

Oct. 23

22

C



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. I.

AN ACT to amend "An Act for Establishing the Legal Value of certain British and other Coins in this Colony."

[Passed 10th April, 1858.]

WHEREAS by an Act passed in the Nineteenth Year of the Preamble. Reign of Her Majesty, entitled "An Act for Establishing the Legal Value of certain British and other Coins in this Colony," it is declared to be necessary to Assay, at the Royal Mint, certain Gold Coins of the United States before the same shall pass current in this Colony; and it has been found inconvenient to carry out the said provision; and it is necessary, for the immediate wants of the Trade of this Island, to amend the said Act in this and other respects.

Be it therefore Enacted, by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows:—

I. The Double Eagle of the United States coined after the First day of July, in the Year One Thousand Eight Hundred and Thirty Four, or which may be hereafter coined, containing Four Hundred and Sixty Four Grains of Fine Gold, or Five Hundred and Sixteen Grains of Standard Gold, shall pass and be a legal tender for Four Pounds Eighteen Shillings and Six Pence currency; and the Eagle, of the like coinage and proportionate weight and fineness, at the rate of Two Pounds Nine Shillings and Three Pence currency; and the Half Eagle, of the like coinage and proportionate weight and fineness. Value of Double Eagle. Value of Eagle, and Half-Eagle. at the rate of One Pound Four Shillings and Seven Pence Half Penny of the like current Money.

Repeal of 2d and 5th
Sections, 19 Vic.—
also of parts of other
Sections.

II. The Second and Fifth Sections, and so much of the Third Section of the said Act, passed in the Nineteenth Year of the Reign of Her Majesty, entitled "An Act for Establishing the Legal Value of certain British and other Coins in this Colony," as limits the application of that Section to Gold Coins of the United States coined before the First day of March in the Year One Thousand Eight Hundred and Fifty Two, are hereby Repealed; and the remaining provisions of the said Third Section shall be held to apply to the Gold Coins of the United States, of the denominations therein mentioned, coined after the First day of July, in the Year One Thousand Eight Hundred and Thirty Four, being multiples or divisions of those mentioned in the First Section of this Act.

Value of Foreign
Doublecon Coin.

III. The Foreign Gold Coin called the Doubloon, containing Three Hundred and Sixty Two Grains of pure Gold, instead of Three Hundred and Sixty Three Grains as mentioned in the Eighth Section of the said recited Act, shall pass and be a legal tender at and after the rate of Three Pounds Sixteen Shillings and Nine Pence currency.





ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. II.

*AN ACT to Incorporate the Commercial Bank
of Newfoundland.*

[Passed 10th April 1858.]

WHEREAS Thomas Holdsworth Brooking, Francis Christian Kroger Hepburn, Stephen Rendell, Gustave Ehlers, John Bowring, William H. Mare, Charles Fox Bennett, Augustus Waller DesBarres, John Kent, John Fox, H. W. Hoyles, Charles Loughnan, William Whelan, Edward St. John, Edward Rawlins, Thomas Avery, Peter Cummins, Terence Hallerhan, and several other Persons, have associated themselves together, and have established a Joint Stock Banking Company in St. John's, and are desirous of being Incorporated in that behalf.

Preamble.

Be it therefore enacted by the Governor, Legislative Council and Assembly :

I. That the parties above-named, and such others as have or shall become Stockholders in the said Company, and their Successors, Executors, Administrators and Assigns, shall be, and are hereby declared to be, a Body Corporate and Politic, by the name of "The Commercial Bank of Newfoundland," with power to carry on the business of Banking in all its branches, and shall have perpetual succession and a common Seal ; and shall and may take and hold, grant, assign, and lease, Lands, Tenements, Hereditaments, Goods and Chattels ; shall be capable of suing and being sued ; shall have power to make Bye-laws and Ordinances for their Government ; Provided that the same shall not be contrary to the laws of this Colony : and

Incorporation of
Stockholders.

Powers of Corpora-
tion.

shall and may do, perform, and execute, all such other matters and things as shall pertain to them as such Corporation to perform and do.

Capital Stock to consist of £50,000.

II. The Capital Stock of the said Corporation shall consist of Fifty Thousand Pounds currency, which Sum shall be divided into One Thousand paid-up Shares, of Fifty Pounds each; Provided that it shall be lawful and competent to the said Corporation—if the business thereof shall so require—to extend such Capital Stock to an amount not exceeding One Hundred Thousand Pounds currency, in Shares of Fifty Pounds each, in such proportions as may from time to time be decided on at any General or Special Meeting; Provided also, that such proportions shall not be less than Ten Thousand Pounds each, and shall be paid up within One Year from the date of the Meetings at which they may be declared respectively.

Stock may be extended.

Management of Bank.

III. The Bank shall be managed by a Board consisting of a Manager and Five Directors, each of which Directors shall be the holder in his own right of Ten Shares, or be a partner in a firm holding in their own right such number of Shares, and shall be elected by the Stockholders as hereinafter provided. Such Directors shall have power to appoint a Manager and such other Officers, and at such Salaries, as may be necessary, to make Bye-laws for their own regulation, and generally to transact the business of the Bank; provided that the Manager shall not be subject to removal by the Directors, except for sufficient cause to be afterwards approved by the Stockholders at a General or Special Meeting; provided further, that two members of the same firm shall not be eligible to be Directors at the same time. And the Manager and any Three Directors shall constitute a Quorum of the Board for the transaction of business.

Powers of Directors.

Election of Directors.

IV. The Directors shall be elected by Ballot at the Annual Meeting to take place on the Second Saturday in July in every year; but nothing herein contained shall invalidate the election of the present Directors; and Directors retiring from office shall be eligible for re-election.

Dealing of Corporation.

V. The said Corporation shall not deal in anything except Bills of Exchange and Promissory Notes, Bonds, Debentures, Gold and Silver Coin, and Bullion;—Provided that nothing herein-contained shall prevent the said Bank from taking Collateral Security for the repayment of Money advanced by them.

Liability of Shareholders.

VI. In the event of the Assets of the said Corporation being insufficient to discharge its liabilities, the Shareholders shall be liable in their private and individual capacity for an amount beyond the Stock respectively held by them equal to the amount of such Stock, and no more.

Declaration of Dividend.

VII. It shall not be lawful for the said Corporation to declare a Dividend from any Funds other than the Profits of the said Corporation.

Notes of Bank to be payable in Specie.

VIII. All Notes issued by the Corporation shall be payable in Specie on demand.

IX. The Annual Meeting of the Stockholders shall be held on the Second Saturday in July, in each year, at a time and place in St. John's, to be appointed from time to time by the Directors, for the election of Directors, the examination of Accounts, and the transaction of other business.

Annual Meeting of Stockholders.

X. The Directors at such Annual Meeting shall lay before the Stockholders for their information an exact and particular statement of the amount of the Debts due to and by the said Corporation at the closing of the Books on the Thirtieth day of June preceding; and of the average amount of Bank Notes in circulation, and Specie in hand, in each Month of the Year; which statement shall be signed by the Directors, and attested by the Manager; and a Duplicate Statement so signed and attested shall be transmitted to the Secretary of the Colony for the information of His Excellency the Governor, and the Legislature.

Statement of affairs of Bank to be laid before Stockholders, &c.

XI. It shall be competent to the Shareholders at any General or Special Meeting to appoint any Two Shareholders, (not Directors), Proprietors of not less than Five Shares each, to Audit the Accounts and Books of the Bank.

Appointment of Auditors.

XII. Suspension, by the said Bank, of Specie payments on demand, for Sixty Days within any one Year, either consecutively or at intervals, shall occasion a forfeiture of the privileges conferred by this Act.

Forfeiture on Suspension of Specie payments.

XIII. It shall not be lawful for the said Corporation to hold Shares in its own Stock, nor to make advances on the Security of such Shares.

Corporation not to hold Shares in Stock.

XIV. The Discounts or Advances made by the Corporation on Securities bearing the name of any Director thereof as Drawer or Endorser, shall not exceed at any time One-Third of the total Advances or Discounts of the Bank; and no Manager or other Officer of the Bank shall draw, accept or endorse any Bills or Notes to be discounted by the Bank, or receive any pecuniary accommodation from the Bank, except his Salary or Allowance, or Dividends on Shares belonging to him.

Extent of Discounts to be made on Security of Directors, &c.

XV. No Director of the said Corporation shall, during the period of his service, act as a Private Banker or as Director of any other Bank; nor shall any Director be entitled to any Salary or Emolument for his services as a Director, other than his proportion of the sum of Two Hundred Pounds to be divided annually amongst the said Directors, according to their actual attendance.

No Director to act as private Banker, &c.

XVI. Any Vacancy that shall be occasioned in the Board of Directors by the death, resignation, or absence from the Colony for Six Months, of any Director, or by his insolvency, delinquency, as hereinafter mentioned, or being convicted of any infamous crime, shall be filled up by the Board, and the person or persons so chosen shall serve until the next succeeding Annual Meeting of Stockholders.

Vacancies in Directory—how filled.

XVII. Every Vacancy in the Board arising from the temporary absence from the Colony of a Director, may be filled up by the Board by the appointment of a person or persons qualified in manner required

Temporary vacancies in Board.

for a Director ; but the person or persons so to be appointed shall hold office only until the return of the Director or Directors for whom he or they shall be so substituted.

Votes of Stockholders
—how taken.

XVIII. At all Meetings of Stockholders the Votes shall be taken by Ballot, and shall be given as follows:—viz: One Vote for every Share.

Votes by Proxy.

XIX. All Stockholders resident within this Colony, or elsewhere, may vote by Proxy ; provided that such Proxy be a Stockholder and produce a sufficient authority in writing from his constituent or constituents so to act.

General Meeting—
how called.

XX. The Board of Directors shall, on the requisition of any number of Stockholders not less than Twenty, who together shall be the Proprietors of Two Hundred and Fifty Shares, call a General Meeting of the Stockholders for purposes relating to the business of the said Corporation, giving at least Ten Days' previous notice of such Meeting in Three of the Newspapers published in this Colony, (one of which shall be the "Royal Gazette,") and specify in such notice the time and place of such Meeting, with the objects thereof ; and the Board of Directors shall have the like power, at any time, upon observing the like formalities, to call a General Meeting as aforesaid.

Security to be given
by Officers.

XXI. Every Officer of the said Corporation, before he enters on the duties of his office, shall give Bonds, with two or more Sureties, to be approved by the Board of Directors, in such amount as the Board shall deem adequate to the trusts reposed in him.

Shares—how assign-
able or transferable.

XXII. The Shares in the Capital Stock shall be assignable and transferable according to such Rules and Regulations as may be established in that behalf ; but no assignment or transfer shall be valid unless such assignment or transfer shall first be approved by the Board of Directors, and be entered and registered in a Book to be kept for that purpose—nor until the person or persons so making the same shall previously discharge all debts actually due and payable by him or them to the said Corporation ; in no case shall any fractional part of a Share be assignable or transferable ; and whenever any Stockholder shall assign or transfer, in manner aforesaid, all his Stock or Shares in the said Bank, such Stockholder shall cease to be a Member of the said Corporation.

Form of Bonds, Bank
Bills, &c.

XXIII. Every Bond, Bank Bill, or Bank Note, or other instrument by the terms or effect of which the said Corporation may be charged or held liable for the payment of money, shall specially declare, in such form as the Board of Directors shall prescribe, that payment shall be made out of the Joint Funds of the said Corporation ; provided, nevertheless, that nothing herein contained shall be construed to alter, change, or diminish the responsibilities and liabilities imposed on Stockholders in their individual capacity by this Act ; and, provided also, that in any such Bank Bill the words "for the Commercial Bank of Newfoundland," and in every such Note the words "Commercial Bank of Newfoundland" at the upper edge of the Note, and the signature of the Manager and Two Directors, shall be deemed a sufficient declaration that payment shall be so made out of the said Joint Funds.

XXIV. The Total amount of the Debts which the said Corporation shall at any time owe, whether by Bond, Bill, Note, or other contract whatever, deposits excepted, shall not exceed three times the amount of Capital Stock actually paid in by the Stockholders; and in case of any excess, the Directors under whose administration and management the same shall happen, shall be liable for such excess in their individual and private capacities;—provided always, that the Lands, Tenements, Goods and Chattels of said Corporation, shall also be liable for such excess.

Debts of Corporation, not to exceed certain amount.

XXV. The Directors shall make Half-Yearly Dividends after the First Year in which the Bank shall be in operation, out of the Profits, Rents, Premiums, and Interests of the said Corporation, payable at such time and place, and to such amount, as a General or Special Meeting of Stockholders may determine.

Half-yearly Dividends to be declared.

XXVI. All Bills or Notes issued by the said Corporation shall be signed by the Manager for the time being, and countersigned and attested by One or more Directors, and shall be printed and made on Steel Plates; and all Bills or Notes so signed and countersigned shall be binding on the said Corporation and payable in Specie at the said Bank.

Bills or Notes—how to be issued.

XXVII. The said Corporation shall be liable to pay to any bona fide holder the original amount of any Note of the said Bank which shall have been altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Corporation liable to pay Notes of Bank, if altered in amount.

XXVIII. No action shall be brought or maintained upon any Bank Bill or Bank Note which shall hereafter be issued by the said Corporation, before such Bill or Note shall have been presented at the Bank for payment, and default in payment shall thereupon have taken place.

No action on Bills to be maintainable until default in payment shall be made.

XXIX. The said Bank shall be kept and established at St. John's, or at such other place as the Board of Directors may think it necessary to remove the said Bank, on account of any great emergency, for the security thereof.

Bank—where to be kept.

XXX. Any Committee to be jointly appointed by the Legislative Council and Assembly, or any Government Bank Inspector, for the purpose of examining into the proceedings of the said Corporation, shall, either during the Session or Prorogation of the General Assembly, have full access to the accounts, books, and vaults of the same.

Legislative Committee &c., may have access to Books, &c., of Corporation.

XXXI. On any Dissolution of the said Corporation, immediate and effective measures shall be taken by the Directors then in office, for closing all the concerns of the said Corporation; and for dividing the Capital and Profits that may remain, among the Stockholders, in proportion to their respective interests;—and in case any Bills issued by the said Corporation shall remain unpaid, the holders of Stock in said Corporation, as well as those who were Stockholders at the time of the notice of such dissolution, (which said notice shall take place by a publication of their intention so to do in Three of the Newspapers published in this Colony Twelve Months previous to the said Corporation being allowed to carry the same into effect,) shall be chargeable in their private and individual capacity, for the payment thereof in proportion to the Stock they respectively held or hold;—provided that this liability shall continue for Two Years only, from and after the notice of such dissolution.

Proceedings on dissolution of Corporation.

Delinquent Sheet to be kept by Manager.

XXXII. The Manager for the time being shall, on every Discount Day, furnish a true List to the Board, of all Delinquent Promisers, Endorsers and Sureties, made up to Three o'clock of the day preceding the Discount Day, which List shall be called a Delinquent Sheet; and it shall be the duty of the Manager, on each and every Discount Day as aforesaid, to read the name or names contained in such Delinquent Sheet to the Board of Directors; and in case the name of any Director shall appear on such Delinquent Sheet, either as Promiser, Endorser, or Surety, it is hereby declared illegal for such Director to sit on the Board, or to take any part in the management of the affairs of the said Board during the continuance of such delinquency.

Any Director, becoming delinquent or insolvent, to vacate his seat.

XXXIII. In the event of any Director continuing a delinquent as aforesaid for Thirty consecutive days at any time, or becoming Insolvent, or being convicted of any infamous crime, such continued delinquency, or such insolvency, or conviction, shall disqualify such Director from holding his seat, and it shall be the duty of the Board forthwith to proceed in filling up the vacancy in the manner prescribed by this Act, in case of death or absence from the Colony.

Shares liable to attachment.

XXXIV. The Shares in the Capital Stock of the said Bank shall be liable to Attachment and Execution in like manner as other personal property; and the warrant or notice in such case respectively shall be served on the Manager of the said Bank, and such service shall bind the Shares of such Stockholder for all beyond the amount of his Liabilities to the said Bank, but not otherwise, to the extent of such Attachment or Execution. And that for the purpose of ascertaining the number of Shares held by any Shareholder against whom process of attachment or execution may have issued, the said Manager, or any Director or Officer of the said Bank, may be examined in like manner as any third person having in his, her or their possession any Monies, Goods, or Debts of any Defendant, may now be examined. And upon Sale by the Sheriff of any such Shares under any Execution or Order of Court, the Manager of the said Bank shall, on production of a Bill of Sale from the Sheriff, transfer the number of Shares by him sold under any such Execution or Order, to the purchaser or purchasers thereof; any such transfer shall be valid and effectual for the value of such Shares beyond the amount due the Bank from the person whose Shares may be so seized or sold.

Advertisements of Bank—how to be published.

XXXV. Whenever by this Act any notice or advertisement is required to be published in Newspapers, one of such Newspapers shall be the "Royal Gazette," or the Newspaper in which Government Notices are inserted for the time being.

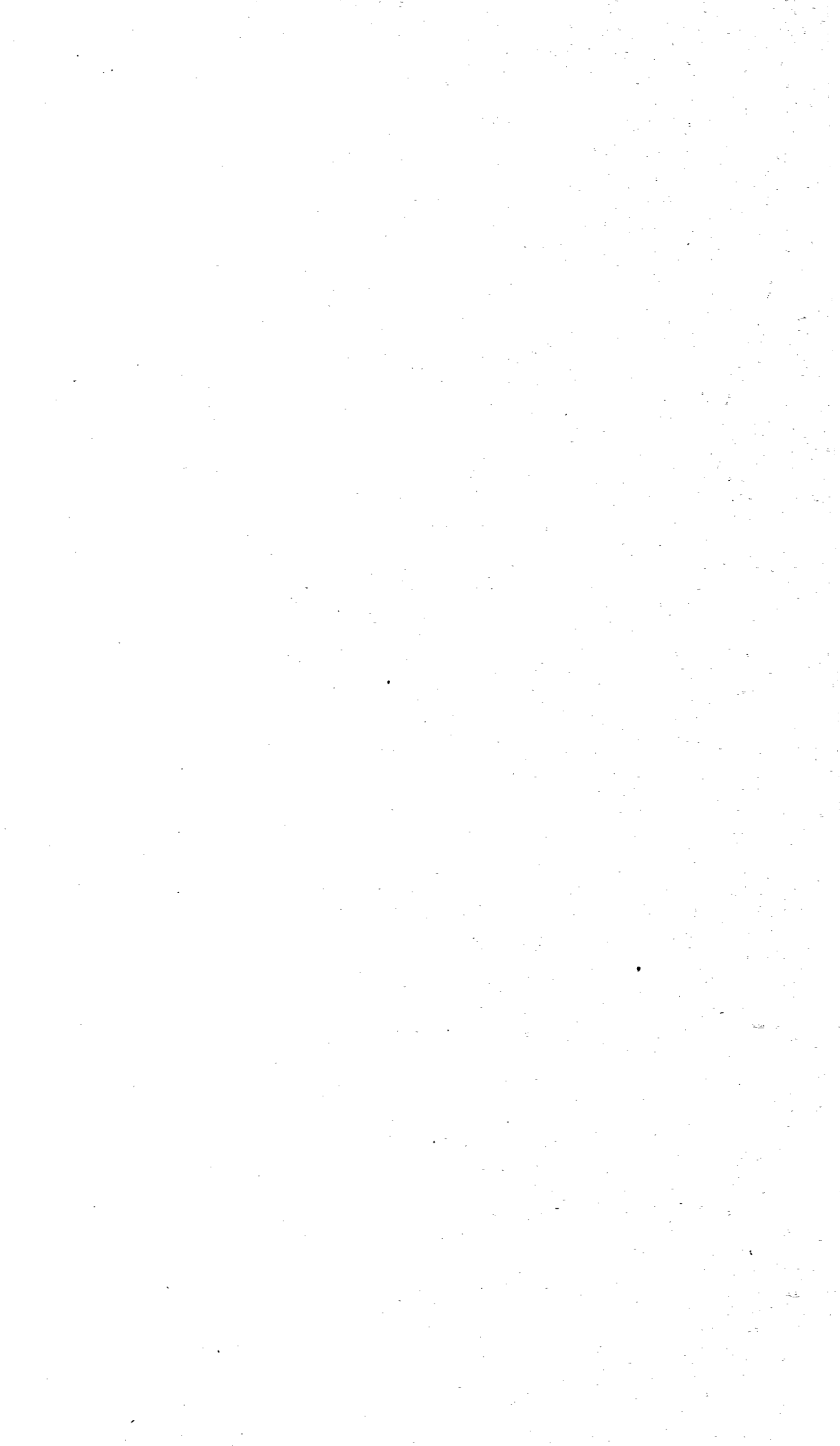
Notes issued and Securities, &c., held by Bank, previously to incorporation, to be valid.

XXXVI. All Notes heretofore issued by the said Company; and all Bonds, Bills, Notes, Deeds, Securities, Contracts and Conveyances, heretofore given or made to and with the said Company, or any person or persons on their behalf, shall be of the like force and effect as if the same had been given or made to them subsequently to their being Incorporated under the provisions of this Act; and all Lands and Property acquired by the said Company, or by any one on their behalf, shall vest in and belong to this Corporation.

Continuance of Act.

XXXVII. This Act shall continue in force for the period of Twenty-one Years from the passing thereof, and no longer.







ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. III.

AN ACT to Authorise the Widening of Water Street in the Town of Harbor Grace, the Opening of a New Fire Break therein, and for other purposes.

[Passed 1st May, 1858.]

WHEREAS it is necessary to adopt measures to prevent the spreading of Fire in the Town of Harbor Grace.

Prea ble.

Be it therefore Enacted, by the Governor, Legislative Council, and Assembly, in Legislative Session convened, as follows :—

I. It shall be lawful for the Governor in Council to appoint Two Commissioners for the purposes of this Act; and such Commissioners are hereby authorised to widen Water Street in the said Town, by marking out a sufficient space on the North side thereof, so as to make the said Street Seventy feet wide from Victoria Street to LeMarchant Street, or in such parts thereof within the said points as they may deem it expedient to widen the same; and also to lay off and mark out a Cross Street or Fire-break, Seventy feet wide, extending from the Water Side Northward, so as to intersect Harvey Street in such place as the Commissioners may determine; and after such time as the said Street or Fire-break shall be marked out or laid off and approved by the Governor in Council, the ground included in the said Street or Fire-break shall be and become public property; and all Buildings or Erections which may hereafter be placed or erected on such ground shall be deemed Public Nuisances, and may be abated accordingly by order of any Stipendiary Justice of the Peace for the District of Conception Bay.

Governor to appoint Commissioners for purposes of Act, and their duties.

Proprietors of land taken to be compensated.

Mode of ascertaining value of land taken.

Proviso.

II. That all Persons being the Owners or Tenants of Lands or Tenements within the said Town, whose interests shall be in any way affected by carrying into operation the provisions of this Act, shall, after such Lands or Tenements have been marked off and appropriated for the uses aforesaid, be paid compensation for any damage they may sustain in that behalf; and for the purpose of ascertaining the amount of compensation to be made in any case where the Owner or Tenant and Commissioners shall not agree, it shall be lawful for the party or parties interested in the same property affected to name One Arbitrator, who, with the Commissioners, shall appraise the value of the said property; and in case any party interested in such property shall neglect or refuse to appoint an Arbitrator within Three Days after notice so to do, it shall be lawful for the Commissioners to appoint an Arbitrator, and the award of the Arbitrator and one Commissioner or of the Commissioners in any case under this Act shall be final and binding, whether an Arbitrator be appointed by the parties interested or by the Commissioners: Provided always that the said Commissioners and any Arbitrator to be appointed as aforesaid, shall be sworn before a Justice of the Peace faithfully and impartially to discharge their duties under this Act, before they shall respectively enter upon their duties.

Receiver General to pay Money to be awarded under this Act.

III. The Receiver General shall pay any Warrant drawn on him by the Governor for the purposes of this Act, out of such Monies as shall be in his hands unappropriated: Provided, that the whole amount of compensation so to be paid as aforesaid, including the expenses of carrying this Act into effect, shall be estimated by the said Commissioners and approved by the Governor in Council, which amount, if the Governor and Council shall deem it expedient so to direct, the Receiver General is hereby authorised to add to the Consolidated Debt of the Colony, and to raise by loan on the credit of the Colony, and to issue Debentures for the said sum, chargeable on the General Revenues of the Colony, in the form given in the Schedule to an Act passed in the Nineteenth Year of the Reign of Her Majesty, entitled "An Act to Authorise the Consolidation of Sixty Eight Thousand Six Hundred and Seven Pounds Five Shillings and Four Pence of the Public Debt of this Colony," and according to the terms therein stated.

Commissioners in place of compensating in Money, may award adjoining land in place of land taken.

Proviso.

IV. If the said Commissioners or Arbitrator so to be appointed as aforesaid, shall be of opinion that any proprietor of any ground required for the said Street or Fire Break may be indemnified at a less expense to the Public by having an equal portion of ground assigned to him, from any ground adjoining, and that such adjoining ground may be taken without material injury to the proprietor thereof, it shall be lawful for the said Commissioners to mark off so much adjoining ground as they shall think sufficient to replace the ground required for the said Street or Fire Break; and the same so marked off shall belong to the first-mentioned proprietor, and shall be instead and in lieu of all indemnity whatever, and the value of the same, to be ascertained by Arbitration in manner aforesaid, shall be paid to the proprietor from whom the same was taken, and shall be as a full satisfaction and release of the same and all right and title thereto: Provided, that if the land so to be given shall not be deemed an equivalent for the land dedicated to the said Street or Fire Break, it shall be lawful to pay the said proprietor such sum as may be, with the land so to be given, a full satisfaction for the land so dedicated.

V. In widening the said Street or Fire Break it shall not be compulsory to remove any Houses or Buildings erected prior to the Thirteenth Day of April, in the Year One Thousand Eight Hundred and Fifty Eight, without the previous approval of the Governor and Council, and unless such removal can be effected without entailing a heavy expense.

Houses built prior to 13th April 1858 need not be removed.

VI. All Buildings or Erections which, since the 13th April 1858, have been or shall hereafter be erected or built on the South side and to the Southward of Water Street aforesaid, shall be built of Brick, Stone, or other unflammable material, and roofed or covered with Iron, Slate, or other unflammable material. And all Houses, Buildings, or Erections of Wood, which, since the Thirteenth Day of April in the Year 1858, have been already built, or which shall hereafter be built, on the South side and to the Southward of Water Street aforesaid, shall be deemed Public Nuisances, and may be abated accordingly by order of any Stipendiary Justice of the Peace; and the party erecting or building any such Houses, Buildings, or Erections of Wood, contrary to the provisions of this Act, shall be liable for every such offence to pay a Fine or Penalty not exceeding Ten Pounds, to be recovered before such Stipendiary Justice of the Peace in a summary way by the Chief Constable of the said Town; and, when recovered, shall be paid over to the Receiver General for the use of the Colony.

All Buildings erected since 13th April, 1858, within the prescribed boundaries to be of unflammable materials;

and no other buildings to be erected under penalty.

VII. In the event of any portion of the said Town being at any time hereafter destroyed by Fire, it shall be lawful for the Governor in Council, by order, to widen any of the said Streets in any of such portions of the said Town, to such an extent as they may deem expedient; subject to the provisions of this Act, as to the compensation of the Owners or Tenants whose land or tenements may be injured or taken away by the widening of any such Streets; and in all other respects wherein the provisions of this Act shall be declared to be applicable by the Governor in Council.

This Act to apply to any portion of said Streets in Harbour Grace that may be hereafter burnt down.





ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. IV.

AN ACT for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize, imported into this Colony and its Dependencies.

[Passed 10th May, 1858.]

MAY IT PLEASE YOUR MAJESTY :—

WE, Your Majesty's most dutiful and loyal Subjects the Commons Preamble. of Newfoundland, in General Assembly convened, towards raising the necessary Revenue to defray Your Majesty's public expenses in this Colony, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties hereinafter mentioned; and do therefore beseech Your Majesty that it may be enacted;

Be it therefore enacted, by the Governor, Legislative Council, and Assembly, in Legislative Session convened :—

I. That from and after the passing of this Act, and during the con- Duties Imposed. tinuance thereof, there shall be raised, levied, collected and paid, unto Your Majesty, your Heirs and Successors, upon all Goods, Wares and Merchandize, imported or brought into this Island and its Dependencies, the several and respective Duties inserted, described and set forth in Figures in the Table of Duties hereinafter contained, denomi-

nated "Table of Duties," opposite to and against the respective Articles in the said Table mentioned, described and enumerated, and according to the value, number or quantity, of such Articles therein specified, as follows :

NO. 1.

TABLE OF DUTIES.

Table of Duties.

		£	s.	D.
Ale, Porter, Cider and Perry, viz :				
	In Bottles, the dozen of 2 Gallons ..	....	0	0 9
	In Casks	the gallon	0	0 3
	Bacon, Hams, Smoked Beef and Sausages ..	the cwt.	0	7 6
	Beef, salted and cured	the brl. of 200 lbs.	0	2 0
	Biscuit or Bread	the cwt.	0	0 3
	Butter	"	0	3 0
	Cheese	"	0	5 0
	Chocolate and Cocoa	the lb.	0	0 1
	Cigars	the M.	0	10 0
	Coals	the ton	0	1 0
	Coffee	the lb.	0	0 1
	Feathers and Feather Beds	"	0	0 1
	Flour	the brl.	0	1 6
	Fruits, dried	the lb.	0	0 1
	" other descriptions	the £100	10	0 0
	Molasses	the gal.	0	0 2½
	Oatmeal and Indian Meal	the brl.	0	0 6
	Pork	the brl. of 200 lbs.	0	3 0
	Salt	the ton	0	0 6
	Shingles	the M.	0	1 0

SPIRITS, viz :

Brandy, Gin, Whiskey and Cordials, or } other Spirits not herein defined or } enumerated, not exceeding the } strength of proof by Sykes's Hydro- } meter, and so in proportion for any } greater strength than the strength of } proof, }	the gallon	0	4	0
Rum, not exceeding the strength of } proof by Sykes's Hydrometer, and so } in proportion for any greater strength } than strength of proof, }	"	0	1	6
Sugar, viz :				
Loaf and Refined ..	....	the cwt.	0	12 0
Unrefined .....	....	"	0	7 6
Bastard .....	....	"	0	7 6
Tea .....	....	the lb.	0	0 4
Tobacco, Manufactured and Leaf .....	....	"	0	0 3
Tobacco Stems .....	....	the cwt.	0	2 0
Vinegar .....	....	the gal.	0	0 3
Wines, viz :				
Wines of all kinds, in bottles .....	....	"	0	5 0

Port, Madeira, Hock, Burgundy, } Claret, in wood or other vessels, } not being bottles	"	0	4	0	Table of Duties.				
Sherry, 12½ per cent. <i>ad valorem</i> , and, the gallon	"	0	2	6					
All other Wines	"	0	2	0					
Anchors	}								
Barley and Oats									
Canvass									
Cordage and Cables									
Copper and Composition Metal for Ships, viz : Sheathing, Bar, Bolt and Nails									
Corks and Corkwood									
Fishing Tackle, Indian Corn						the £100	5	0	0
Iron, viz : Bar, Bolt, Sheathing and Sheet, Wrought Nails									
Medicines									
Oakum									
Pease									
Pitch, Tar, Turpentine and Rosin									
Poultry and Fresh Meat									
Goods, Wares and Merchandize, not otherwise enumerated, described or charged with duty in this Act, and not otherwise exempt	the £100	10	0	0					

LOCAL DISTILLATION.

Rum, not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any great- er strength than the strength of proof	the gallon	0	0	8
Brandy, Gin, or other Spirits, not here- in defined, or enumerated, not ex- ceeding the strength of proof by Sykes's Hydrometer, and so in pro- portion for any greater strength than the strength of proof	"	0	1	0

II. All Articles in the following Table shall be exempt from any Exemptions.
Duty, viz :—

NO. 2.

TABLE OF EXEMPTIONS.

Printed Books, Pamphlets, Maps and Charts
Coin and Bullion
Hemp, Flax, Tow,
Plants, Trees and Shrubs,
Specimens illustrative of Natural History
Works of Art, viz :—Engravings, Paintings, Statuary, and all Articles
imported for Religious purposes, and not intended for sale,

Exemptions.

Manures of all kinds,
 Arms, Clothing, and Provisions, for Her Majesty's Land and Sea
 Forces
 Passengers' Baggage, Household Furniture, and Working Tools and
 Implements used and in the use of Persons arriving in this Island.
 Refuse of Rice,
 Seeds for Agricultural purposes,
 Vegetables of all sorts,
 Animals of all kinds
 Printing Paper, Royal and Demy, in use for Newspapers,
 Articles of any description imported for the use of the Governor,
 Donations of Clothing, specially imported for distribution gratuitously
 by any Charitable Society,
 Cotton Yarn,
 Pig Iron
 Coke
 Printing Presses, Type, and all other Printing Materials.

Exemptions under
Treaty.

III. The following Articles being the growth and produce of the
 United States of America, mentioned and enumerated in the Schedule
 to an Act made and passed in the Legislature, entitled, "An Act to
 give effect, on the part of the Island of Newfoundland, to a certain
 Treaty between Her Majesty and the United States of America,"
 shall be admitted Free of Duty; viz:—

No. 3.

TABLE OF EXEMPTIONS UNDER THE TREATY WITH
THE UNITED STATES.

✓ Grain, Flour and Breadstuffs of all kinds
 Animals of all kinds
 Fresh, Smoked, and Salted Meats
 Cotton Wool, Seeds and Vegetables
 Undried Fruits, Dried Fruits
 Fish of all kinds
 Products of Fish, and all other creatures living in the Water
 Poultry, Eggs
 Hides, Furs, Skins or Tails—undressed
 Stone or Marble, in its crude or unwrought state
 Slate
 Butter, Cheese, Tallow, Lard
 Horns, Manures
 Ores of Metals of all kinds
 Coal
 Pitch, Tar, Turpentine
 Ashes
 Timber and Lumber of all kinds
 Firewood, Plants, Shrubs and Trees
 Pelts, Wool
 Fish Oil
 Rice, Broom Corn and Bark
 Gypsum—ground or unground
 Hewn or wrought or unwrought Burr or Grindstones
 Dye Stuffs
 Flax, Hemp, Tow—unmanufactured
 Unmanufactured Tobacco
 Rags

So long as the said Treaty between Great Britain and the United States of America, in the recited Act mentioned, shall remain in force in this Island. And similar Articles, being the growth, produce, and manufacture of the United Kingdom, British North American Provinces, or of the Island of Prince Edward, or the Channel Islands, shall be admitted Duty Free notwithstanding any Law to the contrary. ✓

IV. From and after the passing of this Act, the Duty to be levied, paid and collected on Spirituous Liquors manufactured, extracted, or distilled in this Island, shall be at the rates mentioned in the Table of Duties in this Act for Local Distillation. Duty on Liquors Distilled in this Island.

V. All sums of money granted or imposed, either as Duties, Penalties, Forfeitures, or otherwise, by this or any Act or Acts of the General Assembly of this Island, shall be deemed, and are hereby declared to be in Sterling Money of Great Britain, and shall be received, taken and paid in such Sterling Money, or in Foreign Coins at such rates as they are now received in payment of Colonial Duties in this Island; and that all such Duties shall be paid and received according to Imperial Weights and Measures by law established in this Colony: and that in all cases where such Duties are imposed according to any specific quantity or any specific value, the same shall be deemed to apply in the same proportion to any greater or less quantity or value. Duties, &c., collected in Stg. Money, &c.

VI. All Yachts sailing under Warrant of the Lords of the Admiralty, as belonging to the Royal Yacht Club, shall be exempted, on view of the said Warrant, from payment of all Local Duties whatsoever. Yachts Exempt.

VII. The several Duties imposed, and in the said Table of Duties mentioned in this Act, shall be paid by the Importer or Importers of such Articles respectively, and shall be collected and secured by means of and under the regulations and penalties, and in the way and manner, provided by any Act or Acts of the General Assembly of this Island for collecting the Revenues of this Island and its Dependencies. Importers to pay Duties.

VIII. There shall be allowed and paid to the following Officers of Her Majesty's Customs in this Colony, hereinafter mentioned, to defray all expenses of remuneration for the collection of the Colonial Revenue, and charges incidental thereto, the sums set opposite the names of the said Officers, for the period during which this Act shall be in operation, viz:— Salaries to Officers.

The Assistant Collector at St. John's, Three Hundred Pounds.

The Landing and Tide Surveyor, Two Hundred and Fifty Pounds.

Two Landing Waiters at St. John's, each Two Hundred Pounds.

First Clerk and Ware-house Keeper at St. John's, Two Hundred Pounds.

Second Clerk at St. John's, One Hundred and Fifty Pounds.

Third Clerk at St. John's, One Hundred and Fifty Pounds.

Fourth Clerk and Locker at St. John's, One Hundred and Fifty Pounds.

One Locker at St. John's, Thirty Pounds, and Three Shillings per day when employed.

The Sub-Collector at Lamaline, One Hundred Pounds, and two and a half per cent on all duties collected.

Salaries to Officers.

The Sub-Collector at Fogo, One Hundred and Twenty Five Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at LaPoile, One Hundred and Thirty Five Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Greenspond, One Hundred and Twenty Five Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Gaultois, One Hundred Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Trinity, One Hundred and Fifty Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Harbor Grace, One Hundred and Sixty Pounds, and two and a half per cent on all duties collected : Provided the amount of the said salary shall be equal to but not more than Two Hundred and Fifty Six Pounds.

The Sub-Collector at Carbonear, One Hundred and Twenty Five Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Brigus, One Hundred Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Placentia, One Hundred Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Burin, One Hundred Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Harbor Breton, One Hundred Pounds, and two and a half per cent on all duties collected.

The Preventive Officer at Bay Bulls, Fifty Pounds.

The Preventive Officer at Ferryland, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Twillingate, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at St. Mary's, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Little Placentia, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Oderin, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at St. Lawrence, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Bellorem, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Burgeo, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Channel, Fifty Pounds, and ten per cent on all duties collected.

To defray the expenses of Tide Waiters and Preventive Boats and Crews at St. John's, and Tide Waiters at the Out-ports, a sum not exceeding Fifteen Hundred Pounds.

To defray the expense of Night Boat and Crew at St. John's, Three Hundred Pounds.

Stationery and Printed Forms, Postages, and other incidental expenses, One Hundred and Fifty Pounds.

Allowance to Unofficial Members of the Board of Revenue, Fifty Pounds.

The Keeper of the Custom-house at St. John's, Forty Pounds.

This Act not to affect recited Act.

IX. Nothing in this Act contained shall in any way affect any matter or thing contained in the hereinbefore in part recited Act.

X. When and so soon as this Act shall come into operation, the Act of the Legislature of this Colony passed in the last Session thereof, entitled "An Act for Granting to Her Majesty certain Duties on Goods, Wares and Merchandize imported into this Colony and its Dependencies," shall be repealed, and the same shall stand repealed: Provided always that all Bonds given and Payments made for Duties under the said Act are hereby confirmed and declared valid, and nothing herein contained shall be construed to affect the same.

Repeal of previous Act.

XI. This Act shall continue in force for one year from the passing thereof, and no longer.

Continuance.





ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. V.

AN ACT to repeal and amend certain parts of an Act entitled “An Act for the Establishment of a Board of Revenue and for the Regulation, Management, and Collection, of all Duties granted to Her Majesty, Her Heirs and Successors, on Goods, Wares and Merchandize, imported into this Island and its Dependencies, and to repeal certain Acts relating thereto.”

[Passed 10th May, 1858.]

BE it enacted, by the Governor, Legislative Council and Assembly, of this Island, in Legislative Session convened—

I. That sections thirty-three, forty-one, forty-two, forty-three, forty-four, forty-six, (in reference to the importation of Liquors,) and section forty-nine, of an Act passed in the Eighteenth and Nineteenth Years of the Reign of Her Majesty, entitled “An Act for the Establishment of a Board of Revenue, and for the Regulation, Management, and Collection of all Duties Granted to Her Majesty, Her Heirs and Successors, on Goods, Wares and Merchandize imported into this Island and its Dependencies, and to repeal certain Acts relating thereto,” shall be, and the same are hereby severally repealed:

Repeal of Sections 33, 41, 42, 43, 44, 46, and 49 of the 18th & 19th Vic.

Proviso.

Provided always, that nothing herein contained shall be construed to annul, make void, or in any way affect, any proceedings, matters, or things, done or performed under and by virtue of the said respective sections of the said in part recited Act.

Master of ship arriving coast ways to report particulars.

II. The Master of every Ship having on board any Goods, Wares or Merchandize subject to duty, arriving coast-ways at any port in this Island or its Dependencies, shall within twenty-four hours after arrival, and before bulk be broken, make due Report (in such form as may be prescribed for that purpose) containing the several particulars set forth in the twelfth section of the said in part recited Act.

Goods reported for importation at a port other than that of arrival, or for exportation, or coast ways—importer or owner to give bond accordingly for payment of Duties thereon.

III. Whenever and so often as any Goods, Wares or Merchandize, subject to duty, shall be reported for Importation at a Port within this Island or its Dependencies, other than the port at which the importing ship shall first arrive, or for exportation, or shall be entered to be transhipped on board any vessel to be carried coast-ways, the proprietor of such Goods, Wares or Merchandize, or his Agent, shall give or procure to be given, security by Bond (in such of the approved forms A. B. C., in the Schedule to this Act, as may be applicable to the case) in treble the amount of duties of importation, that such Goods, Wares or Merchandize shall be duly landed at the port for which they are reported for entry, or to be landed, subject to the payment of the Duties leviabie thereon at such last mentioned port: Provided always, that it shall not be lawful to report such Goods, Wares or Merchandize for entry at a port or place within this Island and its Dependencies not duly constituted a port of entry, with a resident Officer of Customs appointed to carry out the provisions of this Act and of the other Acts of the Legislature, relating to the management and collection of the Revenue: But the duties leviabie on all Goods, Wares and Merchandize reported or entered to be landed or intended to be landed at any port or place within this Island or its Dependencies, not being a duly constituted port of entry, shall be paid at the port at which the importing ship shall first arrive; and such Goods, Wares and Merchandize shall be liable to the same duties, rules, and regulations, that the like articles are subject and liable to, if entered for the due landing thereof at such first port of arrival.

Proviso—As to where report is to be made.

Expenses of removing, weighing, unpacking Goods, to be paid by owner.

IV. The unshipping, carrying, and landing of all Goods, Wares and Merchandize, and bringing them to the proper place for examination, and weighing, putting them into the scales, opening, unpacking, re-packing, bulking, sorting, lotting, marking and numbering, where such operations respectively are necessary, or permitted, and removing to and placing them in the proper place of deposit, until duly delivered, shall be performed by or at the expense of the Importer.

Goods removed from ship, &c., to be warehoused according to regulations.

V. If any Goods, Wares or Merchandize shall be removed from any ship, wharf, or other place, previous to the examination thereof by the proper Officer of Customs, unless under the care or authority of such Officer, or if any Goods, Wares or Merchandize entered to be warehoused, or to be re-warehoused, shall be carried into the warehouse, unless with the authority or under the care of the proper Officer, and in such manner and within such time and by such means of conveyance as such Officer shall direct, such Goods, Wares and Merchandize shall be forfeited.

VI. No Goods, Wares, or Merchandize, entered to be warehoused, shall be unshipped from any ship, or be landed, or put on shore on Sundays or Holidays without the special permission of the Receiver General or Assistant or Sub-Collector; nor shall they be so unshipped, landed, or put on shore on any other day except between the hours of eight o'clock in the morning, and four o'clock in the afternoon, or during such other hours as may be appointed by the Receiver General; nor shall any such Goods, Wares or Merchandize, be unshipped or landed unless with the authority of the proper Officer of Customs, nor shall they be landed, except at such wharf or place appointed for the landing of such Goods, Wares and Merchandize; and if any such Goods, Wares and Merchandize shall be unshipped, landed or removed contrary hereto, the same shall be forfeited.

Goods, &c., when to be landed.

VII. If after any Goods, Wares or Merchandize shall be duly entered and landed to be Warehoused, though not actually deposited in the warehouse, the Importer shall further duly enter the same or any part thereof, for home use, or for exportation, the same may be taken for home use or exportation as the case may be: Provided always, that if any such Goods, Wares or Merchandize, shall be delivered, withheld or removed from the proper place of examination without such entry for home use or exportation, such Goods, Wares or Merchandize shall be forfeited.

Goods entered and landed to be warehoused, though not actually so, the importer may enter same for home use or exportation.

VIII. The property of and in any one or more parcels of any Goods, Wares or Merchandize, warehoused, shall be transferable from party to party on a transfer note signed by the parties, or a written contract of sale made, executed, and delivered by a broker, or other person legally authorised for or on behalf of the parties respectively, provided that a transfer of such Goods, Wares or Merchandize, according to such sale, shall have been entered in the Warehouse Register or Book kept for that purpose by the proper Officer of Customs, who is hereby required to enter such transfer, with the dates thereof, upon the application of the owners of such Goods, Wares and Merchandize: Provided that such transfer or sale shall be of whole packages only, and the party being the proprietor of such Goods, Wares or Merchandize for the time being, shall be deemed to be the Importer thereof for the purposes of this Act, or any Act relating to the management and collection of the duties of Importation.

Transfer note.

IX. All warehoused Goods, Wares, or Merchandize, shall be cleared either for Home use or Exportation at the expiration of Five Years from the day on which the same were so warehoused, or within such further period, and in such cases, as the Receiver General, Assistant or Sub-Collector shall direct, unless the Owner or Proprietor of such Goods, Wares, or Merchandize, shall be desirous of re-warehousing the same, in which case the same shall be examined by the proper officers, and the duties due upon any deficiency or difference between the quantity ascertained on landing and the quantity found to exist on such examination, together with the necessary expense attendant thereon, shall be paid down, and the quantity so found shall re-warehoused in the name of the then owner or proprietor thereof in the same manner as on the first Importation.

Time when warehoused goods are to be cleared for home use or exportation.

Re-warehousing goods. &c.

X. If any warehoused Goods, Wares, or Merchandize, shall not be duly cleared, exported, or re-warehoused, and the duties ascertained

Sale of goods, warehoused, but not cleared, exported, or re-warehoused, to meet duties thereon.

to be due on the deficiencies as aforesaid, shall not be paid down, at the expiration of Five Years from the previous entry and warehousing thereof, or within such further period as shall be directed as aforesaid, the same, if worth the duty due thereon, shall, after Three Months' notice to the owner, or proprietor, if known, with all convenient speed be sold, either for Home use or Exportation, with or without the consent of the owner or proprietor, and the proceeds thereof shall be applied to the payment of the duties, warehouse rent and charges, and the surplus, if any, shall be paid to the owner or proprietor of such Goods, Wares, or Merchandize, if known; but if such owner or proprietor cannot be found, such surplus shall be carried to the Colony's account, to abide the claim of such owner or proprietor, on his appearing and making good his claim thereto; and if such Goods, Wares, or Merchandize, shall not be worth the duty, then the same, after such Three Months' notice as aforesaid, may be exported or destroyed, with or without the concurrence of the owner thereof, or of the proprietor of the warehouse in which the same were so warehoused, as the Receiver General, Assistant or Sub-Collector, shall see fit; and the duties due upon any deficiency thereof shall be forthwith paid by the proprietor or owner of the goods.

If such goods be not worth the duty, they are to be destroyed &c

Goods, warehoused, may be re-packed, assorted, &c.

XI. With the sanction of the Receiver General, Assistant or Sub-Collector, and after such notice given by respective importers or proprietors, and at such times and under such regulations and restrictions as any of the said respective officers shall from time to time require and direct, it shall be lawful, in the warehouse, to sort, separate, pack, and re-pack any Goods, Wares, or Merchandize, and to make such alterations therein as may be necessary for the preservation, sale, shipment, or disposal thereof; Provided, that such Goods, Wares, or Merchandize, be repacked in the packages in which they were imported, or in such other packages as any of the said respective officers shall permit: and after such Goods, Wares, or Merchandize, have been so separated and re-packed in proper or approved packages, any of the said respective officers may, at the request of the importer or proprietor of such Goods, Wares, or Merchandize, cause or permit any refuse, damage, or surplus Goods, Wares, or Merchandize, occasioned by such separation or re-packing, which may not be worth the duty, to be destroyed, and may remit the duty payable thereon; and also to permit any packages of Sugar and Molasses, or other Goods, Wares, or Merchandize, in casks, to be taken out of the warehouse, without payment of duty, for the purpose of being repaired, or trimmed, or such other purpose as to any such respective officers may appear expedient, and in such quantities and under such regulations and restrictions, and with such security by bond for the return thereof, or the payment of the duties due thereon, as any such officer may direct or require: Provided that the Goods, Wares, or Merchandize, taken out of the warehouse for this purpose shall not be deemed Goods, Wares, or Merchandize, duly cleared and delivered.

Forfeiture of goods for clandestine removal or concealment of warehoused goods.

XII. If the proprietor or owner of any warehoused goods, or his agent, shall fraudulently conceal in or remove from the warehouse, or abstract from any package, or transfer from one package to another, or otherwise, for the purpose of illegal removal or concealment, any warehoused goods, such goods shall be forfeited.

XIII. No compensation shall be made by any of such respective officers to the importer, proprietor, or consignee of any Goods, Wares, or Merchandize, by reason of any damage occasioned thereto in the warehouse, except by his or their wilful act or default.

Indemnity to officers in reference to damage to goods while so warehoused.

XIV. Any Goods, Wares, or Merchandize, warehoused at any port in this Island and its Dependencies, may be removed by sea or by inland carriage to any other port of entry therein, and be re-warehoused or entered for duty at such port; or, with the permission of the proper Officers of Customs, removed from any warehouse in any port, to any other warehouse in the same port, under such regulations as may be directed by the Receiver General, and with security by bond [in the form marked D in the Schedule of forms to this Act] in treble the amount of the duties of importation, on the delivery to the proper Officer, by the person requiring such removal, of an entry, stating the particulars of the Goods, Wares and Merchandize required to be removed, the name of the port, or of the warehouse, if in the same port to which the same are intended to be removed, and with such other information, and in such manner and form, as the Receiver General may direct or require.

Removal of warehoused goods, by sea or land, to any other port of entry,

XV. On delivery of any Goods, Wares or Merchandize, for removal, an account, containing the particulars thereof, shall be transmitted by the proper Officers of the port of removal to the proper Officers of the port of destination, and the person requiring the removal thereof shall enter into bond (in the form marked D in the Schedule to this Act) with two sufficient sureties in treble the amount of duties chargeable on such Goods, Wares or Merchandize, for the due arrival and re-warehousing or entry for duty thereof at the port of destination within such time as the Receiver General, Assistant or Sub-Collector, may direct, and such bond shall not be discharged unless such Goods, Wares or Merchandize, shall have been produced to the proper Officer, and duly re-warehoused or entered for duty at the port of destination within the time allowed for such removal, nor until the full duties due upon any deficiency of such Goods, Wares or Merchandize, not so accounted for, shall have been paid.

Regulations in reference to the removal of warehoused goods, &c.

XVI. Upon the arrival of such Goods, Wares and Merchandize at the port or place of destination, the same shall be entered for duty, or warehoused in the same manner, and under and subject to the same laws, rules, and regulations, as far as the same can be made applicable, as are required on the entry for duty or warehousing of Goods, Wares and Merchandize on the first importation thereof.

Warehoused goods removed, liable at port of destination to same restrictions as imposed at first port of importation.

XVII. Before any Goods, Wares and Merchandize shall be entered outwards for exportation from the warehouse, the exporter or his agents shall give security by bond (in the form marked D in the Schedule to this Act,) in treble the duties of importation, with two sufficient sureties, to be approved of by the Receiver General, Assistant or Sub-Collector, that such Goods, Wares or Merchandize shall be duly shipped and exported, and shall be landed at the place for which they are entered outwards, or otherwise accounted for to the satisfaction of any of the said respective officers.

Warehoused goods entered for exportation, bond to be given therefor.

XVIII. The master of any vessel bound outwards from any port or place in this Island and its Dependencies, to any port or place beyond

Vessels bound outwards, masters to notify officer of Customs as to destination of vessel, &c.

the seas, shall deliver to the Receiver General, Assistant or Sub-Collector, or other proper Officer, an entry outwards, under his hand, of the destination of such ship, her name, country, and tonnage, (if British, the port of Registry), the name and country of the master, the country of the owners, the number of the crew, and how many are of the country of such vessel; and before such vessel shall depart, the master shall bring and deliver to the Receiver General, Assistant or Sub-Collector, or other proper Officer, a content in writing under his hand of the Goods, Wares or Merchandize laden, and the names of the respective shippers and consignees of the Goods, Wares or Merchandize, with the marks and number of the packages or parcels of the same, and shall make and subscribe a declaration to the truth of such content, as far as any particulars can be known to him; and the master of every vessel bound outwards from any port in this Island and its Dependencies, to any port or place beyond the seas, whether in ballast or laden, shall, before departure, come before the Receiver General, Assistant or Sub-Collector, or other proper officer, and answer all such questions concerning the vessel and the cargo, if any, and the crew and the voyage, as shall be demanded of him by such officer; and thereupon the Receiver General, Assistant or Sub-Collector, or other proper officer, if such vessel be laden, shall make out and give to the master a certificate of the clearance of such vessel for the intended voyage, containing an account of the total quantities of the several sorts of Goods, Wares or Merchandize laden therein, or a certificate of her clearance in ballast, as the case may be; and if the vessel shall depart without such clearance, or if the master shall deliver a false content, or shall not truly answer the questions demanded of him, he shall forfeit a sum not exceeding One Hundred Pounds Sterling.

Vessels engaged in Fisheries or Coasting Trade.

XIX. The master of every vessel engaged in the Fisheries or Coasting Trade of this Island and its Dependencies, not having on board any Goods, Wares or Merchandize subject to duty, shall, before departure from the port of lading, deliver to the proper Officer of Customs, an entry outwards, under his hand, of such ship, stating the name, country, and tonnage of the ship, the name of the master and the number of the crew, and thereupon the proper officer aforesaid shall give to the master a certificate under his hand that such vessel hath been specially cleared out for the Fisheries or Coasting Trade, and such certificate shall be in force till the 31st December next after the date thereof; and such vessel shall be exempt from all obligation to clear at any Custom House upon departure from any Port in the said Island or its Dependencies during the continuance of the season for which such certificate may have been granted; and if any vessel shall depart without such certificate the master shall forfeit the sum of Fifty Pounds: Provided always, that in case such vessel have on board, during the continuance of the season for which such certificate may have been granted, any Goods, Wares or Merchandize subject to duty, such vessel shall be subject and liable to the same rules, restrictions, and regulations, as vessels bound to ports beyond the seas are subject or liable to.

Bonds for duties to form prior claim in all cases.

XX. All Bonds hereafter taken, for the payment of Duties under this or any Act, for the payment, regulation, or collection of any duties levied in this Island and its Dependencies, shall constitute and be a prior claim upon the Estate, Lands, Goods, Chattels, Credits and Effects of the Importer, Consignee, or other person executing such

Bond, from the time the person executing such Bond shall be actually insolvent or unable to pay his creditors twenty shillings in the pound, though not formally declared insolvent, until the amount thereby secured shall be paid.

XXI. No Spirits (except from Europe, the British West Indies, or the British Possessions in North America,) shall be imported into this Island or its Dependencies, or be carried coast-ways from one part to any other part thereof, in any cask or other vessel capable of containing liquors not being of the size or content of fifty gallons at least, or be exposed for sale, or be in the possession of any person, unless the same shall have been transferred to such smaller cask or vessel after it shall have been brought into this Island or its Dependencies, of which the proof shall be upon the party in possession: Provided that nothing herein contained shall extend to any spirits imported in any ship in bottles as part of the cargo, nor to any spirits being really intended for the consumption of the seamen or passengers of such ship during her voyage, and not being more in quantity than is necessary for that purpose; and if any Spirits or other Goods, Wares, or Merchandize, shall be imported or brought into this Island or its Dependencies contrary to the prohibitions or restrictions contained in this Act in respect thereof, then and in every such case, such Spirits or other Goods, Wares, or Merchandize, together with the packages containing the same, shall be forfeited.

Prohibition as to importation of Spirits in certain cases.

XXII. Every person who shall be concerned in importing or bringing into this Island or its Dependencies, any prohibited Goods, Wares, or Merchandize, or any Goods, Wares, or Merchandize, the importation of which is restricted, contrary to such prohibition or restriction, and whether the same be unshipped or not; and every person who shall unship, or assist, or be otherwise concerned in the unshipping of any Goods, Wares, or Merchandize, which are prohibited, or of any Goods, Wares, or Merchandize, which are restricted and imported contrary to such restriction, or of any Goods, Wares, or Merchandize, liable to duty, the duties of which have not been paid or secured, shall in every case forfeit the Goods, Wares, or Merchandize, or the value thereof, or pay a penalty not exceeding One Hundred Pounds, at the discretion of the Board of Revenue.

Penalty and forfeiture.

XXIII. In any case where the Duties on Spirits distilled in this Island shall amount to Forty Pounds, the Receiver General, Assistant or Sub-Collector, shall be, and is hereby authorized to secure the said duties by Bond, in the same period, and subject to the same regulations as apply to Bonds taken to secure the payment of duties on Goods imported into this Island and its Dependencies.

Duties on Spirits distilled in this Island.

XXV. Goods warehoused shall be liable for freight as if on ship-board.

Warehoused Goods liable for freight.

Schedule of Forms.

**Schedule of Forms referred to in the
foregoing Acts.**

A.

*(Bond given for the removal of Goods reported for Importation at
another port in the Colony.)*

KNOW ALL MEN, &c.

WHEREAS, the above bounden _____ has given
notice of his intention to convey or remove to
in the ship or vessel the following goods, that is to say :—

which said goods were on the _____ day of _____ in the
Year One Thousand Eight Hundred and _____ reported
inwards, at this Port of St. John's, by the said ship or vessel from
_____ for importation at
aforesaid : Now the condition of this obligation is such that if the said
goods, and every part thereof, shall be duly cleared outwards and
landed at _____ aforesaid ; and if within the space of
_____ days, from the date hereof, the above bounden
shall produce to the Receiver General, or other
proper officer, at St. John's aforesaid, a certificate under the hand of
the Sub-Collector, or other proper officer of Customs, at
_____ aforesaid, stating that the whole
and every portion of the said goods have been landed at
aforesaid, then this obligation to be void, otherwise to be and remain
in full force and virtue.

Signed, Sealed, and Delivered, }
in presence of }

B.

Schedule of Forms.

(Bond given for the Clearance of Goods reported for Exportation.)

KNOW ALL MEN, &c.

WHEREAS the above bounden _____ has given notice of his intention to export to _____ in the ship or vessel the following goods, that is to say:—

which said goods were on the _____ day of _____ in the Year One Thousand Eight Hundred and _____ reported for exportation to _____ aforesaid, by the said ship or vessel from _____

Now the condition of this obligation is such, that if the said goods, and every part thereof, shall be duly exported to and landed at aforesaid; and if within the space of _____ days from the date hereof, the above bounden _____ shall produce to the Receiver-General, or other proper officer at _____ aforesaid, a certificate under the hand of _____ at _____ aforesaid, stating that the whole and every portion of the said goods have been landed at _____ aforesaid; then this obligation to be void, otherwise to be and remain in full force and virtue.

Signed, Sealed, and Delivered, }
in presence of _____ }

C.

(Bond given on Entry of Goods to be transhipped.)

KNOW ALL MEN, &c.

WHEREAS the above bounden _____ has given notice of his intention to tranship on board the ship or vessel bound to _____ the following goods, that is to say:—

which said goods were on the _____ day of _____ in the Year One Thousand Eight Hundred and _____ reported inwards, at the Port of St. John's, by the _____ master, from _____

Now the condition of this obligation is such, that if the said goods, and every portion thereof, so reported inwards, as aforesaid, shall be duly and faithfully transhipped from the said import ship or vessel to the said ship or vessel _____ and within

the space of _____ days next following the date hereof, duly entered and landed, without alteration or diminution, at the port of _____ aforesaid; and if within the space of _____

days from the date hereof, the above bounden _____ shall produce to the Receiver General, or other proper officer at _____

_____ aforesaid, a certificate under the hand of the Sub-Collector, or other proper officer of Customs, at _____ aforesaid, stating that the whole, and every portion of the said goods have been there duly landed; then this obligation to be void, otherwise to remain in full force and virtue.

Signed, Sealed, and Delivered, }
in presence of _____ }

Schedule of Forms.

D.

(Bond to be given upon the removal of Warehoused Goods, from a Warehousing Port to any Port of Entry within this Colony.)

KNOW ALL MEN, &c.

WHEREAS the above bounden _____ has given notice of his intention to remove to the port of _____ the following goods, that is to say :—

which said goods are now lodged and deposited in a warehouse situate at _____

Now the condition of this obligation is such, that if the said goods, and every part thereof, shall be duly delivered, without alteration or diminution, into the custody and possession of the Sub-Collector, or other proper officer at _____ aforesaid; and if the same goods, and every part thereof, shall be duly re-warehoused, or entered for duty at the said port of _____ within the space of _____ days next following the date hereof; and if within the space of _____ days from the date hereof the above bounden _____ shall produce to the _____ or other proper officer at _____ aforesaid, a certificate under the hand of the _____ at _____ aforesaid, stating that the whole and every portion of the said goods have been there landed and re-warehoused, or entered for duty; then this obligation to be void, otherwise to be and remain in full force and virtue.

Signed, Sealed, and Delivered, }
in presence of _____ }

E.

(Bond to be given upon Entry of Goods to be Exported from the Warehouse.)

KNOW ALL MEN, &c.

WHEREAS the above bounden _____ has given notice of his intention to export to _____ in the ship or vessel _____ the following goods, that is to say :—

which said goods are now deposited in _____ warehouse, situate at _____ in the port of _____

Now the condition of this obligation is such, that if the said goods, and every part thereof, shall be duly shipped on board the said ship or vessel, and within the space of _____ next following the date hereof, shall be duly landed at _____ aforesaid; and if within the space of _____ from the date hereof, the above bounden _____ shall produce to the _____ or other proper officer at _____ a certificate under the hand of the _____ stating that the whole and every portion of the said goods have been landed at _____ aforesaid; then this obligation to be void, otherwise to be and remain in full force and virtue.

Signed, Sealed, and Delivered, }
in presence of _____ }







ANNO VICESIMO PRIMO.

VICTORIÆ REGINÆ.

CAP. VI.

AN ACT for Granting to Her Majesty a Sum of Money for Constructing and Repairing Roads, Streets, and Bridges, within this Colony.

[Passed 10th May, 1858.]

WHEREAS it is expedient to provide for the Internal Improvement of this Colony, by Constructing, Repairing, and Improving Main and other Roads, Streets, and Bridges, therein :—

Preamble.

Be it therefore enacted by the Governor, Legislative Council, and Assembly, in Legislative Session convened, as follows :—

I. From and out of such Monies as may from time to time remain in the hands of the Receiver General, unappropriated, there be granted to Her Majesty, Her Heirs and Successors, the Sum of Fifteen Thousand Two Hundred Pounds, to be expended under this Act, in the Constructing, Repairing, and Improving of Main and other Roads, Streets, and Bridges, in this Colony, and for defraying all expenses attendant thereon ; which said Sum shall be distributed and appropriated as follows, that is to say :—

£15,200 for Roads, &c., in the Colony.

On the Main Road from Topsail to Holyrood, three hundred pounds, to be expended under the direction of the Board of Works.

Main Lines.

On the main road from Holyrood to Salmonier, two hundred and fifty pounds, to be expended under the Board of Works.

Main Lanes.

On the main road from Rocky River to Placentia, three hundred and fifty pounds, to be expended under the Board of Works; out of which the Newfoundland Savings' Bank is to be paid twenty pounds, for liabilities on said road.

On the main road from Salmonier to St. Mary's, six hundred pounds, to be laid out subject to the supervision of the Board of Works.

On the main road from Gasters to Brigus, inclusive, two thousand one hundred pounds, to be expended by the Board of Works.

On the main road from Brigus to Carbonear, inclusive, five hundred pounds, to be expended by the Board of Works.

On the main road from Carbonear to New Perlican, inclusive, two hundred pounds, to be expended, one half by the Carbonear Board, and the other half by the Perlican Board, commencing at New Perlican Bridge.

On the main road from Trinity to Catalina, inclusive, four hundred pounds, to be expended by the local Boards.

On the main road from Catalina to Bonavista, two hundred pounds, to be appropriated in equal proportions by the Catalina and Bonavista Boards.

On the main road from Bonavista to King's Cove, one hundred pounds, as follows: fifty pounds from Bonavista to Newman's Cove, and fifty pounds thence to King's Cove, in equal proportions by the King's Cove and Bonavista Boards.

On the main road from Trinity to King's Cove, inclusive, five hundred pounds, to be expended in equal proportions by the Trinity and King's Cove Boards.

On the main road from LaManche to Trepassey, inclusive, twelve hundred pounds, to be expended by the Board of Works: provided that out of the said amount the sum of one hundred pounds be expended in repairing the road from the Goulds to LaManche.

On the main road from Burin to Garnish, seven hundred and fifty pounds, to be expended in equal proportions by the Garnish and Burin Boards of Road Commissioners respectively.

On the main road from Beaubois to Grand Bank, inclusive, four hundred and fifty pounds, to be expended East and West, as follows: on the main line of road between Burin and Grand Bank, the sum of two hundred pounds, and on the main line of road from Burin to Bighead, inclusive, the sum of two hundred and fifty pounds.

On the main road from Fogo to Seldom-come-by, one hundred pounds.

On the main road from Tilton Harbor to Joe Bat's Arm, one hundred pounds.

On the main road from Cat Harbor to Muddy Hole, fifty pounds,

to be expended as follows : from Doting Cove to Muddy Hole, fifteen pounds ; from Muddy Hole to Cat Harbor, fifteen pounds ; from Cat Harbor towards Greenspond, ten pounds ; Indian Island, ten pounds.

Main Lines.

On the main road from New Perlican to Grates' Cove, one hundred and fifty pounds.

On the main road from Harbor Grace to New Harbor, inclusive, one hundred pounds, to be expended as follows : fifty pounds from Harbor Grace towards New Harbor, and fifty pounds from New Harbor towards Harbor Grace.

On the main road from Placentia to Distress, two hundred pounds ; out of which the sum of thirty pounds is to be paid to the Newfoundland Savings' Bank, for liabilities on said road.

On the road along the North Shore of Conception Bay, from Fresh Water to Grates Cove, seventy-five pounds ; out of which twenty pounds to be expended on the road from Grates Cove to Bay-de-Verds.

On roads in, about, and from King's Cove to Keels; thirty pounds, to be expended in equal proportions by the King's Cove and Keels and Tickle Cove Boards.

On roads in, about, and from King's Cove to Plate Cove and Open Hall, eighty pounds ; to be expended under the King's Cove Board.

On roads in, about, and from Keels to Tickle Cove, forty pounds, to be expended under the Keels and Tickle Cove Boards.

On the roads in, through, and about Fortune Harbor, fifty pounds.

Towards constructing, repairing, and improving Roads, Streets, and Bridges within the District of St. John's, Fifteen Hundred and Twenty-three Pounds and Sixteen Shillings, to be divided as follows : The sum of seven hundred and sixty one pounds and eighteen shillings for the district of St. John's West, and the sum of seven hundred and sixty one pounds and eighteen shillings for the district of St. John's East.

District of St. John's
£1,523 16.

That the said sum of seven hundred and sixty-one pounds and eighteen shillings so appropriated for the district of St. John's West, shall be expended as follows :—

To make and repair the road from Pasco Carter's across the South River to the Deer's Marsh, twenty pounds.

To make and repair the Heavy Tree road leading from Bay Bulls road to the Old Placentia road, thirty pounds.

To make and repair the road leading opposite the gate of Mount Pearl farm towards Bay Bulls road, twenty pounds.

To repair the Old Placentia road, commencing at Dunscombe's Bridge and thence towards Mrs. Blamey's, forty pounds.

To make the road on the North side of Monday Pond, twenty pounds.

To repair Pokeham Path road, thirty pounds.

District of St. John's To repair the road on the South side of Monday Pond from Brazil's farm towards Merrigan's, thirty pounds.

To make the Black Marsh road from the termination of Quigley's contract towards the Topsail road, thirty pounds.

To repair the Old Bay Bulls road leading towards Sinnott's and others, twenty-five pounds.

To make the road on the South side of River Head, St. John's, commencing at the Bridge opposite Thomas Dillon's, and thence Southwardly, twenty-five pounds.

To repair Ken Mount road and to extend the said road, twenty-five pounds.

To repair Wigmore's Gully road from Moses Neil's Westwardly, fifteen pounds.

To make the road leading from the Cockpit road to the road on the South side of Monday Pond, twenty pounds.

To repair the road opposite James Farrel's to Waterford Bridge, ten pounds.

To make that part of Penny-well road from the Cow Knap towards Rossland's, twenty pounds.

To finish the cross road on the Southwest side of Flower Hill farm to the Penny-well road, and to repair the Penny-well road from thence Westwardly, fifteen pounds.

To repair Dreehan's Well road and the side drain thereof, twenty pounds.

To repair the road North-west of Bulley's Lime Kiln towards Edward Nowlan's, ten pounds.

To make the cross road dividing Wills' and Connel's farms towards Pennywell road, ten pounds.

To make the cross road leading from the Freshwater road by John Curren's, ten pounds.

For roads in and about Petty Harbor, one hundred and twenty pounds.

Roads in and about Maddox Cove, fifty pounds.

For roads in and leading to Broad Cove, fifty pounds.

To be expended on roads in the district, as required, one hundred and sixteen pounds eighteen shillings.

St. John's East, £761
18s.

That the Sum of Seven Hundred and Sixty One Pounds and Eighteen Shillings so appropriated for the District of St. John's East shall be expended as follows :—

On the road from Torbay road towards John Roche's farm, twenty six pounds.

On the road from Coady's Well towards Broad Cove settlement, forty three pounds.

St. John's East.
(Continued.)

On the road from Bulger's forge, via Daniel Foley's towards Middle Cove, seventeen pounds.

On the road from Torbay road commencing at the end of Murphy's contract towards North Pond, nine pounds.

On the branch road leading from main road by Dunphy, Mulloy, and Morrissey's premises, nine pounds.

On the road from South side of Logy Bay, thirteen pounds.

On the Beechy Cove road, Portugal Cove, thirteen pounds.

On the road from Firth's corner to O'Brien's bridge, twenty six pounds:

On the road, Lance Cove, Belle Isle, nine pounds:

On the Belle Isle wharf, sixty nine pounds.

On the road from Torbay road towards Gallows Cove, thirteen pounds:

On the road from Torbay road towards Bulger's farm and others, thirteen pounds.

On the road from Fresh Water towards Middle Cove, seventeen pounds.

On the Outer Cove road towards the farm of James Power and others, thirteen pounds.

On the Rocky Hill road, towards Lambert's room, Outer Cove, twenty one pounds.

On the road to Joseph Conway's room, Logy Bay, thirteen pounds.

On the bridge over the river at McDonnald's house, nine pounds.

On the road from Logy Bay road towards Portugal Cove road, thirteen pounds.

On the road from main road towards the farm of Martin McGuire and others, thirteen pounds.

On the road leading to Vicar's premises and others, Logy Bay, nine pounds.

On the Road from Emerson's farm towards Ryan's room and others, Logy Bay, twenty six pounds.

Removing cliff near Patrick Ryan's stage, Logy Bay, thirteen pounds.

On the road from Torbay main bridge to the Portugal Cove road, eighty seven pounds.

Pouch Cove, from Munday's house to Cripple Cove, by Biscayan Cove, seventeen pounds.

Outer Cove, towards the farm of Brien and others, nine pounds.

On the Upper Long Pond road and Bridge, forty three pounds.

On the old Portugal Cove road, seventeen pounds.

On the Fresh Water road, twenty one pounds.

On the Major's Path, seventeen pounds.

District of St. John's
(Continued.)

For the repair of other roads, as may appear to be most required, one hundred and forty three pounds eighteen shillings.

Towards constructing, repairing, and improving a road between St. John's and Black Head, one hundred pounds.

Provided always, that it shall be lawful for the Board of Works to let or sell at public auction, or otherwise, for a period not exceeding three or five years, the repairing and keeping in repair of the roads and bridges leading from St. John's to Petty Harbor, Topsail, Portugal Cove, Torbay, Flat Rock, Pouch Cove, Bay Bulls, and the road from Petty Harbor to the Goulds, and also to keep the said roads open and clear of snow drifts in the winter season, in such lots as to the said Board may seem reasonable; and the cost of any such contracts shall be defrayed out of the amount herein appropriated for the said respective roads in the said district; and if the same should not be sufficient for the purposes aforesaid, it shall be lawful for the Governor to draw his warrant upon the Receiver General for the yearly balance of any such contracts during the said term, who shall pay the same out of the public monies remaining unexpended in his hands, which balance shall be provided for out of such future appropriations as may be made by the Legislature for roads in the district of St. John's, provided that such balance or balances shall have been duly certified by the Chairman of the Board of Works: Provided always, that the amount to be expended on any one of the said roads shall not in any one year exceed the sum of ninety pounds.

District of Harbor
Main, £273 3s.

Towards constructing, repairing, and improving roads, streets and bridges in the district of Harbor Main, the sum of two hundred and seventy-three pounds and three shillings, to be expended as follows:—

On roads between Horse Cove and Seals Cove, inclusive, and through Chamberlain, the sum of fifty pounds.

On roads in the vicinity of Holyrood, Chapel's Cove, Harbor Main, and Gasters, the sum of one hundred and twenty-four pounds.

On roads in the vicinity of Cat's Cove and Bacon Cove, including O'Keefe's road and the road Northward of Webber's Pond, the sum of forty-seven pounds.

On roads in the vicinity of Colliers, James Cove, English Cove and Turks Cove, including O'Keefe's road, the sum of fifty-two pounds and three shillings.

District of Port-de-
Grave, £320 12s.

Towards constructing, repairing, and improving roads, streets and bridges in the district of Port-de-Grave, three hundred and twenty pounds and twelve shillings.

In Bull Cove, twelve pounds.

In Frog Marsh, and thence towards River Head, fifteen pounds.

From River Head towards Three Island Pond, fifteen pounds.

From Wm. Whelan's to Mrs. Freeman's, by Beaver Pond, fifteen pounds.

From Dr. Mulloy's to Bishop's Cove, seven pounds.

From English Town to the Woods, seven pounds.

- From Coles Bridge to the Gullies, six pounds.
- From main road to the Woods, by T. Butler's farm, seven pounds.
- From Grave Hill to the Battery, fifteen pounds.
- On roads round the Pond, and elsewhere in Brigus, twenty-four pounds, twelve shillings.
- In Cupids and Burnt Head, fifty pounds.
- In Caplin Cove and Rip Raps, twelve pounds.
- In Salmon Cove, twenty pounds.
- From main line to John Hearn and John Byrne's farm, seven pounds.
- On a wood path from Clark's Beach, eight pounds.
- In Northern Gut, and from thence to Hall's Town, twenty pounds.
- From Northern Gut Bridge to Hibbs Hole, including the road from Bareneed to the residence of Samuel Butler and others, eighty pounds.

Towards constructing, repairing, and improving roads, streets and bridges in the district of Harbor Grace, five hundred and three pounds seven shillings, to be expended as follows :—

District of Harbor Grace, £503 7s.

In and about, to and from the town of Harbor Grace, Bear's Cove, River Head and South-side, including Crowdy road, the old road towards Carbonear, from the main street to Murphy's wall, a road from the race course to Doyle's farm, and a road from the South-side towards John Shute's premises, the sum of two hundred and fifty-eight pounds and seven shillings.

For Bay Roberts main road, the road back of Bay Roberts, the road from French's hill to Crane's brook, the road from Juggler's Cove to the last-mentioned road, a road from the Cosh into the country, Delaney's road, and other roads and bridges, the sum of ninety pounds.

For Coley's Point roads, the sum of twenty-five Pounds.

For Spaniards Bay roads, including the school house road, a road along the North-side of Mint Cove Pond towards the New Harbor road, a road from the main beach around the North-side of Spaniards Bay Pond, a road near Charles Butt's house towards the New Harbor road, a road leading from the main line near Brazil's house towards John Vokey's and other premises, a road by William and John Vokey's house and premises towards Crane's road, and other necessary roads and bridges, the sum of fifty pounds.

The sum of fifty-five pounds in and about, to and from Island Cove and Bishop's Cove, including a sum for Crane's road if required.

The sum of twenty-five pounds in and about, to and from Bryant's Cove.

On the road from Spaniards Bay to Bryant's Cove, inclusive, one hundred pounds.

Towards constructing, repairing, and improving roads, streets and bridges in the district of Carbonear, two hundred and ninety-six pounds and nine shillings, out of which, the sum of ten pounds shall be paid

District of Carbonear, £296 9s.

Arthur Thomey for fencing off his land for the purpose of opening a new road on the South-side of Musquito; and seventeen pounds as further compensation to other persons for ground at Musquito.

District of Bay-de-Verds, £307 7s.

Towards constructing, repairing, and improving roads, streets and bridges in the district of Bay-de-Verds, three hundred and seven pounds and seven shillings:

Fresh-water and Clown's Cove, to be expended on roads in settlements, or in completing road to and bridge over Forest Pond Brook, as Commissioners may determine, twenty pounds.

From Clown's Cove to Salmon Cove Head, fifteen pounds.

From Perrie's Cove to Spout Cove, outside, fifteen pounds.

From main road to Small Point, seven pounds.

Mulley's Cove, Broad Cove, and Black Head, to be expended on roads in different settlements, or in making road down the ravine in Lower Small Point, as Commissioners may determine, fifty pounds.

Roads in Gussets Cove, seven pounds.

Roads in Adams' Cove, Martin's road, fifteen pounds.

Roads in Bradley's Cove, or between that settlement and Western Bay, ten pounds.

Western Bay, for bridge at River Head, thirty pounds.

On roads on South-side, ten pounds.

North-side, five pounds.

Ochre Pit Cove road to farms, twenty pounds.

Northern Bay and Burnt Point, ten pounds.

Job's Cove, from main line to settlements, twelve pounds.

Bridge at Redlands, ten pounds.

Roads and Bridges at Lower Island Cove, twenty pounds.

Caplin Cove, from water side to gardens, ten pounds.

Roads and Bridges at Low Point, ten pounds.

Bay-de-Verds backside, and towards Seal Cove, sixteen pounds.

Towards Old Perlican, fifteen pounds seven shillings.

District of Trinity Bay, £540 10s.

Towards constructing, repairing, and improving roads, streets and bridges in the district of Trinity Bay, five hundred and forty pounds and ten shillings:—

Grates Cove, &c., thirty-four pounds, seven shillings.

Old Perlican, part to be expended on roads to cultivated ground, thirty-nine pounds.

Lance Cove, five pounds, five shillings.

Seal Cove, six pounds, eighteen shillings.

Hants Harbor, part to be spent on road to Wesleyan Church, thirty-one pounds, two shillings.

Indian Point, five pounds.

District of Trinity.
(Continued.)

From main line to John Jean's mill, five pounds.

Scilly Cove, twenty three pounds fourteen shillings.

New Perlican and Turk's Cove, twenty pounds.

Heart's Content, chief part to be expended on road to Murphy's Pond, thirty two pounds fourteen shillings.

Heart's Delight to Green's Harbor, chiefly for Bridges, thirty two pounds two shillings.

New Harbor to Gooseberry Cove, inclusive, thirty seven pounds sixteen shillings.

From Grates Cove to Bay de Verds, twenty five pounds.

From Perlican to Caplin Cove, twenty four pounds twelve shillings.

Bird Island Cove, and road to Bonavista, thirty pounds.

Little Catalina, twelve pounds.

From bridge in bottom of Western Arm to South-east Cove, South side Catalina, twenty pounds.

Ship Cove to King's Cove road, sixteen pounds.

Salmon Cove East, fifteen pounds.

From Shoal Point, English Harbor Head, to English Harbor: provided land required for road be given up gratis by the inhabitants, twenty pounds.

Trouty, ten pounds.

Ireland's Eye, seven pounds.

British Harbor, eight pounds.

Heart's Ease and Fox Harbor, ten pounds.

Trinity to British Harbor, including Old and New Bonaventure, fifty pounds.

The sum of twenty pounds for expenditure by the Trinity Board of Commissioners; and, if required, in liquidation of amounts overdrawn by them.

Towards constructing, repairing, and improving Roads, Streets and Bridges, in the District of Bonavista Bay, Four Hundred and Forty Two Pounds and Ten Shillings, to be expended as follows:—

District of Bonavista.
Bay, £442 10s.

For roads and bridges in and about Greenspond district, the sum of two hundred pounds, to be expended under the Greenspond Board, viz:

For roads and bridges in and about Greenspond, Newell's and Ship Island, including any moderate compensation to Barry and others, for removal of flakes, &c., one hundred and seventeen pounds ten shillings.

For roads and bridges at Cape Island, Cape and Middle Bill Cove, and Cobbler's Island, or for a ferry conveyance to each, ten pounds.

Roads and bridges in and about Pinchard's Island, twelve pounds ten shillings.

Roads and repairs of bridge at Swain's Island, provided the inhabitants provide materials, ten pounds.

Roads and bridges in and about Deer Island, five pounds.

Roads and bridges in and about Burnt Island, five pounds.

District of Bonavista Bay
(Continued.)

Roads and bridges in and about Fool's Island, ten pounds.

Roads and bridges in and about Cottle's Island, ten pounds.

Roads and bridges in and about Gooseberry Islands, ten pounds.

Roads and bridges in and about Vere or Fair Island, ten pounds.

For Roads and Bridges in and about Salvage, the sum of Forty-five Pounds, to be expended under the Salvage Board, as follows:—

For roads and bridges in and about Salvage, thirty pounds.

For roads and bridges in and about Barrow Harbor, five pounds.

For roads and bridges in and about Flat Island, ten pounds.

For roads and bridges in and about Keels, Tickle Cove, Red Cliff Island, Open Hall, &c., the sum of forty seven pounds, to be expended under the Keels and Tickle Cove Board, viz:—

For roads and bridges in and about Tickle Cove, or for road towards Keels, or towards Red Cliff Island, fifteen pounds.

For roads in and about Red Cliff Island, five pounds.

For roads in and about Open Hall, ten pounds.

For roads in and about Plate Cove, ten pounds.

For roads in and about Indian Arm, seven pounds.

For roads and bridges in and about Bonavista, the sum of one hundred and fifty pounds ten shillings, to be expended under the Bonavista Board, viz:—

For road from, or by, Henry Dunn's, to meet Cape road, seven pounds ten shillings.

For road from Red Cove to Lance Cove road, via East of Bayly's Cove Pond, and Bake Apple Marsh, thence to Bird Island Cove, thirty pounds.

For road in and about Mockbeggar, ten pounds.

For road from Forge or Pump to Long Beach, ten pounds.

For road from Roman Catholic Chapel to meet Verge's, from thence to Long Pond, ten pounds.

For roads and bridges towards Cape Shore, and, if required, to Villa Verde, twenty pounds.

For road from Cape Road to Flemming street, by Hayward's and Miffin's, seven pounds ten shillings.

For road from Shehan and Stagg's road at Cannails, and for general repairs throughout the town of Bonavista, or on such roads as may be advisable, forty pounds ten shillings.

For the road from Bonavista to Bird Island Cove, fifteen pounds.

District of Twillingate and Fogo, 2585
17.

Towards constructing, repairing, and improving Roads, Streets and Bridges, in the District of Twillingate and Fogo, Five Hundred and Thirty Five Pounds and Seventeen Shillings, to be expended as follows:—

Twillingate, North side, part to be spent between Back Harbor and Wild Bight, if required, seventy five pounds.

Twillingate, South side, eighty five pounds.

Bluff Head Cove to Twillingate, fifteen pounds.
 Twillingate, South side, towards Herring Neck, to be spent on Bridge,
 if required, thirty five pounds.
 Tizzard's Harbor, fifteen pounds.
 Morton's Harbor, twenty pounds.
 Morton's Harbor to Tizzard's Harbor, ten pounds.
 Morton's Harbor to Western Head, ten pounds.
 Black Island, fifteen pounds.
 Exploit Burnt Island, twenty five pounds.
 Waldon's Cove, ten pounds.
 Indian Cove to Webber's Bight, ten pounds.
 Herring Neck, thirty pounds.
 Leading Ticks, ten pounds.
 Ward's Harbor to Cut Man Arm, eight pounds.
 Little Bay Islands, ten pounds.
 Three Arm Islands, eight pounds.
 Jackson's Harbor, eight pounds.
 Hall's Bay to Pond, twenty pounds.
 Nipper's Harbor, eight pounds.
 Nimrod Harbor, five pounds.
 Burying Place, five pounds.
 Round Harbor, seven pounds seventeen shillings.
 Shoe Cove, twelve pounds.
 Joe Bat's Arm, twelve pounds.
 Tilton Harbor, fifteen pounds.
 Bard Islands, seventeen pounds.
 Change Islands, twenty five pounds.
 Seldom-Come-By, ten pounds.

District of Twillingate and Fogo.
 (Continued.)

Towards constructing, repairing, and improving Roads, Streets and
 Bridges, in the District of Ferryland, Two Hundred and Sixty One
 Pounds and Four Shillings, to be expended as follows :—

District of Ferryland,
 £261 4s.

Caplin Bay road to Stone Island, and repairs Caplin Bay bridge,
 twenty pounds.
 Bridge to Brigus Island, twenty pounds.
 From main line to Brigus, twenty pounds.
 Cape Broyle Harbor, twenty three pounds.
 Cape Broyle to Admiral's Cove, twenty pounds.
 Fermewse Harbor, ten pounds.
 South side Fermeuse towards Blackheath, twenty pounds.
 Reneuse Harbor, ten pounds.
 Mobile to main line, under the supervision of the Very Rev. P.
 Cleary, twenty pounds.
 Toad's Cove Harbor to main line, under the supervision of the Very
 Rev. P. Cleary, thirty pounds.

Ferryland District
(Continued.)

Witless Bay, North side, to main line, under the supervision of the Very Rev. P. Cleary, fifteen pounds.

Witless Bay, South side, near Gallow's Cove, under the supervision of the Very Rev. P. Cleary, ten pounds.

Fresh Water Bridge, near Bauleen, under the supervision of the Very Rev. P. Cleary, ten pounds.

Bay Bulls, private roads, under the supervision of Road Commissioners Bay Bulls, thirty three pounds four shillings.

On the road from Bay Bulls to Holyrood, twenty five pounds.

And the sum of fifty pounds granted 20th Vic. Cap. 5, for a road from the North side of Bay Bulls to the main line, to be expended by the Bay Bulls Road Commissioners.

District of Placentia and St. Mary's,
£215 Gs.

Towards constructing, repairing, and improving roads, streets and bridges in the district of Placentia and St. Mary's, four hundred and fifteen pounds and six shillings, as follows :—

On roads Oderin South, twenty pounds.

On roads Oderin North, twenty pounds.

On roads Harbor Buffet, forty pounds.

On roads Red Island, for outstanding claims, twenty pounds.

On roads Western Shore, from St. Kiern's to Paradise, one hundred and fifty pounds.

On roads Fox Harbor, forty pounds.

On roads Sound Island, twenty pounds.

On roads Isle Valen, twenty pounds.

On roads Trepassey, twenty pounds six shillings.

Which said sums shall be expended by, and under the direction of, the Board of Works.

On roads in the North-east Arm of Great Placentia, fifty pounds.

On the road between Great Placentia and Little Placentia, leading to Fresh Water, fifteen pounds.

District of Burin,
£278 1s

Towards constructing, repairing, and improving roads, streets and bridges in the district of Burin, two hundred and seventy-eight pounds and one shilling, to be expended as follows :—

On roads and bridges between and in Grand Bank and Fortune, thirty-five pounds.

On roads and bridges in and about Lamaline, twenty-five pounds.

On roads in and about Lawn, twenty pounds.

On roads in, through, and about Great and Little St. Lawrence, twenty-five pounds.

On roads from Spoon Cove to Mud Cove, twelve pounds.

On Dix's bridge and roads to Pathend, twenty-five pounds.

On roads from Fox Cove to Tides Cove, eleven pounds.

On roads from Tides Cove to Burial, eleven pounds.

On the bridge at Mor'ier, twelve pounds.

On road from Spanish Room to Mooring Cove, twenty-five pounds.

District of Burin
(Continued.)

On roads from Spanish Room to Rock Harbor, twenty-pounds.

On roads from Spanish Room to Jean-de-Bay, twenty pounds.

To Christopher Vanstone, to compensate for loss on contract of road, ten pounds.

On roads and bridges in, through, and about Burin proper, the sum of twenty-seven pounds and one shilling.

Towards constructing, repairing, and improving roads, streets and bridges in the district of Fortune Bay, one hundred and seventy-four pounds and thirteen shillings, to be expended as follows :—

District of Fortune Bay, £174 13s.

For the road in the Harbor of St. Jacques, eighteen pounds and thirteen shillings.

For the road in English Harbor, twenty pounds.

For the road in Bellorem, twenty pounds.

For the road in Jersey Harbor, sixteen pounds.

For the road round Hermitage Cove, fifty pounds.

For the road in Grole and on to Pass, fifty pounds.

Towards constructing, repairing, and improving roads, streets and bridges in the district of Burgeo and LaPoile, two hundred and twenty-seven pounds and five shillings :—

District of Burgeo and LaPoile, £227 5s.

To extend road from Grandy's Cove to Troy Town, twenty pounds.

From Troy Town to Furby's Harbor, forty pounds.

Along West side of Furby's Harbor, twenty pounds.

On roads from Lobster Cove to Upper Burgeo, twenty-five pounds.

On roads at Petites, thirty pounds.

For roads at LaPoile, fifty pounds.

For roads at Channel, forty-two pounds five shillings.

II. The sums of money hereby appropriated to and for the several outport electoral districts of this Island shall be applied and expended for the purposes of this Act by the respective Boards of Road Commissioners appointed, or to be appointed, under an Act of the Legislature of this Colony, passed in the Nineteenth Year of the Reign of Her Majesty, entitled "An Act for the Establishment of a Board of Works," (except in all such cases as are otherwise provided for by this Act;) and the sums of money hereby appropriated to and for the electoral district of St. John's, shall be applied and expended therein for the purposes of this Act, by the said "Board of Works." Provided always, that it shall be lawful for the Governor in Council to authorize the expenditure of any road appropriation, in the employment of daily or time labor, if the same should be deemed advisable.

Road appropriations—how to be expended

III. It shall not be lawful for the said respective Boards to proceed in the construction, repair, or improvement of any Roads, Streets, or Bridges, otherwise than by tender or contract, or by auction to the lowest bidder, in such allotments as may be marked off, after a careful examination by the respective Boards, or under their Inspectors; and in all such cases of letting by auction, such Boards respectively are

Road work to be done by tender.

Public notice of tenders to be given.

hereby required to put up a sufficient number of notices, not less than ten days previous to such sale, in three or more of the public places in the neighborhood where the work is to be done, which notices shall specify and describe the work to be performed, and also the place, day, and time, when and where the same will be let by auction as aforesaid; and it shall be the duty of the Inspectors of the respective Boards to attend at the time and place so appointed, and then to let out to the lowest bidder such allotments, and the purchaser shall immediately thereafter enter into written contracts with sufficient sureties for the faithful performance of the work in time and manner set forth in such contracts.

Work may be given out in small lots.

IV. It shall be lawful for the respective Boards to divide and apportion the work to be performed on any Road, Street, or Bridge aforesaid, into small contracts or allotments, to meet the exigencies of the people of the several districts.

Security to be given for due performance of contracts.

V. The said respective Boards, before entering into any such contract, shall take security, as is hereinbefore provided, for the due performance of the same, and that upon the production of a certificate from the Board of one half of the amount of work contracted for being completed, such contractor shall be entitled to receive a half part of the amount of his contract; and such Boards shall so frame their contracts that the same be finished within a limited time, and payment of one third of the full amount thereof respectively shall always be withheld until the work therein contracted for shall appear, by the solemn declaration in writing of the Inspector or Surveyor of such Boards respectively, specifying the particulars and measurement of such work, to have been fully completed, examined, and passed agreeably to contract, and every such Inspector or Surveyor who shall knowingly make a false declaration as aforesaid, shall be subject to the same punishment in law as in case of wilful perjury.

New lines of road to be surveyed.

VI. Previously to any sum of money being expended in the opening or making of any new road, the proposed line of road shall be first surveyed by or under the directions of the respective Boards, and approved by them.

Compensation for land taken for roads --how to be made.

VII. Whenever it shall become necessary for the opening, making, or widening of any road, street, or other work, to appropriate any piece or parcel of land being private property, it shall and may be lawful for the Board of Works or any other Board to pay, out of such monies as shall be at their disposal for the purpose of making such respective roads, streets, or other work, a fair and reasonable compensation to every person having any interest in the land so intended to be appropriated; and also to compensate any person for any damage which may be occasioned to his property by the making, opening, or widening such roads, streets, or other work; and if the said Board and the owner of such property cannot agree upon the amount of compensation to be paid, such amount shall be ascertained by the Chairman of such Board and two other Assessors, one of whom shall be nominated by the said Board, and the other by the owner of the land, and who shall assess and award the amount of compensation (if any) that shall be paid for the value of the said land, and for the damage occasioned, together with all reasonable costs incurred by the attendance of witnesses, which award shall be final; and if

the owner of the land shall neglect to nominate an Assessor within five days after being thereto required, the Chairman of such Board shall nominate an Assessor on behalf of the owner; and the said Chairman, and the two Assessors shall be paid the sum of ten shillings each for their services in that behalf; Provided, that every such award shall be made in writing within ten days after any day that may be appointed for the hearing of the case; but before payment or tender to the parties interested of the sum awarded for compensation, it shall be lawful for the said Boards, respectively, or any person authorized by them, to enter in and upon, and take possession of any land so to be appropriated for any road, street, or lane, as aforesaid.

VIII. In all cases where any sums of money appropriated in and by this Act to any road, street, or bridge, shall be found to be more than sufficient for making, constructing, or repairing the same, as the case may be, it shall be lawful for the said Boards, respectively, to appropriate and apply such surplus money to the making, constructing, or repairing any other road, street, or bridge, within the district for which such money shall have been granted: Provided always, that when any sum of money granted for any particular part of any main road shall be found more than sufficient for the purpose of such grant, the surplus thereof shall be expended on such other parts of the same line of road within the district as may require the same.

Surplus of road appropriations to be applied to other roads, &c., in the said district.

IX. No road to be hereafter opened or made shall be gravelled to a greater width than seven feet, or shall have a base of less width from drain to drain than fourteen feet, when such road shall be situated more than five miles from St. John's, or four miles from Harbor Grace, Carbonear, or Brigus, respectively; and that where any land within thirty feet of the centre of any road now laid out, remains unappropriated, and where any land within thirty feet of the centre of any road hereafter to be laid out shall, at the time of any such road being laid out, be unappropriated, such shall not be granted, conveyed, or appropriated to any private purpose.

Width of road to be gravelled.

X. The Chairman of the Board of Works of this Island shall be Supervisor-general of all roads, streets, and bridges therein; that all orders for the payment of monies from the said respective Boards shall be certified by the Financial Secretary of this colony, before payment, so as to confine the expenditure within the respective appropriations; and that the Chairman of each Board in the respective districts shall, on or before the first day of December, and oftener if required, transmit to the said Financial Secretary correct statements of all work done and monies paid on such roads, streets, and bridges, as may be within his said district, together with an estimate of the probable amount which may be necessary to complete the same; and such returns shall be digested and reduced into order by the said Financial Secretary, and an abstract thereof laid before the Legislature within one month after the commencement of each session.

Chairman of Board of Works to be Supervisor-general of roads, &c.

XI. For the purpose of this Act the district of St. John's shall comprehend all roads, streets, and bridges within the electoral district of St. John's, and also the main road between St. John's and the Goulds; that the district of Conception Bay shall comprehend all roads, streets, and bridges within the electoral district of Conception Bay, including Holyrood and the road connecting the Bays of Con-

Limits of districts.

ception and Trinity; that the district of Trinity Bay South shall comprehend all roads, streets, and bridges, within the electoral district of Trinity Bay from Dildo Cove to Split Point; that the district of Trinity Bay North shall comprehend all roads, streets, and bridges from Bonaventure to Catalina; that the district of Bonavista shall comprehend all roads, streets, and bridges within the electoral district of Bonavista, and also the road between Bonavista and Catalina, and in the town of Catalina; that the district of Fogo shall comprehend all roads, streets, and bridges within the electoral district of Fogo; that the district of Burin shall comprehend all roads, streets, and bridges within the electoral district of Burin; that the district of Fortune Bay shall comprehend all roads, streets, and bridges within the electoral district of Fortune Bay; that the district of Burgeo and La Poile shall comprehend all roads, streets, and bridges within the electoral district of Burgeo and La Poile; that the district of Placentia and St. Mary's shall comprehend all roads, streets, and bridges within the electoral district of Placentia and St. Mary's; and that the district of Ferryland shall comprehend all roads, streets, and bridges within the electoral district of Ferryland, South of the Goulds, and inclusive thereof.

Ten per cent of grant to defray expenses.

XII. Out of the amount of fifteen thousand two hundred pounds hereinbefore granted, the sum of one thousand five hundred and twenty pounds, being ten per centum thereon, shall be appropriated to the defrayal of all charges and expenses attendant upon the expenditure of the monies aforesaid, in the constructing, repairing, and improving of all roads, streets, and bridges within these several districts aforesaid, including all expenses of surveying, inspecting, overseeing, the remuneration of Chairmen, Secretaries, and all other necessary officers; Printing, Stationery, and Postage.

Limitation of time to bring action.

XIII. No action shall be commenced against any Board, Commissioners, Surveyors, or Contractors, or other person, for any thing done by him or them in pursuance of the provisions of this Act, until one calendar month next after notice in writing shall have been delivered to him or them, or left at his or their usual place of abode by the party who intends to institute such action, his attorney or agent, in which notice shall be clearly and explicitly contained the cause of action, the name, place of abode of the person who is to bring the same, and the name, and place of abode of his attorney or agent.

Tender of amends.

XIV. It shall be lawful for any such Board, Commissioners, Surveyors, or Contractors, or other person, at any time within one calendar month after such notice shall have been given, to tender amends to the party complaining, or to his agent or attorney; and in case such amends be not accepted, or in case no tender has been made, to plead the general issue to any action to be hereafter brought, and to give such tender, if any, or any other special matter, in evidence; and if the plaintiff in any such action shall not at the trial thereof recover a verdict for more than the amount of such tender, if any, the defendant in such action shall be entitled to his costs of suit, and to the like remedy for the recovery thereof as though a verdict had passed against the plaintiff.

XV. If in any case such Board, Commissioners, Surveyors, Contractors, or other person, shall neglect to tender any amends, or

shall have tendered insufficient amends, before action brought, it shall be lawful for him or them respectively, by leave of the Court wherein such action shall be brought, at any time before the trial thereof, to pay into Court such money as he shall see fit, whereupon such proceedings, orders, and judgments, shall be had, made, or given, in and by such Court, as in other actions where the defendant is allowed to pay money into Court.

Party omitting to make tender to pay money into Court after action.

XVI. Within six days after any contractor for any road, street, or bridge, shall give notice to any Road Surveyor, or Inspector, in the district where such road, street or bridge, may be situated, of the completion of his contract therein, it shall be the duty of such Surveyor or Inspector to inspect such road, street, or bridge, and if the contract be completed, forthwith to grant a negociable certificate accordingly; and it shall be lawful for the Chairman of the said respective Boards, on receiving such certificate, to grant a negociable order under his hand to the contractor to receive payment by warrant of the Governor on the Receiver General.

After contract performed certificate thereof to be given.

XVII. It shall be lawful for the Governor in Council to increase the number of members on any Road Board to seven, where it may be deemed necessary.

Governor may increase Members on Road Board.

XVIII. That all such parts of an Act passed in the 19th year of Her Majesty's Reign, entitled "An Act for granting to Her Majesty a sum of money for constructing and repairing roads, streets, and bridges in this colony," as are now in force, be, and the same are hereby respectively repealed: Provided always, that nothing in this section shall revive any Act or any part thereof, which may have been repealed by the said in part recited Act.

Repeal of former Act.

XIX. That the Governor in Council shall be at liberty to authorize the Board of Works to appropriate such sum as may be necessary to provide material for the erection of bridges across Colinet and Rocky Rivers.

Authority to Board Works to provide materials for bridges at Colinet and Rocky River.

XX. The Governor in Council shall be at liberty to sub-divide the several districts of the Island, for the purpose of the appointment of Road Boards therein.

Sub-division of road districts.

XXI. That the sum of fifty pounds, appropriated under the Act 19 Vic. Cap. 3, for the Marsh road from White Horse to Brigus, be expended by the Board of Works.

Expenditure on road from White Horse to Brigus.

XXII. That the following sums be appropriated and expended as follows:—

To Walter Ford, of Burgeo, the sum of eight pounds thirteen shillings and four pence, to satisfy an outstanding claim due for work done on a road in that locality.

To Walter Ford.

To John Grace, of Brigus, the sum of five pounds and eight shillings, due for building a bridge in that place.

To John Grace.

To the Board of Works, the sum of thirty six pounds and four shillings, to pay for land taken at Holyrood, North Arm, for the public service; and the sum of fifty three pounds, to defray outstanding liabilities for the road service.

For land at Holyrood, North Arm.

For Safety-wall at St. John's.

To the Board of Works, the sum of seventy pounds fourteen shillings and four pence, to defray liabilities incurred on account of the safety-wall near the gas works in St. John's.

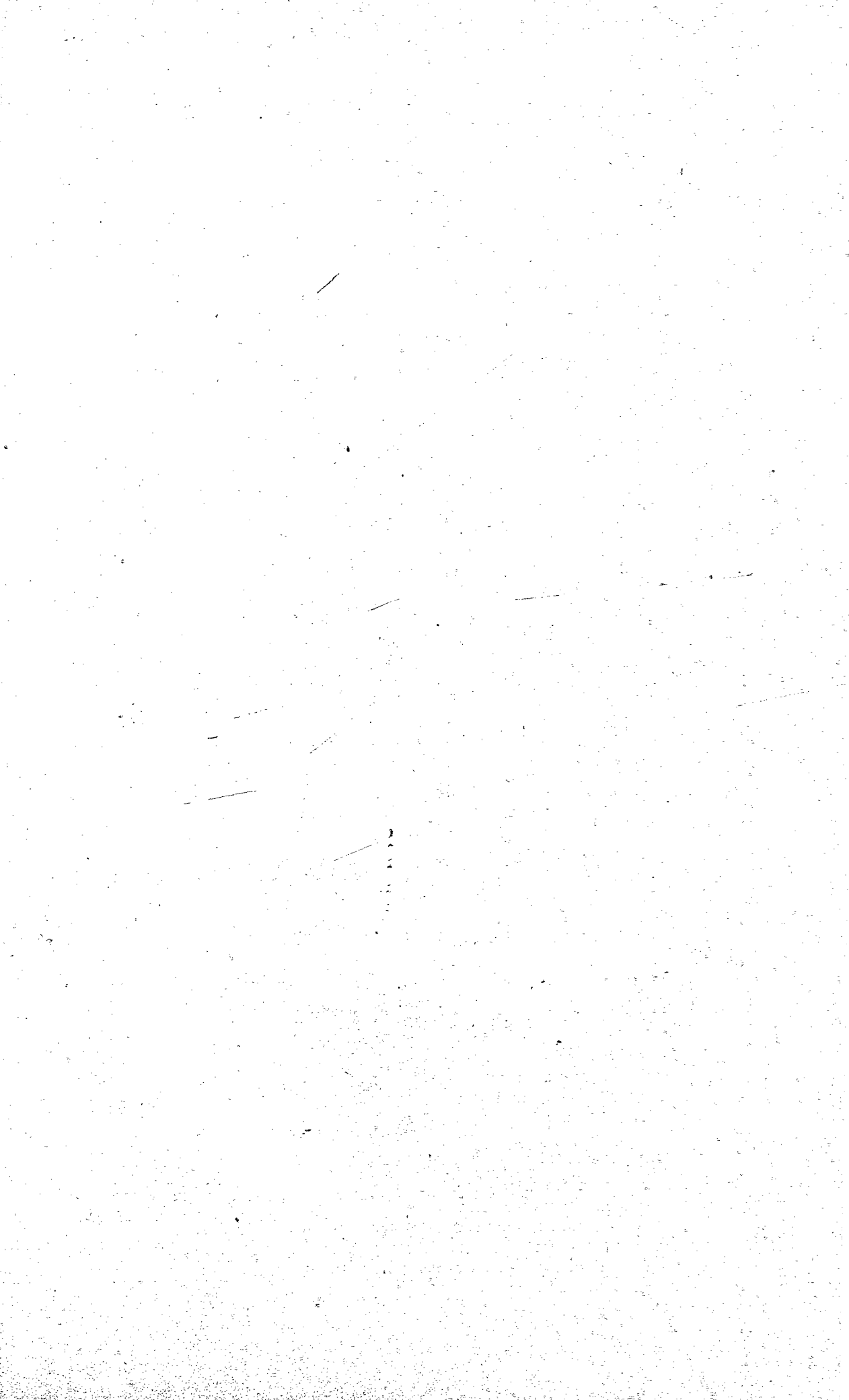
For road from Goulds to Bay Bulls.

To the Board of Works, the sum of one hundred and twenty pounds, to defray the expenditure on the road from the Goulds to Bay Bulls.

Bridges on Heart's Content road, and outstanding liability on road in Bonavista.

To the Road Board of Carbonear, the sum of fifty pounds, to compensate for land taken in Carbonear for the public road service, and for building bridges on the Heart's Content road; and also the sum of two pounds eleven shillings and eight pence, to defray outstanding liabilities on roads and bridges in Bonavista.







ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. VII.

AN ACT for the Encouragement of Education.

[Passed 10th May, 1858.]

WHEREAS it is expedient to Provide for the Encouragement of Education in this Colony: Preamble.

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, that from and out of such monies as may remain in the hands of the Receiver General, unappropriated, there be Granted to Her Majesty the Sum of Ten Thousand Five Hundred and Twenty Five Pounds annually, which sum of money shall be yearly distributed in the proportions hereinafter mentioned, in the support of Schools established or to be established for the instruction of Children of Members of the several Protestant Churches, and of the Roman Catholic Church, in this Colony. Grant for Education
£10,525.

II. Out of the said sum of Ten Thousand Five Hundred and Twenty Five pounds, the Sum of Nine Thousand Five Hundred and Twenty Five Pounds shall be annually applied and expended by the several Boards of Education hereafter to be appointed, in the several districts mentioned in the subjoined Table: to Protestants, Five Thousand One Hundred and Twelve Pounds Sixteen Shillings; to Roman Catholics, Four Thousand Four Hundred and Twelve Pounds Four Shillings; in manner following, that is to say:— Denominational division of Educational grant.

EDUCATION APPROPRIATION FOR PROTESTANT DISTRICTS.

St. John's, East and West, extending to Upper Gulley	£721 13 0
Brigus to Northern Gut, exclusive	230 11 0

Bay Roberts to Spaniards Bay Bridge	£289 13 0
Harbor Grace to Musquitto Point, exclusive	350 15 6
Carbonear, from Musquitto Point to Perry Cove	267 3 0
Bay de Verds, from Perry's Cove to Split Point	278 17 0
Trinity Bay South, from Split Point to Sugarloaf Head	191 17 0
Ditto West, from Sugarloaf to Random Head	170 0 6
Ditto North, from Random Head to South Head	
Catalina	229 5 6
Ditto East, from Catalina South Head to Cape	
Bonavista	111 1 6
Bonavista, from North Head of Bird Island to Upper	
Amherst Cove	166 5 6
Ditto West, from Upper Amherst Cove to Salvage	113 6 6
Ditto North, from Salvage to Cape Freels	231 18 0
Fogo, from Cape Freels to Change Islands	198 7 6
Twillingate, from Change Islands to Marret's Harbor	225 7 6
Morton's Harbor District, from Marret's Harbor to	
Cape John	196 19 0
Bay Bulls, from Petty Harbor South Head to La	
Manche River	0 12 0
Ferryland, from La Manche to Cape Race	9 10 6
St. Mary's, from Cape Race to Cape Dog or Bickford	2 0 6
Great Placentia, from Bickford to Fresh Water	1 1 0
Little Placentia, from first beach Fresh Water to Hay	
Stack	29 18 0
Placentia West, from Hay Stack to Dog Harbor and	
Bruley	55 17 6
Burin, from Rashoon to Little St. Lawrence	133 14 6
Lamaline, from Little St. Lawrence to Point May	34 1 0
Grand Bank, from Point May to Garnish	70 7 0
Fortune Bay Electoral District	213 9 0
Burgeo and La Poile Electoral District	259 4 0
	<hr/>
	£4752 16 0

EDUCATION APPROPRIATION FOR ROMAN CATHOLIC DISTRICTS.

St. John's	£1405 9 8
Harbor Main	212 10 4
Brigus }	
Bay Roberts }	200 12 0
Harbor Grace	207 16 0
Carbonear }	
Bay de Verds }	277 13 0
Trinity South	25 12 0
Ditto West	19 16 0
Ditto North	42 14 8
Bonavista South }	
Ditto West }	115 5 4
Ditto North	
Fogo	23 13 4
Fogo	63 1 4
Twillingate }	
Morton's Harbor }	33 1 4
Bay Bulls	157 1 0

Ferryland	.....	.....	.....	.....	182	9	4
Trepassey	.....	.....	.....	.....	40	18	0
Placentia, Great	.....	.....	.....	.....	86	10	8
Ditto Little	.....	.....	.....	.....	93	10	8
Ditto West	.....	.....	.....	.....	126	17	4
Burin	}	.....	.....	.....	193	13	4
Lamaline		.....	.....	.....
Grand Bank		.....	.....	.....
Fortune Bay	.....	.....	.....	.....	43	2	8
Burgeo	}	.....	.....	.....	5	18	8
La Poile		.....	.....	.....
St. Mary's	.....	.....	.....	.....	109	17	4
					<u>£3667</u>	<u>4</u>	<u>0</u>

III. That the further sum of One Thousand Pounds be annually appropriated and expended, out of the said sum of Ten Thousand Five Hundred and Twenty Five Pounds, towards the support of Commercial and other Schools, in manner following, that is to say :—

£1000 annually for Commercial Schools.

To the Commercial School at St. John's, for Presbyterians	£40
" Bay Bulls	40
" Harbor Main	50
" Brigus, in Conception Bay ..	50
" River Head, Harbor Grace ..	50
" Ferryland	50
" St. Mary's	40
" Great Placentia	40
" Burin, Catholic School ..	30
" Burin, Church of England ..	20
" Burin, Wesleyan	20
" Jersey Harbor	50
" Burgeo and LaPoile	50
" King's Cove	50
" Trinity	50
" Bonavista	50
" Twillingate and Fogo	50
" Old Perlican	20
" Heart's Content	20
" Shoal Point and Upper Island Cove	50
" Oderin	30
" Tilton and Fortune Harbors ..	30
" Seldom Come By, Protestant	20
" Muddy Hole and Shoe Cove,	
Protestant	30
" Cupids, Wesleyan	20
" Bay de Verds	50
<u>£1000</u>	

IV. That out of the Sum of Money granted in and by the second section of this Act, towards the education of children of Members of the Roman Catholic Church, there be paid annually to the Catholic Bishop of the Diocese of St. John's, the Sum of Four Hundred and

£445 for support of Convent Schools in Diocese of St. John's.

Forty Five Pounds, for the support of the Presentation and other Convent Schools, in manner following, that is to say :—

For the Convent School at Harbor Main..	..	..	..	£75
“ “ Renewse ..	..	..	..	75
“ “ Ferryland ..	..	..	..	45
“ “ Witless Bay ..	..	..	..	50
“ “ Placentia ..	..	..	..	50
“ “ Brigus ..	..	..	..	50
“ “ Burin ...	..	..	..	50
“ “ St. Mary's ....	..	..	..	50
				£445

Presentation and other Convent Schools at Harbor Grace.

V. Out of the sum of Money granted in and by the second section of this Act, towards the education of Children of Members of the Roman Catholic Church, there be paid annually to the Catholic Bishop of the Diocese of Harbor Grace, the Sum of Two Hundred and Fifty Pounds, for the support of the Presentation and other Convent Schools, in manner following, that is to say :—

For the Convent School at Harbor Grace ..	..	..	..	£100
“ “ “ Carbonear ..	..	..	..	100
Other Convent Schools in the Diocese of Harbor Grace ..	..	..	..	50
				£250

Protestant Educational Districts.

VI. The Protestant Educational Districts shall be as follow : that of St. John's shall consist of the present electoral districts of St. John's, and that part of the district of Harbor Main lying between Horse Cove and Upper Gully inclusive ; that the educational district of Brigus aforesaid shall consist of and include all that part of the electoral district of Brigus lying between South side of Northern Gut in Port-de-Grave Salmon Cove, and Upper Gully ; the district of Bay Roberts from the North side of Northern Gut in Port-de-Grave to the Northern point of Bay Roberts, inclusive ; the district of Harbor Grace aforesaid shall consist of and include all that part of the electoral district of Harbor Grace lying between the South point of Mosquito and the North point of Bay Roberts ; the district of Carbonear aforesaid shall consist of and include all that part of the electoral district of Carbonear lying between the South point of Mosquito and Perry's Cove ; the district of Bay-de-Verds aforesaid shall consist of and include all that part of the electoral district of Bay-de-Verds lying between Perry's Cove and Split Point ; the district of Trinity Bay South shall consist of and include all that part of the electoral district of Trinity lying between Split Point and Sugar Loaf Head ; the district of Trinity Bay West shall consist of and include all that part of the electoral district of Trinity Bay lying between Sugar Loaf Head and West Head of Random ; the district of Trinity Bay North shall consist of and include all that part of the electoral district of Trinity Bay from West Head of Random to Catalina South Head inclusive ; the district of Trinity Bay East shall consist of and include all that part of the electoral district of Trinity Bay from Catalina South Head to Bird Island Cove inclusive ; the district of Bonavista South shall consist of and include all that part of the electoral districts of Trinity and Bonavista lying between Bird Island Cove and Upper Amherst Cove

inclusive; the district of Bonavista West, from Upper Amherst Cove to Salvage inclusive; the district of Bonavista North shall consist of and include all that part of the electoral district of Bonavista from Salvage to Cape Freels, including Flat Island and all Islands within said limits; the district of Fogo aforesaid shall consist of and include all that part of the electoral district of Fogo from Cape Freels to Muddy Hole and Change Islands inclusive, including the Island of Fogo and all other Islands within the said limits; the district of Twillingate aforesaid shall consist of and include all that part of the electoral district of Fogo lying between Change Islands and Marrett's Harbor, including the Island of Twillingate, and the Islands within the said limits; the district of Morton's Harbor from Marrett's Harbor to Cape John; the district of Bay Bulls aforesaid shall consist of and include all that part of the electoral district of Ferryland lying between the South Head of Petty Harbor and the LaManche River; the district of Ferryland aforesaid shall consist of and include all that part of the electoral district of Ferryland lying between LaManche River and Cape Race; the district of St. Mary's aforesaid shall consist of and include all that part of the electoral district of Placentia and St. Mary's lying between Cape Race and Bickford inclusive; the district of Placentia shall consist of and include all that part of the electoral district of Placentia and St. Mary's lying between Branch and Rashoon, Branch included; the district of Burin, all that part of the electoral district of Burin from Rashoon to Little St. Lawrence, inclusive; the district of Lamaline, from Little St. Lawrence to Point May; the district of Grand Bank, from Point May to Great Garnish; the District of Fortune Bay shall consist of and include all the present electoral district of Fortune Bay; and the district of Burgeo and LaPoile shall be divided into two districts, namely, the district of Burgeo, extending from Bonne Bay to Wreck Island, inclusive, and the district of LaPoile, extending from Wreck Island to Cape Ray.

VII. The Roman Catholic Educational Districts shall be as follows, viz: That the present electoral district of St. John's shall be the educational district of St. John's, and extend to Indian Pond; the educational district of Harbor Main shall extend from Indian Pond to Bacon Cove, both inclusive; that the educational district of Brigus aforesaid shall consist of and include all that part of the electoral district of Harbor Main lying between Bacon Cove, exclusive, and Spaniards Bay bridge, including Bay Roberts; the district of Harbor Grace aforesaid shall consist of and include all that part of the electoral district of Harbor Grace lying between the South Point of Musquitto and Spaniards Bay bridge; the district of Carbonear aforesaid shall consist of and include all that part of the electoral districts of Carbonear and Bay-de Verds lying between the South Point of Musquitto and Split Point; the district of Trinity Bay South shall consist of and include all that part of the electoral district of Trinity lying between Split Point and Sugar Loaf Head; the district of Trinity Bay West shall consist of and include all that part of the electoral district of Trinity Bay lying between Sugar Loaf Head and Careless Harbor; the district of Trinity Bay North shall consist of and include all that part of the electoral district of Trinity Bay from Careless Harbor, inclusive, to Cape Bonavista; the district of Bonavista South aforesaid shall consist of and include all that part of the electoral district of Bonavista lying between Cape Bonavista and Sal-

Roman Catholic Educational Districts.

vage inclusive; the district of Bonavista North aforesaid shall consist of and include all that part of the electoral district of Bonavista lying between Salvage and Cape Freels, including all Islands within the said limits; the district of Fogo aforesaid shall consist of and include all that part of the electoral district of Fogo lying between Cape Freels and Change Islands inclusive, including the Island of Fogo and all other Islands within the said limits; the district of Twillingate aforesaid shall consist of and include all that part of the electoral district of Fogo lying between Change Islands and Cape St. John, including the Island of Twillingate, and all Islands within the said limits; the district of Bay Bulls aforesaid shall consist of and include all that part of the electoral district of Ferryland lying between the South Head of Petty Harbor and La Manche River; the district of Ferryland aforesaid shall consist of and include all that part of the electoral district of Ferryland lying between La Manche River and Cape Race; the district of Trepassey aforesaid shall consist of and include all that part of the electoral district of Placentia and St. Mary's lying between Cape Race and Holyrood, exclusive; the district of St. Mary's aforesaid shall consist of and include all that part of the electoral district of Placentia and St. Mary's lying between Holyrood, inclusive, and Cape Dog; the district of Great Placentia shall consist of and include all that part of the said electoral district of Placentia and St. Mary's lying between Bickford and first Beach, and Fresh Water, both inclusive; the district of Little Placentia shall extend from first Beach and Fresh Water to Hay Stack, including Red Island, Rams Island, and Ragged Island, and exclusive of Dog Harbor and Brewley; and the district of Placentia West shall extend from Hay Stack to Burnt Island, including Dog Harbor and Brewley, Isle of Valen, Merasheen, and the other Islands on the Western Shore within the said limits; the district of Burin aforesaid shall consist of and have the same limits as the present electoral district of Burin, and extending to Burnt Island exclusive, including Oderin and Flat Islands; the district of Fortune Bay shall consist of and include all that part of the coast lying between Garnish and Cape Ray, both places inclusive; and the district of Burgeo and LaPoile shall be the electoral district of Burgeo and La Poile.

Governor to appoint
Protestant Boards of
Education.

VIII. Immediately on this Act coming into operation, it shall and may be lawful for the Governor, with the advice of the Council, to nominate and appoint, in each of the educational districts hereinafter mentioned, Five or Seven Members of the several Protestant Churches, one of whom shall be the Senior Clergyman of the said Churches actually resident or officiating in such district, to form and to be a Protestant Board of Education for such district, that is to say:—In St. John's, Brigus, Bay Roberts, Harbor Grace, Carbonear, Bay de Verds, Trinity South, Trinity West, Trinity North, Trinity East, Bonavista South, West, and North; Fogo, Morton's Harbor, and Twillingate; Ferryland, Placentia West, Burin, Grand Bank, Lamaline, Fortune Bay, Burgeo and LaPoile: Provided, that in St. John's such Board shall consist of Nine or more Members, of whom a majority shall be Members of the Church of England, and as nearly as may be of the same proportion to the Members of the Board as the number of the members of that Church bear to the number of the Protestant Inhabitants in that district; and that in other places in this Colony the majority of the Board shall be of the same persuasion of the majority of the Inhabitants, according to the latest census: Provided further, that

it shall not be necessary to appoint a Protestant Board in any district where the amount herein appropriated for such district shall be less than Twenty Five Pounds; but that in every such case, it shall be lawful for the Governor to authorise the Protestant Board most contiguous to such District to expend the sum appropriated for such district in such educational purposes as shall be most for the advantage of the same.

IX. Immediately on this Act coming into operation, it shall and may be lawful for the Governor, with the advice of the Council, by warrant to nominate and appoint in each of the Educational districts aforesaid, Five or Seven Members of the Roman Catholic Church to form and be a Roman Catholic Board of Education for such district, in which Board shall be included the Senior Superior Clergyman of the same Church actually resident or officiating within such district: Provided that it shall not be necessary to appoint a Roman Catholic Board in any district where the amount hereinbefore appropriated to the Roman Catholic part of the district shall be less than Twenty Five Pounds; but that in such case it shall be lawful for the Roman Catholic Board most contiguous to the said district to expend the sum appropriated for such district in such educational purposes as shall be most for the advantage of the same: Provided also, that it shall be lawful for any of the Roman Catholic Boards to appropriate any of their surplus funds in the support or establishment of any Roman Catholic Schools in the said Island where the same may be required: Provided also that it shall only be necessary to appoint one Board for the districts of Harbor Grace, Carbonear, Bay de Verds, and Trinity South and West, of which the Catholic Bishop of Harbor Grace shall be Chairman.

Governor to appoint Catholic Boards of Education.

X. Whenever any vacancy shall occur in any of the said Boards by the death, resignation, or absence from the Colony for Twelve Months, of any Member thereof, it shall and may be lawful for the Governor, with the advice of the Council, by warrant to nominate and appoint a fit and proper person to fill such vacancy.

Vacancies in Boards—how filled up.

XI. Such Boards of Education shall respectively have full power and authority, so soon as may be after they shall have been severally constituted, to assemble together in their respective districts, and thereon to make and adopt by-laws, rules and regulations, for the establishment and management of Schools within their respective districts, and for the appropriation of the respective sums of money hereinbefore granted, and of such sums as may from time to time be granted for the maintenance of such Boards: Provided always, that Three at least of the Members of any Board shall be present at the transaction of any business by the said Board: Provided further, that no by-laws, rules and regulations shall be of any force or effect until the same shall have received the approval of the Governor in Council.

Boards of Education to make By-laws, Rules, &c.

Proviso.

XII. The Annual Meeting of each respective Board of Education shall be held on the First Wednesday in July in each year, for the purpose of choosing a Chairman and other Officers, and of auditing accounts, and of transacting such other business as may then be necessary; and that the Chairman of each Board shall, as soon thereafter as may be, transmit to the Governor for the time being a true and

Annual and General Meetings of Boards—when to be held.

Chairman to transmit returns to Governor.

correct return of the number and position of Schools and date of establishment, the names of Teachers, salary to be paid to each, the number, names and ages of scholars, the branches taught them, the books they have used, and their progress in education, the hours of teaching and fees received; which return shall be accompanied by a detailed account of the expenditure of the Board for the past year; and any Board neglecting to transmit such returns, according to the forms to be furnished from the Office of the Colonial Secretary, on or before the last day of October following the Annual Meeting, shall not receive further payments until such default shall be remedied.

Annual and General Meetings of Boards—where to be held.

XIII. The Annual and General Meetings of the said Boards respectively, shall be holden at the following places, that is to say:—At the Town of St. John's, for the District of St. John's; at Harbor Main, for the district of Harbor Main; at Brigus, for the district of Brigus; at Bay Roberts, for the district of Bay Roberts; at Harbor Grace, for the district of Harbor Grace; at Carbonear, for the district of Carbonear; at Black Head, for the district of Bay de Verds; at Old Perlican, for the district of Trinity Bay South; at Trinity, for the district of Trinity Bay North; at Heart's Content, for the district of Trinity Bay West; at Catalina, for the district of Trinity Bay East; at Bonavista, for the district of Bonavista South; at King's Cove, for the district of Bonavista West; at Greenspond, for the district of Bonavista North; at Fogo, for the district of Fogo; at Twillingate, for the district of Twillingate; at Morton's Harbor, for the district of Morton's Harbor; at Bay Bulls, for the district of Bay Bulls; at Ferryland, for the district of Ferryland; at St. Mary's, for the district of St. Mary's; at Great Placentia, for the district of Great Placentia; at Little Placentia, for the district of Little Placentia; at St. Kairn's, for the district of Placentia West; at Burin, for the district of Burin; at Grand Bank, for the district of Grand Bank; at Lamaline, for the district of Lamaline; at Harbor Britain, for the district of Fortune Bay; at Lapoile, for the district of Burgeo and LaPoile: Provided always, that the Protestant Board for the district of Placentia shall meet at Harbor Buffet; and that General Meetings of the said Boards of Education respectively may be held at any time, on the requisition to the Chairman of any Two or more Members; or in case of the Chairman refusing or neglecting to call such Meeting within Three Days after such requisition being delivered to him, or left at his house, then such Meeting may be called by such requisitionists.

School-houses, &c., held by Boards under former Acts to vest in Boards under this Act.

XIV. The School-houses and property of Boards, under any previous Act, and not herein otherwise provided for, shall vest in and become the property of their respective successors under this Act; and that in any case where it shall be necessary to prosecute or defend any action at Law or Suit in Equity on behalf of the Board, the same may be brought or defended in the name of the Chairman.

Fees.

XV. The following scale of Fees shall be paid by the Pupils attending the several Schools to be established under the provisions of this Act, to be paid at any periods during or at the expiration of any current year to be fixed by the Master, and notified, in addition to the Salaries of the Masters, who shall make a return of the amount received to the Boards of the said Schools, namely:—each child learning the alphabet, &c., shall pay in currency at the rate of Two Shillings and Sixpence per year; each child learning to write and cypher shall

pay at the rate of five shillings per year; each child learning other and higher branches of education shall pay at the rate of seven shillings and sixpence per year; each scholar learning navigation shall pay an additional fee at the rate of ten shillings per year: Provided that if the fees be not paid to the master, he may recover the same by action in a summary manner before any Justice of the Peace, either in his own name or in the name of the Board, or any master may, with the consent of the Board, or the Chairman thereof, issue a Warrant of Distraint under his hand, directed to any Constable or other Person, and distrain the goods and chattels of the parent of any child, for the amount of fees in arrear for any such child, without action, and sell the same after three days' notice; but any Justice near the locality may, on application and good cause shewn, restore the property distrained, if the fees should not be due, or make such order as may be just: Provided that nothing herein contained shall be construed to prevent the several masters aforesaid from remitting the said fees, or any part thereof, to such persons as are or may be unable from poverty to pay the same.

XVI. The Protestant Boards in the districts of St. John's, Brigus, Harbor Grace, Carbonear, Trinity Bay West, Trinity Bay North, Bonavista North and South, Fogo, Twillingate, and Fortune Bay, shall respectively, out of the sums herein before appropriated to them each year, contribute to the support of the Schools of the Newfoundland School Society within the said several districts, to the respective amounts following, that is to say:—The Board for the district of St. John's, not exceeding Seventy-five Pounds; the Board for the district of Brigus, Twenty-five Pounds; the Board for the district of Harbor Grace, Fifty Pounds; the Board for the district of Bay Roberts, Fifty Pounds; the Board for the district of Trinity West, Thirty Pounds; the Board for the district of Trinity North, Sixty Pounds; the Board for the district of Bonavista South, Thirty-five pounds; the Board for the district of Bonavista North, Forty Pounds; the Board for the district of Fogo, Twenty-five Pounds; the Board for the district of Twillingate, Sixty Pounds; the Board for the district of Fortune Bay, Fifty Pounds; which said several sums of money shall be paid Quarterly by Warrant of the Governor to the Superintendent, or the Chairman of the Corresponding Committee of the said School Society in St. John's, on the production of a certificate that a School or Schools has or have been in operation under the direction of the said School Society in such districts respectively, for the period for which the amount is or may be appropriated and made payable; and also, for one year only, the further sum of Two Hundred Pounds out of the General Protestant Grant towards support of Schools and repair of School Houses belonging to the said Society, payable in like manner as aforesaid, provided the proportionate amount from each district shall be expended in such district if there be a School or Schools therein under the superintendence of the said Society; and also a further sum of Twenty Five Pounds a-year, out of the General Protestant Grant, be paid towards the Commercial School of Brigus, and Five Pounds a-year towards the Protestant Board School in Carbonear.

Newfoundland School Society's Schools.

XVII. The Protestant Boards in the Districts of St. John's, Brigus, Bay Roberts, Carbonear, Bay de Verds, Trinity South, Trinity East, and Burin, shall respectively, out of the sums herein-before appropriated to them, each year contribute to the support of the Wesleyan

Wesleyan Methodist Schools.

Methodist Schools within their several Districts the sums following, that is to say : the Board for St. John's, Twenty-five Pounds ; the Board for Briggs, Twenty-five Pounds ; the Board for Bay Roberts, Twenty-five Pounds ; the Board for Carbonear, One Hundred Pounds ; the Board for Trinity South, Twenty-five Pounds ; the Board for Trinity East, Twenty-five Pounds ; the Board for Burin, Twenty-five Pounds ; which said sums of money shall be paid Quarterly, by Warrant of the Governor, to the Chairman of the Wesleyan Methodist Mission at St. John's, upon the production of a certificate that a School or Schools has or have been in operation under the management of the Wesleyan Methodists in such Districts respectively, for the period for which the amount is payable ; and also, for one year only, the further sum of One Hundred Pounds out of the General Protestant Grant towards the support of Wesleyan Methodist Schools, and payable in like manner as aforesaid.

Orphan Asylum, Presentation Convent and St. Patrick's Free Schools.

XVIII. The Roman Catholic Board for the District of St. John's shall appropriate the sum of One Hundred and Fifty Pounds per annum to the support of the Orphan Asylum School, and the sum of Three Hundred Pounds per annum to the support of the Presentation Convent Schools in the said District, out of the sum herein-before appropriated to such District ; and the Roman Catholic Board in the District of Harbor Grace shall appropriate the sum of One Hundred Pounds per annum to the support of the St. Patrick's Free School in the said District out of the amount herein-before appropriated to such District ; which said sums of money shall be paid Quarterly, by Warrant of the Governor, to the respective Roman Catholic Bishops of the Dioceses of St. John's and of Harbor Grace, or the Committees of Management having charge of said Schools, upon the production of a certificate that such Schools have been in active operation for the period for which the respective amounts are payable : Provided that the sum of Fifty Pounds be paid out of the General Catholic Grant for the support of Catholic Schools in Kelligrews and Topsail.

School Board in one District may assist Board in another.

XIX. It shall and may be lawful for any of the Boards of Education established under this Act, in case they or any of them shall deem it expedient, to appropriate such portions of the funds by this Act placed at their disposal respectively, as they may be enabled so to do, towards the support of any one or more of the Schools that may stand most in need thereof, and which any such Board may deem deserving of support : Provided such Schools shall be subject to inspection and furnish Reports similar to other Schools supported under this Act.

Course of Instruction.

XX. In order to carry out an uniform course of Instruction in the Schools to be established under the provisions of this Act, the following branches shall be taught in the said several Schools, viz :— Reading, Writing, Arithmetic, English Grammar, and, where required, Geography, History and Navigation ; and also such Industrial Employment as may be directed and deemed necessary by the said Boards.

Grant for repair, &c., of School-houses, &c.

XXI. It shall and may be lawful for the Governor, by Warrant upon the Receiver General, to authorize the annual expenditure, in fair proportions between Protestant and Catholic Schools, of the sum of Two Hundred Pounds above the sum herein-before granted, to be appropriated by the said Local Boards in the erection and repair of

School Houses, in providing suitable Books, Maps, and School Furniture therefor: Provided always, that the said Books, Maps, and School Furniture, so to be distributed, shall be sold at a remunerating rate by the said respective Boards to the said several Schools, and that such Boards shall annually account for the proceeds thereof to the Governor in Council.

XXII. No grants shall be made for School Houses, unless the Inhabitants of the locality requiring the same shall contribute an equal amount in money or kind for that purpose, and that no grants shall be made for School Houses, where the legal title to the site thereof shall not be vested in the Board for the district in which such site is or may be situated. Inhabitants to contribute for School-houses.

XXIII. It shall not be lawful for the Teachers in any of the Schools appointed under this Act, to impart to any child or children attending the same, any religious instruction which may be objected to by the parent or guardians of such child or children. Religious instruction.

XXIV. For the purpose of training Teachers in this Colony, there shall be annually appropriated and expended a sum of Seven Hundred and Fifty Pounds out of the Public Revenue, in addition to the sums of money hereinbefore granted; whereof Four Hundred Pounds shall be paid for training Teachers for Protestant Schools, and Three Hundred and Fifty Pounds for training Teachers for Catholic Schools, in this Island; that the annual sum of Twenty Five Pounds shall be paid out of the sum of Seven Hundred and Fifty Pounds, for the Board, Lodging, and Training, of any Scholar, while so being trained; that no more than two such Scholars from any one electoral district shall be paid for at the same time; and that the selection of such Scholars shall be made by the respective Protestant and Catholic Boards of Education of such district, according to such regulations as they shall adopt for that purpose, and which shall prescribe the manner of selecting such Scholars, and of obtaining security that they will become and continue Teachers in any such districts for a special period under some one of such Boards; and which regulations shall be subject in all cases to the approval of the Governor in Council, before the same shall go into operation. Training Teachers.

XXV. Any Protestant Scholar selected and recommended to be trained as a Teacher by the Protestant Board of Education of any electoral district according to such regulations, may be Instructed, Boarded, and Lodged, in the Church of England Academy, the principal School of the Newfoundland School Society in this Island, or in the Wesleyan Training School in St. John's, as the Boards appointing and selecting such Scholars shall decide: And any Catholic Scholar, selected and recommended to be trained as a Teacher by the Catholic Boards of Education of any electoral district, may be Instructed, Boarded, and Lodged, in the Roman Catholic Academy in St. John's: and the sum hereinbefore granted for Training, Boarding, and Lodging any such Scholars shall be paid to the Superior, Principal, or Secretary, of any such Academy or School, upon his certifying that such Scholar has been in regular attendance and receiving instruction under his charge during the period for which payment is sought. Selection of Scholars for Training.

XXVI. That a further sum of Four Hundred Pounds yearly be granted to defray the expense, including all travelling expenses, of Grant to defray expense of inspection.

Inspecting the several common Board Schools within the electoral districts of this Island, and of procuring an annual or half-yearly report on the condition of such Schools, the number of Scholars in attendance, the branches of Education they are taught, their proficiency, the qualifications of the Teachers, the state of the School-houses, the amount of Government allowance and tuition fees received by each Teacher, and a return from each School Board of the amount of Education Funds received and expended by such Board, with such other information as may be useful in relation to such Schools, according to such instructions as may be given by the Governor in Council.

Appointment of Inspectors.

XXVII. The Governor in Council shall appoint two competent Inspectors, one being a Catholic and the other a Protestant, to inspect the said Schools, and report thereon as aforesaid; who shall be sworn, before a Justice of the Peace, well and faithfully to discharge the duties of their office, and they shall make annual reports of their proceedings to the Governor, to be laid before the Legislature at the opening thereof.

Moneys to be paid on Governor's Warrant.

XXVIII. The sums of money granted by this Act shall be paid Quarterly by the Receiver General of the Colony, in discharge of such warrants as may from time to time be issued by the Governor, in favor of any person or persons, to be applied to the purposes of this Act.

Boards may nominate persons to visit Schools in certain cases.

XXIX. Where any Board School is held at a distance from the residence of the Chairman or Members of the Board, it shall be competent for the Board to nominate any one or more fit and proper persons residing near the School, to visit and superintend the same, subject to the order of the Board and the terms of this Act.

£200 for one year for Newfoundland School Society and Wesleyan Schools.

XXX. After this Act shall have been in operation for one year, the sum of Three Hundred Pounds hereinbefore granted for one year to the Newfoundland School Society, and for the support of Wesleyan Methodist Schools, shall be appropriated, in proportion to population, among the said Protestant Educational Districts.

Commencement of Act.

XXXI. This Act shall come into operation on the Thirtieth day of June, in the Year of Our Lord one Thousand Eight Hundred and Fifty-eight, and not before.

FORM OF SCHOOL RETURN

To be transmitted to the Colonial Secretary on or before the 31st of October each year, in default of which no further payments to be made.

BOARD OF EDUCATION FOR DISTRICT OF

No. and locality of Schools.	Where established.	Teacher.	Salary.	No. of Scholars.		Ages of Scholars.	Branches taught.	Books used.	Hours of teaching.	Fees paid.	Remarks on progress of Scholars or other matters of interest connected with the Schools.
				Male.	Female.						

Form of School Return.

NOTE.—With this return is to be forwarded account of the monies received and paid during the past year.

July 1st. 185 .

A. B. *Chairman.*





ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ,

CAP. VIII.

AN ACT to amend an Act passed in the Thirteenth Year of the Reign of Her Majesty, entitled " An Act to amend an Act passed in the Seventh Year of the Reign of Her present Majesty, entitled ' An Act to Provide for the Establishment of an Academy in St. John's, ' " and for other purposes.

[Passed 10th May, 1858.]

WHEREAS it is expedient to amend an Act passed in the Thirteenth Year of the Reign of Her Majesty, entitled " An Act to amend an Act passed in the Seventh Year of the Reign of Her present Majesty, entitled ' An Act to provide for the Establishment of an Academy in St. John's.

Preamble,

Be it therefore Enacted by the Governor, Legislative Council, and Assembly, in Legislative Session convened, as follows :—

I. That from and after the passing of this Act, there shall be established in St. John's, a Wesleyan Academy ; and it shall be lawful for the Governor from time to time to nominate and appoint a Board of Directors for the said Academy, which shall consist of Five Mem-

Wesleyan Academy.

bers, being Wesleyan Methodists, of whom Three shall be a quorum, which Board shall possess, exercise, and discharge, the like powers and duties, subject to the like Rules, Regulations, and Restrictions, prescribed for or vested in any of the Boards of Directors under and by virtue of any of the said recited Acts passed respectively in the Seventh Year of the Reign of Her Majesty, entitled "An Act to Provide for the Establishment of an Academy in St. John's," and in the Thirteenth Year of the Reign of Her Majesty, entitled "An Act to amend an Act passed in the Seventh Year of the Reign of Her Majesty, entitled 'An Act to Provide for the Establishment of an Academy in St. John's.'"

Board of Directors.

II. The said Board of Directors and their Successors shall have full power from time to time to appoint and remove One or more persons as Masters of the said Academy.

Power of Board.

III. From and out of such monies as shall from time to time remain in the hands of the Receiver General, unappropriated, there be granted to Her Majesty, Her Heirs and Successors, annually, the sum of Six Hundred Pounds towards defraying the Salaries of Roman Catholic Masters of the Roman Catholic Academy; the sum of Four Hundred Pounds, towards defraying the Salaries of the Church of England Masters of the Church of England Academy; the sum of One Hundred and Fifty Pounds towards defraying the Salaries of the Masters of the General Protestant Academy, respectively established under the said recited Act, in lieu of the salaries provided under the Fourth Section (hereby repealed) of the said recited Act, passed in the Thirteenth Year of Her Majesty's Reign, entitled "An Act to amend an Act passed in the Seventh Year of the Reign of Her present Majesty, entitled 'An Act to Provide for the Establishment of an Academy in St. John's;'" and the Sum of Two Hundred Pounds towards defraying the Salaries of the Masters of the Wesleyan Academy, hereby established; which Salaries shall be paid quarterly, by warrant of the Governor in favor of the Chairman of the several Boards of the respective Academies, upon the production of a certificate from the Chairman of each of the said Boards of Directors, that the Masters of the said Academies have been actually engaged in the duties of their respective appointments.

Annual Salaries of Masters of respective Denominational Academies.

IV. That the Sum of Two Hundred Pounds, annually, be granted for the support of the Grammar School of Carbonear; and the Sum of Two Hundred Pounds, annually, for the support of the Grammar School at Harbor Grace; in lieu and in full of the Salaries granted for the support of the Masters of the said respective Schools under an Act passed in the Sixth Year of the Reign of Her Majesty, entitled "An Act to authorize the Governor to appoint Commissioners for the appropriation of certain monies granted to Her Majesty for the establishment of a Grammar School at Carbonear, and remaining unappropriated, and to make further provision for the support of the said School;" and under an Act passed in the same Year of Her Majesty's Reign, entitled "An Act for the Establishment and Support of a Grammar School at Harbor Grace;" and the Sixth Sections of the said recited Acts are hereby repealed.

Annual Grant for support of Grammar Schools at Harbor Grace and Carbonear.

V. The number of Members on the Board of the General Protestant Academy shall be Six instead of Five, as at present; Provided that Two be selected from the Church of Scotland, Two from the Free St. Andrew's Church, and Two from the Congregational Church.

Number of Members
of Board of General
Protestant Academy.

VI. That the Sum of Six Hundred Pounds, voted for the General Protestant Academy by the Supply Act of 1857, and yet unappropriated, be divided equally between the Wesleyan and the General Protestant Academies.

£600 to be divided
between the Wesleyan
and General Protes-
tant Academies.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ,

CAP. IX.

*AN ACT to provide for the Performance of
Contracts between Masters and Servants in
this Colony.*

[Passed 10th May, 1858.]

WHEREAS it is expedient to make provision for the enforcing Preamble.
of the performance of Contracts between Masters and Servants
in this Colony :

Be it therefore enacted, by the Governor, Legislative Council, and
Assembly, in Legislative Session convened, That from and after the
passing of this Act, when any person who shall have entered into a
contract or agreement in writing, which shall be signed by both parties
or their agent, and of which there shall be two parts so signed, one to
be in the possession of the employer and the other in the possession of
the servant, for the performance of any duty, within this Colony, as
fisherman, shoreman, shareman, sealer, or any other kind of service,
whether agricultural, mechanical, or otherwise, shall fail or refuse to
perform such contract or agreement, it shall be lawful for any Justice
of the Peace, upon complaint on oath of the employer of any such per-
son, or his agent, to issue his warrant and cause such person to be ap-
prehended and brought before him, and in case such person shall refuse
to perform such contract or agreement, without shewing sufficient ex-
cuse or cause therefor, it shall be lawful for such Justice to commit

Contract between
Master and Servant.

Penalty for breach.

Proviso.

such person to prison for a period not exceeding Thirty Days. Provided that should such person at any time before the expiration of the time for which he shall be committed, consent to perform such contract or agreement, and that the master consents to receive him back into his service, the said Justice shall forthwith discharge such person out of custody.

Forfeiture for every day's absence of Servant.

II. Any fisherman, shareman, shoreman, mechanical or other servant, who shall absent himself from his employer's service, without leave, or refuse or neglect to perform his duty without sufficient cause, shall, for every day's absence, refusal, or neglect, forfeit and pay to his employer, who may deduct the same from his wages if he shall see fit, a sum equal to twice the rateable proportion of his wages stated in his agreement, for such time as he shall be absent, or refuse or neglect to perform his service in addition to any special damage and expenses which the employer shall have sustained by reason of such absence, refusal, or neglect, and which such employer may also deduct in manner aforesaid.

Forfeiture for Master neglecting to perform his part of agreement.

III. Any employer who shall, without any reasonable cause, refuse or neglect to pay any fisherman, shareman, or other servant, the amount or balance of his wages within three days after the same shall have been earned and become due, according to his agreement, (the same having been demanded) shall forfeit and pay to such servant the wages current at the time for the number of days he may be kept out of his wages or balance, in addition to any special damage and expenses which such servant shall sustain by such refusal or neglect, to be recovered before any Justice of the Peace.

Mode of proceeding, and penalty to be imposed on Master.

IV. That should the employer of any such person neglect or refuse to perform his part of such contract or agreement, it shall be lawful for any Justice of the Peace of this Island, and such Justice of the Peace is hereby required, upon complaint made upon oath by such person, to issue his summons, and cause such employer or agent to be brought before him, and in case such employer or agent shall refuse to perform such contract or agreement without shewing a sufficient excuse therefor, it shall be lawful for such Justice to impose upon such employer a penalty not exceeding Five Pounds, to be levied on the goods and chattels of such employer, by warrant, under the hand and seal of such Justice; and in case such warrant shall not be satisfied, then it shall be lawful for the said Justice to issue his warrant and apprehend said employer, and commit him to prison for a period not exceeding Thirty Days.

Balance of wages to be paid in money.

V. That on the performance of such contract or agreement on the part of the servant, the balance of wages due thereon shall be paid in lawful current money of this Colony to the person entitled thereto, any contract or agreement to the contrary notwithstanding.

Penalty for harboring servant.

VI. If any person shall harbor or employ the servant of another after notice of his being such servant, it shall be lawful for any Justice of the Peace of this Island, upon complaint upon oath, to issue his warrant for the apprehension of such harbinger or employer, and upon conviction, the said Justice shall impose upon such harbinger or employer a penalty of not less than Five Pounds or more than Ten Pounds, to be levied on the goods and chattels of such harbinger or employer, in

manner prescribed by the fourth section of this Act; and upon failure to recover such penalty, the said Justice shall commit the said harbinger or employer to gaol in manner and for the time provided by the said section; and the said Justice shall also make an order on such harbinger or employer for the payment by him to the first employer of the wages earned by such servant during the time he was employed by the said harbinger or employer, and which shall be recovered in the same manner and by the same process as is herein prescribed for the recovery of the penalty mentioned in this section, together with costs.

VII. Any sealer who, by refusing to work, or otherwise without sufficient cause, shall wilfully compel any master of a sealing vessel, whilst at sea, to give up the voyage before the time stated in the agreement for its duration and termination, shall, on conviction in a summary manner before any Justice of the Peace, be imprisoned for a period not exceeding one month.

Penalty for Sealer refusing to perform his agreement at sea.

VIII. All outfits and supplies advanced to any fisherman, shoreman, shareman or other servant, shall be charged and paid for at the reasonable and current prices for such outfits and supplies where the same shall be delivered.

Current prices of outfits.

IX. In case any employer shall, during the service of such person, sell any intoxicating liquor to him, such employer shall not be entitled, in any such case, to deduct out of the wages or earnings of such person, any charge or claim such employer may have or make for any liquor sold or delivered to such person at any time during his service; and that no person shall be entitled to recover, in any Court of Justice, any sum of money for any liquor supplied to any such person during his service.

Employer not to deduct charge for liquor out of wages.

X. Every vessel employed in the Seal or Labrador Fisheries of this Colony shall, before proceeding on any such voyage, be provided with a medicine chest, containing a sufficient supply of medicine; and the master of every such vessel shall, on clearing for such voyage, be compelled to produce to the Collector or Sub-Collector a certificate under the hand of some respectable medical practitioner or druggist, of such vessel being provided with a sufficient medicine chest as aforesaid, or otherwise satisfy such Collector or Sub-Collector of the fact.

Medicine chest

XI. All penalties imposed under this Act shall be paid to the party proceeding for the same, and all proceedings under this Act shall be prosecuted and conducted in a summary manner, before any one or more Justice of the Peace, who shall have the power to compel the attendance of witnesses.

Application of Penalties.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. X.

An Act to Prevent the Desertion of Seamen.

[Passed 10th May, 1858.]

BE it Enacted, by the Governor, Legislative Council, and Assembly, in Legislative Session convened, as follows :—

I. Any person who shall, by words, or by any other means whatsoever, directly or indirectly, procure any Seaman to desert, or shall, by words or any other means whatsoever, attempt to procure, or persuade any Seaman to desert; and any person, who, knowing, or having reason to believe that any Seaman is about to desert, shall aid or assist him in deserting, or knowing, or having reason to believe any Seaman to be a deserter, shall conceal or harbor such deserter, or aid or assist such deserter in concealing himself, or aid or assist in his rescue, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, in a summary way, before any Stipendiary Justice of the Peace, be liable to be punished by a Fine not exceeding Five Pounds, or by imprisonment not exceeding Two Months, or both fine and imprisonment according to the discretion of such Justice.

Penalty for encouraging Seaman to desert.

II. The term Seaman shall, in all cases, mean every person employed or engaged to serve on board of any kind of Ship or Vessel navigated on the sea, whether in the Royal Navy or Merchant Shipping service; Provided that this Act shall not apply to vessels engaged in the Coasting Trade in this Colony.

Application of term Seaman.

III. That one half of every fine imposed and recovered under this Act, shall be paid to the person informing on and prosecuting such offender to conviction, and the other half of such fine shall be paid to the Receiver General for the use of the Colony: Provided always, that such deserter shall not be entitled to any part of such fine by becoming such informer.

Appropriation of Fines.

IV. That a reward of Three Pounds be paid by warrant of the Governor on the Receiver General, to any person for the apprehension of any deserter from any such ship or vessel belonging to the Royal Navy, upon producing a certificate of the Commander or Chief Officer of any such ship or vessel, or of any Stipendiary Magistrate, stating that such deserter has been delivered to him; and all persons are hereby authorized to apprehend any such deserter without warrant.

Rewards.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XI.

AN ACT to facilitate the Recovery of Small Debts and Claims, and the Hearing and Determining of Summary Proceedings.

[Passed 10th May, 1858.]

WHEREAS the facilitating the Recovery of Small Debts and Claims, and Hearing and Determining of Summary Proceedings on Convictions, will be of advantage to poor Suitors and others. Preamble

Be it therefore enacted, by the Governor, Legislative Council and Assembly, in Legislative Session convened, that from and after the passing of this Act, any Stipendiary Magistrate in this Island shall, within the District for which he shall be appointed, have, possess, and exercise, all such and the same authority and jurisdiction in the hearing, trying, and determining of all actions and claims for the recovery of any sum of money, as any of the Courts of Quarter Sessions now have or can exercise, and shall have the like power to sue out and enforce all processes, whether mesne or final, and in summoning and compelling the attendance of witnesses or otherwise; and any Court of Quarter Sessions may be held by any one Stipendiary Justice, for the transaction of civil business, but not further or otherwise. Any one Stipendiary Magistrate to have jurisdiction in any Court of Quarter Sessions in this Colony.

II. That any such Stipendiary Magistrate shall also have and exercise the like power, authority, and jurisdiction, in the hearing and de-

Such Magistrate to have similar jurisdiction in summary convictions

termining of summary proceedings on convictions, and the carrying out of any conviction thereon, as any two or more of Her Majesty's Justices of the Peace now exercise under or by virtue of any Law in force in this Colony; and shall have the same power and authority to require and compel the attendance of witnesses, as two Magistrates may now exercise in criminal cases.

His jurisdiction in all claims for personal property.

III. That the said several Courts of Sessions or Stipendiary Magistrate, shall have jurisdiction to try and determine, in a summary manner, all claims for goods or personal chattels, or for any damage or injury thereto, where the amount sought to be recovered shall not exceed Five Pounds sterling.

Authority to attach monies, goods, &c., after judgment.

IV. That any of the said Courts of Sessions, or Stipendiary Magistrate, before whom judgment shall be recovered, shall have authority to attach monies, goods, debts and effects, in the hands of any third party, and to summon and compel by warrant, if necessary, the attendance of any party for examination, and to make and enforce the observance of such order thereon, as to the said Courts or Magistrate shall appear just: Provided that no such attachment shall affect executory contracts or debts not actually due.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XII.

AN ACT to Establish the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony.

[Passed 10th May, 1858.]

WHEREAS it is expedient and necessary to Establish the Fees to be taken in the several Police Offices and Courts of Session in this Colony :—

Preamble

Be it therefore Enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, that from and after the passing of this Act, the following Fees and Costs shall be chargeable and taken in the several Police Offices, and in the several Courts of Session in this Colony :—

Fees, &c., chargeable in Police Offices and Courts of Session.

No. 1.

Fees payable to the Clerk of the Peace in Civil or Summary Criminal Cases.

Summons or Subpcena	..	..	..	..	£0	1	0
Hearing of every cause	..	..	..	..	0	1	0
Entering proceedings to Judgment	..	..	..	..	0	1	0
Warrant in Execution	..	..	..	..	0	1	0
Recognizance	..	..	..	..	0	1	0
Every Oath	..	..	..	..	0	1	0

No. 2.

*Fees to Clerk of the Peace in cases of Felony or Misdemeanor,
before a Justice of the Peace.*

Fees.

Deposition or Examination	£0 2 0
Summons	0 1 0
Subpœna	0 1 0
Warrant	0 1 6
Commitment	0 1 6
Recognizance of prosecuting witness or other person ..	0 1 6

No. 3.

Fees payable to Constable or Bailiff.

For service of Summons or Subpœna	£0 1 0
Executing every Warrant to arrest the person	0 2 6
If the service or execution of the process or writ shall require the Officer to travel beyond the distance of two miles, he shall be allowed for every mile travelled by him for such purpose beyond that distance, the sum of	0 0 6
For execution of any Warrant, Order, or Final Process, of or from a Justice	0 1 0
When the Levy under Warrant, Order, or Final Process, shall exceed Twenty Shillings, then there shall be allowed to such Officer, on such levy, in addition to the above fee of one shilling, five per cent.	

No. 4.

Witness Fees.

For each day's attendance of a witness	£0 3 0
All travelling, to be computed from the residence of the witness to the place of trial, and thence back again, per mile	0 0 6

No. 5.

Fees of Gaoler or Keeper of Lock-up-House.

For every person committed to Gaol	£0 2 6
For every person discharged therefrom, except Insolvents	0 2 6

No. 6.

BASTARDY CASES.*Fees to be received by the Clerk.*

For the examination of the party complaining	£0 1 0
Warrant to apprehend mother or reputed parent	0 2 0
Bond to appear, to maintain or perform order of filiation	0 5 0
Order of filiation	0 2 6
Every Commitment	0 1 6
Oath	0 1 0

II. A printed table of the foregoing Fees and Costs shall be posted up in a conspicuous place in every Police Office and Court of Session in this Colony, for public inspection. Table of Fees to be posted up.

III. Any person taking greater Fees or Costs in any Police Office or Court of Session, than the Fees or Costs hereinbefore mentioned, shall, for each offence, forfeit and pay to Her Majesty the sum of Ten Pounds. Penalty for taking any fees not allowed by this Act.

IV. From and after the passing of this Act, all Fees paid into the Office of the Clerk of the Peace of the Central District shall be accounted for Quarterly by the said Clerk of the Peace, and be certified by the Court of Sessions, or a presiding Justice thereof; and the total amount of such Fees shall be paid into the hands of the Receiver General, to be appropriated to the public use of the Colony,—and a detailed annual statement of such Fees shall be laid before the Legislature: Provided always that nothing in this Act shall in any way affect the right of the present Clerk of the Peace of the Quarter Sessions Court and Police Office of St. John's, to take and receive his annual Salary of £300, as provided in and by the 2nd Section of an Act passed in the Sixth Year of Her Majesty, entitled "An Act to revive and amend an Act passed in the Third Year of the Reign of Her present Majesty, entitled 'An Act to Establish the Fees and Costs chargeable in the several Police Offices and Courts of Session in this Colony.'" Fees to be accounted for quarterly by the Clerk.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XIII.

AN ACT to afford relief to Wives and Children deserted by their Husbands and Parents.

[Passed 10th May, 1858.]

WHEREAS divers Persons are found to desert their Wives and Children, leaving them in distress and want; and whereas it is necessary to remedy such evils :—

Preamble.

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened,

I. That it shall be lawful for any Justice of the Peace, upon the complaint or information, on oath, of any person, made before any such Justice, against any such person being such Husband, Father or Mother, and having absconded or gone away, or who may be about to abscond or go away, from his or her usual place of abode, or the place where such Wife or Child is left or neglected, or shall refuse to provide them or any of them with sufficient or reasonable means of subsistence, according to the ability of such Husband, Father or Mother, to issue his Warrant for the apprehension of such offender, and to cause him or her to be brought before such Justice, and after due inquiry into the facts of the case, if it shall appear to the satisfaction of the said Justice, that such Husband, Father or Mother, hath absconded or gone away, or is about to abscond or go away, from his Wife or his or her Child, and hath neglected or

Justice to issue Warrant to apprehend parent or husband deserting his child or wife.

refused to provide such Wife or Child with sufficient or reasonable maintenance and support, the said Justice shall thereupon, and according to the ability and means of the person so found absconding, or about to abscond, make such order upon him or her for the payment of such weekly or monthly sum, to be paid by him or her towards the maintenance and support of such Wife or Child as such Justice shall deem fit and just; and such Justice is hereby required and authorised to take such security as he may in any case deem fit and reasonable, to be given by such Father, Husband, or Mother, for the payment of such weekly or monthly sum as aforesaid, and also that he or she, so found absconding or about to abscond, shall return forthwith, or within such period of time as such Justice shall limit and prescribe unto such Father, Husband, or Mother, to return unto his or her Child or Wife; and if such Father, Husband, or Mother shall refuse to give such reasonable security for his or her return to such Child or Wife, according to the order of such Justice, or shall refuse or wilfully neglect to pay such weekly or monthly sum for the purposes aforesaid, or refuse to give such reasonable security for the payment of the same, or for his or her return to such Wife or Child, according to such order as aforesaid of the said Justice, such Father, Husband, or Mother or Wife shall be deemed a Rogue and a Vagabond, and the said Justice is hereby authorised and empowered to commit the said offender to any of Her Majesty's Gaols, there to be imprisoned, at hard labor, for such time as the said Justice shall direct; but not exceeding the period of Six Calendar Months: Provided always, that should such offender within that period give such security or consent to pay such weekly or monthly allowance, the said Justice shall be at liberty to discharge such offender out of gaol.

Punishment for desertion.

Justice to require parent or husband to give security for support of his children or wife.

II. If it shall be made to appear upon complaint made before any Justice of the Peace, that any person being a Father, Husband, or Mother, and being able to work, by his or her neglect of work, or by spending his or her money in Ale Houses, Taverns, or in any other wasteful and improper manner, whereby a proper proportion of the money earned by him or her shall not be applied towards the maintenance of the Wife and Family of such Husband, or the Child of such Mother, and by which neglect or default such Wife and Family or Child shall become distressed and cast upon Public Charity or other precarious means of support; such Justice is hereby authorised and empowered to require the said offender to give reasonable assurance or security that he or she will supply and provide unto his Wife and Family, or unto her Child, such sufficient or reasonable maintenance and support, as the said offender may be of ability to procure; and on refusal of any such offender to give such assurance or security, he or she shall be considered and deemed to be an idle and disorderly person, and the said Justice is hereby empowered to commit the said offender to gaol, there to remain at hard labor for any time not exceeding Fourteen Days.

Justice to seize goods of offender.

III. Such Justice of the Peace as aforesaid is hereby authorized and empowered, by order or warrant under his hand, to seize and take so much of the goods, chattels, or credits of such offender as aforesaid, as such Justice may deem requisite and necessary for the support and maintenance of the Wife and Family, or of the Child, of such offender, and to sell and dispose of the same for that purpose.

IV. And the said Justice is also hereby empowered, by order under his hand, to seize and attach in the hands of the Master or Employer of any such offender, such portion of the wages due or to grow due to him or her, by the week, month, year, or otherwise, as such Justice may consider equitable and reasonable, and to assign the same to be paid by the said Master or Employer, towards the maintenance of such Wife and Family, or such Child, so abandoned or neglected by such offender in any manner as aforesaid.

Justice to attach wages in hands of offender's master.

V. For the purpose of ascertaining the amount due, or growing due, and the period of service of such offender, it shall be lawful for the said Justice to summon the Master or Employer of such offender to appear before the said Justice, who is hereby authorized to examine the said Master or Employer on oath, and to make such order for the payment of the wages due or growing due to such offender, for the support or maintenance of his Wife and Family, or of his or her Child as the said Justice shall deem equitable; and such wages shall be made payable for the purposes aforesaid to such person as the said Justice shall appoint.

Mode of proceeding to ascertain amount of wages in hands of master of offender.

VI. If any person shall have in his possession any monies, goods, chattels, debts or effects, belonging to such offender, the said Justice shall have power to attach such monies, goods, debts, or effects, in such person's hands, and to summon such person to appear before the said Justice, who is hereby authorised to examine such person on oath, and to make such order as to the payment or sale of such monies, debts, goods, and chattels, or effects, and the disposal of the proceeds thereof for the support or maintenance of the Wife and Family or Child of such offender, as the said Justice shall deem equitable.

Justice to attach goods or debts in hands of third party, and order same to be paid over.



ANNO VICÉSIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XIV.

*AN ACT for the Protection of the Herring
Fishery on the Coast of this Island.*

[Passed 10th May, 1858.]

WHEREAS the breed and fry of Herrings frequenting the Coast
of this Island, are often found to be greatly injured and de-
stroyed by the using of Seines and Nets of too small size or mesh,
and by other unwarrantable practices :

Preamble.

Be it therefore Enacted by the Governor, Legislative Council and
Assembly, in Legislative Session convened, as follows :—

I. No person shall haul, catch, or take Herring in any Seine, on,
near, or off any part of the Coast of this Colony, or in any of the
Bays, Harbors, or any other places therein, at any time between the
Twentieth Day of October, and the Twentieth Day of April, in any
year.

No person to seine
Herring on the Coast
of this Island between
20th October and 20th
April.

II. No person shall, at any time between the Twentieth Day of
October, and the Twentieth Day of April, in any Year, haul, catch, or
take any Herrings on, near, or off the Coast of this Colony, or in any
of the Bays, Harbors, or any other places therein, in any Net having
the meshes, mokes or scales of less than two and a quarter inch, at
least, from knot to knot, or having any false or double bottom of any
description ; nor shall any person put any Net, though of legal size of
mesh, upon or behind any other Net not of such size of mesh, for the
purpose of catching or taking the fry of such Herrings passing through
any single Net of two inches and a quarter inch mesh or scale.

No person to take
Herring in nets hav-
ing meshes less than
2¼ inches between 20th
October and 20th
April.

Penalty for infringing any part of this Act.

III. Any person who shall violate any of the provisions of this Act shall forfeit a sum not exceeding Ten Pounds, and in addition all Seines, Nets, and other contrivances used or employed in, about, or preparatory to the catching, hauling, or taking of any Herrings in violation of any of the provisions hereof, shall be liable to forfeiture, and the same shall be seized at once by any Justice, Sub-Collector of Customs, Preventive Officer, or Constable, on view, or by virtue of the warrant issued by such Justice, Sub-Collector, or Preventive Officer, on oath to be administered by any of them, and detained until the trial of the offender, when they may be declared forfeited, and ordered to be sold at public auction.

Mode of proceeding by Justice.

Mode of recovering penalties.

IV. All forfeitures and penalties imposed by this Act, shall be recovered with costs in a summary manner before any Justice of the district or place in or nearest to which any offence against this Act shall be committed. For which purpose, such Justice shall have full power to summon the offender, and all witnesses, either by summons or warrant, to appear before him on such trial; and upon conviction of such offender, such Justice shall issue his warrant to cause such Seines, Nets, or other contrivances so illegally used, to be sold at public auction: and shall also issue his warrant to any Constable of such district to levy such penalty and costs by distress and sale of the offender's goods and chattels, rendering the overplus of the proceeds thereof, if any, to the offender or owner thereof; and in default of payment of such penalty and costs, or of sufficient to distrain on, such Justice shall issue his warrant to any such Constable to arrest and imprison such convicted offender in the common gaol of such district, therein to remain for a period not exceeding fourteen days.

Power of Justice.

Application of penalties.

V. The one-half of all penalties and forfeitures, and of all proceeds thereof, when recovered, shall be paid to the party informing against and prosecuting such offender to conviction, and the other half thereof shall be paid by such Justice to the Receiver General for the use of the Colony.

No conviction, &c., to be set aside for want of form.

VI. No conviction or other proceeding by any Justice or other Officer under this Act, shall be quashed or set aside for want of form, as long as the same shall be substantially in accordance with the true intent and meaning of this Act.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XV.

AN ACT to Provide for the Liquidation of a certain Debt contracted by the Colony for the Making and Widening of the Streets and Firebreaks of St. John's, and for the Permanent Improvement thereof.

[Passed 10th May, 1858.]

WHEREAS a Debt has been incurred by the Government of this Colony, exceeding the sum of Sixty Thousand Pounds, chargeable on the General Revenue thereof, to compensate the Owners of Land, in St. John's, taken for the making and widening of Streets and Firebreaks therein; thereby improving and encreasing the value of such property; and such owners have paid nothing towards such improvements, and it is just and expedient that they should contribute to the payment of the said Debt, and to the permanent improvement of the said Town.

Preamble.

Be it therefore Enacted by the Governor, Legislative Council and Assembly, as follows:—

Stipendiary Magistrates and Clerk to appraise land and rental.

I. That the Stipendiary Magistrates for the Central District, and the Clerk of the Peace thereof, shall appraise the landed property in St. John's and the annual rental or value thereof, and yearly and every year, or half-yearly, raise and levy an assessment or land-tax upon and from such property rateably according to such appraised value, to an amount not exceeding Two Thousand Pounds per annum, to be paid to the Clerk of the Peace by the owners thereof, in such rateable proportions and according to such appraisement as the Magistrates and Clerk of the Peace may order and adjust.

Payment of assessment to Clerk of the Peace.

Tenant or occupier of land to pay assessment and to be repaid by ground landlord.

II. The tenant or occupier of any landed property assessed or liable to be assessed for the said land-tax, shall be bound to pay the sum in the first instance, and he shall be entitled to deduct the same, when so paid by him, from the ground rent then due, or accruing due, and payable to the owner or ground landlord of any such landed property, or to proceed against him therefor, and recover the same in a summary manner before any Two Justices of the Peace, or any Court of Justice; and no provisions, covenants, conditions, or terms, contained in or referred to in any lease, agreement or demise, shall have any force or effect to relieve the owner or ground landlord from the payment and charge of any such tax or assessment, or make the same or any part thereof chargeable upon any such tenant or occupier, or prevent such tenant or occupier from deducting the amount of such tax or assessment, paid by him, from the ground-rent, or recovering the amount thereof so paid from the owner or ground landlord.

Proviso, that no lease &c., shall oblige the tenant to pay said assessment.

Mode of recovering assessment in case of default.

III. In case default be made in paying the said land tax or assessment, it shall be lawful for the Clerk of the Peace to levy the amount thereof, with costs, by warrant of distress, and thereunder to take and sell any goods or chattels found on the land or premises assessed, or any part thereof, in satisfaction and payment of the amount of such tax due or assessed thereon, and the costs of such distraint; or, at the option of such Clerk, to proceed by action for such amount, in a summary manner, before any Two Justices of the Peace, or any Court of Justice, against any tenant or occupier or the owner or ground landlord.

Service of Summons, &c., on Agent in the absence of owner.

IV. Service of any summons or other process, notice, or other matter under this Act, upon the known agent of any absent owner, ground landlord, tenant, or occupier, shall be deemed good service upon the principal.

All land, whether occupied or not, to be subject to such tax.

V. No land shall be exempted from any such assessment or tax, by reason of the same not being let or occupied.

All monies collected to be paid over to the Receiver General.

VI. All monies raised under this Act, shall be paid into the office of the Receiver General by the Clerk of the Peace, as the same shall be collected, less ten per cent. on the amount collected shall be retained by the Clerk to defray the expenses of collection.

Receiver General to keep separate account thereof.

VII. The Receiver General shall keep a separate account of such monies, which shall be appropriated for the purposes of this Act, in such manner as the Legislature shall from time to time enact.

VIII. It shall be lawful for the Stipendiary Magistrates and Clerk of the Peace, to exempt any landed property from any such tax or assessment where it appears that the Owner or Ground Landlord thereof has not received any compensation from the Government for any part of the said land taken for making or widening any adjoining Street, Lane, or Firebreak, and that the same has not been improved or increased in value at the public expense, by reason of the making or widening of any Streets, Lanes, or Firebreaks in St. John's, since the Fire therein in the Year One Thousand Eight Hundred and Forty Six; or that the sole and exclusive Owners or Ground Landlords of any such landed property are contributors to such expense, as actual consumers, in this Colony, of dutiable articles under the Revenue Laws thereof.

Power of Magistrate to exempt certain lands from tax.

IX. All Crown Lands, Public Buildings, Cathedrals, Churches, Chapels, Clerical Residences, Schools, and Houses, owned or occupied by Religious or Charitable Bodies, or held for Religious or Charitable uses or purposes, shall be exempt from such tax or assessment.

Public and certain other buildings exempt from tax.

X. No appeal by Certiorari or otherwise shall be to any Superior Court from the decision of any Two Magistrates, for any matters done by them under this Act; nor shall any replevy lie for any distraint thereunder.

No appeal by certiorari.

XI. That it shall be lawful for the Governor in Council to make an arrangement with any persons or Company to provide a permanent and sufficient supply of Water for the protection of property in St. John's, and for the use of its Inhabitants, upon such terms and subject to such regulations as may be deemed advisable by the Governor in Council; and for the purpose of defraying the expense thereof, to pay and raise by loan, upon giving at least One Month's public notice, a Sum not exceeding Seven Thousand Five Hundred Pounds, for which Debentures shall be issued according to the form given in the Schedule in this Act, by the Receiver General, on the general credit of the Colony, in sums not less than Fifty Pounds each, to be repaid out of such monies as shall be raised and received under this Act, within Twenty Years from the date of such Debentures, with Interest thereon at the rate of Six per cent per annum, payable half-yearly, on the 30th June and 31st December yearly.

Provision for supply of water for St. John's.

XII. That at least Ten per cent. of the annual amount of the assessment paid to the Receiver General shall be annually deposited by him in the Newfoundland Savings' Bank, to form a Sinking Fund for the redemption of any Debentures issued under this Act, and the balance of such assessment remaining in his hands, after paying the said Ten per cent and the annual interest on said Debentures, shall be expended in making, widening, and improving Streets, Lanes, and Firebreaks in the said Town, and in the Drainage and Sewerage thereof, under the direction of the Board of Works.

Sinking fund for redemption of Debentures.

Schedule of Form.

SCHEDULE.

St. John's Improvement Debenture.

This is to certify that A. B., having advanced by way of loan the Sum of sterling, equal to currency, towards the Improvement of the Town of St. John's, on the General Credit of the Colony, the said A. B. or order, or his assignee, shall be entitled to receive, at the office of the Receiver General of this Colony, the said sum of sterling, equal to currency, within 20 years from the date hereof, with Interest thereon, at the rate of 6 per cent per annum, payable half-yearly, on the 30th June and 31st December in each year, according to the terms of an Act passed in the 21st Year of the Reign of Her Majesty, entitled "An Act to provide for the liquidation of a certain debt contracted by the Colony, for the making and widening of Streets and Firebreaks of St. John's, and for the permanent improvement thereof." Dated at St. John's.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XVI.

AN ACT to Authorise the Receiver General to Liquidate certain Outstanding Debentures issued for Loans to Erect the Colonial Building and Market House in St. John's.

[Passed 10th May, 1858.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty, entitled "An Act to authorise the erection of a Colonial House in the Town of St. John's, and the raising by Loan a Sum of Money for that purpose," and by subsequent Acts of the General Assembly, a Sum of Twenty-six Thousand Pounds was authorised to be raised on Loan, on the Credit of the Colony, and to be repaid on the expiration of Ten Years from the date of the Debentures issued therefor, if then required; and if not then required, then on the expiration of Six Months' notice to be given by the parties authorised to receive the same: And whereas provision has been made for paying off the said Debentures, and it is expedient that the same should be paid off.

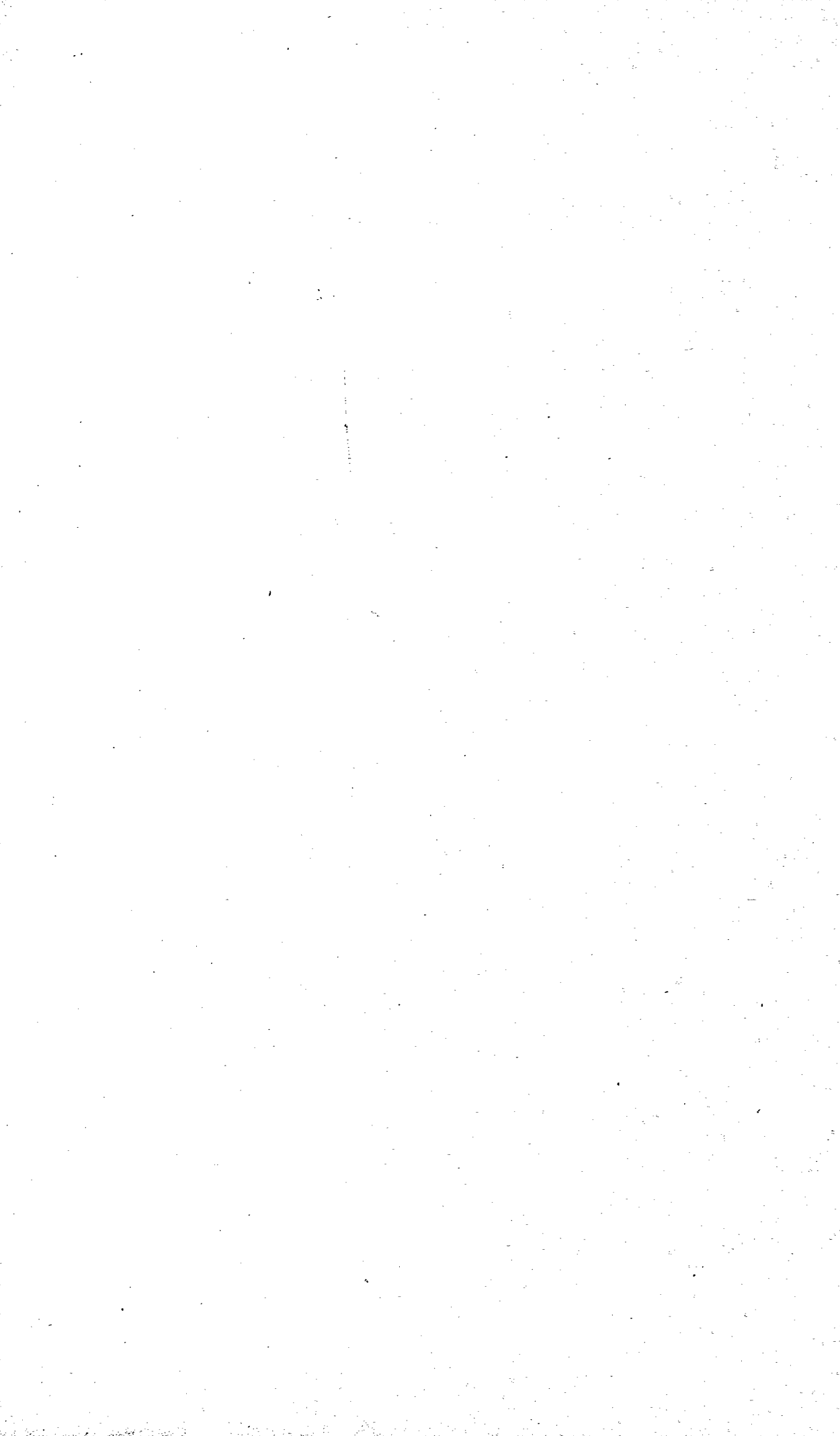
Preamble.

Be it therefore Enacted by the Governor, Legislative Council and Assembly, as follows:

Receiver General authorised to call in and pay Debentures issued in 1847 and 1848.

I. It shall be lawful for the Receiver General to call in and liquidate such of the said Debentures, now outstanding, as were issued under any of the said recited Acts in the Year 1847, upon giving notice in the Royal Gazette, stating his intention to pay the principal and interest on such Debentures at the expiration of Six Months from the publication of such notice; and as to such of the said Debentures as were issued in the Year 1848, it shall be lawful for the Receiver General, upon giving a like notice in the Royal Gazette, to pay off the principal and interest thereon up to the expiration of Ten Years and Six Months from the dates of such last-mentioned Debentures respectively; and all further interest on all the Debentures aforesaid shall cease from the time mentioned in such notices respectively for the payment of the principal and interest thereon.







ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XVII.

*AN ACT for the Erection of a Light House
on or near Cape St. Mary's, on the Western
Coast of Newfoundland.*

[Passed 10th May, 1858.]

WHEREAS it is considered that the Erection of a Light House
near or on Cape St. Mary's, on the Western Coast of this Is-
land, would tend much to the safety of Ships and Vessels engaged in
the Fisheries and Trade on that part of the Coast.

I reamble.

Be it therefore enacted by the Governor, Legislative Council and
Assembly, as follows.:

I. The Board of Works shall superintend the erection, completion,
and management of a Light House on such place as may be selected
on or near Cape St. Mary's, on the Western Coast of this Island, and
carry the provisions of this Act into effect.

Power to Board of
Works to erect Light-
House at Cape St.
Mary's.

Board of Works to procure plans, &c.

II. The Board of Works shall, without delay, procure plans and specifications of the said intended Light House or Building, and estimates of the expenses of materials and workmanship necessary to erect and complete the same, which plans, specifications, and estimate, together with all contracts relating to the said Light House that may be entered into by the said Board of Works, shall, previously to their being executed, be laid before the Governor in Council for approval.

Board to draw Warrants for Expenditure on Receiver General.

III. The Governor shall, and he is hereby authorised and empowered to draw Warrants on the Receiver General of this Colony, on the requisition of the said Board of Works, for such sum or sums of money as shall be necessary to defray and disburse the expenses of erecting, establishing, and completing, the said Light House and its appurtenances.







ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XVIII.

*AN ACT to revive and continue an Act entitled
“An Act to Encourage the Killing of Wolves
in this Colony.”*

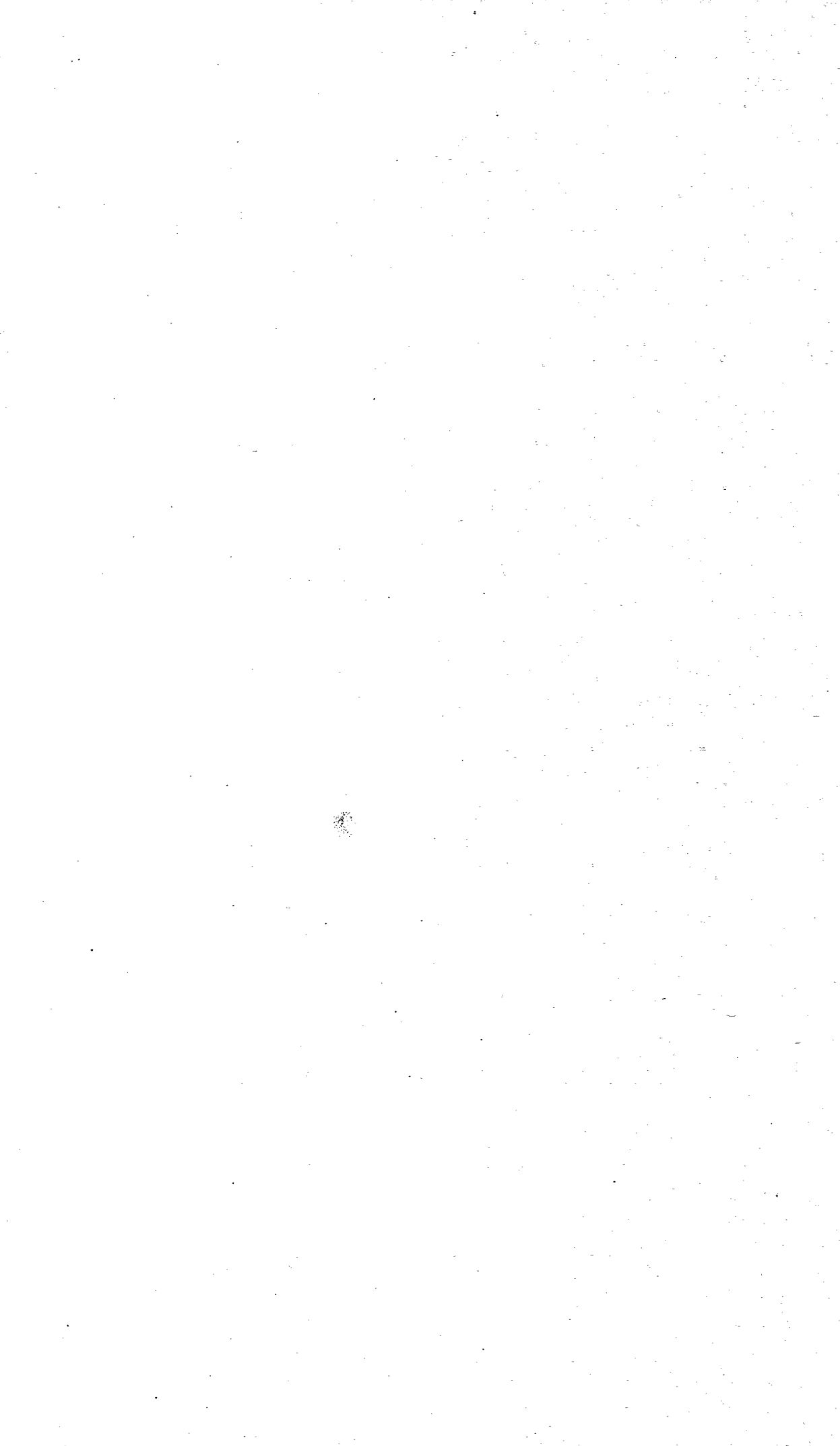
[Passed 10th May, 1858.]

WHEREAS a certain Act passed in the Third Year of the Reign
of Her Majesty, entitled “An Act to Encourage the Killing
of Wolves in this Colony,” hath expired, and it is necessary that the
same should be revived and continued :

Preamble.

Be it therefore Enacted, by the Governor, Legislative Council, and
Assembly, in Legislative Session convened,—That the said Act passed
in the Third Year of the Reign of Her Majesty, entitled “An Act to
Encourage the Killing of Wolves in this Colony,” be and the same is
hereby revived and continued in force for Ten Years from the passing
hereof.

3rd Vic. revived and
continued.





ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XIX.

AN ACT relating to the Wesleyan Methodists in this Colony, and for Incorporating a Conference of their Body.

[Passed 10th May, 1858.]

WHEREAS a large number of Persons in the Colony of Newfoundland are associated together in Classes, Societies, and Congregations, constituting a Religious Community under the Pastoral care of Ministers of God's Word, who were heretofore in connexion with the Yearly Conference of the People called Methodists in England. And Whereas, by the authority of the said Conference, the Wesleyan Methodist Members in the Provinces of Nova Scotia, New Brunswick, Prince Edward Island, Bermuda, and this Colony of Newfoundland, have been organized and constituted a Conference, called by the name and style of "The Conference of the Wesleyan Methodist Church or Connexion in Eastern British America," which Conference is to have the Ecclesiastical control and oversight of the

Preamble.

Wesleyan Methodist Churches, Societies and Congregations, in the said respective Provinces, according to the rules and usages of the Methodist Body. And Whereas it is desirable that the said Conference should be known and recognised by law in this Colony, and have and enjoy a Corporate character and capacity.

Community of Wesleyan Methodists Incorporated.

I. Be it therefore Enacted by the Governor, Legislative Council and Assembly, that the said Conference so organised, and the Wesleyan Methodist Ministers who shall from time to time compose the same, and their successors in office, shall be a body corporate within this Colony, having perpetual succession by the name of "The Conference of the Wesleyan Methodist Church or Connexion in Eastern British America," and shall be known and recognised by law by such name.

Authority and privileges of Corporation.

II. The said Conference shall be capable of taking, holding, and possessing lands, tenements, monies and property, within this Colony, for the use and benefit of the Wesleyan Methodist Church Societies under its control, or in connexion therewith, or of any portion thereof, or for the establishment of any funds or institutions which are now or may be hereafter required for the purposes of the said Conference, or of any of the Churches, Societies or Bodies under their care or in connexion therewith; and shall have authority, from time to time, to make laws and regulations for the due management of the said Conference, and of such funds and institutions not at variance with the laws of this Colony, and of suing and being sued in any of Her Majesty's Courts of Law or Equity, and shall have and exercise all the rights, powers and privileges incident to a body corporate, according to the laws of this Colony, any thing in the Statute of Mortmain or any other Acts or Statutes to the contrary notwithstanding.

Acts done in the British Provinces by the Conference to be binding in this Colony.

III. Any appointment made, or other act done, or order, judgment, or resolution, of the said Conference, passed or determined at any meeting held at any place in either of the Provinces of Nova Scotia, New Brunswick, Prince Edward Island, or Bermuda, shall be as binding and obligatory in this Colony as if done or passed within this Colony, when certified under the hand of the President and Secretary of the Conference or any persons acting in their stead.

Mode of ratifying such Act.

IV. A copy of any such minutes of appointment, act done, order, judgment or resolution, certified and signed by the President or Acting President, Secretary or Acting Secretary, verified by an affidavit of a credible person that it was signed in his presence, or that being acquainted with the hand-writing of such President and Secretary, he verily believes the signature to be their proper hand-writing respectively, and also that the persons signing are the President and Secretary respectively, or were acting as such, shall be evidence of such appointment, act, order, judgment, or resolution, of the Conference, in any proceeding whatever, and in any Court in this Colony.

Affidavit—before whom made.

V. Affidavits may be Sworn before a Commissioner of the Supreme Court or a Justice of the Peace.







ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XX.

AN ACT to provide for the appointment of Surveyors of Shipping in this Island, and for other purposes connected therewith.

[Passed 10th May, 1858.]

BE it enacted by the Governor, Legislative Council and Assembly of Newfoundland, in Legislative Session convened, as follows:—

I. The Governor in Council may appoint, for every port or place at which he may deem it expedient to authorise the Registry of Ships, the Principal Officer of Customs at such port or place in this Island or its Dependencies, to be a Registrar for all the purposes contemplated in and by the Imperial Act entitled "The Merchant Shipping Act, 1854."

Governor authorised to appoint Registrars of Shipping.

II. The Governor in Council may appoint, at every such port or place, or at any other port or place in this Island and its Dependencies, an Officer to superintend the Survey and Admeasurement of Ships, in conformity with the said Act.

Governor to appoint officer to superintend Survey of Shipping.

III. Any Assistant Collector, or Sub-Collector, or any Preventive Officer, shall have the same power to endorse, from time to time, on the Certificate of Registry of any Ship, at any port where any such Ship may be, any change of Master which takes place at that port, as is given to Registrars of Shipping under this Act and the said Act entitled "The Merchant Shipping Act, 1854."

Assistant Collector, &c., to endorse change of Master on Certificate of Registry.

Fees to Surveyor for measuring vessels.

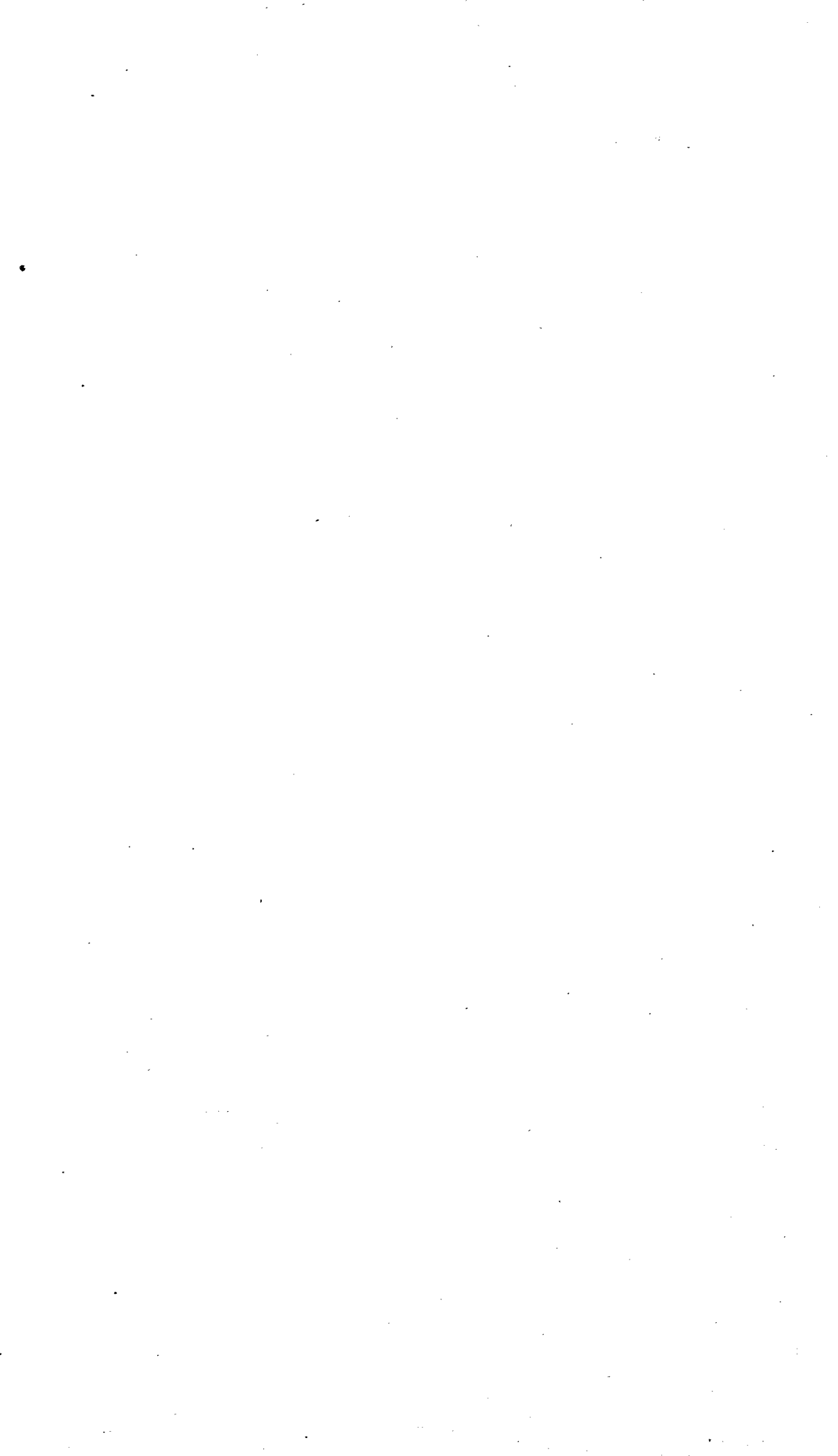
IV. Such Surveyor shall be entitled to Fees for the Measurement of every Vessel about to be Registered for the first time, or requiring Measurement for the purposes of Registry, which Fees shall be paid by the Owner, as follows:—Seven Shillings and Six Pence for Vessels under Fifty Tons; Twelve Shillings and Six Pence for Vessels from Fifty to One Hundred Tons; Twenty-five Shillings for Vessels over One Hundred Tons; and reasonable Travelling Expenses, not exceeding One Shilling per Mile travelled.

Repeal of so much of Merchant Shipping Act as may be repugnant to this.

V. So much of the said Act entitled “The Merchant Shipping Act, 1854,” as is inconsistent with this Act, is hereby repealed, as to Ships Registered in this Island.

Suspending clause.

VI. This Act shall not come into operation until the same shall have been confirmed by Her Majesty in Council; nor until such approval shall be proclaimed in the “Royal Gazette” of this Island.







ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XXI.

*AN ACT to provide for the Execution of the
(Office of) Speaker of the House of Assembly in
certain cases.*

[Passed 10th May, 1858.]

WHEREAS great Public inconvenience might ensue from the unavoidable absence of the Speaker of the House of Assembly, from illness, at any time when any sitting of the said House of Assembly ought to be held; and His Excellency the Governor being advised thereof, hath, in Her Majesty's name, consented that the Legislature should adopt such measures as to them might appear expedient to avoid such inconvenience.

Preamble.

Be it therefore enacted, by the Governor, Legislative Council, and Assembly, in Legislative Session convened, as follows:—

That whenever the Speaker of the House of Assembly shall be unable to attend the House by reason of illness, and upon the same being certified to the satisfaction of the House, it shall be lawful for the Members, or a majority of them present, to elect from amongst them one of such Members, who shall, during the illness of the said Speaker, take the Chair and act as Speaker; and every act passed and every order made and thing done by the said Assembly while such Member is acting as Speaker as aforesaid, shall be as valid and effectual, to all intents and purposes, as if done while the Speaker himself was presiding in the Chair.

Appointment of
Deputy Speaker.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XXII.

AN ACT to provide for the Retirement of the present Assistant Judges of the Supreme Court of Newfoundland.

[Passed 10th May, 1858.]

WHEREAS the Honorable Augustus Wallet DesBarres, and the Honorable James Simms, Assistant Judges of the Supreme Court of Newfoundland, have applied for Retiring Allowances, as they are no longer able, from age and bodily infirmities, to discharge the duties of their said respective offices; and the interest of the Public requires that they should retire from their said Offices.

Preamble.

Be it therefore Enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows:—

I. That from and after the First day of July next, the Honorable Augustus Wallet DesBarres, and the Honorable James Simms, the present Assistant Judges of the Supreme Court of Newfoundland, shall each receive, for the term of their respective natural lives, as a Retiring Allowance, the sum of Two Hundred and Seventy-five Pounds, payable Quarterly, in Sterling Money of Great Britain, out of the Public Funds, Income and General Revenue of this Colony; from which First Day of July, the said Assistant Judges shall respectively cease to hold the said respective Offices; and which Retiring Allowance

Retiring Allowance of the annual sum of £275.

Proviso.

shall cease to be paid to them, respectively, or to such of them as shall accept any office under the Government of this Colony. of equal or greater value than the said allowance: Provided, that so much of the Royal Charter issued under and by virtue of the Imperial Statute passed in the Fifth Year of the Reign of His late Majesty King George the Fourth, entitled "An Act for the better Administration of Justice in Newfoundland, and for other purposes," as relates to the appointment of the said Augustus Wallet DesBarres, as Assistant Judge aforesaid, be, and the same is hereby repealed from the said First Day of July next.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XXIII.

AN ACT to Provide for the Retirement of Christopher Ayre, Clerk of the Legislative Council, and one of the Clerks of the Colonial Secretary's Office.

[Passed 10th May, 1858.]

WHEREAS the said Christopher Ayre, Clerk of the Legislative Council of this Colony, and one of the Clerks of the Colonial Secretary's Office therein, hath applied for a Retiring Allowance, as he is no longer able, from age and bodily infirmities, to discharge the duties of such Offices, and the interest of the Public requires that he should retire therefrom :

Preamble.

Be it therefore Enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows :

That on the retirement of the said Christopher Ayre from the said Offices, he shall receive, for the term of his natural life, as a Retiring Allowance, the Sum of One Hundred and Seventy-five Pounds Sterling, payable quarterly, out of the Public Funds, Income, and General Revenue of this Colony, and which Retiring Allowance shall cease to be paid to him on his accepting any Office under the Government of this Colony of equal or greater value than the said Allowance.

Retiring Allowance to C. Ayre, per annum, £175.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XXIV.

AN ACT for granting to Her Majesty a Sum of Money for Defraying the Expenses of the Civil Government of this Colony, for the Year ending the 31st day of December One Thousand Eight Hundred and Fifty Eight, and for other purposes.

[Passed 10th May, 1858.]

MAY IT PLEASE YOUR MAJESTY,—

WE, Your Majesty's dutiful and loyal Subjects, the Commons of Newfoundland, having freely and voluntarily resolved to give and grant unto Your Majesty a Supply to defray certain charges for the support of the Civil Government, for the Administration of Justice, and the General Improvement of this Colony, do hereby beseech Your Majesty that it may be Enacted, and—

Preamble.

Be it therefore Enacted, by the Governor, Legislative Council; and Assembly, in Legislative Session convened, That from and out of such Monies as shall from time to time remain in the hands of the Receiver General, and unappropriated, there be granted to your Majesty Your Heirs and Successors, the Sum of *Fifty Four Thousand Two Hundred and Fifty Three Pounds, Five Shillings and Nine Pence*, which said Sum of Money shall be applied in payment of the following Charges for the Year commencing on the First Day of January, One Thousand Eight Hundred and Fifty Eight, and ending on the Thirty-first Day of December in the same Year; that is to say:—

£54,258 5s. 9d.

Salaries of— Private Secretary.	The Private Secretary to the Governor, two hundred pounds.
Clerks of Secretary.	Two Clerks in the Secretary's Office, four hundred pounds.
Clerk of Receiver General.	The Clerk in the Receiver General's Office, two hundred pounds.
Keeper of Colonial Building.	The Keeper of the Colonial Building, sixty pounds.
Office Keeper.	An Office Keeper to the Colonial Secretary's Office, sixty pounds.
Messenger of Secre- tary.	A Messenger at the Secretary's Office, sixty pounds.
Keeper Half-way House.	The Keeper of the Half-way House on the Salmonier Road, thirty-five pounds.
Gate Keeper, Govern- ment House	The Gate Keeper at Government House Lodge, and Preserver of the Grounds about the same, sixty pounds.
Clerk Supreme Court	The Chief Clerk and Registrar of the Supreme Court and Central Circuit Court, three hundred and fifty pounds, and twenty pounds for the purchase of Printed Forms. Eighty pounds to defray the salary of a Clerk in the Office of the Chief Clerk and Registrar of the Supreme and Central Circuit Courts. Provided that all Fees and Perquisites received, or that shall be received in or by virtue of the said Office, or in any way connected therewith, shall be accounted for and paid over half-yearly to the Receiver General.
Clerk Assistant.	
Clerk N. C. Court.	The Chief Clerk and Registrar of the Northern Circuit Court, two hundred pounds.
Clerk S. C. Court.	The Clerk of the Southern Circuit Court, two hundred pounds.
Sheriff's Bailiff.	The Sheriff's Bailiff in the Central District, fifty pounds.
Crier Supreme Court.	The Crier and Tipstaff of the Supreme Court, sixty pounds.
Crier N. C. Court.	The Crier and Tipstaff of the Northern Circuit Court at Harbor Grace, twenty pounds.
Crown Prosecutions.	The sum of three hundred pounds to defray the Expenses of Crown Prosecutions.
Coroners.	The sum of two hundred pounds to defray the Expenses of Coroners.
Expenses of Courts on Circuit.	The sum of five hundred pounds towards defraying the expenses of Judges and Officers on Circuit, and of Crown Prosecutions thereon; which sum of money includes table money and means of conveyance, and for payment of rent of any Court Rooms where Court Houses may not be erected: Provided that passages shall be allowed and provided on board of each vessel proceeding on the respective Circuits, to such Members of the Bar as may desire to proceed thereon: Provided further that the amount of table money and travelling expenses hereinbefore provided for the said Judges and Officers of Court, on Circuit, shall be apportioned, for the said Judges and Officers respectively, by the Governor in Council; and provided further, that should the Governor in Council be of opinion that the said respective Judges and Officers can proceed on Circuit by Land, the said sum of five hundred pounds shall be reduced to four hundred pounds.
Police Department St. John's.	The sum of Nineteen Hundred and Eighty Pounds towards defraying the expenses of the Police Department at St. John's, as follows:— To Two Police Magistrates at St. John's, six hundred pounds. To the Inspector of Police, one hundred pounds. To the Sergeant of Police, seventy pounds.

Sixteen Police Constables at St. John's, at fifty-five pounds each, eight hundred and eighty pounds; and one hundred and eighty pounds for clothing for them.

The Gaoler for St. John's, one hundred and fifty pounds, in lieu of all fees, which are to be accounted for and paid over to the Receiver General. Gaoler, St. John's.

The sum of Eighteen Hundred and Twenty Pounds to defray the Salaries of the undermentioned Outport Magistrates, as follows: Salaries of Outport Magistrates.

A Magistrate for Brigus and Port-de-Grave, one hundred and fifty pounds.

A Magistrate at Harbor Grace, two hundred pounds.

A Magistrate at Carbonear, one hundred and fifty pounds.

A Magistrate at Old Perlican, one hundred and thirty pounds.

A Magistrate at Trinity, one hundred and fifty pounds.

A Magistrate at Bonavista, one hundred and fifty pounds.

A Magistrate for Twillingate and Fogo, one hundred and thirty pounds.

A Magistrate at Bay Bulls, one hundred pounds.

A Magistrate at Ferryland, one hundred pounds.

A Magistrate at Placentia, one hundred and thirty pounds.

A Magistrate at Burin, one hundred and fifty pounds.

A Magistrate at Grand Bank, one hundred and thirty pounds.

A Magistrate at Harbor Breton, one hundred pounds.

A Magistrate at St. Mary's, fifty pounds.

The sum of Five Hundred and Sixty Pounds towards defraying the Salaries of the undermentioned Outport Clerks of the Peace, as follows: Salaries of Outport Clerks of Peace.

A Clerk of the Peace for Brigus and Port-de-Grave, sixty pounds.

A Clerk of the Peace at Harbor Grace, one hundred and fifty pounds.

A Clerk of the Peace at Carbonear, ninety pounds.

A Clerk of the Peace at Trinity, sixty pounds.

A Clerk of the Peace at Bonavista, sixty pounds.

A Clerk of the Peace for Twillingate and Fogo, forty-five pounds.

A Clerk of the Peace at Burin, sixty pounds.

A Clerk of the Peace at Harbor Breton, thirty-five pounds.

Provided that all Fees of Office received by the said Clerks of the Peace shall be accounted for, and paid over half-yearly, to the Receiver General.

The sum of Twelve Hundred and Ninety One Pounds towards defraying the Salaries of the undermentioned Outport Constables, as follows: Outport Constables.

One Constable at Petty Harbor, twenty pounds.

One Constable at Torbay, twenty pounds.

One Constable at Portugal Cove, twenty pounds.

Outport Constables
(Continued.)

- One Constable at South Shore, twelve pounds.
- One Constable at Harbor Main, twenty pounds.
- One Constable at Cats Cove, twenty pounds.
- Two Constables at Brigus and Port-de-Grave, fifty pounds.
- One Constable at Bay Roberts, twenty-five pounds.
- Seven Constables at Harbor Grace, three hundred and twenty-five pounds; that is to say, one Constable at seventy-five pounds, five Constables at forty-five pounds, and one Constable at twenty-five pounds.
- Three Constables at Carbonear, one hundred and five pounds.
- One Constable at Bay de Verd, twelve pounds.
- One Constable at Western Bay, twelve pounds.
- One Constable at Heart's Content, twelve pounds.
- One Constable at Hant's Harbor, twelve pounds.
- One Constable at Perlican, twenty pounds.
- One Constable at New Harbor, twelve pounds.
- Two Constables at Trinity, thirty-seven pounds.
- One Constable at Catalina, twenty-five pounds.
- One Constable at Bonavista, twenty-five pounds.
- One Constable at Tickle Cove, twelve pounds.
- One Constable at King's Cove, twelve pounds.
- One Constable at Salvage, twelve pounds.
- One Constable at Greenspond, twelve pounds.
- Three Constables at Twillingate and Fogo, forty-nine pounds.
- One Constable at Exploits Bay, twelve pounds.
- One Constable at Bay Bulls, twenty-five pounds.
- One Constable at Witless Bay, twelve pounds.
- One Constable at Toads Cove, twelve pounds.
- One Constable at Brigus South, twelve pounds.
- One Constable at Cape Broyle, twelve pounds.
- One Constable at Capelin Bay, twelve pounds.
- One Constable at Ferryland, twenty-five pounds.
- One Constable at Aquafört, twelve pounds.
- One Constable at Fermeuse, twelve pounds.
- One Constable at Renew's, twelve pounds.
- One Constable at St. Mary's, twenty-five pounds.
- One Constable at Placentia, twenty-five pounds.
- One Constable at Little Placentia, twenty pounds.
- One Constable at Oderin, twelve pounds.
- One Constable at Merasheen, twelve pounds.
- One Constable at Barin, twenty-five pounds.
- One Constable at St. Lawrence, twelve pounds.
- One Constable at Lamaline, twelve pounds.
- One Constable at Grand Bank, twelve pounds.
- One Constable at Jersey Harbor, twelve pounds.
- One Constable at Harbor Britain, twenty-five pounds.

- One Constable at Hermitage Bay, twelve pounds:
- One Constable at Burgeo Islands, twelve pounds:
- One Constable at Spaniard's Bay, twelve pounds.
- One Constable at Channel, twelve pounds.
- One Constable at Bird Island Cove, twelve pounds:

The sum of Two Hundred and Forty Pounds towards defraying the salaries of the undermentioned Outport Gaolers, as follows :—

- A Gaoler at Harbor Grace, ninety pounds ; provided that all Fees of Office received by him shall be accounted for and paid over to the Receiver General.
- A Gaoler at Trinity, twenty-five pounds.
- A Gaoler at Bonavista, twenty pounds.
- A Gaoler at Twillingate and Fogo, twenty pounds.
- A Gaoler at Ferryland, twenty-five pounds.
- A Gaoler at Placentia, twenty-five pounds.
- A Gaoler at Burin, twenty-five pounds.
- A Gaoler for Brigus and Port-de-Grave, ten pounds:

The sum of Three Hundred and Seven Pounds towards defraying the salaries of the undermentioned Ferrymen, as follows :—

- A Ferryman at Great Placentia, thirty pounds.
- A Ferryman at Salmonier, twenty-five pounds.
- A Ferryman at Portugal Cove, twenty-five pounds.
- A Ferryman at Trinity, thirty pounds.
- A Ferryman between Harbor Grace and Thomas Fitzgerald's on the South-side of the Harbor, thirty pounds.
- A Ferryman at Little St. Lawrence, ten pounds.
- Ferryman for two Ferries between Burin and Mud Cove, twenty-five pounds.
- A Ferryman at Holyrood, thirty pounds: That is to say,—for a boat to be stationed near Crawley's on the South-side, and a boat near Haley's on the North-side of the Harbor, fifteen pounds each.
- A Ferryman at Aquaforte, fifteen pounds.
- Ferryman for two Ferries at Mortier Bay, twenty-five pounds.
- A Ferryman at Colinet, twenty-five pounds.
- A Ferryman between Topsail and Belle Isle, twenty-five pounds.
- A Ferryman at Mall Bay, twelve pounds.

- The District Surgeon for St. John's, two hundred pounds, including provision for Medicines. District Surgeon, St. John's.
- The Gaol Surgeon for St. John's, forty pounds. Gaol Surgeon, St. John's.
- The District Surgeon for Conception Bay, one hundred pounds. District Surgeon, Conception Bay.
- The Gaol Surgeon for Conception Bay, thirty pounds. Gaol Surgeon, Conception Bay.
- The Physician of the Lunatic Asylum, three hundred pounds. Physician, Lunatic Asylum.
- For Medical Attendance at St. John's Hospital, two hundred and fifty pounds. St. John's Hospital.

Permanent & Casual Poor.	The sum of seven thousand two hundred and fifty pounds, towards the Relief of the Permanent and Casual Poor in St. John's and the Outports.
Lunatic Paupers.	The sum of two thousand pounds, towards defraying the Expenses of Lunatic Paupers, at the Lunatic Asylum.
Paupers at Hospital.	The sum of one thousand seven hundred pounds towards defraying the Expenses of Paupers in the St. John's Hospital.
Repairs Colonial Building.	The sum of five hundred and fifty pounds towards defraying the Expenses of Repairs on the Colonial Building.
Fuel and Light Colonial Building.	The sum of two hundred and fifty pounds towards defraying the Expenses of Fuel and Light for the Colonial Building.
Repairs on Custom House.	The sum of eighty-five pounds for Repairs on the Custom House in St. John's.
Fuel and Light for Custom House.	The sum of one hundred pounds for Fuel and Light for the Custom House in St. John's.
Repairing Court Houses.	To defray the Expenses of Repairing the Court Houses in St. John's and Outports, eight hundred pounds.
Ordinary Expenses of Court Houses & Gaols.	The sum of nine hundred pounds towards defraying the Ordinary Expenditure of Court Houses and Gaols in this Colony.
Expenses about St. John's Hospital	The sum of five hundred pounds towards defraying the Expenses of Repairs, Fencing, Draining, &c., on and about St. John's Hospital.
Expenses about Lunatic Asylum	The sum of one hundred pounds towards defraying Expenses of Repairs, Fencing, &c., in and about the Lunatic Asylum.
Postages & Incidentals	The sum of one hundred pounds towards defraying the Expenses of Postages and other Incidentals.
Printing & Stationery	The sum of eight hundred pounds for Printing and Stationery.
Insurance on Public Buildings	The sum of two hundred pounds towards defraying the Expenses of Insuring the Public Buildings.
Crown Lands Act	The sum of three hundred pounds towards defraying the Expenses of carrying the Crown Lands' Act into operation.
Fuel and Light for Government House	The sum of two hundred pounds for Fuel and Light for Government House.
Unforeseen Contingencies	The sum of five hundred pounds to defray Unforeseen Contingencies.
Men at Fort Amherst	The sum of thirty-six pounds and ten shillings towards defraying the Expenses of men stationed at Fort Amherst.
Wines of Military	The sum of fifty pounds towards Payment of Duties on Wines imported or purchased for the use of the Military.
Gas Lights for St. John's	The sum of two hundred and sixteen pounds towards defraying the Expense of Lighting St. John's with Gas.
Gas for Harbor Grace	The sum of seventy-five pounds to the Harbor Grace Gas Light Company for Lighting the Town of Harbor Grace.
St. John's Water Company.	The sum of one hundred pounds to the St. John's Water Company.
Dorcas Society, St. John's	The sum of fifty pounds towards the support of the Dorcas Society in St. John's.
Dorcas Society, Harbor Grace.	The sum of twenty-five pounds towards the support of the Dorcas Society in Harbor Grace.
Dorcas Society, Carbonear.	The sum of twenty-five pounds towards the support of the Dorcas Society in Carbonear.
Mechanics' Institute	The sum of fifty pounds towards defraying the expenses of the Mechanics' Institute in St. John's.

- The sum of fifty pounds towards the support of the Industrial Department of the Orphan Asylum School in St. John's. Orphan Asylum School
- The sum of one hundred pounds towards the employment of the Poor in the Factory in St. John's. Poor at Factory
- The sum of twenty-five pounds towards the support of a Reading Room in St. John's. Reading Room, St. John's
- The sum of Two Hundred and Fifty Pounds towards the support of the Agricultural Society in St. John's, to be expended as follows : Agricultural Society.
- The sum of one hundred and fifty pounds in the purchase of Seeds, and of Cattle to improve the breed, in and for such Outport Electoral Districts as may require the same ; and the remaining sum of one hundred pounds to be expended for the like purpose in St. John's.
- The sum of one hundred pounds to the Phoenix Volunteer Fire Company at St. John's ; and the sum of fifty pounds to other Fire Engine Companies therein. Phoenix Fire Comp'y
- The sum of ten pounds to Robert Smith, Constable at Greenspond. Robert Smith.
- The sum of ten pounds allowance to Patrick Burke of St. John's. Patrick Burke.
- The sum of two hundred pounds towards the relief of Shipwrecked Crews. Shipwrecked Crews.
- The sum of two hundred pounds towards the general Repairs of Roads and Bridges in this Colony. General Repairs on Roads and Bridges.
- The sum of five hundred and fifty pounds towards defraying the expenses of constructing Pumps and Water Tanks ; one half thereof to be expended in the Town of St. John's, under the direction of the Surveyor General, and the other half of the said sum of money to be expended in the Outports of the Colony. Pumps and Tanks.
- The sum of twenty-five pounds to Joseph Woods for publishing an Almanac for 1858, in St. John's. Joseph Woods.
- The sum of fifteen pounds towards defraying the expenses of repairing and cleaning the Town Clock at St. John's. Town Clock.
- The sum of one thousand pounds towards the Protection and Encouragement of the Fisheries at Cape John and Belle Isle on the coast of this Island. Protection of Fishery
- The sum of two thousand pounds towards defraying the expenses of Erecting and Building a New Gaol at St. John's. New Gaol St John's
- The sum of four thousand pounds towards defraying the expenses of Erecting and Completing a New Wing to the Lunatic Asylum, including Fencing. Lunatic Asylum
- The sum of three hundred pounds towards the erection and completion of a Break Water at Belle Isle, on the Northern part of the Coast of this Island. Break Water at Belle Isle
- The sum of one thousand pounds towards the encouragement of Emigration to this Colony. Emigration
- The sum of one thousand pounds towards defraying the expenses of a General Survey of this Island. General Survey of the Island

- Normal Schools, St. John's. The sum of three thousand two hundred pounds towards the erection and establishment of Normal Schools in St. John's, as follows :—
The sum of one thousand one hundred and forty-five pounds to the Board of the Church of England Academy ; the sum of one thousand four hundred and eighty-five pounds to the Board of the Catholic Academy ; and the sum of five hundred and seventy pounds to the Board of the Wesleyan Academy.
- Improvement of Quidi Vidi Harbor. The sum of one thousand two hundred pounds towards the improvement of Quidi Vidi Harbor, in the vicinity of St. John's : Provided that all work and materials required for such purpose shall be furnished by tender, subject to the approval of the Governor in Council.
- Steam Packet between St. John's & Halifax. The sum of seven hundred and eighty pounds to be paid to the Proprietors of the Steam Packet plying between St. John's and Halifax, for extra trips of that vessel during the winter season.
- Steam between England, Newfoundland and United States. The sum of seven thousand two hundred and eighty pounds to defray the expenses incident on the establishment of communication by steam-ships or vessels between England, Newfoundland, and the United States of America.
- Beacon at LaPoile. The sum of sixty pounds towards the erection and repair of a Beacon at LaPoile.
- Steamer, Conception Bay. The sum of four hundred pounds towards the support of a suitable steamer to ply for one year between the North and South sides of Conception Bay, three days in each week from April to January, and once in each week during the winter months, when the navigation will permit ; for which weekly trips the owner shall be entitled to receive ten pounds each, extra, on the certificate of the Post-Master-General, or the Stipendiary Magistrate of Harbor Grace, to the faithful performance of the service : Provided the amount to be paid for such winter trips shall not exceed one hundred pounds. And the further sum of two hundred and fifty pounds to the owner of such steamer as a bonus towards the establishment of the said steam communication, to be paid at the end of the year, terminating in the month of April next.
- Lighting Court-house with Gas, Harbor Grace. The sum of two hundred pounds to defray the expenses of conveying Gas to and lighting the Court-House at Harbor Grace with Gas, during the year.
- Supply of Water, Harbor Grace. The sum of two hundred pounds towards defraying the expense of introducing a sufficient supply of fresh Water into the Town of Harbor Grace during the current year.
- Grave Yard, Church Hill. The sum of one hundred and fifty pounds towards the improvement of the Church-hill Grave Yard.
- Catholic Church Yard. The sum of one hundred and fifty pounds towards the improvement of the Catholic Church Yard adjoining the Kirk of Scotland, in St. John's.
- Break Water, Point Verde. The sum of fifty pounds towards the erection of a Break Water at Point Verde : Provided always that such erection shall be made subject to the superintendence and inspection of a competent person to be appointed for that purpose by the Governor ; and that no portion of the said sum of money shall be expended until such Inspector shall report to the Governor on the practicability and usefulness

of the said Break Water at the said Point; and that such report shall be first approved of by the Governor in Council before such erection shall be commenced to be made.

The sum of one hundred pounds towards the erection and completion of a Public Wharf at Belle Isle, in Conception Bay, under the superintendence of the Board of Works. Public Wharf at Belle Isle.

The sum of two hundred and fifty pounds to defray the expense of deepening Placentia Gut: Provided always that such improvement in the said Gut shall be done subject to the superintendence and inspection of a competent person to be appointed for that purpose by the Governor; and that no portion of the said sum of money shall be expended until such Inspector shall report to the Governor on the practicability and usefulness of such improvement on the said Gut; and that such report shall be first approved of by the Governor in Council before the same shall be undertaken. Deepening Placentia Gut

The sum of one hundred and fifty pounds towards the erection of a Break Water at Grand Bank: Provided always, that such erection shall be made subject to the superintendence and inspection of a competent person to be appointed for that purpose by the Governor; and that no portion of the said sum of money shall be expended until such Inspector shall report to the Governor on the practicability and usefulness of the said Break Water; and that such report shall be first approved of by the Governor in Council, before such work shall be commenced. Break-water at Grand Bank.

The sum of two hundred pounds for the erection and completion of a Public Wharf at Carbonear. Public Wharf at Carbonear

The sum of two hundred pounds for the erection of a Break Water at Toad's Cove: Provided always, that such erection shall be made subject to the inspection of a competent person to be appointed for that purpose by the Governor; and that no portion of the said sum of money shall be expended until such Inspector shall report to the Governor on the practicability and usefulness of the said Break Water; and that such report shall be first approved of by the Governor in Council before such erection shall be undertaken. Break-water at Toad's Cove

The sum of one hundred pounds for the erection and completion of a Break Water at Garnish: Provided always that such erection shall be made subject to the inspection of a competent person to be appointed for that purpose by the Governor; and that no portion of the said sum of money shall be expended until such Inspector shall report to the Governor on the practicability and usefulness of the said Break Water; and that such report shall be first approved of by the Governor in Council before such erection shall be undertaken. Break-water at Garnish

The sum of one hundred and fifty pounds for the erection and completion of a Break Water at Twillingate: Provided always, that such erection shall be made subject to the inspection of a competent person to be appointed for that purpose by the Governor; and that no portion of the said sum of money shall be expended until such Inspector shall report to the Governor on the practicability and usefulness of the said Break Water; and that such report shall be first approved of by the Governor in Council before such erection shall be undertaken. Break-water at Twillingate

- Public Wharf at Catalina. The sum of one hundred pounds for the erection and completion of a Public Wharf at Catalina: Provided always, that such erection shall be made subject to the inspection of a competent person to be appointed for that purpose by the Governor; and that no portion of the said sum of money shall be expended until such Inspector shall report to the Governor on the practicability and usefulness of the said Wharf; and that such report shall be first approved of by the Governor in Council before the same shall be commenced to be erected.
- Public Wharf at Trinity. The sum of twenty pounds for the repairs of a Public Wharf at Trinity: Provided always, that such repairs shall be made subject to the inspection of a competent person to be appointed for that purpose by the Governor; and that no portion of the said sum of money shall be expended until such Inspector shall report to the Governor on the practicability and usefulness of the said Wharf; and that such report shall be first approved of by the Governor in Council before such repairs shall be undertaken.
- Public Wharf at Bonavista. The sum of one hundred and fifty pounds for the erection and completion of a Public Wharf at Bonavista: Provided always, that such erection shall be made subject to the inspection of a competent person to be appointed for that purpose by the Governor; and that no portion of the said sum of money shall be expended until such Inspector shall report to the Governor on the practicability and usefulness of the said Wharf, and that such report shall be first approved of the Governor in Council before such erection shall be undertaken.
- Agricultural Society, St. John's. The sum of sixty pounds to the Agricultural Society in St. John's, to defray the expense of introducing Kerry Cattle into this Colony.
- Law Society, St. John's. The sum of fifty pounds to "The Law Society of Newfoundland," for the purposes of their Library.
- Reporting for Supreme, Circuit and Police Courts. The sum of one hundred pounds towards defraying the expense of reporting and publishing the proceedings of the Supreme and Circuit Courts of this Colony and of the Police Courts therein.
- Clothing for Police Constables, Harbor Grace. The sum of sixty pounds for Clothing for the Police Constables at Harbor Grace.
- Investigation of Charge against George Simms. The sum of one hundred and fifty six pounds five shillings and four pence, to defray expenses incident on the investigation of a charge against George Simms.
- Half-way House at Salmonier. The sum of fifty pounds to defray the expenses incurred in repairing the Half-way House at Salmonier.
- Thomas McConnan. The sum of forty nine pounds twelve shillings and four pence, to Thomas McConnan, for a fire-proof safe provided for the Receiver General's Office.
- Shipwrecked Seamen. The sum of sixty pounds to pay for supplies for shipwrecked seamen at Cape Race and Offer Wadhams.
- John T. Neville. The sum of forty eight pounds and twelve shillings to pay John T. Neville, for certain work in draining for the late Government in the Town of St. John's.

- The sum of nineteen pounds six shillings and one penny, to John Woods, as a draw-back on machinery imported by him into this Colony. John Woods.
- The sum of twenty four pounds to the Ferry-man at Malbay to defray his claim for two years' salary remaining unpaid. Ferry-man at Malbay
- The sum of fifteen pounds to compensate James Furlong for reporting and publishing the proceedings of the Law Courts last spring. James Furlong.
- The sum of fifty pounds to compensate the Chief Stipendiary Magistrate of St. John's, for extra services. Chief Stipendiary Magistrate.
- The sum of fifty pounds to compensate Robert R. W. Lilly for extra services in the Police Office. Robert R. W. Lilly.
- That in order to widen the Public Road in front of the Church of England Cathedral in St. John's, such sum of money as shall be deemed necessary by the Governor in Council shall be paid and expended for the removal of the House and erections and for the purchase of the ground immediately in front of the said Cathedral: Provided always that the value of such house and erections, and of the said ground, shall be ascertained by the appraisement of a competent person to be appointed for that purpose by the Governor; and that when such house and erections shall be removed, and the said ground paid for according to such appraised value, the same shall become public property. Widening public road in front of Church of England Cathedral.
- That in order to improve the Convent School Buildings in the Diocese of Harbor Grace, the Governor in Council shall pay to the Catholic Bishop thereof a sum equal in amount to what shall be paid for the purpose of widening the said road in front of the said Cathedral in the manner aforesaid. Convent School Buildings, Harbor Grace.
- That the sum of two thousand three hundred pounds be appropriated and expended to defray the expenses of the Postal Service of this Colony, to be expended under and by virtue of the provisions of the Act passed in the 19th Year of Her Majesty's Reign, entitled "An Act to Regulate the Inland Posts of this Colony." Provided always, that out of the said sum there shall be expended the sum of twenty pounds towards defraying the expenses of conveying Newspapers and Printed Papers to and from this Colony, subject to certain Rules and Regulations made or to be adopted in relation thereto by the Governor in Council. Postal Service.

II. And whereas it is necessary to indemnify His Excellency the Governor for the sums of money advanced by him from the Colonial Treasury for the Public Service, as hereinafter declared: Indemnity to the Governor for Expenditure.

Be it therefore enacted by the authority aforesaid, that from and out of such monies as may from time to time remain in the hands of the Receiver General, and unappropriated, there be granted to Her Majesty, Her Heirs and Successors, the sum of one thousand six hundred and eighty three pounds nine shillings and ten pence, to be appropriated as follows, that is to say: Towards indemnifying His Excellency the Governor for the said sum, advanced by him out of the Colonial Treasury, partly on his own responsibility, and partly with the concurrence of the Council, and expended by him for the public service, as follows, that is to say:

Crown Prosecutions.	For two hundred and four pounds and five shillings paid on account of Civil and Criminal Prosecutions.
Crown Lands Act.	For thirty-five pounds nineteen shillings and one penny expended on account of the Crown Lands Act.
Circuit Courts.	For one hundred and forty-five pounds seven shillings and eight pence expended on account of the Circuit Court Service.
Court House, St. John's.	For eleven pounds sixteen shillings and eleven pence, paid for repairs on Court House in St. John's.
Court Houses & Gaols	For two hundred and nine pounds fifteen shillings and ten pence expended on account of Gaols and Court Houses in this Colony.
Council's Contingencies	For nineteen pounds nineteen shillings and eight pence, paid on account of Contingencies of the Legislative Council in the year 1855:
Lunatic Paupers	For one hundred and thirty-six pounds ten shillings and four pence expended on account of Lunatic Paupers.
Printing & Stationery	For one hundred and five pounds eight shillings and ten pence, paid for Printing and Stationery.
Postal Service	For eighty-eight pounds nine shillings and two pence expended for the Postal Service of this Colony.
Shipwrecked Crews	For eighty-six pounds eleven shillings and one penny, paid on account of shipwrecked crews.
Public Service	For six hundred and thirty nine pounds six shillings and three pence expended on account of the Post Office, and Lock Up, and other Departments of the Public Service.

Monies to be paid on Warrant of Governor III. That the monies hereinbefore granted shall be paid by the Receiver General in discharge of such Warrants as may from time to time be drawn by the Governor for the purposes of this Act; and it shall not be lawful for the Receiver General to pay any monies out of the Colonial Treasury other than such as are granted by this Act, or some other Act of the Legislature: Provided, that any sums of money advanced by the Government of this Colony on account of any of the foregoing appropriations shall be deducted therefrom.



ANNO VICESIMO PRIMO

VICTORIÆ REGINÆ.

CAP. XXV.

AN ACT to Provide for the Contingent Expenses of the Legislature.

[Passed 10th May, 1858.]

WHEREAS it is expedient to Provide for the Contingent Expenses of the Legislature during the present Session : Preamble.

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened :—

I. That from and out of such monies as may from time to time remain in the hands of the Receiver General, and unappropriated, there be granted to Her Majesty, Her Heirs and Successors, the sum of Six Thousand Two Hundred and Eighty-six Pounds Nineteen Shillings and Ten Pence, to be applied towards remunerating the Officers of the Legislature for their services, and towards defraying the Contingent Expenses of the Legislative Council and the House of Assembly, during the present Session, as follows :—

£6,286 19s. 10d.,
granted to defray the
Contingent Expenses
of the Legislature.

The Clerk of the Legislative Council, for his services during the present Session, one hundred and sixty-five pounds. Clerk of Council.

Master-in-Chancery.	The Master in Chancery attending the Legislative Council, for his services during the present Session, one hundred and forty pounds.
Usher of Black Rod.	The Usher of the Black Rod, for his services during the present Session, one hundred and twenty pounds.
Door Keeper.	The Door Keeper of the Legislative Council, for his services during the present Session, fifty pounds.
Assistant Door Keeper.	The Assistant Door Keeper and Messenger of the Legislative Council, for his services during the present Session, thirty pounds.
Messenger.	The Messenger of the Legislative Council, for his services during the present Session, twenty-five pounds.
Reporter of Council.	The Reporter of the Legislative Council, for his services during the present Session, one hundred and twenty-five pounds.
Publishers of Debates	The Proprietor of the "Newfoundlander," for Publishing the Debates and Proceedings of the Legislative Council, forty-five pounds. The Proprietor of the "Courier," for Publishing the Debates and Proceedings of the Legislative Council, forty-five pounds. The Proprietor of the "Ledger," for copying Debates of the Legislative Council, thirty pounds. The Proprietor of the "Express," for copying Debates of the Legislative Council, thirty pounds.
Joseph Woods	Joseph Woods, balance of account for Printing and Binding Journals of the past Session, sixty-two pounds sixteen shillings and ten pence.
John C. Withers.	John C. Withers, Printing, one hundred and sixty-five pounds eight shillings and six pence.
Joseph Woods.	Joseph Woods, probable cost of Printing and Binding Journals of the present Session, two hundred pounds.
Thomas Talbot.	Thomas Talbot, late Reporter to the Council, thirty pounds.
Clerk's Contingencies	The Clerk of the Legislative Council, to defray the Contingent Expenses of his Office, during the present Session, one hundred and sixty-eight pounds four shillings and six pence.
Usher's ditto.	The Usher of the Black Rod, to defray the Contingent Expenses of his Office, during the present Session, forty-two pounds nineteen shillings.
Speaker House of Assembly.	The Speaker of the House of Assembly, for his services during the present Session, two hundred pounds.
Clerk.	The Clerk of the House of Assembly, for his services during the present Session, and for Indexing and Superintending the Printing of the Journals, two hundred and fifty pounds; and twenty-five pounds for transmitting copies of the Journals to the Colonial Office.
Clerk Assistant.	The Clerk Assistant, for his services during the present Session, one hundred and twenty-five pounds.
Solicitor.	The Solicitor, for his services during the present Session, one hundred and seventy-five pounds.
Sergeant-at-Arms.	The Sergeant-at-Arms, for his services during the present Session, one hundred and twenty-five pounds.

- To the Door Keeper of the House of Assembly, for his services during the present Session, forty-five pounds. Door Keeper.
- To the Messenger of the House of Assembly, for his services during the present Session, forty pounds. Messenger.
- To the Under Door Keeper of the House of Assembly, for his services during the present Session, thirty-five pounds. Under Door Keeper.
- To the Outer Door Keeper, for his services during the present Session, fifteen pounds. Outer Door Keeper.
- To the Assistant Door Keeper, Messenger and Attendant, of the House of Assembly, for his services during the present Session, fifteen pounds. Assistant Door Keeper, &c.
- To the Assistant Messenger and Fireman, thirty pounds. Assistant Messenger, &c.
- To Edward Morris, Reporter of the Debates of the House of Assembly, for his services during the present Session, one hundred and twenty-five pounds. Reporters and Publishers of Debates.
- To Archibald Emerson, Assistant Reporter of the Debates of the House of Assembly, for his services during the present Session, one hundred pounds.
- Proprietor of "Newfoundlander," sixty pounds, for Publishing the Debates of the Assembly during the present Session.
- To the Proprietor of the "Courier," sixty pounds, for Publishing the Debates of the Assembly during the present Session.
- To Twenty-nine Members of the House of Assembly, Speaker not included, the sum of thirteen hundred and eighty six pounds ; being forty-two pounds each for Twenty-one Members resident in St. John's, and sixty-three pounds each for Eight Outport Members not resident in St. John's, for their attendance during the present Session. Members' pay.
- To the Proprietors of the "Patriot" Press, for Printing Bills and Miscellaneous Papers during the present Session, four hundred and seventy-two pounds fifteen shillings and four pence. Miscellaneous Printing.
- To the Proprietors of the "Newfoundlander" Newspaper, estimate for Printing Journals and Appendix of the House of Assembly, for the present Session, three hundred and fifty pounds ; and one hundred and ninety-five pounds seven shillings and six pence, balance for Printing Journals and Appendix for last Session. Journals.
- To the Clerk of the House of Assembly, to defray the Contingent Expenses of his Office, for the present Session, two hundred and thirty-two pounds six shillings and three pence. Contingencies of Clerk.
- To the Clerk of the House of Assembly, to defray the Contingent Expenses of the Legislative Library, eighty-seven pounds five shillings and three pence.
- To the Sergeant-at-Arms, to defray the Contingent Expenses of his Office, pursuant to the Report of the Select Committee of the House of Assembly upon Contingencies, fifty pounds fifteen shillings and one penny. Sergeant-at-Arms' Contingencies.
- To the Chairman of Supply, fifty pounds. Chairman Supply.

R. Holden, Jr.	To Richard Holden, Junr., for his services during the present Session, attending Select Committees and engrossing Bills, one hundred pounds.
Thomas McConnan	To Thomas McConnan, Stationery, seventy-eight pounds seven shillings and six pence.
Telegraph Company	To the Telegraph Company, for Messages, seventy-one pounds four shillings and three pence.
Joseph Woods	To Joseph Woods, Binding Journals, sixty pounds and four pence.
E. D. Shea	E. D. Shea, for Newspapers and Orders of the Day, twenty-four pounds eleven shillings and ten pence.
Post Office	Post Office, for Postages, twenty pounds twelve shillings and five pence.
Telegraph News Agency	Telegraph News Agency, in full, for account from January to date, one hundred and thirty-two pounds fifteen shillings and three pence.
James Seaton	To James Seaton, in full, for services as Reporter in 1854, fifty pounds.
Clement Benning	Clement Benning, Esquire, for extra services as Chairman of Supply, twenty-five pounds.

Monies to be paid on
Warrant of Governor

II. The Monies hereinbefore granted shall be paid by the Receiver General in discharge of such Warrants as may from time to time be drawn by the Governor for the purposes of this Act.

Ex. J. A. S.
9/22/57