Bonner, Esq.

To Thomas Bonner, Esquire, in addition to the sum of one hundred pounds, granted to him in the year one thousand eight hundred and twenty-one, such sum as will procure a Bill of Exchange on England, for one hundred pounds sterling : the same being for his services for the year one thousand eight hundred and twenty, and such sum to be certified by the Committee of Correspondence, to His Excellency the Lieutenant-Governor.

Nath. Atcheson,
Esq.

To Nathaniel Atcheson, Esquire, in addition to the sum of one hundred pounds granted to him in the year one thousand eight hundred and twenty-one, such sum as will procure a Bill of Exchange on England, for one hundred pounds sterling, the same being for his services from February, one thousand eight hundred and twenty, to February, one thousand eight hundred and twenty-one, and such sum to be certified by the Committee of Correspondence, to His Excellency the Lieutenant-Governor.

John Head.

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

Sheriff of York.

To the Sheriff of the County of York, for return-

returning Jedediah Slason, Esquire, a Member for that County, to serve in General Assembly, the sum of ten pounds.

To the Adjutant of the second Battalion Charlotte County Militia, the sum of five pounds, to remunerate him for expenses incurred in hiring a boat during his attendance on Militia duty, in the year one thousand eight hundred and twenty-one.

Adjut. 2d Battalion
Charlotte.

To His Excellency the Lieutenant-Governor or Commander in Chief, the sum of one hundred pounds, being money advanced by His Excellency out of the contingent fund, granted in the year one thousand eight hundred and twenty-one, towards opening the road leading to the Nerepis.

Money advanced
out of contingent
fund.

To His Excellency the Lieutenant-Governor, the sum of one hundred pounds, to be applied towards the building and erecting of a Church in the Island and Parish of Grand-Manan, in the County of Charlotte, in aid of individual subscription of the inhabitants of the said Parish.

Church on the
Island of Grand-
Manan.

To His Excellency the Lieutenant-Governor or Commander in Chief for the time being, the sum of fifty pounds sterling, for the purpose of paying a Missionary to the Indians, for the year one thousand eight hundred and twenty-two: Provided the said Missionary be recommended by the Catholic Bishop of Quebec, and approved of by the Lieutenant-Governor of this Province.

Indian Mission-
ary.

To Charles Guay, the sum of fourteen pounds, being the amount of the difference of drawback on rum exported by him to the American Lines. in the year one thousand eight hundred and nineteen.

Charles Guay.

To

Phæbe Powell.

To Phæbe Powell, Widow of the late Deputy Treasurer at Richibucto, the sum of twenty-two pounds fourteen shillings and elevenpence, being a balance of his commission at ten per cent. upon the amount of duties collected by him at that Port.

Geo. A. Nicholson.

To George Alexander Nicholson, the sum of twenty-eight pounds two shillings and ninepence, paid by him to the Deputy Treasurer at Miramichi, under the Act imposing a duty on goods imported by non-residents.

L. Donaldson.

To Lauchlan Donaldson, the sum of seventeen pounds seventeen shillings and threepence, being money expended by him on the road to the Emigrant locations in King's County and towards Sheppody.

D. M'Aithney.

To David M'Aithney and William Cuthbert, the sum of twenty pounds seventeen shillings, paid by them to the Deputy Treasurer at Miramichi, under the Act imposing a duty upon goods imported by non-residents.

Overseers of Poor
in Portland.

To the Overseers of the Poor for the Parish of Portland, for the year one thousand eight hundred and twenty-one, the sum of two hundred and thirteen pounds sixteen shillings and ninepence, for expenses actually incurred in supporting disbanded Soldiers, Widows of Soldiers, distressed Emigrants, and Black Refugees.

Overseers of Poor
in Fredericton.

To the Overseers of the Poor of the Parish of Fredericton, the sum of two hundred and eighty-six pounds seventeen shillings and fourpence, being the amount of expenses actually incurred by them in support of transient Poor, distressed Emigrants, and Soldiers,

diers, for the year one thousand eight hundred and twenty-one.

To the Overseers of the Poor for the City of St. John, the sum of three hundred and eighty-six pounds five shillings and two-pence, to reimburse them for expenses incurred in the support of transient Poor, and distressed Emigrants, within the said City, for the year one thousand eight hundred and twenty-one.

Overseers of Poor
in St. John.

To the Overseers of the Poor of the Parish of St. Andrews, the sum of forty-nine pounds eighteen shillings and fourpence, to remunerate them for money expended by them for the maintenance of poor Emigrants, and transient Poor, for the year one thousand eight hundred and twenty-one.

Overseers of Poor
in St. Andrews.

To Benjamin M. Goldsmith, Deputy Provincial Treasurer and Preventive Officer, in the service of His Majesty's Customs, at Richibucto, the sum of twenty-six pounds two shillings and sixpence, balance of expenses incurred by him in seizing the schooner Domitil, as stated in his Petition.

B. M. Goldsmith,

To Ward M'Donald, the sum of nine pounds seven shillings and fourpence, paid by him to the Deputy Treasurer at Miramichi, under the Act imposing a duty on goods imported by non-residents.

Ward M'Donald.

To the Governor and Trustees of the Madras School in New-Brunswick, the sum of five hundred pounds, towards the support of that Institution throughout the Province.

Madras School.

To Messrs. Daniel and Francis Leavitt, of the City of St. John, the sum of forty-one pounds four shillings and fourpence, being a

D. & F. Leavitt,

draw-

drawback on twenty-six puncheons of rum and seventy-three hogsheads of molasses, exported by them to Boston, in the year one thousand eight hundred and eighteen.

James Huson.

To James Huson, the sum of thirty pounds, to assist him in keeping a house for the accommodation of travellers, on the great road of communication between St. John and St. Andrews.

Surveyor Genl.

To the Honorable Anthony Lockwood, the Surveyor General of the Province, the sum of fifty pounds, to defray the expense of office rent for the years one thousand eight hundred and twenty, and one thousand eight hundred and twenty-one.

Messrs. E. Barlow,
& Sons.

To Messrs. E. Barlow, & Sons, the sum of two hundred and twenty-one pounds two shillings, being the amount of debenture on rum exported on board the sloop Newcastle, which vessel was lost, consequently the requisite certificate of exportation cannot be obtained.

Thos. H. Peters.

To Thomas H. Peters, Esquire, Deputy Treasurer at Miramichi, the sum of fifty-three pounds two shillings, paid by him into the Province Treasury, but which he had omitted to charge.

James M'Lean.

To James M'Lean, the sum of seventy-five pounds two shillings and eight pence, amount of drawback on rum and sugar, exported by him to Boston.

Toler Thompson.

To Toler Thompson, the sum of forty-one pounds four shillings, the same being the balance due to him of the grant of one hundred pounds, granted in the year one thousand eight hundred and seventeen, for cutting a Canal

Canal from Mud Creek to the nearest Lake at the head of the great marsh in Sackville.

To John Wilson, the sum of thirty-seven pounds ten shillings, being the amount of drawback on ten puncheons of rum exported by him to Nova-Scotia, in the year one thousand eight hundred and eighteen. John Wilson

To Fearon Sealby, & Co. the sum of thirty-six pounds three shillings and six pence, paid by them to the Deputy Treasurer at Miramichi, under the Law imposing a duty upon non-residents. F. Sealby, & Co.

To Eleanor O'Niel, the sum of twenty pounds, in addition to the grant of last year, to remunerate her for expenses incurred by her late husband, Daniel O'Niel, in maintaining Thomas Londy and his Wife, two aged and infirm Paupers, at Mace's Bay, for two years, previous to the County line being established between Saint John and Charlotte. Eleanor O'Niel

To Thomas Millidge, Esquire, the sum of fifty-one pounds twelve shillings and three pence, for interest paid by him on a bond as surety for Robert James. T. Millidge, Esq.

To Charles Smith, the sum of thirty pounds, to assist him in keeping a house for the accommodation of travellers, on the Portage between Nashwack and Miramichi river. Charles Smith.

To His Excellency the Lieutenant-Governor, the sum of one hundred pounds, to be applied towards the building and erection of a Church in the Parish of Saumarez, in the County of Northumberland, in aid of individual subscriptions of the inhabitants of the said Parish. Church in Saumarez.

The

£100, granted in 1821, to defray expenses of Counsel to be employed before Parliament on the subject of Timber duties, &c. re-appropriated and applied to the payment of expenses incurred by Committee.

The sum of one hundred pounds, granted at the last Session, for defraying the expenses of Counsel to be employed before Parliament on the subject of the Timber duties, not being required for that purpose, be re-appropriated and applied to the payment of any expense that may have been incurred by the Committee of Correspondence on that subject.

Digby Packet.

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

Addition to the Province Hall, & Surveyor General's office.

To Commissioners to be appointed by His Excellency the Lieutenant-Governor or Commander in Chief, the sum of five hundred pounds, to be expended towards enlarging and improving the Province Hall, by erecting an office for the Surveyor General, and a Committee Room for the House of Assembly, to be joined to the main building on the northwestern end, and towards connecting the Secretary's office with the Province Hall, and to provide a Room for the accommodation of the Judges of the Supreme Court, and an office for the Clerk of the said Court.

Northumberland Grammar School.

To His Excellency the Lieutenant-Governor or Commander in Chief, the sum of one hundred pounds, for the support of the Master of the Grammar School in the County of Northumberland, agreeably to the Act of the General Assembly. To

To His Excellency the Lieutenant-Governor or Commander in Chief, the sum of one hundred pounds, for the support of the Master of the Grammar School in the County of Westmorland, agreeably to the Act of the General Assembly.

Westmorland
Grammar School.

To the Commissioners to be appointed by His Excellency the Lieutenant-Governor, the sum of five hundred pounds, towards the building of a Marine Hospital and Pest-House in the City of Saint John.

Marine Hospital
and Pest-House.

To the Justices of the Peace for the County of Westmorland, the sum of one hundred and fifty pounds, towards completing a Court-House and Gaol in that County.

Court-House and
Gaol in West-
morland.

To the Justices of the Peace for the County of Sunbury, the sum of two hundred pounds, for the purpose of building a Gaol in the Parish of Burton, in that County.

Burton Gaol.

To Geo. K. Lugin, for printing the Acts of the Legislature, the sum of twenty-two pounds one shilling and ninepence.

Geo. K. Lugin,
for printing Acts
of Assembly.

To Geo. K. Lugin, the sum of forty-eight pounds one shilling and ninepence, a balance due to him for printing the Acts and Journals of the Legislature.

Geo. K. Lugin,
balance due him
for printing Acts
and Journals.

To Thomas Bonner, Esquire, such sum as will procure a Bill of Exchange on England, for twenty-one pounds eight shillings and sixpence, to defray the expense of freight and other incidental charges incurred in the shipment of the full length portraits of their late Majesties, from England to the City of Saint John.

Thomas Bonner,
Esq.

To the Proprietors of the Steam Boat General Smyth, the sum of twenty-five pounds,
for

Freight of the por-
traits of their late
Majesties from St.
John.

for freight of the portraits of their late Majesties from St. John to Fredericton, at a late period in the last season.

Adjutant General
of Militia.

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

Ferriages of Cou-
riers.

To His Excellency the Lieutenant-Governor or Commander in Chief for the time being, a sum not exceeding twenty-five pounds, to defray the expenses of ferriages of Couriers from Fredericton to Halifax and Saint John, in the year one thousand eight hundred and twenty-one.

Secretary of the
Province for is-
suing Warrants.

To the Secretary of the Province, the sum of sixty-five pounds, for issuing two hundred and sixty Warrants, at five shillings each, between the seventh day of February, one thousand eight hundred and twenty-one, and the twenty-third day of February, one thousand eight hundred and twenty-two.

Portrait of His
present Majesty.

To His Excellency the Lieutenant-Governor or Commander in Chief, the sum of one hundred and fifty pounds sterling, toward procuring the portrait of His Majesty King George the Fourth, pursuant to the resolution of the House of Assembly of the twelfth of February.

Geo. K. Lugin,
for printing daily
Journals.

To Geo. K. Lugin, the sum of eighty pounds, for printing the daily Journals of the present Session.

Printing Laws.

To His Excellency the Lieutenant-Governor, the sum of fifty pounds, towards defraying the expense of printing the Laws of the present Session.

To

To His Excellency the Lieutenant-Governor or Commander in Chief for the time being, a sum not exceeding one hundred pounds, towards defraying the expense of printing the Journals of the present Session. Printing Journals.

To His Excellency the Lieutenant-Governor or Commander in Chief for the time being, the sum of one hundred pounds, towards defraying the expense of revising the first volume of the Laws of this Province, and printing two hundred copies of the same, agreeably to a resolution of this House on the twenty-eighth day of February. Revising the first Volume of the Laws.

To the Clerk of the House of Assembly, for defraying the contingent expenses of the present Session, the sum of two hundred and five pounds seventeen shillings and two-pence. Contingencies of the Session.

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

S. B. P.
3/9/09