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**ACTS**

OF

1739

**THE GENERAL ASSEMBLY**

OF

**HER MAJESTY'S PROVINCE**

OF

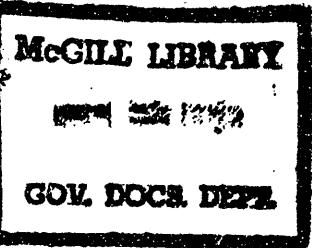
**NEW BRUNSWICK,**

PASSED IN THE YEAR

**1846.**



**FREDERICTON:**



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**Anno Regni VICTORIÆ Britanniarum Reginae Nono.**

**A**T the General Assembly of the Province of New Brunswick begun and holden at Fredericton on the Thirty first Day of January, *Anno Domini* One thousand eight hundred and forty three, in the Sixth year of the Reign of Our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, and from thence continued by several Prorogations to the Twenty ninth Day of January One thousand eight hundred and forty six; being the Fourth Session of the Thirteenth General Assembly convened in the said Province.

THE  
ACTS  
OF  
THE GENERAL ASSEMBLY, &c.

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CAP. I.

An Act to continue and amend the Act, intituled "An Act imposing Duties for raising a Revenue."

*Passed 7th March 1846.*

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled "An Act imposing Duties for raising a Revenue," and every clause, matter and article therein contained, save and except only the Duties imposed by the said Act on Wheat, Wheat Flour, Corn Meal, Rye Flour, and Oatmeal, be and the same are hereby continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty seven.

Act 8 V. c. 2, with the exception of Duties on Wheat, Wheat Flour, Corn Meal, Rye Flour, and Oatmeal, continued.

II. And be it further enacted, That all Duties imposed on Wheat, Wheat Flour, Corn Meal, Rye Flour, and Oatmeal, in and by the said recited Act, shall cease and determine on and after the first day of April next.

Duties on Wheat, &c. to cease after 1st April next.

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 And be it further enacted, That this Act may be amended or repealed by any Act or Acts to be passed in the present Session of the Legislature.

Act may be amended during present Session.

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CAP. II.

An Act for the collection of the Revenue of this Province.

*Passed 7th March 1846.*

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

Dutiable imported Goods to be subject to Rules, &c. of this Act.

II.

Report of person in charge of Vessel to the Treasurer.

II. And be it further enacted, That the master, commander or person in charge of every ship or vessel arriving at any port or place in this Province, shall within twenty four hours after such arrival, and before bulk be broken, make due report of such ship or vessel to the Treasurer of the Province, or to the Deputy Treasurer at or nearest the place of such arrival, under oath, subscribed by him, and such report shall contain an account of the particular marks, numbers and contents of all the different packages or parcels of the goods on board of such ship, and the particulars of such goods as are stored loose, to the best of his knowledge, and of the place or places where such goods were respectively taken on board, and shall in the same report state, on oath as aforesaid, the name of each and every owner and consignee of such cargo, and where the same is intended to be landed, and whether any and what part thereof has been landed and taken from such ship or vessel after arriving within the Province; and the master, commander or other person in charge of any ship or vessel who shall fail to make such report, shall forfeit the sum of one hundred pounds.

Penalty.

Report of Owner, Sec. of Goods.

III. And be it further enacted, That the owner, consignee or person entering any goods inwards (whether for payment of duty, or to be warehoused upon the entry thereof, or for payment of duty upon taking out of the warehouse, or whether such goods be free of duty), shall deliver to the Treasurer of the Province or to the Deputy Treasurer, as the case may be, a report in writing by him subscribed under oath, of all articles belonging to or consigned to him on board of such ship or vessel; and any part of such cargo which shall be landed before the report of the master or commander of such ship or vessel, and the report of the owner or consignee, or other person entering the same, and a permit obtained from the said Treasurer or Deputy Treasurer, as the case may be, for landing the same, such goods so landed, shall be forfeited, and the person or persons concerned in concealing such articles, or in landing them without a permit for that purpose, or shall make an untrue report or entry of such goods, shall for each offence forfeit and pay the sum of one hundred pounds.

Landing before Report or Permit.

Penalty.

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

IV. And be it further enacted, That if the goods in such entry be charged to pay duty according to number, measure or weight thereof, such number, measure or weight shall be stated in the entry, and if the goods in such entry be charged to pay duty according to the value thereof, such value shall be stated in the entry, and shall be upon oath of the importer or his known agent, before the Treasurer or Deputy Treasurer, written upon the Bill of entry; and if any person making such entry upon oath, not being the importer or proprietor of such goods, nor his agent duly authorized by him, such person shall forfeit the sum of one hundred pounds; and such affidavit shall be made in the manner and form following, that is to say,

Oath.

“ I, A. B. do swear that I am the importer [or authorized by the importer,] of the goods contained in this entry, that the several quantities are correctly stated, and that those articles subject to duty according to the value thereof, are of the value of — Currency, and cost the same and no more, to the best of my knowledge and belief.

“ A. B.

“ Sworn to &c., C. D., Treasurer, or Deputy Treasurer.”

and written on the Bill of entry of such articles, and in all cases made before the Treasurer, or Deputy Treasurer at the port or place of importation, and shall be subscribed with the hand of the importer, or his known agent.

V. And be it further enacted, That if it shall appear to the Treasurer or Deputy Treasurer, that the said articles are not valued according to the true price or value thereof, according to the true intent and meaning of this Act, then and in such case the importer or his known agent, shall be required to declare on oath, before the Treasurer or Deputy Treasurer, as the case may be, what is the invoice price of such articles, and that he verily believes such invoice price the current value of the articles at the place whence such articles were imported; and such invoice price shall be deemed to be the value of the articles in lieu of the value so declared by the importer or his known agent, and upon which the duties shall be charged and paid: provided that if it shall appear to the Treasurer or Deputy Treasurer, that such articles have been invoiced below the real value thereof, at the place from whence the same were imported, or if the value is not known, the articles shall in such case be examined by one or more competent person or persons appointed or to be appointed by the Lieutenant Governor or Administrator of the Government of the Province for the time being; and such person or persons, or any one of them, shall declare or certify to the Treasurer or Deputy Treasurer, what is the true and real value of such articles, and the value so declared or certified shall be the true and real value of such articles, and upon which the duties imposed by any Acts of the General Assembly of the Province, shall be charged and paid.

Value of articles how to be ascertained.

VI. And be it further enacted, That if upon the first entry of any articles subject to duty, except at the ports or districts of Saint John, Saint Andrews, Saint Stephens, Fredericton, and Woodstock, the rates and duties imposed by any Provincial Act or Acts, shall not amount to the sum of twenty five pounds, then the said duties shall be paid by the importer or person making the entry thereof, before any permit shall be granted for the landing of the goods contained in such entry; but if the amount of such Provincial duties shall amount to the sum of twenty five pounds, and not exceed fifty pounds, then the importer shall give bonds, with at least one sufficient surety, to be approved of by the Treasurer or Deputy Treasurer, in double the duties payable upon such goods, with a condition for the payment of the duties in three months; and if the said Provincial duties shall amount to the sum of fifty pounds, and not exceed one hundred pounds, then the importer shall give bond in like manner, for the payment of the duties, one half in three months, and the other half in six months; and if the said Provincial duties shall amount to the sum of one hundred pounds, and not exceed two hundred pounds, the importer shall give bond in like manner for the payment of the duties, one third in four months, one third in eight months, and the remaining one third in twelve months; and if the said Provincial duties shall amount to the sum of two hundred pounds and upwards, then the importer shall give bond in like manner, conditioned for the payment of the duties, one third in six months, one third in twelve months, and the remaining one third in eighteen months; all which bonds shall be executed by the importer with at least one good and sufficient surety, in double the amount of such duties, and shall be taken in Her Majesty's name, and made payable to Her said Majesty, Her Heirs and Successors, and conditioned for the amount of the said duties respectively, at the time or times specified therein, to the Treasurer of the Province, or to the Deputy Treasurer at the port or place where the same may be taken: Provided always, that in cases where by the provisions of this Act the importer or importers are entitled to have credit for payment of any duties upon giving bonds as aforesaid, the Treasurer or Deputy Treasurer shall be and

Periods and modes of payment of Duties ascertained.

Discount for prompt payment.

and they are hereby authorized to receive payment at the time of entry, if required, and to allow a discount or abatement therefrom, at and after the rate of six per centum per annum, proportionable to the credit which the importer or importers would be entitled to have.

On refusal to pay  
Duties, Goods to be  
seized and sold.

VII. And be it further enacted, That if the importer of such articles shall refuse to pay the duties imposed under and by virtue of any Act or Acts for raising a Revenue in this Province, it shall and may be lawful for the Treasurer, or Deputy Treasurer at the place where such articles shall be imported, and they are hereby respectively required to take and secure the same, with the casks or other packages thereof, and to cause the same to be publicly sold within the space of twenty days at the most after such refusal made, and at such time and place as such Treasurer or Deputy Treasurer shall by four or more days public notice appoint for that purpose; which articles shall be sold to the best bidder, and the money arising from the sale thereof shall be applied, in the first place, in payment of the said duties, together with the charges that shall have been occasioned by such sale, and the overplus (if any) shall be paid to such importer or proprietor, or any other person authorized to receive the same.

Importers to enter  
and land Goods  
within twenty days.

VIII. And be it further enacted, That every importer of any goods, shall, within twenty days after the arrival of the importing ship, the same not being intended for exportation in the same ship to parts beyond the seas, make due entry inwards of such goods, and land the same; and in default of such entry and landing, it shall be lawful for the Treasurer or Deputy Treasurer to convey such goods to the Queen's or some special warehouse, and if the duties due upon such goods be not paid or secured within three months after such twenty days shall have expired, together with all charges of removal and warehouse rent, the same shall be sold, and the proceeds thereof shall be applied first to the payment of freight and charges, next of duties, and the overplus (if any) shall be paid to the proprietor of the goods.

Searching Vessels  
for dutiable articles.

IX. And be it further enacted, That it shall be lawful for the Treasurer or any Deputy Treasurer, or Provincial Tide Surveyor, to go on board of any ship in any port in any part of this Province, and either before or after such ship comes to anchor, and to rummage and search all parts of such ship for dutiable goods, and freely to stay on board such ship so long as she shall remain in such port or place, and to search and examine the cargo, and to examine the master upon oath touching the cargo and voyage, and if the master shall not truly answer the questions to be demanded of him in such examination, he shall forfeit the sum of one hundred pounds.

Liability of vessels,  
carriages, &c., to  
forfeiture, and per-  
sons to penalties,  
for fraudulently  
landing dutiable  
articles.

X. And be it further enacted, That all vessels and boats under fifteen tons, in which any goods liable to forfeiture under any Act or Acts of the General Assembly relating to the Provincial Revenue shall be brought into this Province, and from which any goods so liable to forfeiture shall be landed, such vessel or boat shall be seized as forfeited by any Officer of the Provincial Revenue, and proceeded against in the same manner as if they had been actually engaged in the removal of any goods liable to forfeiture; and that all carriages and cattle made use of in the removal of any goods liable to forfeiture under this or any Act relating to the Provincial Revenue, shall be forfeited; and every person who shall assist or be otherwise concerned in the unshipping, landing, or removal, or in the harbouring or concealing such goods, or into whose hands or possession the same shall knowingly come, shall forfeit treble the value thereof, or the penalty of one hundred pounds, at the election of the officer or person prosecuting; and the averment in

in any information or libel to be exhibited for the recovery of such penalty, that the officer or person proceeding has elected to sue for the sum mentioned in the information, shall be deemed sufficient proof of such election without any other or further evidence of such fact.

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

Value of articles seized to be appraised.

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

Searching Houses, &c. for Dutiable Goods in presence of a Justice of the Peace;

XIII. And be it further enacted, That under the authority of a Writ of Assistance granted by the Supreme Court of this Province, or the Chief Justice thereof, or any Judge thereof, or by the Inferior Court of Common Pleas, or any Justice of such Court, who are hereby authorized and required to grant such Writ of Assistance, upon application made in Term time, or in vacation, for that purpose, by the Treasurer of the Province, or any Deputy Treasurer, and due cause shewn therefor, it shall be lawful for any Officer of the Revenue, taking with him a Peace Officer, to enter any building or other place, in the day time, and to search for and seize and secure any Goods liable to forfeiture under any Act or Acts relating to the Provincial Revenue Law, and in case of necessity, to break open any doors and chests, or other packages, for that purpose: and such Writ of Assistance when issued shall be deemed to be in force for and during the period specified in such Writ.

Under the authority of a Writ of assistance.

XIV. And be it further enacted, That if any person shall by force or violence assault, resist, oppose, molest, hinder, or obstruct, any Officer of the Provincial Revenue, or other person employed as aforesaid, in the exercise of his office, or any person acting in his aid or assistance, such person, being thereof convicted before any Court of Record in this Province, shall pay a fine not exceeding one hundred pounds nor less than fifty pounds, in the discretion of the Court before whom

Assaulting or obstructing Revenue Officers on Duty.

whom such offender shall be tried; which fine shall be paid into the Province Treasury for the use of the Province, and in case such fine be not paid, such person shall be imprisoned for such time not exceeding twelve months nor less than three months, at the discretion of the Court.

Suits for the recovery of penalties.

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

Onus probandi to be on party claiming Goods seized.

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

No claim to Goods seized to be admitted unless entered in the name of the Owner;

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

Nor unless security be given to pay costs.

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

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

XIX. And be it further enacted, That no Writ shall be sued out against nor a copy of any process served upon any Officer of the Provincial Revenue, or other person as aforesaid, for any thing done in the exercise of his office, until one calendar month after notice in writing shall have been delivered to him, or left at his usual place of abode, by the Attorney or Agent to the party who intends to sue out such writ or process; in which notice shall be clearly and explicitly contained the cause of action, the name and place of abode of the person who is to bring such action, and the name and place of abode of the Attorney or Agent; and no evidence of the cause of such action shall be produced except of such as shall be contained in such notice, and no verdict shall be given for the Plaintiff, unless he shall prove on the trial that such notice was given, and in default of such proof the Defendant shall receive in such action a verdict and costs.

Actions to be brought within three months after cause.

XX. And be it further enacted, That every such action shall be brought within three calendar months after the cause thereof, and shall be laid and tried in the place or district where the facts were committed; and the Defendant may plead the general issue, and give the special matter in evidence; and if the Plaintiff shall become nonsuited, or shall discontinue the action, or if upon a verdict or demurrer judgment shall be given against the Plaintiff, the Defendant shall receive

General issue.

treble



treble costs, and have such remedy for the same as any Defendant can have in other cases where costs are given by Law. Costs.

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

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

XXIII. And be it further enacted, That in any such action if the Judge or Court before whom such action shall be tried shall certify upon the Record that the Defendant or Defendants in such action acted upon probable cause, the Plaintiff in such action shall not be entitled to more than two pence damages, nor to any costs of suit. Tender of amends.

XXIV. And be it further enacted, That all commissions, deputations and appointments granted to any Officers of the Revenue, in force at the time of the passing of this Act, shall continue in force as if the same had been afterwards granted and made under and by authority of this Act, and that all Bonds which shall have been given by any such officers and their respective sureties for good conduct or otherwise, shall continue and remain in full force and effect. Certificate of acting upon probable cause.

XXV. And be it further enacted, That it shall be the duty of the Treasurer of the Province for the time being, in places where a Deputy Treasurer may be required for the due enforcement of this or any other Act relating to the Revenue of this Province, to appoint fit persons, to be approved of by the Lieutenant Governor or Administrator of the Government for the time being, to be Deputy Treasurers in such port or place; which persons so appointed and approved of shall give good and sufficient security by bond to Her Majesty for the faithful discharge of their duties respectively, that is to say: the Deputy Treasurer at Saint Andrews and Miramichi, respectively, in a sum not less than four thousand pounds; the Deputy Treasurer at Dalhousie in a sum not less than three thousand pounds; the Deputy Treasurer of Richibucto, in the County of Kent, in a sum not less than two thousand pounds; the Deputy Treasurer at Bathurst in a sum not less than two thousand pounds; the Deputy Treasurer at West Isles in a sum not less than one thousand pounds; and all other Deputy Treasurers respectively, in a sum not less than five hundred pounds; and all such bonds shall Appointments and bonds of Revenue Officers to continue in force.

Appointments of Deputy Treasurers.

Security.

shall also be executed by at least two good and sufficient sureties, to be approved of by the Treasurer, and shall be taken in the name of Her Majesty, Her Heirs and Successors; and the said Deputy Treasurers now in office, and all those who may hereafter be appointed, shall be accountable to the Treasurer of the Province for the time being, when thereunto required, for all sums of money received by them under and by virtue of this or any other Act relating to the Revenue of the Province; and all Deputy Treasurers, whether appointed under this or any previous Act and now in force, shall have the same powers to the fullest extent in every respect to make seizures and proceed to condemnation and sale as are given to the Treasurer by virtue of this or any other Act; and each Deputy Treasurer shall and may retain for his services ten pounds for every hundred pounds which he shall receive, secure or shall come into his hands, under and by virtue of this or any other Act relating to the Revenue of this Province, over and above his proportion of the seizures and forfeitures which he may make under and by virtue of this or any other Act relating to the Provincial Revenue: Provided always, that the sum so retained, as aforesaid, shall not in any one year exceed three hundred pounds for the services of any one Deputy.

Powers.

Compensation.

Deputy at Saint John.

XXVI. And be it further enacted, That it shall and may be lawful for the said Treasurer, in case of sickness or necessary absence from the City and County of Saint John, to appoint a fit person to act as his Deputy there, for whose acts the said Treasurer shall be responsible, which Deputy, during his continuance in office, shall have the same power and authority in every respect as the Treasurer hath by virtue of this or any other Act relating to matters of Revenue, when personally executing the duties of his office, but shall receive no compensation or allowance from the Public Treasury for his services, except his proportion of the proceeds of any seizures which he may make, or of any penalties and forfeitures which may be incurred by this or any other Act during his continuance in office as aforesaid.

Compensation.

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

XXVII. And be it further enacted, That the Tide Surveyors and Waiters, and all other Revenue Officers who may be appointed by the Lieutenant Governor or Administrator of the Government, for the Port of Saint John, or for any other port or place within the Province, shall in all respects be under the orders, directions and control of the Treasurer and Deputy Treasurers respectively for the places where such Officers may be appointed; and the said Tide Surveyors and Waiters, and other Revenue Officers, shall attend to the unloading of ships and vessels with dutiable articles, and shall not allow any such dutiable articles to be landed from any ship or vessel arriving at any port or place for which they are respectively appointed, without a Permit from the Treasurer or Deputy Treasurers, as the case may be; which permit to land dutiable articles shall be made by the Treasurer or Deputy Treasurer immediately upon the Duties thereon being paid or secured agreeably to the provisions of this or any other Act relating to Provincial Revenue; and if any Tide Surveyor, Waiter, or other Revenue Officer attending the unloading of any vessel with dutiable articles, shall discover any articles on board which have not been duly entered by the Master in his report of the cargo on board such vessel or in the report of the owner or consignee of such articles, or if any such articles shall be by such Officer found to be landed from such ship, or otherwise imported contrary to the provisions of this Act or any other Act for raising a Revenue, it shall be the duty of such Tide Surveyors and Waiters respectively, and other Revenue Officers respectively, and they are hereby required forthwith to take possession of such articles and detain the same, and make report thereof to the Treasurer or Deputy Treasurer

Duties.

at the port or place where such detention shall take place, and the said Treasurer or Deputy Treasurer shall immediately seize the said articles, and proceed against the same according to the provisions of this Act.

XXVIII. And be it further enacted, That for the recovery of all duties imposed by the provisions of any Acts of the General Assembly for raising a Revenue, and for which the said Treasurer, or Deputy Treasurer at the port or place, has taken security by bond as aforesaid, and which have not been paid at the several times limited for payment thereof respectively as aforesaid, the said Treasurer or Deputy Treasurer is hereby directed to transmit the same within thirty days to Her Majesty's Attorney General for prosecution, and Her Majesty's Attorney General for the time being is hereby required forthwith to cause process to be issued against all and every person or persons so standing indebted, and to pursue the same to final judgment and execution, unless payment of the sum due and costs be previously made; and in case the said bonds shall not be transmitted to be prosecuted within thirty days after default in payment of the amount secured in such bond, the security on such bond shall be discharged, and recourse only to be had against the principal of the same, or against the Treasurer or Deputy Treasurer so neglecting to transmit the same for prosecution: provided that no surety in any bond taken for the payment of duties shall be discharged from the same, unless the Treasurer or Deputy Treasurer shall neglect or omit to transmit such bond to the Attorney General to be prosecuted within thirty days after the last instalment in such bonds shall become due and payable; and provided also, that all bonds entered into for the security of duties imposed by this Act shall be void, and may be cancelled or destroyed, unless such bonds shall be sued within one year from the time limited in such bonds for the payment of such duties, or the last instalment due on the same; and if such bonds shall not be prosecuted to final judgment and execution in three years from the time limited as last aforesaid, then and in such case such bonds shall be void.

Proceedings on bonds to secure Duties not paid when due.

XXIX. And be it further enacted, That the Treasurer and the several Deputy Treasurers respectively, shall make half yearly returns to the Office of the Provincial Secretary of the bonds by them respectively taken for the duties and then remaining unpaid, stating the names of the obligors, the amount secured, the dates of such bonds, the times when payments become due, and the amount (if any) which has been paid thereon, and any other particulars which may be necessary, which returns shall be annually laid before the House of Assembly in the Treasurer's Account; and the Treasurer or Deputy Treasurer who shall neglect to make such returns for a longer period than two months after the expiration of each and every period shall severally be liable to pay a penalty of fifty pounds, to be applied to the use of this Province.

Halfyearly returns of bonds to be made to the Office of the Provincial Secretary.

XXX. And be it further enacted, That it shall and may be lawful for the Treasurer of the Province to appoint fit and proper persons in every such place and places within the Province as he may judge meet and expedient, to be collectors of duties on cattle and horses; and every person so appointed, or who may have been appointed under any former Act relating to the Revenue, are hereby authorized to detain, and report to the Treasurer or Deputy Treasurer, all such cattle and horses as may be found on any Road, place or places, and so imported and brought as aforesaid, unless the owner or owners, person or persons having charge of and driving such cattle and horses, shall produce a separate certificate for each and every such horse or head of cattle from the Treasurer or one of his Deputies, that the duties have been paid or secured to be paid on such cattle and horses; and the said collectors shall give bonds to the Treasurer in the sum of one hundred

Appointment of Collectors of Duty on Cattle and Horses.

Powers.

Sureties.

Compensation.

pounds, with two sufficient sureties in the sum of fifty pounds each, for the faithful discharge of their trust, and shall be allowed one half of the commission to be received by the Deputy Treasurer of the County in which such collector shall reside, and also one half of the net proceeds of the sale of all cattle and horses so detained, and forfeited under and by virtue of this Act.

Articles seized and sold by the Officers of H. M. Customs made liable to Duty, &c. ;

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

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

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

XXXII. And be it further enacted, That any articles subject to duties by any Act for raising a Revenue, which may be imported expressly for the use of Her Majesty's Army, Navy or Ordnance, and actually delivered to the Commissary or any authorized Officer of Government, shall be and the same are hereby exempted from the duties herein before imposed upon the like articles ; and any such articles which may be supplied by any resident Merchant or Trader for the uses aforesaid, and actually delivered to the Commissary or any other authorized Officer of Government, shall also be exempt from the payment of any duties herein imposed, and if the duties thereon shall have been paid, then such resident Merchant or Trader shall receive back the amount of such duties, or if indebted to the Treasury, shall have credit for the same, by deducting the amount from the gross amount of his bond, the instalments of which shall be regularly paid upon

upon the balance thereof: provided always, that before any such dutiable articles shall be exempted from the payment of duties, and before any repayment of duties shall be made or credit given therefor, the Commissary or other authorized Officer of Government shall, if the said articles have been imported, produce the Invoice or Bill of Lading of such articles to the Treasurer or his Deputy at the place of importation, and shall make and subscribe an affidavit before the said Treasurer or Deputy as aforesaid, that the several articles contained in such Invoice or Bill of Lading are imported expressly for the use of Her Majesty's Army, Navy or Ordnance, and received into his charge for that purpose; and if any such articles shall be supplied for the like purpose by any resident Merchant or Trader, such resident Merchant or Trader shall report and make and subscribe an affidavit before the Treasurer or his Deputy as aforesaid, that the articles mentioned in the report and affidavit were actually delivered to the Commissary or other authorized Officer, and the said Commissary or other authorized Officer shall also make and subscribe an affidavit before the Treasurer or Deputy Treasurer, that the articles mentioned in the said report and affidavit of the Merchant or Trader are actually delivered into his charge for the use aforesaid.

Proof.

XXXIII. And be it further enacted, That the quantity of all dutiable Liquors and Molasses shall be ascertained by Gunter's Calipers, and shall be gauged by a sworn Gauger or Gaugers appointed by the Lieutenant Governor or Administrator of the Government for the time being, which Gaugers shall not gauge any dutiable articles in which they have any interest or property.

Gauging Liquors and Molasses.

XXXIV. And be it further enacted, That any person importing by inland navigation or by land, into any Port of this Province, horses, horned cattle, or any articles which are subject to a duty under this or any other Act or Acts of the General Assembly of this Province for raising a Revenue, who shall neglect to report the same and pay the duties thereon to the Treasurer of the Province, or to the Deputy Treasurer at the port or place of entry, shall for each and every neglect or offence be liable to the same forfeitures and penalties as persons are who may be convicted of fraudulently landing any dutiable articles from on board of any ship or vessel arriving at any port or place in the Province, to be recovered and applied in the same manner as the penalties are in and by this or any Act relating to Revenue, and all goods so imported as aforesaid may be seized by the Treasurer of the Province, or any Deputy, as the case may be, and prosecuted to condemnation and sale in the same manner as goods seized and forfeited may be under and by virtue of this or any Act relating to Revenue.

Importations by Inland Navigation or by Land, not reported to the Treasurer or Deputy at Port of Entry.

Penalty.

XXXV. And be it further enacted, That if any person or persons shall import into this Province by inland navigation or by land, any horses, horned cattle, or any goods, wares or merchandize of any description subject to duty under any of the Revenue Laws of this Province, and shall neglect to report the same and pay the duties on such articles so imported at the office of the Treasurer or Deputy Treasurer, such person or persons so offending shall be liable to the same penalty as persons are by this or any Act relating to Revenue, who shall land articles from any ship or vessel before report of the cargo of such ship or vessel, to be recovered in the like manner as the penalties are in and by this or any Act relating to Revenue; and all horses, horned cattle, goods, wares and merchandize of every kind, which may be seized for non-payment of the duties, or for default made as aforesaid, may be proceeded against in the same manner as seizures are in and by this or any Act relating to Revenue.

Importing by Inland Navigation or by Land, and not reporting at the Port of Entry.

Penalty.

Seized Dutiable Goods to be deemed condemned, unless notice of claim be given.

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

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

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

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

XXXVIII. And be it further enacted, That if any articles shall be seized as forfeited under the provisions of this Act or any Act hereafter to be made relating to Revenue, it shall and may be lawful for the Treasurer or Deputy Treasurer making such seizure to deliver up the same to the claimant on security by bond, with two sufficient sureties, to be approved of by such Treasurer or Deputy Treasurer, to answer double the value of the same in case of condemnation; and such bond shall be taken in the name of Her Majesty, and shall be delivered to and kept in the custody of such Treasurer or Deputy Treasurer; and in case the goods shall be condemned, the value thereof shall be paid into the hands of such Treasurer or Deputy Treasurer, who shall thereupon cancel such bond.

Prosecution of penalties or forfeitures.

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

Application of forfeitures and penalties.

XL. And be it further enacted, That all forfeitures and penalties incurred and recovered under and by virtue of this Act, shall be divided, paid and applied as follows, (that is to say,) after deducting the charges of prosecution from the proceeds

proceeds thereof, one half part thereof to Her Majesty for the use of the Province and for the support of the Government thereof, and the other moiety or half part thereof to the officer who shall inform and sue for the same.

XLI. And be it further enacted, That the net proceeds of all articles seized and condemned under the provisions of this or any other Act relating to Revenue, shall be divided, paid and applied as follows, (that is to say,) one third part of the net produce shall be paid into the hands of the Collector of Her Majesty's Customs at the Port or place where such seizure shall be made, for the use of Her Majesty, one third part to the Lieutenant Governor or Administrator of the Government for the time being, and the other part to the person who shall seize and prosecute the same to conviction.

Application of proceeds of seizures.

XLII. And be it further enacted, That whosoever shall export or carry out of this Province by Sea, any articles chargeable with Provincial Duty, and upon which, upon their entry inwards for home use, the duties shall have been paid or secured, or which may have been purchased at any Custom House sale or sale of Government Stores, shall be entitled to and shall be allowed a drawback or allowance of the whole amount of such duties; provided the goods shall be of the quantity or value for which a drawback of duty is hereinafter allowed; and provided also, that the regulations hereinafter contained shall be in all things observed in respect thereof.

Drawback allowed on exportation of dutiable articles.

XLIII. And be it further enacted, That a drawback aforesaid of the whole Provincial Duty upon articles not warehoused, or upon articles on which the duties upon those articles shall have been paid or secured, shall be allowed upon any quantity of Wine, Brandy, Geneva, and Whiskey, not less than twenty five gallons, if in wood, or if bottled, not less than six dozen bottles; not less than one hundred gallons of Rum or other Spirituous Liquors; not less than five hundred gallons of Molasses; not less than ten hundred weight of brown Sugar; not less than six hundred weight of loaf or refined Sugar; not less than five hundred weight of dried Fruits; nor less than two hundred weight of Coffee and Pimento; and upon any amount not less than fifty pounds of the original or declared value of any articles charged with duty thereof, according to the value thereof at the time of importation, nor unless the requisite proof of their having been landed without the Province, to be produced at the office within twelve months from the time of exportation; and no drawback shall be allowed upon articles landed in any Port of the United States eastward of Machias Harbour: and provided also, that when satisfactory proof is lodged with the Treasurer or Deputy Treasurer of the exportation of any article subject to duty, the said duty shall not be exacted within twelve months after the exportation of such articles: provided always, that no drawback shall be paid upon the exportation of any articles unless the bond given for the duty upon such articles, at the time of the original or first entry, shall be paid, but the Treasurer or Deputy Treasurer shall and may endorse the amount of such drawback upon the bond.

Quantity to be exported to entitle to drawback defined.

Payment of Drawback.

XLIV. And be it further enacted, That the evidence to be required of the exportation of dutiable articles in the same bottom, shall be the affidavit of the master and of the owner or consignee before the Treasurer or one of his Deputies, and the affidavit of the master shall be as follows:

Proof of exportation in same bottom without landing;

"I, A. B. do swear that the following articles, to-wit, \_\_\_\_\_ are now actually on board the \_\_\_\_\_ whereof I am master, that the same were imported in the same vessel, and are the same that were mentioned in the entry and report of the said vessel and cargo at this office on the \_\_\_\_\_ day of \_\_\_\_\_ and that no part of the same are to be landed within this Province, to the best of my knowledge and belief."

And

Not in same bottom.

And the owner or consignee of the same articles shall at the time and place make and subscribe an affidavit, that he is the owner or consignee of such articles, and that the contents of the affidavit made by the master are just and true to the best of his knowledge and belief; and when articles are not exported in the same bottom in which they were imported, shall make and subscribe an affidavit as follows, to-wit :

“ I, A. B. do swear that the following articles, to-wit, \_\_\_\_\_ were imported into the Province in the vessel called the \_\_\_\_\_ whereof I am master, and are the same mentioned and specified in the entry and report of the said vessel and cargo at this office on the \_\_\_\_\_ day of \_\_\_\_\_ and that no part thereof has been landed since the said entry and report; and that the same have been actually shipped on board the vessel called the \_\_\_\_\_ in the harbour of \_\_\_\_\_ whereof \_\_\_\_\_ is master.”

And the owner or consignee of the same articles shall at the same time and place make and subscribe an affidavit that he is the owner or consignee of such articles, and that the contents of the affidavit made by the said master are just and true, and that the said articles are not to be landed within the Province, to the best of his knowledge and belief; and the master of the vessel on board of which such articles have been reshipped, shall at the same time make and subscribe an affidavit that the articles mentioned in the affidavit of the master of the vessel in which they were imported, are actually on board the ship or vessel of which he is master, and that the same or any part thereof are not to be again landed in the Province, to the best of his knowledge and belief.

Proof of Exportation after landing.

XLV. And be it further enacted, That when any dutiable articles are exported for drawback after having been landed in the Province, the evidence of such exportation shall be an affidavit made and subscribed by the owner or consignee of such articles before the Treasurer or Deputy Treasurer, as follows, to-wit :

“ I, A. B. do swear that the articles by me now shipped on board the \_\_\_\_\_ whereof \_\_\_\_\_ is master, were lawfully imported [*or* purchased at Custom House sale, *or* sale of Government Stores] in the \_\_\_\_\_ whereof \_\_\_\_\_ was master, from \_\_\_\_\_; and that the duties thereon have been paid or secured to be paid by me at this office, and that the same or any part thereof are not intended to be relanded in this Province, to the best of my knowledge and belief.”

Also, an affidavit made and subscribed by the master of the vessel in which the articles are to be exported, as follows, to-wit :

“ I, A. B. do swear that the articles shipped by \_\_\_\_\_ as mentioned in his affidavit, are now actually on board the \_\_\_\_\_ whereof I am master, bound for \_\_\_\_\_; and that the same or any part thereof are not to be relanded within the Province, to the best of my knowledge and belief.”

Provided always, that before any drawback shall be paid, or a remission of duties upon articles exported in the same bottom, or transhipped into another vessel, and exported without being landed, obtained, it shall be incumbent on the owner or consignee of such articles to produce to the Treasurer or Deputy to whom the duties shall have been paid or secured, within one year from the time of exportation thereof, a certificate under the hand and seal of the Collector or principal officer of the Customs or of the Revenue of the place to which the same were exported, or a certificate of two resident Merchants of the place where such dutiable articles may have been landed, that such articles have been there actually landed, and he shall at the same time make and subscribe the following affidavit :

“ I,



“ I, A. B. do swear that the articles exported by me in the                    whereof was master, a certificate of the landing of which is by me now exhibited, have been actually landed at                    , to the best of my knowledge and belief.”

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

Landing articles exported for drawback.

Forfeiture.

Penalty.

XLVII. And be it further enacted, That the importer or consignee of any goods or articles subject to duty, (except at the hereinbefore excepted Ports or Districts of Saint John, Saint Andrews, Saint Stephen, Fredericton, and Woodstock,) under and by virtue of any Act of the General Assembly of this Province, the duties upon which would amount to twenty five pounds or upwards, may have his option either to secure the duties on the same in the manner prescribed in and by this Act, or to warehouse such articles, and pay the duties thereon from time to time as the same may be sold or entered for home consumption, and before delivery thereof; and that the importers or consignees of any goods or articles subject to duty in like manner at the Ports or Districts aforesaid of Saint John, Saint Andrews, Saint Stephen, Fredericton, and Woodstock, the duties upon which would amount to five pounds or upwards, may have his option either to warehouse such articles and pay the duties thereon from time to time as the same may be sold or entered for home consumption, and before delivery thereof, as hereinafter provided.

Prompt payment of duties made optional in certain cases.

XLVIII. And be it further enacted, That before the owner, agent or consignee of any such articles shall have the benefit of the option hereinbefore provided, it shall be the duty of the owner, importer or consignee of any such articles to enter the same for warehousing, and to provide a good and sufficient Warehouse, to be approved of by the Treasurer or Deputy Treasurer, as the case may be, and fitted and prepared to the satisfaction of the said Treasurer or Deputy Treasurer; and before any such articles shall be admitted into any Warehouse, the owner, importer or consignee of the same shall, instead of the bonds hereinbefore required, give bonds with two sufficient sureties, to be approved of by the said Treasurer or Deputy Treasurer, as the case may be, in double the amount of duties payable on such articles in such Warehouse mentioned in the entry of the same, and for the payment of the duty on such articles, or for the exportation thereof, according to the account first taken of such articles upon the landing of the same, with the further condition that no part shall be taken out of such Warehouse until cleared from thence upon due entry and payment of duty, or upon due entry for exportation or removal from any one Warehouse to another in the Province; and with the further condition, that the whole of such articles shall be

Entry of, and bond for articles to be warehoused.

so cleared from such Warehouse, and the duties upon such deficiency (if any) of the quantity according to such first account, shall be paid within two years from the date of the first entry thereof.

Articles entered  
for warehousing  
and not deposited.  
&c. to be forfeited.

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

Bond upon entry  
outwards of articles  
from the warehouse.

L. And be it further enacted, That upon the entry outwards of any article to be exported from the Warehouse, or for removal from one bonded Warehouse to another within the Province, the person entering the same shall give security by bond in treble the duty thereon, with two sufficient sureties to be approved by the Treasurer or Deputy Treasurer, conditioned that the same shall be landed at the place for which they be entered outwards, or be otherwise accounted for, to the satisfaction of the said Treasurer or Deputy Treasurer; and all articles deposited in any Warehouse, or removed from one bonded Warehouse to another within the Province, pursuant to this Act, shall be taken out for home consumption or for exportation, within two years from the date of the original report and entry of such articles.

Bond upon entry  
inwards of articles  
to be warehoused  
under Acts of Par-  
liament.

LI. And be it further enacted, That upon the entry of any goods of foreign growth or produce subject to Provincial Duties, and which are also subject to duties and intended to be warehoused under the provisions of any Act or Acts of the Imperial Parliament, the importer of such goods may, instead of paying or securing the Provincial Duties, as directed in and by this Act, shall give bond with at least one good and sufficient surety to be approved of by the Treasurer or Deputy Treasurer, in double the amount of duties payable at the Treasury thereupon, with condition for safe depositing the goods in the Warehouse for home consumption, or for the exportation thereof, and with further condition that if the goods be not taken out of the Warehouse in two years, the duties shall, at the expiration of that period, be paid.

Fraudulent remo-  
val, &c. of ware-  
housed articles.

LII. And be it further enacted, That if any Goods which shall have been so warehoused, shall be fraudulently concealed in, or removed from the Warehouse except for exportation, without payment of the Provincial Duties imposed thereon, such goods shall be forfeited, and may be seized and disposed of in the manner directed by this Act; and if any importer or proprietor of any goods warehoused, or any person in his employ, shall by any contrivance fraudulently open the Warehouse or gain access to the goods, such importer or proprietor shall forfeit and pay for every such offence the sum of fifty pounds.

Deputy Treasurers  
held accountable  
for monies paid to  
them by Collectors  
of H. M. Customs.

LIII. And be it further enacted, That upon payment by the Collector or other Officer of Her Majesty's Customs to any Deputy Treasurer, of any monies collected under any Act or Acts of the Imperial Parliament, such Deputy Treasurer and his sureties shall be held liable for the due accounting of the same, in like manner as any other duties which shall come into his hands under and by virtue of this or any other Act relating to the Revenue of this Province.

Prosecution of ves-  
sels, carriages,  
horses and cattle.

LIV. And be it further enacted, That all vessels and boats of fifteen tons and under, and all carriages, horses and cattle which may be seized under this or any other Act relating to the Revenue of the Province, may be prosecuted upon information of the Treasurer or any Deputy Treasurer, or the Commander of any Revenue Vessel, agreeably to the provisions of this Act.

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

Seized articles to be appraised.

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

Articles seized to be sold at public auction.

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

Oaths may be administered by the Treasurer or Deputies.

LVIII. And be it further enacted, That the Clerk in the Office of the Provincial Treasury at the City of Saint John appointed or to be appointed by the Treasurer of the Province, while in such office, is hereby empowered to administer all oaths required to be administered by the Treasurer of the Province upon entries, manifests or other proceedings in the said office, in like manner as the Treasurer of the Province is authorized to administer the same; and any person who shall make a false oath before such Clerk in such office shall be deemed guilty of perjury, and liable to the pains and penalties of the same: provided always, that the Treasurer of the Province shall first publish in the Royal Gazette the name of such Clerk.

Treasurer's Clerk may administer oaths.

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

Clerk's name to be Gazetted.

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

LX. And be it further enacted, That the right of recovering any of the duties, penalties and forfeitures imposed, inflicted or incurred under the provisions of any former Act or Acts relating to Revenue, and all securities taken by virtue of the same, are hereby expressly saved.

Recovery of duties, &c. under former Acts, reserved.

LXI. And be it further enacted, That it shall and may be lawful for all Deputy Treasurers, except the Deputy Treasurer for the Port of Saint John, in case of sickness or necessary absence of either of them, to appoint a fit person for them respectively, to attend to the duties of their respective offices during their sickness or necessary absence, and for the conduct of such person the said Deputy Treasurer and their respective sureties shall be responsible.

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

LXII. And be it further enacted, That at the Ports or Districts of Saint John, Saint Andrew's, Saint Stephen's, Fredericton, and Woodstock, the duties imposed on goods, wares, and merchandize, by any Law or Laws relating to Revenue in this Province, shall be paid at the time of importation, or if warehoused under the provisions of this or any Act of the Imperial Parliament, prior to removal from such Warehouse, otherwise than for exportation or removal from one Warehouse to another within this Province.

Period of payment of duties on importations at St. John, St. Andrews, St. Stephen, Fredericton and Woodstock.

Proceedings under former Acts to remain valid.

LXIII. And be it further enacted, That all proceedings which may have been done and had under and by virtue of any of the Acts relating to the collection of the Revenue of this Province, shall be and remain valid and effectual, notwithstanding the expiration of such Acts, or repeal of the same.

6 W. 4, c. 4,

LXIV. And be it further enacted, That an Act made and passed in the sixth year of the Reign of His late Majesty William the Fourth, intituled *An Act to provide for the collection of the Revenue of this Province*; and an Act made and passed in the seventh year of the same Reign, intituled *An Act to amend the Act to provide for the collection of the Revenue of this Province*; also, an Act made and passed in the first year of the Reign of Her present Majesty, intituled *An Act further to amend the Acts relating to the collection of the Revenue of this Province*; also, an Act made and passed in the third year of the Reign of Her Majesty Queen Victoria, intituled *An Act to extend the provisions of the fourth section of an Act, intituled 'An Act to amend the Act to provide for the collection of the Revenue of the Province,' to Woodstock, in the County of Carleton*; and also, an Act made and passed in the sixth year of the Reign of Her Majesty Queen Victoria, intituled *An Act to amend an Act, intituled 'An Act to provide for the collection of the Revenue of this Province,'* be and the same are hereby repealed.

7 W. 4, c. 5,

1 V. c. 6,

3 V. c. 46,

6 V. c. 16,

repealed.

Act may be amended during present Session.

Limitation.

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

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

### CAP. III.

An Act to continue an Act, intituled *An Act relating to the collection of Duty on Timber and other Lumber.*

Passed 7th March 1846.

Act 7 V. c. 18, continued.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of Her present Majesty Queen Victoria, intituled *An Act relating to the collection of Duty on Timber and other Lumber*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

### CAP. IV.

An Act to remove doubts respecting the competency of Witnesses in certain cases.

Passed 7th March 1846.

Preamble.

**‘**WHEREAS doubts have arisen as to the competency of persons rated, ‘ or liable to be rated, or otherwise, for rates and taxes in the several ‘ Towns and Parishes in this Province, as Witnesses in cases where the Officers ‘ of the said Town or Parish, or any one or more of them, acting for and on ‘ behalf of such Towns or Parishes, be a party, or where the said Towns or ‘ Parishes may in any manner be affected, and also in cases where any pecuniary ‘ penalty, or part of such penalty, may be given to the use of the Poor of such ‘ Town or Parish, or otherwise, for the benefit thereof;’

Rate payers to be competent witnesses in cases where Parishes or Parish Officers may be concerned.

Be it declared and enacted by the Lieutenant Governor, Legislative Council and Assembly, That no person by reason of being rated, or liable to be rated, or otherwise, for rates and taxes in any Town or Parish within this Province, shall be deemed and taken thereby to be an incompetent Witness in any case in which the Officers of such Town or Parish, or any one or more of them, acting for and on behalf of such Town or Parish, shall be a party, or where the said Town or Parish

Parish may in any manner be affected, nor in any case wherein a pecuniary penalty, or any part thereof, shall be given to the use of the Poor of such Town or Parish, or otherwise, for the benefit or exoneration of such Town or Parish.

## CAP. V.

An Act to amend and explain an Act, intituled *An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provision for the same.* 1 W. 4, c. 9.

Passed 7th March 1846.

**W**HEREAS by an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provisions for the same*, it is enacted, that it shall and may be lawful for the Justices of the Peace in their General Sessions, to divide each Town or Parish into as many Districts as shall be thought necessary, and that a sufficient Pound shall be built in each District; and in case the inhabitants of such Districts shall not build the Pound by subscription or otherwise, the Justices may authorize an assessment upon the inhabitants of such District for the building of a Pound: And whereas in several Districts where Pound Keepers have been appointed, and when no such Pounds have been built, the said Pound Keepers have been in the habit of using barns, barn yards and other enclosures as Parish Pounds, for the impounding of horses, swine, sheep and other domestic animals found trespassing, contrary to the provisions of the above in part recited Act: And whereas doubts have arisen with regard to the legality of such proceedings;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That nothing contained in an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Acts in force relating to Trespasses, and to make more effectual provisions for the same*, shall prevent or be construed to prevent any Pound Keeper in any District of any Parish in this Province, where no Public Pound has been built, or having been built shall not be in a proper state of repair, from using a proper barn, barn yard, or other proper enclosure, as a Pound for the time being.

II. And be it enacted, That all the other provisions of the above in part recited Act shall be as applicable to a barn, barn yard, or other proper enclosure, when so used as a Pound, as they are to any Public Pound erected under the provisions of the fifth section of the same.

Barns, barn yards or enclosures may be used as Pounds where such are not provided.

Provisions of 1 W. 4, c. 9, to apply to barns, &c. so used.

## CAP. VI.

An Act to repeal *An Act to revive and continue an Act for the naturalization of Aliens in this Province*, and to make further provision for the same.

Passed 7th March 1846.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act to revive and continue an Act for the naturalization of Aliens in this Province*, be and the same is hereby repealed.

II. And be it enacted, That from and after the passing of this Act, all persons of foreign birth who have inhabited and resided in this Province for the space of seven years or more previous to the time of the passing of this Act, and shall not have been, during such period of seven years, stated residents in any Foreign Country, and who shall at any time within three years after the time of the passing of this Act take and subscribe the oath of allegiance and residence, or being

8 v. c. 106, repealed.

Aliens resident in the Province for seven years, taking the oath prescribed in the Schedule, to have the privileges of natural born subjects.

one of the persons allowed by Law to affirm in civil cases, affirmation prescribed in the Schedule to this Act, if they be of full age of sixteen years at that time, and if not at the full age of sixteen years at the time of the passing of this Act, then within three years from their attaining that age, before any Judge of the Supreme Court of this Province, shall be deemed, adjudged and taken to be entitled to all the privileges of Her Majesty's natural born subjects, to all intents, constructions and purposes as if they and every of them had been or were born in Her Majesty's Dominions; which said oath or affirmation and subscription any of the said Judges is hereby authorized and empowered to administer and take: and the taking and subscribing of every such oath or affirmation shall be before any such Judge in open Court, either at Bar or Nisi Prius, between the hours of nine and twelve in the forenoon; and such subscription shall be made in a book to be kept for that purpose; and such Judge shall cause a certificate or return thereof to be transmitted to the Office of the Secretary of the Province, and such Secretary shall cause an entry of such certificate or return to be made in a book to be kept for that purpose in his Office.

Certificate under the Seal of the Province to be sufficient evidence.

III. And be it enacted, That a testimonial or certificate under the Seal of this Province, of such Alien having taken and subscribed the said oath or affirmation, shall be deemed and taken to be a sufficient testimony and proof thereof, and of his or her being entitled to all the privileges of a natural born subject of Her Majesty, to all intents and purposes, and in all Courts whatsoever.

False swearing as to residence to be deemed perjury.

IV. And be it enacted, That if any person taking and subscribing the oath or affirmation required by this Act, shall falsely swear or affirm as to the fact of residence in such oath or affirmation contained, such person so falsely swearing or affirming shall be deemed guilty of perjury, and shall be liable to the pains and penalties incident by Law to the crime of perjury; and moreover upon conviction of such offence, shall be adjudged to have forfeited and lost, and shall forfeit and lose all the privilege of a natural born subject, to which he or she might otherwise have been entitled by virtue of having been naturalized under this Act.

#### SCHEDULE.

##### FORM OF OATH.

Form of Oath.

"I do swear, (*or being one of the persons allowed by Law to affirm in civil cases, do affirm,*) that I have resided seven years in this Province, without having been during that time a stated resident in any Foreign Country, and that I will be faithful and bear true allegiance to the Sovereign of the United Kingdom of Great Britain and Ireland, and of this Province as dependent thereon.—So HELP ME GOD."

#### CAP. VII.

An Act to alter the Division Line between the Counties of Westmorland and Albert, and also certain Parish Lines in the said County of Albert.

*Passed 7th March 1846.*

Preamble.

S V. c. 104.

‘WHEREAS in and by virtue of an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County*, part of the old Parish of Salisbury, formerly included in Westmorland, is now included within and forms a part of the County of Albert: And whereas it would be more convenient for the inhabitants to have a certain portion thereof restored to and again included within the said County of Westmorland: And whereas it would be more convenient if some alterations were made in the Division Lines of certain Parishes in the County of Albert;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the present County of Albert which is bounded on the South East by a line running South twenty degrees West by the magnet, from the North West angle of the present Parish of Coverdale, a distance of nine miles, thence on the South by a line to run magnetic West until it strikes the County of Kings, be added to and included within the County of Westmorland, and form a part of the Parish of Salisbury, in said County of Westmorland, any thing in the said recited Act to the contrary notwithstanding.

Part of Albert annexed to Westmorland, and declared a part of the Parish of Salisbury.

II. And be it enacted, That all that part of the present Parish of Salisbury, in the County of Albert, which lies South of the line dividing the Parishes of Coverdale and Hillsborough, prolonged Westerly until it intersects a line running South twenty degrees West by the magnet, from the North West angle of said Parish of Coverdale, thence along the said last mentioned line to a point nine miles from the aforesaid angle, thence West by the magnet until it strikes the Kings' County Line, be added to and form a part of the present Parish of Harvey, in the said County of Albert.

Part of Parish of Salisbury in Albert County annexed to the Parish of Harvey in Albert.

III. And be it further enacted, That all that part of the present Parish of Salisbury, in said County of Albert, which lies North of the Westerly prolongation of the line dividing the Parishes of Coverdale and Hillsborough, and South Easterly of a line running South twenty degrees West by the magnet, from the North West angle of the said Parish of Coverdale, be added to and form a part of the said Parish of Coverdale, in the said County of Albert.

Part of the Parish of Salisbury in Albert County annexed to the Parish of Coverdale in Albert.

### CAP. VIII.

An Act to alter and amend the Laws relating to the Fisheries in the County of Gloucester.

Passed 7th March 1846.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the fifth section of an Act made and passed in the third year of the Reign of King William the Fourth, intituled *An Act for regulating the Salmon Fisheries in the County of Gloucester*, be and the same is hereby repealed.

3 W. 4, c. 27, s. 5, repealed.

II. And be it enacted, That no net shall be allowed to remain set in any of the Rivers, Coves, Creeks or Harbours of the said County of Gloucester, after the first day of August in each and every year, under a penalty on the owner or owners, user or users of such net, of five pounds for each day the same may be allowed to remain set after that time; which penalty shall be sued for, recovered and applied as is directed in and by the second section of the said Act.

No nets to remain set after 1st August in each year.

III. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty, and no longer.

Limitation.

### CAP. IX.

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

Passed 7th March 1846.

**WHEREAS** the funds arising from local sources are insufficient to defray the Public Debt of the said County at present existing;

Preamble.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Restigouche, at any General Sessions of the Peace hereafter to be holden therein, or at any Special Sessions of the Peace for that purpose convened, be and they are hereby authorized and empowered to make such rate and assessment upon the inhabitants of the

Assessment to pay off the County Debt authorized.

the said County of any sum not exceeding three hundred pounds, as they in their discretion may think necessary for the purpose of paying off the balance for repairs to the Public Buildings of the said County, and also to pay the contingent expenses of the said County; the same to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying County Rates.

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CAP. X.

An Act to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the contingent expenses of the said County.

*Passed 7th March 1846.*

Assessment authorized to pay County contingent expenses.

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Kent, at any General Sessions of the Peace, or at any Special Sessions of the Peace to be for that purpose holden, be and they are hereby authorized and empowered to make a rate and assessment upon the inhabitants of the said County, for a sum not exceeding one hundred and forty pounds, to defray the contingent expenses of the said County; the same to be levied, assessed, collected and paid under and by virtue of any Act or Acts of the General Assembly of this Province in force for assessing and collecting of County Rates.

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CAP. XI.

An Act to authorize Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for payment of the County Debts.

*Passed 7th March 1846.*

Assessment authorized to pay the County Debts.

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace of the County of Gloucester, at any General or Special Sessions of the Peace hereafter to be holden, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding six hundred pounds, as they in their discretion may think necessary for the purpose of paying off the Debts of the said County; the same to be levied, assessed, collected and paid agreeably to any Acts now or hereafter to be in force for assessing, collecting and levying of County Rates: provided that any Special Sessions of the Peace to be holden under the provisions of this Act shall consist of not less than five Magistrates.

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CAP. XII.

An Act to authorize Her Majesty's Justices of the Peace for the County of Northumberland to assess the said County to pay off the County Debts.

*Passed 7th March 1846.*

Assessment authorized to pay off the County Debts.

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace for the County of Northumberland, at any General or Special Sessions of the Peace hereafter to be holden, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding seven hundred pounds, in such sums and at such times as they in their discretion may think necessary, for the purpose of paying off the debts of the said County; the same to be levied, assessed, collected and paid agreeably to any Acts now or hereafter to be in force for assessing, collecting and levying of County Rates: provided that any Special Sessions of the Peace to be holden under the provisions of this Act shall consist of not less than ten Magistrates.



## CAP. XIII.

An Act to authorize Her Majesty's Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt.

*Passed 7th March 1846.*

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte, at any General Sessions of the Peace hereafter to be holden therein, be and they are hereby authorized and empowered to make such rate or assessment of any sum not exceeding one thousand pounds, as they in their discretion may think necessary for the purpose of paying the County Debt and contingent expenses of the County; the same to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying of the County Rates: provided that so much of the money so assessed and levied as is necessary for the full payment of the present County Debt, shall be applied for that purpose before the application of any part thereof to any other purpose.

Assessment authorized to pay off the County Debts.

## CAP. XIV.

An Act relating to Dog Tax in the several Counties of this Province.

*Passed 7th March 1846.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for Her Majesty's Justices of the Peace of the several Counties in this Province, annually, at their first Court of General Sessions of the Peace, respectively, if they or the major part of them shall see fit, to impose a tax on all Dogs in any Parish or Parishes, or District or Districts within their respective Counties, to be thereafter paid by the owner or keeper of such Dog or Dogs; and in order to the due collection of such tax, to make and ordain such rules and regulations for ascertaining such owner or keeper by a lettered collar on the neck of such Dog or Dogs or otherwise, and to inflict such penalty or penalties for the breach or violation of such rules or regulations as they shall deem meet: provided always, that no greater amount than the sum of five shillings per annum for each Dog shall be imposed on such owner or keeper; and provided also, that no single penalty so to be inflicted for the breach or violation of any such rule or regulation shall exceed the sum of two pounds.

Justices in Sessions authorized to impose a tax on all Dogs within their Counties;

and to make regulations with penalties.

II. And be it enacted, That it shall and may be lawful for the said several Courts of General Sessions of the Peace in their respective Counties, and they are hereby authorized and empowered at their said first Court of General Sessions, annually to appoint a fit person to be collector of the tax so to be imposed under the provisions of this Act, who shall be sworn to the faithful discharge of his duty in like manner as any other Town or Parish Officer is required by any Law now in force or to be hereafter enacted, respecting the same, to all the pains and penalties for neglect of duty or refusal to serve as any other Town or Parish Officers are liable to by virtue of the Laws now in force; and it shall be the duty of such collector within the Parish or District for which he shall or may be appointed, on the first day of May in each and every year, and as often thereafter as may be necessary, to proceed to the collection of such tax; and in case the same be not paid to such collector within six days after the same shall have been demanded, that then such collector shall and may and he is hereby required in his own name to sue for and recover the same as is hereinafter directed; and the said tax when collected shall be forthwith paid into the hands of the Overseers of the Poor or Commissioners of the Poor House of such Parish, or of the Parish in

Collectors to be appointed.

Duty.

[Application of Tax.]

which

Compensation.

which such District may be situated, for the use of the Poor thereof; such collector retaining for his trouble at and after the rate of twenty per centum on all sums actually paid in by him.

Collectors to account at each General Sessions.

III. And be it enacted, That the several collectors so to be appointed, shall render accounts to the respective Courts of General Sessions of the Peace at every sitting of the same, of all collections by them made under this Act or any regulations by the authority of the same; which accounts shall contain a nominal list of all the persons within their respective Districts liable to pay the said tax, and the amount for which each person may be liable, and also a detailed statement of all the fines and penalties recovered; and the said collector shall be subject to all the pains and penalties for neglect or refusal to account for or pay over the monies to be collected or recovered by them, as other collectors of rates or taxes are made liable to by any Act of the General Assembly now in force or hereafter to be enacted.

Dogs at large, contrary to regulations, may be killed or owners fined.

IV. And be it enacted, That all Dogs found going at large within the limits of any Parish or District, the inhabitants whereof shall be declared liable to Dog Tax by the authority of this Act, and owned or kept by any person residing within the same, without such collar or other mark as shall or may be directed by any rule or regulation of the respective Courts of General Sessions of the Peace for ascertaining the owners of Dogs within the same, shall be liable to be killed or destroyed by the collector of Dog Tax of such Parish or District, or by any constable of the same: provided always, that in case the owner or keeper of such Dog be known, that then he or she shall be liable to pay a fine of ten shillings over and above any tax imposed, to be recovered and paid as is hereinafter directed.

Recovery of penalties.

V. And be it enacted, That all fines and penalties, and all taxes imposed by this Act or under the authority thereof, shall be recovered with costs on the oath of one or more credible witness or witnesses, before any one of Her Majesty's Justices of the Peace of the County in which the tax may become due or the offence be committed, and that all such fines and penalties shall be paid over and applied in like manner as the said tax is directed to be paid over and applied in and by this Act.

Application.

Dogs owned by Officers of H. M. Troops, &amp;c. exempted.

VI. Provided always, and be it enacted, That nothing in this Act shall extend or be construed to extend to render any of the Officers of Her Majesty's Troops in any Garrison in this Province liable to any tax or imposition for any Dog or Dogs *bona fide* by them kept; and provided also, that no Dog belonging to any of the aborigines of this Province shall be deemed to be within the provisions of this Act.

Limitation.

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

## CAP. XV.

An Act to authorize the Justices of the Peace for the County of Carleton to levy an assessment to pay off the County Debts.

Passed 7th March 1846.

Assessment authorized to pay off the County Debts.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Justices of the Peace for the said County of Carleton, at any General Sessions of the Peace to be hereafter holden, or any Special Sessions to be for that purpose convened, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding two hundred pounds,

as

as they in their discretion may think necessary, for the paying off the debts due from the said County ; the same to be assessed, levied, collected and paid agreeably to and under and by virtue of any Act or Acts which are now or may hereafter be in force in this Province for assessing, levying and collecting of rates for public charges.

### CAP. XVI.

An Act to make provision for winding up the affairs of the Savings' Bank at Fredericton.

*Passed 11th April 1846.*

**W**HEREAS, in consequence of the difficulties in which the Bank for Savings established at Fredericton is now involved, it is expedient to make provision by Act of Assembly for winding up the affairs of the said Institution ;

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the powers and authorities of any Trustee or Trustees, Treasurer, or other Officer of the said Bank of Savings, established at Fredericton, shall cease and determine: provided always, that nothing in this Act contained shall extend or be construed to extend in any way to discharge or affect any claim which the Depositors in the said Institution may have, either at law or in equity, against any Trustee, Treasurer, or other Officer of the Institution.

Powers of present Trustees and Treasurer annulled, saving the claims of the Depositors.

II. And be it enacted, That it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, specially to appoint a fit and proper person to be the sole Trustee of the said Institution, who shall give bonds to Her Majesty, Her Heirs or Successors, in such amount as His Excellency the Lieutenant Governor may direct, for the faithful performance of the duties of his office, and for the payment and application of all monies received by him as such Trustee.

A Trustee to be appointed by the Governor in Council.

III. And be it enacted, That all monies, goods, chattels and effects whatever, and all securities for money, or other obligatory instruments and evidences or muniments, and all other effects whatever, and all rights or claims belonging to or had by such Institution, shall be vested in the said Trustee for the use and benefit of the said Institution, and the Depositors therein, according to their respective claims and interests.

Property of the Institution vested in such Trustee.

IV. And be it enacted, That the said Trustee shall have all the powers and authorities, in all respects, so far as regards the said Institution, which are conferred upon any Trustee or Treasurer of any similar Institution, in and by the Act made and passed in the sixth year of the Reign of King George the Fourth, intituled *An Act to encourage the establishment of Banks for Savings in this Province* ; save and except that the said Trustee shall not have any authority to receive any further Deposits into the said Bank of Savings.

Powers of any Trustee or Treasurer, under Act 6 G. 4, c. 4, conferred on the Trustee under this Act, except as to receiving deposits.

V. And be it enacted, That it shall be lawful for the said Trustee, if he in his discretion shall consider it for the benefit of the said Institution, and the Depositors therein, to renew any securities for any debt which may be due or belonging to the said Institution by renewal of the same, or by other or further security, or to compound with any person or debtor for such sum as he may consider expedient for the benefit of the said Institution.

Power given to renew or change securities and to compound for debts.

VI. ' And to obviate some difficulties that may occur in setting forth or declaring on the real contract, note or agreement made and given by or to any person for any debt due or belonging to the said Institution, or as security for the same, and whether given to any person as a Trustee, or in his individual name ;' Be it

Mode of declaring and proving in actions to recover the debts.

enacted, That it shall be lawful for such Trustee, in his capacity as Trustee as aforesaid, to recover such debt in any action of debt or assumpsit, and to declare in general terms for money had and received to the use of the said Institution; and on the trial of such action, any promise, agreement, promissory note or indorsement thereof, given by or to any person or persons, for or relating to any such debt, may be made use of as evidence of the quantum of the debt or damages to be recovered by such Trustee, on proof, by parole or otherwise, that such agreement, promise or note was really and truly given for and on account of or relating to such Institution.

Former Trustees,  
Treasurer, &c. to  
be competent wit-  
nesses.

VII. And be it enacted, That in any action which may be brought by the said Trustee in discharge of his duty as such Trustee, any person who may have been a former Trustee, Treasurer, or other Officer, shall be admitted as a competent witness on the trial thereof.

Trustee to make  
reports and pay  
dividends under  
orders of the Govern-  
or in Council.

VIII. And be it enacted, That the said Trustee shall, from time to time when called upon by the Lieutenant Governor or Administrator of the Government for the time being, report to him the state of the affairs of said Institution, and what sums of money have been secured or collected by him, and shall from time to time pay the depositors such a proportion or dividend from any funds on hand as may, by the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, be from time to time ordered and directed.

## CAP XVII.

An Act to provide for the management of the temporalities of the Church of England in this Province in certain cases.

*Passed 11th April 1846.*

Preamble.

‘**W**HEREAS several Churches have been erected in this Province, and ‘duly consecrated according to the rites and ceremonies of the Church of England, in which the pews or sittings for the congregation have been declared free and open, and it is believed that others will be erected upon the same principles: And whereas it is necessary to provide for the election of Church Wardens and Vestry in such Parishes, in order that the temporalities of the Church in such Parishes may be subject to competent management and control, and for other purposes herein mentioned;’

Rectors, Church  
Wardens and Ves-  
tries of Churches in  
which the Sittings  
are or shall be de-  
clared free, incor-  
porated.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Church Wardens and Vestry of every Church now or hereafter erected in the several and respective Parishes in this Province, in which the sittings for the congregation shall be free and open to all persons without any price or rent being paid therefor, and also of any Church already erected or hereafter to be erected in which the sittings shall not be free and open as aforesaid, in which the Rector, Church Wardens and Vestry thereof may, with the consent and approbation of all the Pew owners and occupants, to be signified in writing, declare the seats to be thenceforth free and open, so soon as they shall be duly elected and chosen pursuant to the provisions of this Act, together with the Rector of every such Church for the time being, and their respective successors for ever, shall be a body politic and corporate in deed and in name, and shall have succession for ever by the name of the Rector, Church Wardens and Vestry of the several and respective Churches to which they belong, and as such shall have a Common Seal, and be entitled to break or renew the same, and shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province.

II. And be it enacted, That every male person of the age of twenty one years or upwards, resident in the Parish in which such Church is situate, and being a communicant of such Church, or who shall have been, for at least six months of the year preceding the election of Church Wardens and Vestry, a stated hearer and attendant at the public worship of the said Church, and who shall have subscribed and actually paid the sum of twenty shillings or upwards in aid of the fund of the said Church for the year preceding the day appointed by Law for the annual election of Church Wardens and Vestrymen shall be entitled to vote in the choice of and shall be qualified to be chosen and elected Church Wardens and Vestrymen of the said Church.

Qualifications of Church Wardens and Vestrymen, and their Electors.

III. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the erection of more than one Church Corporation of the said Church of England in any one Parish in this Province.

Act not to authorize the erection of more than one Church of England Church Corporation in a Parish.

IV. And be it enacted, That all the power and authority granted to a Church Corporation by any Law in force in this Province, and all and every the clauses, enactments and provisions of an Act made and passed in the twenty ninth year of the Reign of King George the Third, intituled *An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestry of the Church of England in the several Parishes in this Province*, and of a certain other Act made and passed in the fifty sixth year of the same Reign, for explaining and amending the above recited Act, shall extend and be construed to extend to every Parish and Church Corporation erected under the authority of this Act, as fully and effectually as if such power and authority were herein specially granted, or such clauses, enactments and provisions herein particularly enacted, except so far as such clauses, enactments and provisions may be inconsistent with or contrary to the provisions of this Act.

Provisions of Acts 29 G. 3, c. 1, and 56 G. 3, c. 11, not inconsistent with this Act, extended to Church Corporations under this Act.

V. And be it enacted, That in case of the death or absence from the Province of the respective Rectors of the said Churches for the time being, or where no Rector shall have been appointed, the Church Wardens and Vestry in such Parishes shall, during such vacancy or absence, have the full powers and authorities that are by Law given to the Rectors, Church Wardens and Vestry of such Churches respectively; and in all cases every act, matter or thing done or committed, and all suits or proceedings whatever brought or prosecuted by such Church Wardens and Vestry, shall be done, committed, brought or prosecuted in the name of the Rector, Church Wardens and Vestry of such Churches respectively.

Church Wardens and Vestries to exercise the corporate powers in case of the death, &c. of the Rectors.

VI. And be it enacted, That in each and every Parish in this Province where no Rector shall have been appointed, or when on the day provided by Law for the election of Church Wardens and Vestrymen for such Parish, there shall be no Rector in such Parish, or in cases where such Rector shall be absent from the Province, or unable to attend at such election, the persons qualified by this Act or any Law then in force to be elected Church Wardens and Vestrymen or to vote at such elections, shall and they are hereby authorized, notwithstanding such vacancy or absence, to assemble and meet together in such Parish and elect Church Wardens and Vestrymen; and that the persons so assembled shall and they are empowered to appoint a person to preside at such election for the more orderly proceeding thereat.

Elections of Church Wardens and Vestrymen may be proceeded in, notwithstanding the necessary absence of the Rector.

## CAP. XVIII.

An Act to repeal an Act, intituled *An Act in addition to an Act for erecting a Parish in the City of Saint John, and incorporating the Rector, Church Wardens and Vestries of the Church of England in the several Parishes in this Province*, and to make other provisions in lieu thereof.

Passed 11th April 1846.

Preamble  
7 V. c. 25.

6 **W**HEREAS it is deemed expedient to repeal an Act of this Province made and passed in the seventh year of the Reign of Her Majesty Queen Victoria, intituled *An Act in addition to an Act, intituled "An Act for erecting a Parish in the City of Saint John, and incorporating the Rector, Church Wardens and Vestries of the Church of England in the several Parishes in this Province ;"*

Act 7 V. c. 25,  
repealed.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said recited Act be and the same is hereby repealed.

A Clergyman receiving the sanction of the Lieutenant Governor and Letters of Institution from the Bishop, may be Rector of several Churches.

II. And be it further enacted, That any Clergyman duly inducted into the Rectory of any Church in any Parish within this Province, shall be deemed and taken to be the Rector of any such other Church or Churches in the same or in any other Parish or Parishes, provided he shall previously have received the sanction and approbation of the Lieutenant Governor and Commander in Chief of the Province, and also letters of Institution from the Bishop of the Diocese, giving him the Spiritual charge of the same, and shall have and be entitled to all the powers and authority within the Parishes in which the several Churches are situated, which are given to Rectors by an Act, intituled *An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes of this Province*, so long as he shall continue to receive such sanction of the Lieutenant Governor and Commander in Chief, and be continued in such Spiritual charge: provided always, that nothing contained in this Act shall authorize or empower the Clergyman receiving such license and authority, and letters of Institution, to fell, cut down or take away, or otherwise dispose of, the Timber or Wood which may be growing or be on any lot or lots of Land which constitute the Glebe of the Church of which he may thereby have the Spiritual charge, without express license shall be given him so to do in writing by the Bishop of the Diocese.

29 G. 3, c. 1.

Proviso for Timber on the Glebe.

## CAP. XIX.

An Act to enable the Rector, Church Wardens and Vestry of Trinity Church, in Springfield, Kings' County, to dispose of certain Lands held by them in exchange for other Lands.

Passed 11th April 1846.

Preamble, reciting agreement for an exchange of certain Lands.

6 **W**HEREAS the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Springfield, County of Kings, have, by and with the consent of the Reverend William Scovil, Master of Arts, the present officiating Minister of the said Parish, and with the approbation of the Right Reverend the Lord Bishop of Fredericton, agreed with Josiah Marvin, of the aforesaid Parish of Springfield, Farmer, for the conveyance and assurance to him, the said Josiah Marvin, of a certain piece or tract of Land in the said Parish of Springfield, being a lot of Land conveyed by Thomas Spragg, of the aforesaid Parish, Esquire, to the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Springfield, as a Glebe for the use, benefit and behoof of the Rector, Parson or Minister of the said Parish for the time being; which piece or tract of Land is bounded and described as follows, to-wit:—"Bounded by the Highway forty nine and a half rods in front, and bounded by lot number four on the

Church land described.

lower

‘ lower line, and on the upper line by lot number two, and extending towards the  
 ‘ Creek till it completes the full quantity of eight acres ;’ for exchange for a cer-  
 ‘ tain other piece or parcel of Land situate, lying and being in the aforesaid Parish  
 ‘ of Springfield, and bounded and described as follows :—“ Beginning at the south  
 ‘ west angle of a two acre lot on which the Parsonage House now stands, thence  
 ‘ north twelve degrees west, ten chains of four poles each, thence north seventy  
 ‘ seven degrees forty minutes east, eight chains twenty links to the Road, thence  
 ‘ south twelve degrees twenty minutes east, ten chains, thence south seventy seven  
 ‘ degrees forty minutes west, eight chains and twenty links, to place of beginning,  
 ‘ containing eight acres ;” which said last mentioned piece or parcel of Land the  
 ‘ said Josiah Marvin hath agreed to convey and assure to them, the said Rector,  
 ‘ Church Wardens and Vestry, and their Successors, in perpetuity, to the use,  
 ‘ benefit and behoof of the Rector, Parson or Minister of the said Church, and  
 ‘ his Successors for ever, in lieu of the said hereinbefore described piece or tract  
 ‘ of the said Glebe of the said Parish of Springfield, so agreed to be conveyed to  
 ‘ the said Josiah Marvin, as aforesaid : And whereas it is expedient, and will be  
 ‘ for the benefit of the said Church, that the said agreement should be carried  
 ‘ into effect ; for the perfecting of which said agreement and for carrying the same  
 ‘ into full force and effect,’

J. Marvin's land  
described.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly,  
 That upon the receipt of a good and sufficient title, conveyance and assurance  
 from the said Josiah Marvin, of the said last herein described piece or parcel of  
 Land so agreed to be conveyed by the said Josiah Marvin to them, the said  
 Rector, Church Wardens and Vestry of the said Church, and their Successors,  
 to the use, benefit and behoof of the Rector, Parson or Minister of the said  
 Church, and his Successors, for ever, they, the said Rector, Church Wardens  
 and Vestry of Trinity Church, in the Parish of Springfield, be and they are hereby  
 authorized and empowered by a good and sufficient Deed to convey to the said  
 Josiah Marvin, his heirs and assigns, the said hereinbefore described piece or  
 tract of Land in the said Parish of Springfield, as aforesaid, to hold the same to  
 him, the said Josiah Marvin, his heirs and assigns, for ever.

Corporation of  
Trinity Church,  
Springfield, autho-  
rized to convey the  
first described land  
to J. Marvin.

## CAP. XX.

An Act to authorize the Justices of the Peace for the County of Albert to assess the said County  
 for erecting a Court House and Gaol therein.

*Passed 11th April 1846.*

‘ WHEREAS it is necessary that a Court House and Gaol should be  
 ‘ erected in the County of Albert ;’

Preamble.

I. Be it enacted by the Lieutenant Governor Legislative Council and Assem-  
 bly, That the Justices of the Peace for the said County, at any General Sessions  
 of the Peace hereafter to be holden, or at any Special Sessions to be for that  
 purpose convened, or the major part of them, be and they are hereby authorized  
 and empowered to contract and agree with able and sufficient workmen for  
 building and finishing a Court House and Gaol in the said County, and to agree  
 for such sum and sums of money as they may deem meet, in order to carry this  
 object into effect ; and the said Justices are hereby authorized and empowered  
 to make a rate and assessment of a sum not exceeding the sum of five hundred  
 pounds, at such times and in such proportions as they shall deem meet, for the  
 erecting and finishing a Court House and Gaol in the same County ; the said sum  
 to be assessed, levied, collected and paid in such proportions and in such manner  
 as any other County rate can or may be assessed, levied, collected and paid, under  
 and

Justices in Sessions  
authorized to con-  
tract for the erec-  
tion of a Court  
House and Gaol ;

and assess for not  
exceeding £500.

and by virtue of any Act or Acts in force in this Province for assessing, levying and collecting rates for public charges.

Five Justices to constitute a Special Session.

II. Provided always, and be it further enacted, That no Special Sessions shall be holden for any of the purposes of this Act, unless five Justices, at least, are present at the same.

### CAP. XXI.

An Act to remedy certain difficulties in legal proceedings occasioned by the late division of the County of Westmorland, and for other purposes relating to the County of Albert.

*Passed 11th April 1846.*

Preamble.

‘ WHEREAS, previous to the Act for the division of the County of Westmorland coming into operation, actions had been instituted in the ‘ Inferior Court of Common Pleas, and also before Justices of the Peace in and ‘ for the said County of Westmorland, some of which are yet pending, and judgments in others have been entered on which execution remains to be done : ‘ And whereas, in order to give effect to any such judgments already taken or ‘ to be taken in any such actions, it may be necessary to serve and execute any ‘ execution or process issuing thereon within what is now the County of Albert, ‘ to the same extent as if the said County had not been divided ;’

Actions commenced in Westmorland before the Act 8 V, c. 104, came into operation, may be proceeded in notwithstanding that Act.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That where any action or suit brought in the Inferior Court of Common Pleas, or before a Justice of the Peace in and for the said County of Westmorland, before the Act, intituled *An Act to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County*, came into operation, either party in any such action or suit may proceed by all manner of process, in all respects the same as if the said recited Act had not passed : provided always, that where either party shall be desirous of issuing any execution on any such judgment to be served or levied within the present County of Albert, such execution shall be directed to and executed by the Sheriff, Constable or other proper Officer of the said County of Albert, within the limits of the said County of Albert, in the same manner as the like process or execution could be executed if issued out of any similar Court within the said County of Albert.

Westmorland Gaol to be the Gaol for Albert for a time.

II. ‘ And whereas until a Gaol be erected and prepared within the said County ‘ of Albert, it is expedient to establish the present Gaol, and Limits thereof, at ‘ Dorchester, in the County of Westmorland, also to be the Gaol of the said ‘ County of Albert ;’ Be it therefore enacted, That the Gaol, and Limits thereof, at Dorchester, in the County of Westmorland, shall also, for all intents and purposes, be deemed and used as the Common Gaol, and Limits thereof, for the said County of Albert, until it be notified by Proclamation of the Lieutenant Governor or Administrator of the Government for the time being, that a Common Gaol has been erected in the said County of Albert.

Authority given to commit under process to the Westmorland Gaol.

III. And be it enacted, That every Sheriff, Coroner, Constable, or other Officer in and for the said County of Albert, who may be required and authorized to take and commit any person to the Common Gaol of the said County of Albert, by virtue of any process, civil or criminal, shall be and he is hereby authorized and empowered to convey and commit such person to the said Gaol at Dorchester, in the County of Westmorland, in the same manner as if the said Gaol was actually situate within the limits of the said County of Albert ; and that the Gaoler for the said County of Westmorland shall also be deemed to be the Gaoler of the said County of Albert : provided always, that nothing in this Act shall be construed to

to



to impose any duty or liability on the Sheriff of the said County of Westmorland : provided also, that in case of any Debtor who may be so imprisoned by the Sheriff of the County of Albert in the Gaol of the said County of Westmorland, shall and may be examined under the Insolvent Debtors' Act, by the Justices of the Inferior Court of Common Pleas, or any Justice of the Peace for the said County of Westmorland, in the same manner, and entitled to the same relief, in all respects the same as if such Debtor had been arrested and committed to Gaol by the Sheriff of the said County of Westmorland.

Examinations and relief under the Insolvent Debtor's Act.

IV. ' And whereas it would be more convenient that the appointment of Town or Parish Officers for the said County of Albert should be made at the General Sessions to be holden on the second Tuesday in November in each year ;' Be it therefore enacted, That the Justices of the Peace for the said County of Albert shall, and they are hereby empowered, at the General Sessions of the Peace to be holden in the said County on the second Tuesday in November in each year, to appoint the Town or Parish Officers for the said County ; and that so much of an Act made and passed in the twenty sixth year of the Reign of His Majesty King George the Third, intituled *An Act for the appointment of Town or Parish Officers in the several Counties in this Province*, as requires the appointment to be made at the first General Sessions annually, shall, so far as regards the said County of Albert, be and the same is hereby repealed.

Appointment of Parish Officers to be made annually on the second Tuesday in November.

26 G. 3, c. 28.

V. And be it enacted, That the powers and authorities of the present Town or Parish Officers within the said County of Albert, who were appointed by the Court of General Sessions of the Peace for the County of Westmorland, holden on the third Tuesday in November last, shall continue in all respects as Town or Parish Officers for the said County of Albert, until the second Tuesday in November next.

Officers within Albert, appointed by the Westmorland Sessions, continued in office.

VI. ' And whereas in all cases where the Surrogate for the said County of Westmorland may have granted Probate, Letters Testamentary, or of Administration, before the said first recited Act came into operation, it is expedient that such Surrogate should be empowered still to proceed in any matter relating thereto to the same extent as if the said Act had not passed ;' Be it therefore enacted, That in all cases where the Surrogate of the said County of Westmorland may have granted Probate, Letters Testamentary on any Will, or Letters of Administration on any Estate, before the said first recited Act came into operation, it shall and may be lawful for such Surrogate still to proceed with any matter relating to any such Administration, whether by way of hearing, decree or otherwise, in all respects the same as if the said first recited Act had not been passed : provided always, that any notice or process which he may direct or issue as such Surrogate, which may require to be served, posted up, or levied within the said County of Albert, shall be directed to and executed by the proper Officer of the said County of Albert, within the limits of the said County of Albert, in the same manner as the like process or notice could be executed if issued by the Surrogate of the said County of Albert.

Proceedings commenced before the Surrogate for Westmorland to be continued as if Act 3 V. c. 104, had not passed.

Notices or processes to be posted or levied by the Sheriff of Albert within his County.

## CAP. XXII.

An Act to establish Polling Places in the County of Albert.

Passed 11th April 1846.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Polling Places for the Election of Representatives to serve in General Assembly for the said County of Albert, shall be as follows, that is to say :

Polling Places for Elections in Albert County established.

In

In the Parish of Hopewell, at or near the site of the new Court House ;  
 In the Parish of Coverdale, at or near the house of Lazarus Colpits ;  
 In the Parish of Hillsborough, at or near the house of John Beatty ;  
 In the Parish of Harvey, at or near the house of John Read, of Germantown.

## CAP. XXIII.

An Act relating to the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Albert.

*Passed 11th April 1846.*

Preamble.

**6** WHEREAS the County of Albert is formed of certain Districts, which, ' before the erection of the said County of Albert, constituted part of ' the County of Westmorland, and doubts have arisen whether certain Acts of ' the General Assembly of this Province made and passed before the erection of ' the said County of Albert, to regulate the Fencing, Occupation and Grazing of ' the several Marshes, Low Lands and Meadows in the said County of West- ' morland, are to be deemed and taken to be in force and effect in the County of ' Albert ; for remedy whereof,'

Provisions of Acts  
6 W. 4, c. 21, and  
7 V. c. 11, extended  
to Albert County.

I. Be it therefore enacted and declared by the Lieutenant Governor, Legislative Council and Assembly, That the provisions of an Act of the General Assembly of this Province made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to regulate the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Westmorland*, and also the provisions of another Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to amend an Act, intituled " An Act to regulate the Fencing, Occupation and Grazing of the several Marshes, Low Lands and Meadows in the County of Westmorland,"* be and the same are hereby extended to and in all respects made applicable to the said County of Albert.

Powers, &c. of Jus-  
tices of Westmor-  
land under said  
Acts extended to  
those for Albert.

II. Provided always, and be it further enacted, That from and after the passing of this Act, the several powers given and granted to and the duties imposed upon the Justices of the Peace of the County of Westmorland in and by the said recited Acts, are hereby given and granted to and imposed upon Her Majesty's Justices of the Peace of the said County of Albert, in their General Sessions, so far as the same may in any wise relate to the County of Albert, any thing in the said recited Acts contained to the contrary notwithstanding.

## CAP XXIV.

An Act to facilitate the carrying into effect conditional Pardons granted by the Crown.

*Passed 11th April 1846.*

Preamble.

**6** WHEREAS it is expedient to make further provision for carrying into ' effect conditional Pardons of capital offences ;'

The Court (or any  
Judge of the Su-  
preme Court) to  
which a pardon,  
conditional on im-  
prisonment to hard  
labor in the Provin-  
cial Penitentiary,  
may be communi-  
cated, to make an  
order for the im-  
prisonment of the of-  
fender on the pre-  
scribed conditions.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if Her Majesty shall be pleased to extend mercy to any offender convicted of any crime punishable with death, upon condition of imprisonment to hard labour in the Provincial Penitentiary, either for the term of life or for any number of years, and such intention of mercy shall be signified by the Lieutenant Governor or Administrator of the Government for the time being to the Court before which such offender hath been or shall be convicted, or any subsequent Court with the like authority, such Court shall allow to such offender the benefit of a conditional Pardon, and make an order for the immediate imprisonment of such offender, under and upon the terms and conditions therein expressed ; and in

case

case such intention of mercy shall be so signified to any Judge of the Supreme Court, such Judge shall allow to such offender the benefit of a conditional Pardon, and make an order for the immediate imprisonment of such offender to hard labour in the Provincial Penitentiary, in the same manner as if such intention of mercy had been signified to any such Court, as aforesaid; and such allowance and order shall be considered as an allowance and order made by the Court before which such offender was convicted, and shall be entered on the Records of the same Court by the proper Officer thereof, and shall be as effectual, to all intents and purposes, and have the same consequences as if such allowance and order had been made by the same Court during the continuance thereof; and every such order shall subject the offender to be conveyed to the Provincial Penitentiary, and there kept to hard labour during the term of imprisonment mentioned therein, in like manner as if such imprisonment had been imposed as a punishment by the sentence of any Court.

Order to have the effect of a sentence by a Court.

### CAP XXV.

An Act relating to the crime of Manslaughter.

*Passed 11th April 1846.*

‘ **W**HEREAS by the fifth section of an Act of the General Assembly made ‘ and passed in the ninth and tenth years of the Reign of His Majesty ‘ King George the Fourth, intituled *An Act to amend the Statute Law relative to ‘ offences against the person, and to provide for the more effectual punishment of such ‘ offences*, it is enacted, that every person convicted of Manslaughter shall be liable ‘ to be imprisoned with or without hard labour in the Common Gaol or House of ‘ Correction for any term not exceeding three years, or to pay such fine as the ‘ Court shall award, or to be both fined and imprisoned, if the Court so award;’

Preamble.

9 and 10 G. 4, c. 21.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said fifth section of the said Act be and the same is hereby repealed.

9 and 10 G. 4, c. 21, s. 5, repealed.

II. And be it further enacted, That from and after the passing of this Act, every person convicted of Manslaughter shall be liable to be imprisoned in the Common Gaol or the Public Penitentiary for any term not exceeding fourteen years, as the Court shall award.

Manslaughter made punishable by imprisonment for 14 years.

### CAP. XXVI.

An Act in amendment of the Law relating to the appointment of Sheriffs.

*Passed 11th April 1846.*

‘ **W**HEREAS in and by an Act made and passed in the sixth year of the ‘ Reign of His late Majesty King William the Fourth, intituled *An ‘ Act for the better regulating of the Office of Sheriff in this Province*, it was ‘ provided that the annual appointment of Sheriffs should be made on the first ‘ Tuesday in April in each year; and by another Act made and passed in the first ‘ year of the Reign of Her present Majesty, intituled *An Act to alter the times ‘ for the appointment of Sheriffs and Supervisors of Great Roads*, it is provided, ‘ that such Sheriffs (except for the City and County of Saint John) should be ap- ‘ pointed on the first Tuesday in March in each and every year: And whereas ‘ the time for such appointment is found to be inconvenient;’

Preamble.

6 W. 4, c. 1.

1 V. c. 15.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the said recited Acts as requires the Sheriffs of the several Counties in this Province (except the Sheriff for the City and County of Saint John) to be appointed either on the first Tuesday of March or April,

Acts 6 W. 4, c. 1, and 1 V. c. 15, in part repealed.

shall be and the same is hereby repealed: provided always, that any such appointment made before the passing of this Act, shall be deemed good and valid to all intents and purposes.

Sheriffs to be appointed annually in the month of March.

II. And be it enacted, That from and after the passing of this Act, the Sheriffs of the several Counties in this Province (save and except the Sheriff of the City and County of Saint John) shall be appointed annually by the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, in the month of March in each and every year.

Act not to prevent appointments at any time, in cases of death or removal.

III. And be it enacted, That nothing in this or the said recited Acts shall be construed to prevent the appointment of any such Sheriff at any other time when the same may become necessary in consequence of the death or removal from Office of any such Sheriff: and provided, that any Sheriff so appointed, shall be required to give the like Bond with the like expiration as is required in and by the provisions of the said first recited Act.

Sheriffs residing out of the Shire Town to keep a Deputy and an office in the Shire Town.

IV. And be it enacted, That in all cases where the High Sheriff of the County is or shall be permitted to reside out of the Shire Town of the County, it shall be the duty of such Sheriff, and he is hereby required, not only to keep a Deputy or Under Sheriff resident in the Shire Town of the County, but also an Office as near as conveniently may be to the Court House; which Office such Sheriff is hereby required to keep open at all reasonable times for the transaction of business.

### CAP XXVII.

An Act to amend the Law relating to Absconding Debtors.

*Passed 11th April 1846.*

Preamble.

26 G. 3, c. 13.

‘ **W**HEREAS by the twenty fourth section of an Act made and passed in ‘ the twenty sixth year of the Reign of His Majesty King George the ‘ Third, intituled *An Act for relief against Absconding Debtors*, the Trustees of the ‘ Creditors are required in rendering their accounts, to make oath of the correct- ‘ ness of their proceedings and accounts in open Court: And whereas the requiring ‘ the attendance of such Trustees in open Court is unnecessarily inconvenient and ‘ burdensome upon Trustees; for remedy whereof,’

Trustees to render an account of their proceedings attested to before a Judge of the Court by which they were appointed, or a Commissioner.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, such Trustees shall, and they are hereby authorized, to render into the Court from the Judge or Judges whereof they have received their appointment, a just and true account in writing of their proceedings, duly attested to before any Judge of such Court, or any Commissioner authorized to take affidavits in such Court; and such Court or the major part of the Judges thereof shall and may make such order thereon as they may deem advisable, not inconsistent with the provisions of the said recited Act.

### CAP. XXVIII.

An Act to provide for the safe keeping of the Public Records of the City and County of Saint John.

*Passed 11th April 1846.*

Preamble.

4 W. 4, c. 26.

‘ **W**HEREAS by an Act of the General Assembly made and passed in ‘ the fourth year of His late Majesty King William the Fourth, inti- ‘ tuled *An Act to provide for the safe keeping of County Records*, authority was given ‘ to the Justices of the Peace of the several Counties in this Province to erect ‘ suitable buildings for the safe keeping of the County Records, but not to exceed ‘ the

' the sum of three hundred pounds for the same: And whereas such a building  
' has become essential for the City and County of Saint John, owing to the entire  
' want of accommodation in the present building where the County Records are  
' kept, and the said sum of three hundred pounds is totally inadequate to pur-  
' chase the ground, and erect a stone or brick building thereon, with a proper  
' Safe in the same;'

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in lieu of the powers contained in the said recited Act, it shall and may be lawful for the Justices of the Peace of the City and County of Saint John, at any General Sessions of the Peace hereafter to be holden, by themselves or by any Committee for that purpose to be appointed at such General Sessions, to contract and agree with any person or persons for the purchase of a lot or piece of Land in the City of Saint John, and for the erection of a suitable stone or brick building thereon, with a Safe for preserving the Books and other Records from fire; the basement story of which shall be used for the safe keeping of the Registry of Deeds and Wills, and other Public Records of the City and County; and the upper story of the said building to be used and appropriated from time to time for such public purposes as the said Justices may think proper; and the said contract to be entered into by the name of the Justices of the Peace for the City and County of Saint John, and in case of the non-performance of any of its provisions, the same may be sued by the said Justices by the name aforesaid.

The Justices of the Peace by themselves or a Committee, authorized to purchase a piece of land and contract for the erection of a suitable building to preserve the Records.

II. And be it enacted, That for the purpose of defraying the expenses of the same, it shall be lawful for the said Justices at the same or at any subsequent General Sessions of the Peace as aforesaid, by themselves or by any Committee to be by them from time to time appointed for that purpose, to borrow a sum of money not exceeding one thousand pounds, to be paid and discharged in the manner hereinafter mentioned, the same to be taken in loans of not less than one hundred pounds, the interest to be paid semi-annually, videlicet, on the first day of July and the first day of January in each and every year; and that certificates or notes in the following form, or to that effect, shall be prepared and delivered to the persons from whom such loan may be obtained, videlicet:

Authority given to borrow £1000 to defray the expense.

Number ——— City and County of Saint John, ss.

These are to certify that [*here insert name, residence and addition of lender,*] hath lent and advanced to the Justices of the Peace for the said City and County the sum of one hundred pounds currency, which sum is payable to him or his order, together with lawful interest, the interest to be paid semi-annually, videlicet, on the first day of July and the first day of January in each and every year, pursuant to an Act of Assembly made and passed in the ninth year of Her Majesty's Reign, intituled *An Act to provide for the safe keeping of the Public Records of the City and County of Saint John*. Dated the ——— day of ———, A. D. 184—.

Form of Certificate of Loan.

By order the Sessions.

A. B.

Mayor or Recorder.

C. D., Clerk.

Which same certificates or notes shall be signed by the Mayor of the said City for the time, or in case of his absence from the City, by the Recorder, and counter-signed by the Clerk, and shall be respectively numbered according to the time in which the same may be made and issued, and a memorandum thereof shall be duly entered by the Clerk in the Minutes of the Court, and the same shall be negotiable as promissory notes, and be entitled to draw interest thereon semi-annually, on the first day of July and the first day of January in each and every year, and shall be paid out of the assessment hereinafter mentioned.

To be negotiable and draw interest.

III.

Assessment of £200 to be annually made to pay interest, expenses, and a portion of the principal.

III. And be it enacted, That the said Justices in General Sessions shall make a rate or assessment of two hundred pounds in the present year, and a rate and assessment of a like sum in each succeeding year, besides the charges for assessing and collecting, for the purpose of discharging the interest due on the said loans, and so much of the principal as the residue of such annual sum will amount to, until the same shall be paid off, the same to be assessed, levied, collected and paid in such proportion and in the same manner as any other County rates for public charges, by virtue of any Act or Acts made or to be made for that purpose.

Money to be paid to the County Treasurer and applied under directions of the Justices.

IV. And be it enacted, That the monies so to be assessed as aforesaid, shall be paid to the County Treasurer, and shall be applied by him on the order of the said Justices in Sessions towards discharging the interest due on the said certificates or notes, and to the payment of the principal sums in due order, according to the numbers, beginning with number one, on one calendar month's notice by advertisement in one of the City newspapers, calling in such and so many of the certificates or notes as he may by the said order be directed to pay off; after the expiration of which notice all interest thereon shall cease.

Compensation of the County Treasurer.

V. And be it enacted, That the said County Treasurer shall be entitled to one per cent. for his services in receiving and paying the said monies so to be assessed under the provisions of this Act, and no more.

Act 4 W. 4, c. 26, repealed as to the City and County of Saint John.

VI. And be it enacted, That an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for the safe keeping of County Records*, so far as the same applies to the City and County of Saint John, be and the same is hereby repealed.

### CAP. XXIX.

An Act relating to the Public Debt of the Corporation of the City of Saint John.

*Passed 11th April 1846.*

Preamble.

‘ **W**HEREAS the Mayor, Aldermen and Commonalty of the City of Saint John, by their Petition, accompanied and confirmed by sundry detailed Accounts and Schedules, have satisfactorily shewn that during a long period of years ending in the month of September in the year of our Lord one thousand eight hundred and forty five, they have incurred a Debt in improving the Streets, Bridges and Ferries, in laying down Common Sewers, and in erecting Public Buildings, within the said City, for the convenience, health and accommodation of the Community, amounting in the whole to the sum of one hundred and fifteen thousand three hundred and sixty six pounds, and that the rents, annual profits and produce of such parts of the Corporate Property as are at present productive will, unless from some unforeseen circumstances, yield and pay an annual interest of five per centum beyond their ordinary expenses, and that there is a large portion of Land not yet leased, or producing any income to the Corporation; and further, that the income of the Corporation from ordinary Revenues will increase in proportion to the increase of population, whereby in a very few years the Corporation will be enabled to pay off the interest, and gradually reduce the principal of the Debt so incurred, and thereby not only save the property of the Corporation for the benefit of future generations, but prevent extensive taxation for future improvements in the City, and in the mean time that it is of importance to inspire confidence among the Creditors by securing to them the sum of five per centum annual interest on their claims, which it is believed (if it can be effected) they will readily accept of as full interest for the money loaned, or if they should not, that other persons could be found

' found willing to vest their money at that rate of interest : And whereas such confidence would be obtained by authorizing the Mayor, Aldermen and Commonalty of the City of Saint John to levy an annual assessment on the said City for any deficiency which might arise in the net annual income of the said Corporation to pay the said interest of five per centum : And whereas it is just and reasonable that such deficiency of interest (if any there shall be) should be made up by those who have received and are now enjoying the benefit of the outlay which occasioned the said Public Debt, and that the said Creditors should be made secure in the payment of the said interest ;'

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the City of Saint John in Common Council convened, and they are hereby required in each and every year, between the first day of April and the first day of June, to order an assessment of such sum of money on the said City as shall amount to and make up the deficiency (if any) which may exist between the net annual income of the said Mayor, Aldermen and Commonalty, and such sum of money not exceeding five per centum per annum interest in the whole on the said Debt of one hundred and fifteen thousand three hundred and sixty six pounds, or any part thereof, so due by the said Mayor, Aldermen and Commonalty of the City of Saint John, or on such sum of money as may be borrowed by them to pay off the said Debt or any part thereof, not to exceed in the whole such interest of five per centum on the said sum of one hundred and fifteen thousand three hundred and sixty six pounds ; and every such assessment shall be assessed, levied and raised agreeably to the several Acts now in force or hereafter to be in force for the assessing, levying and collecting of County or Town or Parish rates, charges or expenses ; and when collected, the same shall be paid into the hands of the Chamberlain of the said City for the use of the said Mayor, Aldermen and Commonalty of the City of Saint John, to be by them applied to the sole purpose of paying off such deficiency of such interest ; provided that no assessment shall be made, under and by virtue of the authority given for the purposes aforesaid, of a greater sum in any one year than one thousand pounds currency, nor until the whole annual income from whatever source derived, (save and except the monies coming into the hands of the said Mayor, Aldermen and Commonalty arising from Acts of Assembly now in force, authorizing assessments for special purposes, together with the indispensable annual charges for Salaries and Contingencies,) shall be first applied towards the payment of such interest on the said Debt.

City Corporation in Common Council authorized annually to assess the City for not exceeding £1,000 to make up any deficiency in 5 per cent. on the Corporation Debt of £115,366.

Proviso.

II. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to affect any of the existing legal or equitable rights and privileges of the Freemen and Inhabitants of Carleton, on the Western side of the said City, which they now possess or are entitled to enjoy under and by virtue of the Charter of the said City.

Act not to affect rights of the Freemen and Inhabitants of Carleton.

III. And be it enacted, That it shall not be lawful for the said Mayor, Aldermen and Commonalty of the City of Saint John to contract or become bound for any further Debt or Debts, or borrow any further sum or sums of money while the said Debt of one hundred and fifteen thousand three hundred and sixty six pounds, or any part thereof, remains unpaid, or the loan of money which may be obtained by the said Mayor, Aldermen and Commonalty of the City of Saint John, for the purpose of paying the same or any part thereof shall remain unsatisfied ; and any contract, obligation or other instruments whatever, whereby any new Debt may be incurred by the said Mayor, Aldermen and Commonalty of the City

Corporation not to contract further debts until the said Debt be paid off.

of

of Saint John, shall be and is hereby declared to be utterly null and void, except for the purposes contemplated by this Act.

### CAP. XXX.

An Act relating to County and Parish Officers in the City and County of Saint John.

*Passed 11th April 1846.*

County and Parish Officers in receipt of public monies to give security.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all Officers appointed, or who may be hereafter appointed for the City and County of Saint John, by the Justices of the Peace for the said City and County of Saint John, at any General Sessions of the Peace to be held for the said City and County, or any Parish in said City and County, under the authority of any Act of Assembly made or to be made for that purpose, whose duty shall be to collect or receive and pay over any public monies, shall be required by the said Justices at the time of receiving such appointment, to enter into Bonds with such good and sufficient Sureties, and in such sums of money as the said Justices may think proper to order; the same to be taken in the name of the Queen's Majesty, and to be conditioned for the payment of all monies which shall come into their hands, on the order of the said Justices, or otherwise, by virtue of their respective offices, and for the due and faithful performance of the duties of their office, and whenever found necessary, the said Bonds may be directed by the said Justices to be sued in the name of the Queen for the protection and benefit of the said City and County.

Accounts to be rendered and payments made when ordered.

II. And be it enacted, That every such County or Parish Officer shall, when required by the said Justices at any General Sessions of the Peace, or at any Special Sessions for that purpose to be appointed at such General Sessions, or to be called by any two of the said Justices, render full, true and detailed accounts of all public monies received and paid by him under the orders of the said Justices, or by the authority of any Act of Assembly, or otherwise, by virtue of their respective offices, and shall, in like manner whenever ordered, pay over any sum or sums of money which by such accounts shall appear to be due by such officer or to have come to his hands as such officer as aforesaid, to such person or persons as the said Justices in such order may appoint to receive the same; and in case of disobedience of any such order, or the same shall not be attended to within ten days after the service of such order, it shall and may be lawful for the said Justices to cause such disobedient or refractory officer, by warrant under the hand of the Chairman of the Sessions, and certified by the Clerk, to be brought before the said Justices, and if such disobedience or improper conduct be persisted in, then, or at any time afterwards, to commit such officer to the Common Gaol, without bail or mainprize, until such order or orders of the said Justices shall be complied with; and such proceedings of the said Justices against the said officer shall not in any case relieve the surety from liability on the Bonds so entered into by them as aforesaid.

Disobedience made punishable by imprisonment.

Proceedings not to relieve the sureties.

### CAP. XXXI.

An Act to authorize the Justices of the Peace for the County of Saint John to make further provision for the payment of the Treasurer of that County.

*Passed 11th April 1846.*

Preamble.

‘ **W**HEREAS by the Laws now in force, the Sessions of the respective Counties in this Province are precluded from allowing to the County Treasurers respectively, for their services, per annum, any sum exceeding  
“ fifteen



‘ fifteen pounds, which in the County of Saint John has been found a very inadequate compensation for the services, and responsibility of that Officer;’

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the said County, or the major part of them, at any General Sessions to be holden in and for the said County, are hereby fully authorized and empowered to make such additional compensation to the said Treasurer of that County as they in their discretion may deem right and proper, not exceeding the sum of thirty five pounds per annum, to be paid out of the Contingent Fund of the said County.

Authority given to increase the Treasurer's compensation by a sum not exceeding £35 per annum.

### CAP. XXXII.

An Act to amend and explain *An Act to authorize the Justices of the Peace in the several Counties in this Province to make regulations for Markets*

Passed 11th April 1846.

**6** **W**HEREAS in and by an Act made and passed in the sixth year of the ‘ Reign of Her present Majesty, intituled *An Act to authorize the Justices of the Peace in the several Counties of this Province to make regulations for Markets*, it is enacted that the Justices of the Peace may define the bounds of ‘ a Market Place in each Town, and make rules and regulations for the selling ‘ or vending of any dead meats, except meats brought in and immediately sold ‘ by the Farmer and others from the Country : And whereas the said Act requires ‘ explanation and amendment ;’

Preamble.  
6 V. c. 20.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That nothing in the said Act contained shall prevent or be construed to prevent the Justices of the Peace for the several Counties in this Province, at any General Sessions of the Peace to be holden therein, from establishing and defining, and they are hereby authorized to establish and define the bounds of more than one Market Place in any Town where such additional Market Place or Market Places may be required, and extending to the same any rules and regulations for their care and management they the said Justices are authorized to make and extend to one Market Place in and by the above in part recited Act.

Authority given to establish more than one Market Place in a Parish.

II. And be it enacted, That nothing in the above recited Act contained shall extend to or be construed to prevent Farmers and other persons from the Country from selling or offering for sale any dead meats, if the same shall be sold or offered for sale on the same day in which they are so brought in.

Act 6 V. c. 20, not to prevent Farmers selling their dead meats.

III. And be it enacted, That this Act shall continue and be in force so long as the Act shall continue to which this is an amendment.

Limitation.

### CAP XXXIII.

An Act to authorize the extension of the Gaol Limits in the County of Sunbury.

Passed 11th April 1846.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace of the County of Sunbury, at any General Sessions of the Peace, to extend the Limits of the Gaol of the said County to such parts of the County not now included, as to them may appear proper.

Justices in Sessions authorized to extend their Gaol Limits.

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

Limitation.

## CAP. XXXIV.

An Act to empower the owners of certain Saw Mills on Hammond River, in Kings' County, to erect and keep up a Boom or Booms for the securing of Saw Logs on the said River.

*Passed 11th April 1846.*

Authority given to erect a Boom across Hammond River with a reserved passage way.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall be lawful for the owner of Saw Mills on Hammond River, in the County of Kings, to erect and keep up such Boom or Booms across the said River, as may be necessary for stopping and securing such Logs as may, by the owners thereof, be intended to be sawn at the said Mills: provided always, that there shall be left a convenient passage, sufficient for the floating down past the said Mills of all Saw Logs and Timber, of whatever description, that may, by the owners thereof, be intended to be floated down the said River: and provided also, that the owners of the said Saw Mills shall furnish the necessary hands, as nearly as may be in proportion to the quantity of Saw Logs which they may own in any drive of Timber or Saw Logs, to assist in assorting or securing the same, as the case may be, at all times when the owners of such Logs and Timber as may be intended to be floated down the said River, may think proper to attend the assorting and driving the same.

Men to be supplied by the Saw Mill owners to assort Timber and Logs to be floated down the River.

Limitation.

II. And be it further enacted, That this Act shall continue and be in force for five years.

## CAP. XXXV.

An Act to alter the Great Road from Fredericton to Saint Andrews.

*Passed 11th April 1846.*

Preamble.

7 W. 4, c. 6.

‘ **W**HEREAS in and by an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled *An Act relating to the Great Roads of Communication through this Province*, the Great Road from Fredericton to Saint Andrews is described as running “from the Market House in Fredericton, by the residence of the Honorable Thomas Baillie, through the Hanwell Settlement, thence to the River Maguadavic near Brockway’s, thence by the Flume Ridge to M’Farlan’s Mills on the River Digdeguash, thence to Connick’s, thence to Gilman’s, and thence to Saint Andrews:” And whereas the present Road is at variance with the aforesaid description, and an essential alteration is required therein between Gilman’s and Saint Andrews;’

Act 7 W. 4, c. 6, in part repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the before in part recited Act, intituled *An Act relating to the Great Roads of Communication through this Province*, as relates to the description of the Great Road from Fredericton to Saint Andrews, be and the same is hereby repealed.

Line of Road from Fredericton to Saint Andrews described.

II. And be it enacted, That from and after the passing of this Act, the Great Road from Fredericton to Saint Andrews shall be by the following Line or Route, that is to say: From the Market House in Fredericton through the Hanwell Settlement, thence through the Harvey Settlement to the River Maguadavic near Vail’s, thence by Brockway’s to the River Digdeguash, thence through the Turner Ridge Settlement to Connick’s, thence to Gilman’s, thence to Mallock’s Corner, thence to the junction of the Commons Road, (so called) and thence by the present route to Saint Andrews.

## CAP. XXXVI.

An Act to continue *An Act to prevent the spread of a Disorder now existing in certain parts of the Counties of Gloucester and Northumberland.*

*Passed 11th April 1846.*

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to prevent the spread of a Disorder now existing in certain parts of the Counties of Gloucester and Northumberland*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty eight.

Act 7 V. c. 28, continued.

## CAP. XXXVII.

An Act to continue *An Act to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche.*

*Passed 11th April 1846.*

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to revive certain Acts relating to the prevention of the importation and spreading of Infectious Distempers within the Counties of Charlotte and Northumberland, and to extend the provisions of the same to the Counties of Gloucester and Restigouche*, and the several Acts thereby revived and continued, be and the same are hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

Acts  
7 V. c. 26,  
1 W. 4, c. 40, and  
2 W. 4, c. 17, continued.

## CAP. XXXVIII.

An Act for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish.

*Passed 11th April 1846.*

**WHEREAS** the Division Line between the Parishes of Saint Mary's and the Parish of Douglas, in the County of York, passes through the flourishing Settlement of Stanley, in the tract of Land granted to the New Brunswick and Nova Scotia Land Company, and thereby occasions difficulties, as well in the regulation of Roads in the vicinity thereof, as in various other respects: And whereas the increased population of the said Settlement renders it desirable that it should be erected into a separate Parish, including a part of both the said Parishes of Saint Mary's and Douglas;

Preamble.

**I.** Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the said Parishes of Saint Mary and Douglas comprised within the bounds hereinafter described, to wit:—Beginning at the most northern angle of the County of York, thence southerly and south easterly along the Boundary Line thereof to the Line dividing the County of York from the County of Sunbury, thence along the same south westerly, to intersect a Line running East from the north west angle of the Grant to D. Campbell and others on the Nashwaak, thence West to said north west angle, thence in a southerly direction along the various courses of the western rear Line of the Grants to D. Campbell and associates, and D. Lyman and associates, to the South Branch of the Cleuristic Stream, thence up stream along the northern bank thereof to the rear Line of the granted Lands fronting on the eastern side of the Cardigan Road, thence in a northerly direction along the various courses of the same to the most eastern angle

Parish of Stanley erected from parts of the Parishes of Saint Mary's and Douglas.

angle of Lot number forty four, thence North to the north western boundary of the County of York, and thence north easterly along the same to the place of beginning,—be and the same is hereby erected into a separate and distinct Town or Parish, known and distinguished by the name of the Town or Parish of Stanley.

Parish Officers to be appointed.

II. And be it enacted, That the Justices of the Peace for the said County shall and may have power to appoint annually from time to time Officers for the said Town or Parish of Stanley in the same manner as for other Towns or Parishes within the said County, which Officers shall be sworn to the faithful discharge of their duties respectively, and be liable to the like penalties for neglect or refusal to accept or perform the duties of their respective offices, as any other Town or Parish Officers within the said County.

Act 3 G. 4, c. 25, extended to Stanley.

III. And be it enacted, That the provisions of an Act made and passed in the third year of the Reign of His late Majesty King George the Fourth, intituled *An Act to provide for the erection of an Alms House and Work House within the County of York, and for making rules and regulations for the management of the same*, shall extend to the said Parish of Stanley, in as full and ample a manner, to all intents and purposes, as if the said Parish of Stanley had been particularly named in the said recited Act.

Act not to prevent the levying of assessments already ordered.

IV. And be it enacted, That this Act shall in no wise prevent or interfere with the recovery of any Parish or County assessments which may have heretofore been made or ordered by the Court of General Sessions of the Peace for the said County.

Commencement of Act.

V. And be it enacted, That this Act shall not come into operation or be in force until after the first day of January next.

### CAP. XXXIX.

An Act to annex certain Islands in the River Saint John to the Parish of Queensbury, in the County of York.

*Passed 11th April 1846.*

Preamble.

‘**W**HEREAS from the situation of Big Koak Island, Little Koak Island, Great Bear Island, and Bloodworth Island, in the River Saint John, it is expedient to annex the said Islands to the Parish of Queensbury, the Parish in which the principal proprietors thereof reside ;’

Big Koak, Little Koak, Great Bear and Bloodworth Islands annexed to the Parish of Queensbury.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Islands called Big Koak Island, Little Koak Island, Great Bear Island, and Bloodworth Island, shall be annexed to and form part of the Parish of Queensbury, in the County of York, any law or usage to the contrary notwithstanding.

Commencement of Act.

II. And be it enacted, That this Act shall not take effect or be in force until the first day of January next.

### CAP. XL.

An Act to provide for the repair of the Streets and Highways in part of the Parish of Woodstock.

*Passed 11th April 1846.*

Preamble.

‘**W**HEREAS the increase of population in Woodstock renders an improvement in the mode of providing for the repair of the Streets and Highways necessary ;’

Justices in Sessions to determine the amount to be annually raised for the Roads within a specified part of the Parish of Woodstock.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Justices of the General Sessions of the Peace for the County of Carleton, at the January Sessions of the Peace for the said County to be holden for said County in each and every year hereafter, or at any special Sessions to be holden after the passing of this Act for said

said County, shall fix and determine the sum to be assessed for the repairing, improving and maintaining the Streets, Highways and Bridges the then ensuing year, upon all that part of the Parish of Woodstock, commencing on the northerly side of Lane's Creek, (so called) in said Parish, thence running southerly along the River Saint John to the lower side of Upham's Creek, (so called) and extending westerly or back from said River one mile; and which sum so fixed and determined shall not exceed the sum of two hundred pounds nor be less than the sum of sixty pounds, and shall be levied and assessed by an equal rate of five shillings upon the poll of all the male inhabitants within that part of the said Parish of the age of twenty one years and upwards, not being paupers or exempts as hereinafter mentioned, and by a rate in just and equal proportions upon the real property situate in that part of the said Parish, and upon the personal property and incomes of the inhabitants thereof; which sum shall be assessed and laid out by the Commissioners of Highways for the said Parish of Woodstock, in improving, repairing and maintaining the Streets, Highways and Bridges in that part of the said Parish above described, according to the best skill and discretion of the said Commissioners, or the major part of them, subject to the provisions of this Act; and which sum of money so levied and assessed shall be denominated the Woodstock Road Fund.

Amount, and on whom taxable.

To be assessed and laid out by the Commissioners of Highways.

II. And be it enacted, That it shall be the duty of the Clerk of the Peace for the County of Carleton, within ten days after the order for assessment as aforesaid shall have been made by the said General Sessions of the Peace, to notify the Commissioners of Highways for the said Parish of Woodstock of the same having been made, and the amount thereof; and upon the receipt of such notice, it shall be the duty of the said Commissioners of Highways, or the major part of them, to meet at such times and places as they may agree upon, and without delay make out a Road List for that part of the said Parish above described, with columns therein, the first or left hand column to contain the names of such persons as are rateable within the Parish, both resident and non-resident, the second column to contain the amount of the Poll Tax of five shillings to be paid by each inhabitant, the third column to contain the amount of real property within that part of the Parish of Woodstock above described owned by each inhabitant, the fourth column to contain the amount of the personal property of each inhabitant, the fifth column to contain the real estate of non-residents, the sixth column to contain the annual income of such inhabitants, from whatsoever source derived, except from real or personal property situate in that part of the said Parish above described, and taxable under this Act, the seventh column to contain twenty per cent. of the above mentioned value of real and personal Estates, the eighth column the sums so reduced to twenty per cent, and the said sums of annual income; and when any inhabitant has both annual income and twenty per cent. of the value of property set opposite his name in the said sixth and seventh columns, such sums shall be added together and set in the eighth column; and the amount so to be assessed, after deducting the whole amount of Poll Tax therefrom, shall be apportioned among the several persons so named, in exact proportions to the sum in the eighth column set opposite to their respective names; the ninth and last column shall contain the several sums so apportioned, with the addition of the Poll Tax, and shall be denominated Total Road Tax, and shall be in the following form, that is to say:

Commissioners to make a Road List, as herein directed.

Road List for all that part of the Parish of Woodstock commencing on the northerly side of Lane's Creek, so called, in said Parish, thence southerly along the

Form of Road List.

the River Saint John to the lower side of Upham's Creek, in said Parish, so called, and extending westerly, or back from said River, one mile.

Names of Persons.	Poll Tax.	Real Estate of Inhabitants.	Personal Estate of Inhabitants.	Real Estate of Non-residents.	Annual Income.	20 per cent. of value of property.	Amount to be taxed.	Total Road Tax.
A. B.	5s.	500	100			120	120	£1 9 0
C. D.	5s.	500	100		100	120	220	2 9 0
E. F.	5s.			500		100	100	1 5 0
G. H.	5s.				100		100	1 5 0
I. K.	5s.							0 5 0

And the said Commissioners, or the major part of them, shall on or before the fifteenth day of May in each and every year, deliver the same to the Collector of the Road Tax, signed by them, endorsing thereon a Precept under their hands, or the hands of the major part of them, in the form following, that is to say :

Precept to Collector.

To A. B., Collector of Road Tax for Woodstock.

You are hereby required forthwith to collect from the several persons named in the annexed Road List, the sums set against their names respectively, under the last column thereof, entitled Total Road Tax, and to pay the same when collected into our hands.

Given under our hands the — day of — A. D. —

Omitted names may be added to the List.

And the said Commissioners shall have power and authority at any time after the said Road List is made out, to add thereto the name or names of any person or persons whose names shall have been omitted, or who shall have come to reside in the said Parish after the Road List shall have been delivered to the Collector.

Property to be valued agreeably to attested accounts, where such are furnished.

III. And be it enacted, That any person liable to be assessed for the purposes mentioned in this Act may, at any time before the Road List is made out, furnish the Commissioners with an account in writing of the value of his real or personal property or income liable to be assessed under this Act, deducting therefrom his just debts, duly verified upon oath before one of Her Majesty's Justices of the Peace, upon which it shall be the duty of the Commissioners to value such property at the sum specified in such account, and no more.

A Collector of the Road Fund to be appointed.

IV. And be it enacted, That the Commissioners of Roads for the Parish of Woodstock, or the major part of them, shall appoint one of the Surveyors for the said Parish, or any other fit and suitable person, a Collector of Road Tax for that part of the said Parish above described, and insert his name in the Precept mentioned in the second section of this Act; and in case of his death, resignation or removal from office, to appoint another in his stead, and so from time to time as a vacancy may occur; and in case of such subsequent appointment, to endorse on the said Writ a Precept in manner aforementioned, authorizing such new Collector to collect the said Road Tax or to complete the collection thereof previously commenced.

Persons over-rated may appeal to the General Sessions.

V. And be it enacted, That any person thinking himself aggrieved and over-rated in the said Road List, or thinking himself not liable to taxation within that part of the said Parish affected by this Act, may appeal to the Justices of the Peace for the County of Carleton, at their next General Sessions after he shall have had notice of the said assessment, and the Justices shall examine into the said appeal, and if the said Justices shall be satisfied the appellant hath been assessed too high, or is not liable to taxation as aforesaid, they may give such relief as they may think just, by allowing the appellant such sum as he may be over-rated

over-rated out of the Road Tax for the next year, or such other relief as they may deem just: provided always, that no such appeal shall be heard unless the appellant shall within one month after he has received notice of said assessment, file an affidavit in the Office of the Clerk of the Peace for the County of Carleton, particularly specifying the real and personal property and income liable to taxation under this Act, and give notice thereof to the said Commissioners, or some one of them, in writing.

VI. And be it enacted, That the Collector appointed in manner aforesaid shall proceed to collect the Road Tax assessed under this Act in the same manner and subject to the same provisions in all respects as the Collectors of County and Parish Rates are authorized and empowered so to do by the seventh and eighth sections of an Act made and passed in the first year of the Reign of Her present Majesty, intituled *An Act to provide for the better assessment of County and Parish Rates*, and shall be allowed by the said Commissioners of Highways, or the major part of them, such compensation for his trouble, not exceeding four per cent. as they may see fit.

Road Tax to be collected as in 1 V. c. 7, s. 7 & 8.

Collector's compensation.

VII. And be it enacted, That the Commissioners of Highways for the Parish of Woodstock, regularly ordained or licensed Clergymen of any denomination of Christians whatever, not having property or income for which they are liable to be assessed under the provisions of this Act, other than the annual salary or stipend they may receive from their Parish or spiritual charge, Emigrants who have arrived in the Province within the year for which the assessment is made, and regularly appointed Firemen, shall be exempt from taxation under this Act: provided always, that the Commissioners, or the major part of them, shall with the assent of two Justices of the Peace for the County of Carleton, remit either in the whole or in part the payment of the Road Tax levied under this Act, from any infirm or indigent persons, as they in their discretion may deem just and proper: provided always, that no person shall be exempted from taxation under this Act by reason of his having performed Statute Labour in any other Parish or District in this Province.

Exempts from the Road Tax.

VIII. And be it enacted, That all books, papers, writings, and accounts, and all materials, tools and implements which shall be provided in pursuance of this Act for repairing and improving the Streets, Highways or Bridges in that part of the Parish of Woodstock above described, and also the Streets, Highways and Bridges therein, and all stones, quarries and standing trees therein, shall be vested in the Commissioners of the said Parish for the time being, and they, or the major part of them, shall and may bring and prosecute any suit or proceeding at law or in equity, in their own name, as for their own property, for any infringement or injury thereto, incumbrance thereon, or any interference therewith, by any person or persons, whereby the public may sustain any detriment; and such suit, prosecution or proceeding, shall and may be brought and prosecuted in the names of the Commissioners of Highways for the Parish of Woodstock, without mentioning their individual names, and may be continued and prosecuted by their successors in office, notwithstanding a change in the persons of the said Commissioners; and all action and rights of action shall inure to the said Commissioners; and in any such suit or proceedings, any inhabitant of the said Parish shall be deemed a competent witness, notwithstanding his liability to taxation under this Act.

Property vested in the Commissioners, who may maintain actions.

IX. And be it enacted, That the said Commissioners, or the major part of them, shall and may, in their discretion, survey the Town Plat of Woodstock, and such other parts of the said Parish above described, as they may deem advisable, and

Survey of the Town Plat may be ordered, and encroachments removed.

procure

procure a proper plan of such survey for the use of the Commissioners for the time being, the expense of which survey and plan to be defrayed out of the Woodstock Road Fund; and it shall be the duty of the said Commissioners, or the major part of them, and they are hereby authorized and empowered to cause to be removed all encroachments of any description, whether such encroachments consist of dwelling houses or other erection of a permanent nature, from the said Streets or Highways, in order that the said Streets and Highways may be restored to a proper width.

Winter Roads to be broken, and Drains cleared in Spring, Summer, and Autumn.

X. And be it enacted, That it shall be the duty of the Commissioners of Highways for the Parish of Woodstock, in all that part of the said Parish affected by this Act, during the Winter season, to keep the Streets and Highways therein well and sufficiently broken and cleared of Snow for the passage of Teams, and during the Spring, Summer and Autumn to keep the Streets and Drains cleared and free from obstruction.

Contracts and expenses of the Commissioners to be binding on their successors.

XI. And be it enacted, That all Contracts or expenses incurred for repairing or improving the said Streets, Highways or Bridges by the Commissioners for the time being, or the major part of them, shall be binding upon their successors in office as fully and effectually, to all intents and purposes, as if such Contracts were made or expenses incurred by the said Commissioners, and they shall pay such expenses and discharge such Contracts out of the first monies which shall come into their hands after such Contract or expenses fall due.

Penalties for dragging buildings, logs, &c. on the Streets, between 15th March and 25th November.

XII. And be it enacted, That every person or persons who shall at any time between the fifteenth day of March and twenty fifth day of November, in each and every year, draw, haul or drag any house or building whatever, on or along any part of the said Streets or Highways in that part of the Parish of Woodstock affected by this Act, shall, for each and every offence, forfeit and pay a sum of not less than one pound nor exceeding ten pounds, in the discretion of the Justice before whom such offender shall be prosecuted; and any person or persons who shall, within the said period of time, drag or haul on or along any of the Streets or Highways aforesaid, any log, boards, timber, scantling, or drag, or other thing whatever, without securing the same from touching the said Streets or Highways, shall, for each and every offence, forfeit and pay a sum of not less than five shillings, nor exceeding twenty shillings, in the discretion of the Justice before whom the offender shall be prosecuted; which penalties, with costs of suit, shall and may be recovered before any one Justice of the Peace for said County of Carleton, upon the oath of one or more credible witness or witnesses, and levied by Warrant directed to any Constable of the said Parish, by distraining the goods and chattels of the offender or offenders, and when no such effects can be found, to commit the offender or offenders to the Common Gaol of the County of Carleton, for a period of time not exceeding one day for every ten shillings of the said penalty.

Justices in Sessions authorized to make regulations for the Side Walks.

XIII. And be it enacted, That the Justices of the General Sessions of the Peace for the County of Carleton shall have power and authority from time to time to make rules and regulations relating to the Side Walks in the said Parish of Woodstock, for the purpose of promoting the cleanliness of the said Town, and the comfort of its inhabitants, and such rules and regulations to alter, repeal, and amend, and to substitute others in lieu thereof, and to enforce the observance of such rules and regulations by such fines and penalties as in their discretion they may deem meet; provided that no greater penalty than ten shillings shall be imposed for any breach of such rules or regulations, which fines shall be sued for and recovered, with costs, in manner provided for by the twelfth section of this Act.



XIV. And be it enacted, That whenever any person or persons whatever shall place or cause to be placed upon any of the Streets or Highways or Bridges aforesaid, any logs, timber, boards, wood, scantling, sleds, carts, carriages, wag-gons, sleighs, dirt, manure, or any rubbish of any kind, or any obstruction or incumbrance whatever, and shall refuse upon request being made by any inhabitant of that part of the said Parish affected by the said Act, to remove the same from off the said Streets or Highways, the said person or persons shall upon every such refusal be liable to a penalty of not less than ten shillings, and not exceeding forty shillings, to be recovered with costs in the manner provided by the twelfth section of this Act.

Penalty for not removing any incumbrances on the Highway when requested.

XV. And be it enacted, That the Commissioners shall have power and authority from time to time to appropriate such sums from the monies levied and assessed under this Act, for the improvement and protection of the Public Landings and Banks of the River Saint John, in that part of the said Parish above described, as they may deem absolutely necessary for the improvement or preservation thereof, when such Landings or Banks are not within the limits of any Highway or Street.

Money may be expended in improving Public Landings and the Banks of the River.

XVI. And be it enacted, That the Commissioners of Highways for the said Parish of Woodstock, or the major part of them, shall on or before the last day of December in each and every year, file with the Clerk of the Peace for the County of Carleton, a correct copy or duplicate of the Road List, or the original Road List, with a correct account of all the monies they may have received or expended, specifying the mode of expenditure, with vouchers, and a statement of the balance in hand, if any; also a list of the persons excused, and the cause thereof; a statement of any contract made for work not then performed, with the amount due the contractors; with such other information and statements as will enable their successors in office to ascertain the true state of their engagements and liabilities, in order that the same may be audited in the same manner as other County or Parish Accounts; and should any monies remain in hand, the same shall be paid their to successors in office.

Road List and Accounts of Receipts and Expenditures, &c. to be filed with the Clerk of the Peace.

XVII. And be it enacted, That a majority of the Commissioners of Highways for the said Parish of Woodstock in office at the end of the year for which they shall be appointed, shall be annually re-appointed; provided however that the Justices of the Peace for the said County of Carleton shall have all the power which is ever vested in them by any Law now in force in this Province, to remove and displace one or more of the said Commissioners who may be guilty of any malpractice in their office, upon the same being made to appear and proven to their satisfaction, and to appoint one or more Commissioners in the place and stead of such Commissioner or Commissioners so removed and displaced.

The majority of the Commissioners to be annually re-appointed, saving the right of removal for malpractices.

XVIII. And be it enacted, That in the construction of this Act, the terms 'Real Estate' and 'Real Property' shall be construed to include land and any building or other thing erected on or affixed to land, and any term or terms for years in land; and the terms 'Personal Property' and 'Personal Estate' shall be construed to include all goods, chattels, monies and effects, and all debts due from solvent debtors, whether on account, contract, promissory note, bond, mortgage, specialty, judgment, and all public stocks or sureties, and all stocks or shares in joint stock banking or insurance companies: provided always, that nothing herein contained shall extend to render liable to taxation under this Act the real or personal property of any religious, literary, or charitable corporation, society or institution, or of any joint stock banking or insurance company carrying on business in that part of the Parish of Woodstock above described.

Meaning of certain words in this Act.

Contracts to be made by public competition.

XIX. And be it enacted, That all Contracts for repairing or improving the Roads, Highways and Bridges in that part of the Parish of Woodstock affected by this Act, shall be made by public competition after ten days public notice of the making of such Contracts shall have been given by the Commissioners or the major part of them.

Certain sections of 5 W. 4, c. 2, and

XX. And be it enacted, That the operation of the third, seventeenth, eighteenth, nineteenth, twentieth, twenty first, twenty second, twenty third, twenty fourth, twenty fifth, twenty sixth, twenty seventh, twenty eighth, thirty first, thirty fourth, thirty fifth, and thirty sixth sections of an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual provision for the same*, and also the operation of the first, second, third and sixth sections of an Act made and passed in the sixth year of the Reign of His said Majesty, intituled *An Act in amendment of the Act relating to Highways*, and all other provisions of the said recited Acts, so far as they are inconsistent with the provisions of this Act, be and they are hereby suspended in that part of the Parish of Woodstock affected by this Act during the continuance of this Act, except so much of the twenty second section of the said Act passed in the fifth year of the Reign of His late Majesty King William the Fourth as provides for the recovery of any penalty: provided always, that all the other provisions of the said several Acts shall during the continuance of this Act, be and continue in full force and effect in that part of the Parish of Woodstock affected by this Act, as fully to all intents and purposes as if the provisions thereof had been herein specially enacted.

6 W. 4, c. 2, suspended.

XXI. And be it enacted, That the Road Tax authorized by this Act, shall be deemed legal, although the aggregate amount thereof shall exceed the sum ordered to be assessed by the Justices of the Peace as before mentioned, provided the difference shall not exceed twenty per cent.

Road Tax to be legal, although in excess of amount ordered.

XXII. And be it enacted, That the said Commissioners of Highways shall be entitled to retain out of the amount ordered to be assessed under the provisions of this Act, four per centum on the said amount, as a remuneration for their trouble in making the said assessment.

Commissioners' compensation for making assessments.

XXIII. And be it enacted, That nothing in this Act contained shall be construed to affect the power and authority given by Law to the Supervisors of the Great Roads in this Province.

Powers of the Supervisors of Great Roads reserved.

XXIV. And be it enacted, That this Act shall continue and be in force for four years and no longer.

Limitation.

## CAP. XLI.

An Act to repeal the Laws now in force for appointing Firewards, and the better extinguishing of Fires, so far as the same relate to the Towns of Newcastle and Chatham, in the County of Northumberland, and to make regulations more suitable for the said Towns, and for other purposes therein mentioned.

*Passed 11th April 1846.*

Preamble.

‘ WHEREAS it is expedient to repeal the Laws now in force for appointing Firewards, and the better extinguishing of Fires, in the Towns of Newcastle and Chatham, in the County of Northumberland, and to make regulations more suitable for the said Towns ;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Firewards and Firemen already appointed for the said Towns, and each of them, shall continue and remain in office until others shall be appointed under this Act.

Present Firewards and Firemen to continue in office until others are appointed.

II. And be it enacted, That an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act to continue an Act to extend the provisions of an Act, intituled 'An Act to repeal the Laws now in force for appointing Firewards, and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town,' to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland*, be and the same is hereby repealed.

Act 8 V. c. 14, repealed.

III. And be it enacted, That the Lieutenant Governor or Administrator of the Government for the time being, is hereby authorized and empowered, by and with the advice of Her Majesty's Executive Council, from time to time by warrant under his hand and seal, to appoint a sufficient number of prudent and discreet persons, not exceeding eight in each Town, to be Firewards in the Towns of Newcastle and Chatham respectively, who shall be sworn to the faithful discharge of their duty before any one of Her Majesty's Justices of the Peace for the County of Northumberland, and a certificate thereof shall be endorsed on the several warrants of appointment; for which warrants and certificates no fee shall be demanded or received from the person so appointed and sworn.

Governor, with the advice of Council, to appoint Firewards.

IV. And be it enacted, That in order that the said Firewards may be distinguished from other persons when on duty at a fire, and to enable them to communicate their directions with more facility, they shall each carry a staff seven feet in length painted red, and also a speaking trumpet painted white, with the name of the Town for which they shall be appointed painted on it in black letters.

Firewards on duty to carry a staff and trumpet;

V. And be it enacted, That whenever a fire shall break out in either of the said Towns, or in the vicinity of either, and during the continuance thereof, the said Firewards are hereby authorized and required, jointly and separately, in their respective Towns, to command assistance for extinguishing the fire and removing household stuff, furniture, books, public stores, goods and merchandise out of any houses, store houses, and other buildings actually on fire or in danger of the same, and to appoint persons to take care of the same, and also to require assistance to prevent the further spreading of the fire, and to prevent tumults and disorders; and the said Firewards respectively are hereby required upon notice of a fire breaking out in the said Town, (taking their badges and trumpets with them,) immediately to repair to the place, and vigorously to exert their authority in requiring assistance, and to use their utmost endeavours to extinguish the fire and prevent its spreading, and to preserve and secure property and effects both public and private; and due obedience is hereby required to be yielded to them and each and every of them accordingly for that service, as well by persons having the charge and management of any engine or engines in the said Towns, or either of them, as all other persons whomsoever.

To command assistance for extinguishing fires, removing goods, and preventing tumults.

VI. And be it enacted, That from and after the passing of this Act, upon every alarm of fire in the said Towns, or in their vicinities, either in the night or day time, it shall be the duty of every Constable resident within the said Towns, or in their immediate vicinities, knowing of such alarm, immediately to repair (with a staff to be provided by the Firewards for that purpose, as hereinafter directed) to the place where the fire may be, and there to report himself to some one or more of the Firewards there present, or if no Fireward be present on his arrival, then to the first Fireward that shall thereafter arrive at the fire, and to place

Constables to attend at fires, report themselves to, and obey the Firewards,

himself

himself under the immediate orders and directions of such Firewards, and to use his utmost exertions to aid and assist the said Firewards, and to obey and carry into effect all orders and directions that may be given to him by the said Firewards, or any of them, during such fire.

Penalty imposed on Constables for neglect of duty.

Recovery.

Application.

Staves for the Constables to be provided by the Firewards, and kept in a convenient place.

Any person disobeying a Fireward, &c. may be committed to gaol.

After the fire, offender to be brought before a Magistrate.

VII. And be it enacted, That for every refusal or neglect by any Constable resident in either of the said Towns, or in their immediate vicinities, respectively to perform and fulfil any of the duties by this Act imposed upon him, such Constable shall forfeit and pay the sum of forty shillings, together with the costs of recovering the same, to be recovered upon conviction before any one of Her Majesty's Justices of the Peace for the said County of Northumberland, on the oath of a Fireward or any other credible witness, and on refusal to pay the same, to be levied by distress and sale of the offender's goods and chattels, and for want of sufficient distress, such offender shall suffer eight days imprisonment, unless the penalty and costs shall be sooner paid; which penalty, when recovered, shall be paid into the hands of the Firewards of the proper Town, or their Treasurer for the time being, to be applied by them towards defraying the necessary expenses attending the keeping the engine or engines of the said Town in a proper state of repair and equipment, and other necessary expenses attending the keeping the Fire Companies of the said Town in an efficient state.

VIII. And be it enacted, That the said Firewards are hereby respectively authorized and required to provide a sufficient number of such proper and necessary staves for the Constables hereinbefore mentioned, as the said Firewards, or the major part of them, may deem most fit and convenient for the said Constables to carry with them at all times of their attendance at fires, as hereinbefore directed; which staves shall be kept at such convenient place or places as the said Firewards, or the major part of them, may direct, to be in readiness at all times when required.

IX. And be it enacted, That at and during the raging or continuation of any fire that may hereafter happen in either of the said Towns, or in its immediate vicinity, if any person or persons shall refuse or wilfully omit to obey the orders of any Fireward of such Town there present, for his falling into line, or shall leave the same without the consent of any such Fireward there present, or for his doing any other act that such Fireward may think necessary and direct towards aiding and assisting in extinguishing such fires, or in preserving any property endangered by such fire, or who shall be guilty of any disorderly conduct in defiance of the orders of any such Fireward there present, or shall in any way wilfully obstruct or endeavour to obstruct the carrying into effect any orders or regulations that may be then given or made by such Fireward then present for the better extinguishing of such fire; such Firewards present, or any of them, shall have full power, and he or they are hereby authorized, if he or they see fit, to order any Constable present forthwith to take such offender or offenders into custody, and convey such offender or offenders, if such Firewards or any of them see fit, to the Common Gaol of the County of Northumberland; and the gaoler of such gaol is hereby required to keep such offender or offenders in close confinement, until delivered in manner hereafter mentioned: and the Fireward or Firewards who may have committed any such offender, shall immediately after such fire shall be extinguished, and, at the latest within twenty four hours, cause such offender or offenders to be brought up by the gaoler or other person appointed for that purpose, before any of Her Majesty's Justices of the Peace of the said County of Northumberland, (not being a Fireward,) to answer for such offence; and upon conviction before such Justice of the Peace, of such offence.

on the oath of a Fireward, or any other credible witness, such offender shall forfeit and pay the sum of thirty shillings, together with the costs of recovering the same, to be levied by distress and sale of the offender's goods and chattels, and for want of sufficient distress, such offender shall suffer six days imprisonment, unless the penalty and costs shall be sooner paid; which penalty, when recovered, shall be paid and applied as in the seventh section of this Act is directed; and all persons present at the commission of any such offence are required to aid and assist any Constable or Fireward in carrying into effect the directions and provisions of this Act, as such Firewards, or any of them, may direct; and any Constable or other person refusing or neglecting to obey any orders or directions of the Firewards present, or any of them, for carrying into effect the provisions of this section of this Act, shall for every such offence be subject and liable to the like forfeiture or penalty as is imposed by the seventh section of this Act for the offences therein mentioned, to be recovered and applied as in the said seventh section is directed.

X. And be it enacted, That the said Firewards, in their respective Towns, or any two or more of them, are hereby authorized and empowered from time to time, and at all seasonable times in the day time, to enter into any house, shop, or other building within the limits of their respective Towns, and to examine and inspect the manner in which any stove or stove-pipes shall or may be set up, placed, fixed or carried, or any hearths, fire places or chimnies, constructed or built; and if such stove or stove-pipes, or such hearth, fire place or chimney, shall be found in the opinion and judgment of the said Firewards, or any two of them, and in case more than two be present, the major part of those present, so set up, placed, fixed or carried, constructed or built, so as to be dangerous, such Firewards are hereby authorized and required to give directions in writing to prevent the continuance of fire in any such stove, or any such hearth, fire place or chimney, until the same shall have undergone such alterations or repairs as shall be directed in writing by the said Firewards; and any person or persons who shall disobey any such directions of such Firewards, shall, for each offence, forfeit and pay the sum of three pounds, to be recovered and applied in the manner mentioned in the seventh section of this Act.

Firewards empowered to enter buildings and examine stoves, fire places, &c., and if these be dangerous, forbid the continuance of fire therein until altered.

XI. And be it enacted, That no person or persons shall wantonly or wilfully set on fire or cause to be set on fire; any combustible material whatever in the said Towns, or either of them, within two hundred feet of any fence or building; and that every person or persons so offending shall forfeit and pay the sum of forty shillings for each and every such offence, to be recovered and applied as the fines in the seventh section of this Act.

Raising fires within 200 feet of a fence or building.

Penalty.

XII. And be it enacted, That no person or persons within the said Towns, or either of them, shall enter or remain in any barn or stable where hay or straw is, with a lighted candle or lamp, unless said lighted candle or lamp shall be in a good, safe and sufficient lantern; and that no person shall light a pipe or cigar, or smoke the same in any such barn or stable; and that every person or persons so offending in each and every of these offences shall forfeit and pay the sum of ten shillings for each and every offence, to be recovered and applied as the fines in the seventh section of this Act.

Entering a barn where hay or straw is with a light not secured in a lantern.

Penalty.

XIII. And be it enacted, That no person or persons shall carry fire in any street, lane or ally of the said Towns of Newcastle and Chatham, unless the fire be safely secured in a closely covered vessel or fire pan; and that every person or persons so offending shall forfeit and pay the sum of ten shillings for each and every offence, to be recovered and applied as the fines in the seventh section of this Act.

Carrying fire through Streets unless in a fire pan.

Penalty.

Firemen to have the charge of the Engines to be appointed by the Firewards;

To be registered with the Clerk of the Peace.

Penal regulations to be made for the government of the Firemen.

To be posted at Engine Houses, and published in the Newspapers of the Parish.

Firemen to be entitled to certain exemptions from public duties.

Injuring or improperly removing implements provided to aid in extinguishing fires.

Penalty.

Roof and ground ladders to be provided for each house by the proprietor, or tenant at his expense.

XIV. And be it enacted, That the Firewards of the said Towns respectively, shall, at any meeting to be for that purpose by them holden, nominate and appoint by warrant under the hands and seals of them, or the major part then present, a sufficient number of able and discreet men, willing to accept, not exceeding twenty in number for each engine, being inhabitants of the said Towns respectively, to have the care, management and working of the said engines, tools and instruments for extinguishing fires which may happen within the same, and to remove and displace all or any of them from time to time, and to nominate and appoint others in their stead, and to fill up any vacancies which may happen at any time by death or removal, or otherwise; and that the names of the said persons so appointed, shall, from time to time, as the appointments shall be made, be registered with the Clerk of the Peace, in the said County, upon the certificate of the said Firewards, and to be called the Firemen of Newcastle or Chatham, as the case may be; and are hereby enjoined and required to be ready at a call by night as well as by day, to manage, work and use the engine or engines, tools and instruments for extinguishing fires which may happen to break out within the said Towns respectively.

XV. And be it enacted, That it shall and may be lawful for the Firewards for the time being of the said Towns respectively, at any meeting to be holden, at which the major part shall be present, to make and establish such rules, orders and regulations in respect of the government, conduct, duty and behaviour of the said Firemen in working, managing, exercising, trying and using the engines, tools and instruments, and to impose and establish such reasonable fines and penalties upon them or any of them for default or neglect of the duties and services thereby to be enjoined or required from them, as the said Firewards or the major part of them present, met as aforesaid, shall from time to time think meet, so that the fine or penalty shall not exceed in any one instance the sum of forty shillings, to be recovered and applied as in the seventh section of this Act; which rules, orders and regulations, shall be notified to the said Firemen, by putting the same up at their respective engine houses, and inserting the same in the Newspapers, if any there be printed in the said Towns, or either of them.

XVI. And be it enacted, That the Firemen within the said Towns respectively, and each and every of them, from time to time during their continuance in the office of Firemen, and no longer, shall be and they are hereby declared to be freed, exempted and privileged from the several offices of Constable and Surveyors of Highways, and from all Statute Labour in the Highways and Streets in the said Towns respectively, and from serving on any Juries at the General Sessions of the Peace and Inferior Court of Common Pleas in the said County.

XVII. And be it enacted, That any person or persons who shall at any time wantonly or maliciously injure or destroy, remove or take away, or cause to be removed or taken away, any hook, ladder, bucket or other implement provided for the purpose of extinguishing or checking the progress of fires in the said Towns of Newcastle and Chatham, from the proper place or places appointed for the keeping of the same, shall forfeit and pay for every such offence the sum of forty shillings, to be recovered and applied in like manner as in the seventh section of this Act.

XVIII. And be it enacted, That every person owning a building in the said Towns of Newcastle and Chatham, or either of them, of two or more stories in height, shall provide himself with a good and sufficient ladder to lay on the roof, and hold at the top by two substantial iron hooks fastened to the end of such ladder, which shall extend down the roof of the house to the eaves; and in case

of the absence or non-residence of the owner of any such building or buildings in the said Towns, or either of them, the said tenant or tenants occupying the same, shall, at the expense of his or their landlord, provide such ladders for every building, which ladder every owner or occupier of such house shall keep stationary on the roof thereof.

XIX. And be it enacted, That the Justices of the Peace for the said County of Northumberland, at their General Sessions, or the major part of them, are hereby required and authorized to raise by assessment such sum or sums, not exceeding one hundred pounds in any one year, on each of the said Towns of Newcastle and Chatham, as the respective Firewards may from time to time, by estimate made out by them in writing, and produced to the said Justices of the Peace in their General Sessions, show to be necessary (over and above such of the fines hereinbefore mentioned as they may have received) for the supply of the Fire Engines at the time of any fire that may happen in either of the said Towns, and for the necessary expenses attending the keeping the Fire Company in a properly organized state, and the Engines of the said Towns in a sufficient state of equipment, with buckets, ladders, hooks, and other necessaries; and also, if found necessary, for the purchasing or providing one or more Engines for the said Towns respectively, and the purchasing of a piece of land, and erecting an Engine House thereon, the title to which land shall be vested in the Justices of the Peace for the said County of Northumberland in trust for the use of the said Town, such assessment to be made in due proportion upon all and every the person or persons who do or shall inhabit, hold, occupy or enjoy any house, shop, warehouse or other tenement within the Town for which the assessment shall be made.

Assessments authorized to defray expenses of Engines and Engine Houses, maintenance of the Fire Company, &c.

XX. And be it enacted, That such sum or sums so to be assessed in manner aforesaid by the Assessors of the said Towns respectively, shall be levied and collected in the same manner as any other Parish rate or assessment in the said Town can or may be levied and collected, by virtue of any Law now in force or hereafter to be made, and to be paid when collected to the said Firewards, or their Treasurer for the time being, to be applied to and for the purpose above mentioned.

Assessment to be made and levied as other Parish Rates.

XXI. And be it enacted, That the said Firewards of the said Towns respectively, shall render to the Justices of the Peace of the said County of Northumberland, at their first General Sessions, at the time of making the annual appointments of Town or Parish Officers, a full and particular account of the expenditure of all such monies to be assessed as aforesaid, and also of all fines to be recovered as aforesaid, as they may have received respectively; and in case of neglect to render such account, each and every of the said Firewards respectively, after due notice of the same being refused, shall be considered guilty of a contempt of such Court of General Sessions of the Peace, and it shall and may be lawful for such Justices of the Peace of the said County, or the major part of them, in General Sessions, to bring by Warrant before them such Fireward or Firewards so guilty of such contempt, and, if found necessary, to commit such Fireward or Firewards so offending to prison, until such account shall be made out and rendered to the satisfaction of the said Court of General Sessions, or to the Treasurer of the County, in case such Court shall have risen before such account shall be rendered.

Accounts of receipts and expenditures of monies to be rendered by the Firewards to the General Sessions.

XXII. And be it enacted, That for the purposes of this Act, the said Town of Chatham shall be included within the limits of that part of the Parish of Chatham lying between James Murphy's lower line and the old Napan Road; and that the said

Towns of Newcastle and Chatham defined for the purposes of this Act,

said Town of Newcastle shall be included within the limits of that part of the Parish of Newcastle lying between John Wright's lower line and John M'Kenzie's lower line.

Limitation.

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

### CAP XLII.

An Act to incorporate a Company by the name of *The New Brunswick Wood Patent Company*.

*Passed 11th April 1846.*

Preamble.

‘ WHEREAS certain chemical solutions may be introduced into the pores and interstices of wood and other substances, by which their durability will be much increased, and liability to ignite decreased, and that it would be advisable in view of an early introduction of Rail Roads and construction of other public and private works in this Province, that this important discovery should be introduced into this Province;’

Company incorporated by the name of *The New Brunswick Wood Patent Company*.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Thomas Wyer, Harris Hatch, George Stilman Hill, James P. Payne, John Duncan, John Wishart, Francis Smith, John Haws, William Wright, Richard Wright, James Smith, Alexander Yeats, James Briggs, William Lawton, Charles Payne, Robert Payne, John Loder, James Moran, and Alexander Lockhart, their associates and assigns, shall be and they are hereby erected into a Body Politic and Corporate, by the name of *The New Brunswick Wood Patent Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of introducing into this Province Payne's Patent Process for the preservation of Wood and other materials, and for working the same.

First meeting of the Company to be called by public notice.

II. And be it enacted, That the first meeting of the Corporation shall and may be called by John Duncan, or in case of his death, neglect or refusal, by any two of the said Company, by publishing notice thereof fourteen days in the Royal Gazette newspaper published at Fredericton, and the Courier newspaper in Saint John, in this Province; at which meeting, or at any subsequent meeting to be for that purpose holden, five Directors, being Members and Stockholders of and in the said Corporation to such an extent as by the laws and regulations of the said Company may be provided, shall be chosen; which Directors so chosen shall serve until the first annual meeting for the choice of Directors, and until other persons are elected in their room, and shall have full power and authority to manage the concerns of the said Corporation, and shall commence the operation thereof, subject nevertheless to the laws and regulations which may from time to time be made by the said Corporation.

Directors to be chosen.

Capital to be £25,000.

III. And be it enacted, That the Capital Stock of the said Company shall be twenty five thousand pounds, and shall be divided into two thousand five hundred shares of ten pounds each, to be paid by the Stockholders at such time as may be assessed and ordered by the said Company, and the President and Directors thereof as hereinafter directed: provided nevertheless, and it is hereby expressly required, that twenty five per cent. of the said Capital Stock shall be paid in current money of this Province, within three years after the passing of this Act.

£25 per cent. to be paid within three years.

Capital may be increased to £40,000.

IV. And be it enacted, That the said Corporation may and they are hereby authorized, whenever the whole amount of the said Capital or sum of twenty five thousand pounds shall have been paid in and expended for the purposes contemplated by this Act, at any general meeting of the said Corporation, from time to time



time to increase the said Capital Stock to any amount or amounts, (not exceeding in the whole the sum of forty thousand pounds,) by an assessment or assessments upon the shares in the property of the said Company, to be made, ordered and paid in as hereinafter directed.

V. And be it enacted, That all the shares in the said Company shall be numbered in progressive order, beginning at number one, and every Member of the said Company shall have a certificate under the seal of the said Corporation, and signed by the President and Secretary thereof, certifying his property in such share as shall be expressed in the certificate.

Shares to be numbered and certificates of proprietorship given.

VI. And be it enacted, That there shall be a general meeting of the Shareholders and Members of the said Corporation, to be annually holden at Saint John at such time as shall for that purpose be appointed by the bye laws and regulations of the said Corporation; at which annual meeting there shall be chosen of the said Members five Directors, being Members and Shareholders in the said Corporation to such an extent as may be provided and required in and by the bye laws and ordinances of the said Company, who shall continue in office for one year or until others be chosen in their room; which Directors, when chosen, shall at their first meeting after their election, choose out of their number a President.

A meeting to be annually held for choosing Directors.

VII. And be it enacted, That every person owning a share in the Capital Stock of such Corporation shall be a Member thereof, and be entitled to a vote at all meetings of the same, and Members may give as many votes as they own shares, and that absent Members may vote by proxy, such proxy being a Stockholder, and authorized in writing.

Directors to choose a President.

Each share to be entitled to a vote.

VIII. And be it enacted, That the President and Directors of the said Corporation may from time to time assess upon each share such sum or sums of money as shall be judged by such Corporation necessary for raising a Capital, or for the increase thereof for the payment of any debts of the said Corporation, and for the purchase of such real and personal property, and the erecting, building, making, setting up, and procuring such buildings, machinery, apparatus, and materials, as may be deemed necessary and requisite for carrying on the business contemplated in this Act, and for purchasing the patent right for carrying on such business by the said Corporation, or their assigns: provided always, that such assessment or assessments shall not in the whole exceed the amount of the Capital Stock appointed by this Act, or the increased amount thereof, if the same shall be increased as hereinbefore directed.

Power given to assess the shares to raise a capital and carry on the business.

IX. And be it enacted, That when any such assessment or assessments shall at any time or times be made or ordered, notice thereof shall be given by the Secretary in the Royal Gazette and Courier newspapers, requiring payment at such time or times as may for that purpose be appointed; and if the proprietor of any share or shares shall neglect or refuse to pay to the Treasurer the amount of any such assessment or assessments, or instalment thereof duly assessed or ordered as aforesaid, it shall be the duty of the Treasurer to advertise such delinquent shares for sale at Public Auction, giving at least thirty days notice of the time and place of such sale in the Royal Gazette or Courier newspaper; and all shares upon which the said assessment or instalment thereof shall not be then paid, shall be sold to the highest bidder, and such sale shall be a legal transfer of the shares so sold to the purchaser or purchasers, and shall be recorded accordingly by the Secretary, and such purchaser or purchasers shall be entitled to receive a certificate as prescribed in and by the fifth section of this Act: provided always, and be it enacted, that unless five thousand pounds of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a

Notice of assessments to be given.

Delinquent shares to be sold.

Act to be void if certificate of £5000 capital having been paid in be not filed

certificate

in the Provincial  
Secretary's Office  
within three years.

certificate of such payment, signed and verified on oath by the said Directors, or majority of them, which oath any Justice of the Peace is hereby authorized to administer, shall be filed in the Office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.

### CAP. XLIII.

An Act to incorporate the Mutual Insurance Company.

*Passed 11th April 1846.*

Preamble.

**W**HEREAS the establishment of a Mutual Insurance Company against fire would tend to the keeping within the Province large sums of money that are annually paid in other parts for Insurance against loss or damage by fire;

Company incorporated by the name of *The Mutual Insurance Company*.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, that Henry Gilbert, Thomas Harding, Henry Porter, Joseph Fairweather, David J. Marshall, James W. Lawrence, Henry Perkins, William H. Adams, William Henry Scovil, Charles Adams, Daniel J. M'Laughlin, Robert Reed, John M. Robinson, and all and every such other person and persons as shall from time to time become proprietors of shares in the Corporation hereby established, their successors and assigns, shall be and they are hereby erected into a Company, and declared to be a Body Politic and Corporate, by the name of *The Mutual Insurance Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of insuring against loss by fire, and that the said Company, or the major part of them, shall from time to time, and at all times, have full power and authority to constitute, ordain, make and establish such bye laws and ordinances as may be thought necessary for the good rule and government of the said Corporation; provided such bye laws and ordinances be not contradictory or repugnant to the Laws and Statutes of the Province, and those in force within the same.

Corporate powers conferred.

Qualification of Members.

II. And be it enacted, That all persons who shall insure with this Corporation, and also their Executors, Administrators and Assigns, shall thereby become Members thereof during the period that they shall remain insured, and no longer.

Time and manner of calling the first meeting.

III. And be it enacted, that the first meeting of the said Corporation shall be held at the City of Saint John, and shall be called by John M. Robinson, or in case of his death, refusal or neglect, by any three of the said Company, by giving notice in one of the Newspapers printed in the said City, at least one week previous to such meeting; provided such meeting shall not be held until applications for Insurance have been made to the amount of two thousand pounds.

Investment of funds.

IV. And be it enacted, That all funds received by or remaining with the said Corporation, shall be invested in stock, or personal or landed securities; provided such securities shall not be for a less period than one year.

### CAP. XLIV.

An Act to incorporate the Chignecto Steam Navigation Company.

*Passed 11th April 1846.*

Company incorporated by the name of *The Chignecto Steam Navigation Company*.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That William Crane, Charles F. Allison, William H. Botsford, Christopher Boultenhouse, W. H. Buckerfield, Mariner Wood, Jonathan Black, Peter Etter, Senior, and G. Butler Easterbrooks, their associates, successors and

and assigns, shall be and are hereby erected into a Company, and declared to be a Body Corporate, by the name of *The Chignecto Steam Navigation Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of navigating the Bay of Fundy with Steam Boats, and all necessary works therewith connected.

II. And be it enacted, That the Capital Stock of the said Corporation shall consist of current money of the Province to the amount of four thousand pounds, which shall be divided into four hundred shares of ten pounds each, and that twenty per cent. of the said Capital Stock shall be paid in at such time and place as the President and Directors of the said Company may appoint, and the residue in such parts and instalments as may be required by the said President and Directors for the service of the Company, at such times and places as they may appoint, at least one month's notice being by them previously given for all the payments, in one or more of the newspapers published in the City of Saint John: provided always, that no larger amount than twenty per cent. of the said Capital Stock shall be called in or required to be paid at any one time subsequent to the first instalment.

Capital to be £4000 payable in instalments not exceeding 20 per cent.

III. Provided always, and be it further enacted, That so soon as the said Capital Stock of four thousand pounds shall have been paid in and expended for the purposes by this Act provided, it shall and may be lawful for the said Stockholders at any general meeting to be for that purpose called, to increase the said Capital Stock from time to time in such sums as they may deem expedient, to a sum not exceeding eight thousand pounds, to be assessed upon the several Stockholders of the said Company in proportion to their respective shares.

Capital may be increased to £8000.

IV. And be it enacted, That the first meeting of the said Corporation shall be held at Sackville, in the County of Westmorland, and shall and may be called by Charles F. Allison, Esquire, or in case of his death, neglect or refusal, by any two of the said Company, by publishing notice thereof for thirty days in any one or more newspapers published in the City of Saint John; at which, or at any subsequent meeting to be for that purpose holden, five Directors, being proprietors of at least five shares each, shall be chosen, which Directors so chosen shall serve until the first annual meeting, and shall have full power and authority to manage the concerns of the said Corporation, and shall commence the operations of the said Company.

First meeting of the Company.

Directors to be chosen.

V. And be it enacted, That there shall be a general meeting of the Stockholders and Members of the said Corporation to be annually holden at Sackville, at such time as by the laws and regulations of the said Company may be appointed; at which annual meeting there shall be chosen five Directors, being proprietors of at least five shares each, three of whom shall constitute a quorum; the said Directors shall continue in office for one year, or until others are chosen in their room, and when chosen shall at their first meeting after their election choose one of the number to be President of the said Company.

A general meeting to be annually holden for choosing Directors.

VI. And be it enacted, That any person owning a share in the said Company shall be a Member thereof, and be entitled to one vote at all meetings of the same; that every holder of three shares shall be entitled to two votes; and every holder of a greater number of shares, to one vote for every five shares held by him; and that absent members may vote by proxy, such proxy being a Shareholder and authorized in writing; that every Member of the said Company, except at the first meeting, shall not be entitled to vote until he shall be duly registered on the books of the said Company.

Membership and votes.

Proxy.

Delinquent shares  
may be sold or  
forfeited.

VII. And be it enacted, That if the proprietor of any share or shares shall neglect or refuse to pay to the Treasurer the amount of any assessment or assessments, or instalments thereof, at the time fixed for the payment of the same, the Directors of the said Company are hereby empowered to enforce payment by action in case of such default, or in the event of any such assessment not being paid within one month after the period prescribed for the payment of the same, to declare the share or shares forfeited, and to sell the same for the benefit of the Company.

Joint Stock only  
responsible for the  
Company's debts.

VIII. And be it enacted, That the joint property and stock of the said Company shall alone be responsible for the engagements and debts of the said Company.

Act to be void if  
£2000 of capital be  
not paid up, and  
certificate filed in  
Provincial Secre-  
tary's Office within  
three years.

IX. And be it enacted, That unless the sum of two thousand pounds of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment, signed and verified on oath by the said Directors, or a majority of them, which oath any Justice of the Peace is hereby authorized to administer, shall be filed in the Office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.

## CAP. XLV.

An Act to incorporate the Tobique Boom Company.

*Passed 11th April 1846.*

Preamble.

‘WHEREAS the erection of a Boom at or near the Mouth of the Tobique River will be convenient and advantageous to the commercial interests of the Province;’

Company incorpo-  
rated by the name  
of *The Tobique  
Boom Company.*

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Benjamin Beveridge, Thomas Pickard, Charles M'Mullen, Amos Dickinson, Robert A. Hay, and Samuel Dickinson, their associates, successors and assigns, be and they are hereby created and declared to be a Body Politic and Corporate, by the name of *The Tobique Boom Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of erecting, building and maintaining a Boom across the Tobique River, below the Narrows in the said River, to secure the Timber, Logs and other Lumber floating down the same.

Power to erect the  
Boom and Piers.

II. And be it enacted, That the said Corporation may erect and maintain a Boom across the said Tobique River, at some convenient place below the Narrows thereof, for the purpose of stopping and securing Timber, Logs, Masts, Spars, and other Lumber floating upon the said River, and may erect certain Piers and Booms, such as they may think necessary; provided that the said Booms be so constructed as to admit the passage of rafts and boats, and preserve the navigation of the River; but no person shall be allowed at any time to encumber the said Boom, either with rafts of Timber, Logs, or other Lumber, nor be allowed a passage through the same with such rafts, when the opening of the Boom for that purpose would endanger the safety of any Timber, Logs or other Lumber contained therein.

Navigation of River  
to be preserved.

III. And be it enacted, That nothing in this Act shall authorize or be construed to authorize the said Corporation to enter upon the lands, or use the private property of any person or persons for the purpose of erecting or securing the said Boom, without their consent first had and obtained for that purpose.

Private rights  
reserved.

IV. And be it enacted, That it shall be the duty of the Corporation to cause the passage ways or open space in said Boom to be carefully guarded, so that no Lumber may be permitted to escape; and if the owner or owners of any Timber, Logs, Masts, or other Lumber, do not wish the said Corporation to raft their Timber, Logs, Masts, or other Lumber, that it shall be the duty of the owner or owners thereof to raft and take said Timber out of said Boom; but in case the owner or owners of said Timber, Logs, Masts, or other Lumber, do not remove the said Timber, Logs, Masts, or other Lumber from said Boom, that after said Timber, Logs, Masts, or other Lumber remain in said Boom for two days, it shall be lawful for said Corporation to raft said Timber and Logs, Masts, and other Lumber, safe and securely in joints, loaded suitably for the navigation of the River Saint John, for Pine Timber, with two good boom poles at least, and hard wood pins, said joints to be of the size as are commonly made, and to secure the same below the Boom twenty four hours; and if the owner or owners, on the expiration of the time aforesaid, have not removed or taken charge of the same, by putting his or their ropes thereon, the Corporation may remove or secure, the same in some convenient place, and the owner or owners shall pay such expenses as may arise in the removal or securing the same; and should any person suffer loss in consequence of the neglect or carelessness of the said Corporation or their Agent or Agents, the said Corporation shall be accountable for such loss; and the said Corporation shall cause the Timber, Logs or other Lumber to be rafted without any unnecessary delay, as soon after it comes into the Boom as possible, the said Corporation not being bound to drive any Timber, Logs or other Lumber into the Boom that may be aground above it.

Duty of Corporation in respect of securing the Boom, rafting Timber, &c. and power over Lumber coming into the Boom not intended to be rafted by the Corporation.

V. And be it enacted, That if any person or persons shall wilfully injure or destroy the said Boom or any Pier thereof, such person or persons so offending, shall upon conviction thereof before any two of Her Majesty's Justices of the Peace for the County of Carleton, forfeit and pay a sum not exceeding ten pounds, with costs of prosecution, to be levied by warrant of distress and sale of offender's goods and chattels, rendering the overplus, if any, to the offender or offenders; and for want of sufficient goods and chattels whereon to levy, it shall and may be lawful for said Justices to issue their warrant to commit said offender or offenders to the Common Gaol of the County, there to remain without bail or mainprize for such period as may be specified in such warrant, not exceeding one day for every two shillings of such penalty.

Penalty for wilfully injuring the Boom or Piers.

Recovery.

VI. And be it enacted, That there be allowed to the Corporation a toll or boomage upon all Square Timber thus boomed, the sum of six pence per ton, and for rafting and securing as aforesaid, the sum of ten pence per ton upon all Timber, and the sum of two shillings per thousand superficial feet for rafting other Lumber, and the sum of nine pence per thousand superficial feet for the boomage of all Logs; and that the said Corporation shall have a lien on all Timber and other Lumber thus boomed and rafted, for the payment of all such toll or boomage and other expenses; such person or persons owning Timber or other Lumber, to furnish to the Corporation or their Agent, a proper and correct description of his or their several marks, before the same comes into the Boom; the Corporation shall not be bound to secure or take care of any Timber or Lumber until the marks are so furnished; and if no owner appears to claim Timber or Lumber so coming into the Boom, it may after twenty days notice be sold; and if at any time within two years the owner should appear and prove to the satisfaction of the Inferior Court of Common Pleas in the County of Carleton, he may receive the net proceeds, after deducting toll and other expenses; but if not proved

Boomage granted to the Corporation.

Lien.

Marks.

Unclaimed lumber.

proved and claimed within two years, the proceeds to be paid to the Treasurer of the County for the uses and purposes of the County; all Timber and other Lumber to be measured by a sworn Surveyor legally appointed, the expenses to be borne equally alike by both parties.

Act to be void if Boom be not erected within three years.

VII. Provided always, and be it enacted, That unless a good and sufficient Boom be actually erected as contemplated by the provisions of this Act, and a certificate of the said erection, signed and verified on oath by the Directors or Manager of the said Corporation, which oath any Justice of the Peace may administer, shall be filed in the Office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operations of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.

Limitation of Act.

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

### CAP. XLVI.

An Act to incorporate the Highland Society of New Brunswick, at Miramichi.

*Passed 11th April 1846.*

Preamble, reciting certain proceedings of the Highland Society of London.

WHEREAS the Highland Society of London, instituted in the year one thousand seven hundred and seventy eight, and incorporated by Act of Imperial Parliament in the year one thousand eight hundred and sixteen, by its Commission bearing date the thirteenth day of June, one thousand eight hundred and forty two, given at London, under the Seal of the said Society, and directed to Sir William Macbean George Colebrooke, K. H., Lieutenant Governor of the Province of New Brunswick, James Gilmour and Alexander Rankin, also of New Brunswick, Esquires, after reciting among other things that the said Society, to extend its benefits, and unite together in a central union Highlanders, wheresoever situated, had resolved to issue Commissions for the establishment of Branches thereof in the British Colonies abroad, as well as other places at home, where Highlanders are, and that being extremely desirous that a Branch should be established in New Brunswick, at Miramichi, the said Commission authorized and empowered the said persons to whom it was directed to form a Branch of the said Highland Society of London at Miramichi, New Brunswick, with authority to make such bye laws as might be necessary for the management thereof, in conformity to the principles and rules of the said Society: And whereas, in pursuance of the said Commission, the said Sir William Macbean George Colebrooke, K. H., James Gilmour, Alexander Rankin, and many other Gentlemen of the said Province, did form themselves into a Society, in connection with the Highland Society in London: And whereas the said Society in this Province, from not being incorporated, is subject to many inconveniences, and is in consequence unable efficiently to extend and promote the benevolent objects of the Society;

Company incorporated by the name of The Highland Society of New Brunswick, at Miramichi.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Alexander Key, Alexander Rankin, Hugh Munro, John Montgomery, Francis Ferguson, Thomas C. Allan, Alexander Fraser, Junior, Peter Morrison, John C. M'Bean, John M'Donald, Roderick M'Leod, Donald M'Kay, George Kerr, and Neil M'Lean, and such other person or persons as are now or may hereafter be admitted Members of the Society, agreeably to the rules and bye laws of the said Corporation, their associates and successors, be and they are hereby erected into a Body Corporate, in connection with the Highland

Highland Society of London, under the name and style of *The Highland Society of New Brunswick, at Miramichi*, for the purpose, in addition to the objects contemplated by the Parent Society, of extending relief to destitute Scotsmen, Scotswomen, or their descendants, and the education of their children; and for these purposes shall have and enjoy all general powers made incident to Corporations by the Act of the General Assembly of the Province, made and passed in the Reign of His late Majesty King William the Fourth; provided that the real estate which the said Corporation may hold at any one time shall not exceed the sum of two thousand pounds in value.

Objects.

Real Estate to be held limited to £2000.

## CAP. XLVII.

An Act to incorporate the New Brunswick Ice Company.

Passed 11th April 1846.

**WHEREAS** the export of Ice to the United Kingdom, the West Indies, and to other parts of the world, from the Province of New Brunswick, may be of public utility: And whereas the amount of capital necessary to be invested in such a speculation renders it essential that the Company engaged therein should be incorporated;

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Edward L. Jarvis, James Kirk, Frederick A. Wiggins, John V. Thurgar, William H. Scovil, John Kerr, John Duncan, Augustus W. Whipple, Leveritt H. DeVeber, Charles Ward, Robert D. Wilmot, Edward Allison, William Carvill, Charles C. Stewart, John Wishart, and Henry Chubb, their associates, successors and assigns, be and they are hereby erected and declared to be a Body Politic and Corporate, by the name of *The New Brunswick Ice Company*, and by that name shall have the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of exporting Ice to the West Indies, and other parts of the world.

Company incorporated by the name of *The New Brunswick Ice Company*.

II. And be enacted, That the Capital Stock of the said Company shall consist of the sum of twenty thousand pounds, to be divided into one thousand shares of twenty pounds each.

Capital to be £20,000.

III. Provided always, and be it further enacted, That unless ten per cent. of the Capital Stock shall be actually paid in for the purposes of the Corporation, and a certificate of such payment made, and verified by oath of the Directors of the said Corporation, or a majority of them, which oath any Justice of the Peace is hereby authorized to administer, shall be filed in the Office of the Secretary of the Province, before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.

£10 per cent. of capital to be paid up, and certificate lodged in Provincial Secretary's Office within three years.

IV. And be it enacted, That the said Company, their associates, successors, and assigns, or the major part of them, shall from time to time, and at all times, have full power and authority and license to make, ordain, and establish such laws and ordinances as may be thought necessary for the good rule and government of the said Company; provided the same are not repugnant to the Laws or Statutes of that part of the United Kingdom of Great Britain and Ireland called England, or of this Province.

Power to establish bye laws.

V. And be it enacted, That the first meeting of the said Company shall and may be held at the City of Saint John, and shall and may be called by Edward L. Jarvis, or in case of his death, absence or neglect, by any two of the said Company, by publishing notice thereof in any Newspaper published in the said

First meeting of the Company to be held at Saint John, after public notice.

City

Directors to be chosen.

Power to manage affairs.

City of Saint John, at which, or at any subsequent meeting to be for that purpose holden, nine Directors (being Stockholders in the said Company) shall be chosen, which Directors so chosen shall serve until the first annual meeting for the choice of Directors, and until other persons are elected in their room; and the said Directors, or a majority of the same, (who shall constitute a quorum,) shall have full power and authority to manage the affairs of the said Company, subject to the laws and regulations aforesaid.

### CAP. XLVIII.

An Act to incorporate the Barristers' Society of New Brunswick.

Passed 11th April 1846.

The Barristers' Society of New Brunswick incorporated, with powers incident to a Corporation.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Honorable Charles J. Peters, Honorable William B. Kinnear, John Ambrose Street, Honorable Edward B. Chandler, Honorable Lemuel A. Wilmot, William End, Honorable John W. Weldon, William Wright, Alfred L. Street, Francis A. Kinnear, William Carman, Honorable Robert L. Hazen, Charles Fisher, John H. Gray, William J. Ritchie, George Botsford, David S. Kerr, James W. Chandler, George J. Thomson, Richard M. Andrews, George D. Street, D. Ludlow Robinson, James Peters, Junior, George J. Dibblee, Moses H. Perley, George Kerr, Richard Carman, William Jack, Alexander Campbell, William H. Odell, and all other Barristers of the Supreme Court of this Province, or that shall hereafter become Barristers, and who shall signify their assent in writing to the Secretary of the Corporation, shall and they are hereby declared to be a Body Politic and Corporate, by the name of *The Barristers' Society of New Brunswick*, and by that name shall have all the general powers, authorities and privileges made incident to a Corporation by Act of Assembly, for the purpose of establishing order and good conduct among themselves, and of securing to the Province and the Profession a learned and honorable Body, and of procuring and maintaining a Library for the use of the Corporation.

Time and constitution of meeting for establishing bye laws.

II. And be it enacted, That all bye laws and regulations which the said Society shall make and ordain by the authority of this Act, shall be passed at some or one of the Terms of the Supreme Court at Fredericton, at a meeting of its Members then and there to be holden, and by a majority of the persons present, being Members, at such meeting, which Meeting shall be composed of at least thirteen Members; the manner of summoning such Bar Meetings, together with the order to be preserved in attending the same, and the manner of holding a Bar Meeting for ordinary business, (which shall consist of not less than nine Members,) shall also be regulated by bye laws for that purpose from time to time to be made; the first regular Bar Meeting for the purposes aforesaid to be held on the first Friday in next Trinity Term, in the Library Room.

Bye Laws may be enforced by fines, and to be subject to the approval of the Judges of the Supreme Court.

III. And be it enacted, That the bye laws and regulations which the said Society shall be entitled to make, may be enforced by such moderate and reasonable fines not exceeding for any one breach thereof the sum of two pounds, as in such bye laws and regulations may be specified, the same to be sued for and recovered by the Treasurer or other Officer of the Society in the name of the Corporation, in such manner as in and by the same or any other bye law or regulation may be ordained; and the said fines when received by the said Treasurer or other Officer as aforesaid, shall be appropriated by the said Society in keeping up the said Library, and for the general purposes of the said Corporation: provided always, that no bye law or regulation whatever, made by the said Corporation,



Corporation, shall be of any force or effect until the same shall be sanctioned by the Judges of the Supreme Court of this Province, or any three of them.

IV. And be it enacted, That the property of the Law Library already purchased, with all furniture and other chattels now in the Library Room of the Province Building, shall be and hereby is vested in the said Corporation.

Property of the Law Library vested in the Corporation.

V. And be it enacted, That it shall and may be lawful for the said Barristers' Society of New Brunswick to occupy and enjoy the use of the room in the Province Building now used as a Law Library, and to have the sole direction and control of the same: provided always, that it shall and may be lawful for the Administrator of the Government for the time being, by and with the advice of the Executive Council of the Province, at any time to resume the possession of the said room.

Title to occupy a part of the Province Building.

### CAP. XLIX.

An Act for the Incorporation of the Saint Croix River Canal Company.

Passed 11th April 1846.

**WHEREAS** increasing the facilities of trade and intercourse between different sections of the Province will greatly advance the general interest thereof, and it is considered expedient to encourage persons to devote their time and means to such objects;

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That George M. Porter, John Porter, Nehemiah Marks, Japhet H. M'Allister, William E. M'Allister, William Todd, Junior, Daniel Hill, Horatio N. Hill, Abner Hill, Stephen Hill, Columbus Bacon, George Downs, Anson G. Chandler, William P. Trott, Noah Smith, Junior, Levi L. Lowell, Ferdinand Tinker, Ninian Lindsay, Gilman D. King, David Upton, William Porter, Frederick A. Pike, Samuel King, William Eaton, Emerson Eaton, Daniel Harmon, their associates, successors and assigns, be and they are hereby declared to be a Body Corporate and Politic, by the name of *The Saint Croix River Canal Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of opening a water communication by means of a Canal and other improvements, from the sources of the Saint Croix, or Cheputnecticook River, and thence down along the said River and Lakes to the Tideway, and for other purposes connected therewith.

Company incorporated by the name of *The Saint Croix River Canal Company*.

II. And be it enacted, That the said Company shall, and they are hereby declared to have the right, power and privilege so to improve the said River Saint Croix, and Lakes or the same, from its head or source on Monument Brook to the Lower Bridge, near the head of Tide waters, in the County of Charlotte, by flowage, and by removing obstructions, and making excavations and embankments thereon, and to make, excavate, build, construct and erect a Canal and sections of slack water therein and upon its borders, and for this purpose may make all necessary excavations, embankments, locks, gates, dams, towpaths, booms, piers, inclined planes, wharves, sluices, and all other things which they may deem necessary and expedient for the convenient attainment of their object, for drifting or floating thereon logs, timber or other lumber, and for the passing up and down of merchandise and other things, with greater facility than can now be done, and for making the same boatable, and may and shall for all said purposes control said River and Canal, and all the works, in such way and manner as said Company shall deem proper; and that the said Company may, and they are hereby empowered to diverge with the said Canal from the said River, and then

Power given to improve the River Saint Croix and Lakes by constructing a Canal, and other necessary works.

then again to connect it with the same, so often and at such places as they may deem it expedient and beneficial to do so.

Capital to be £75,000; 10 per cent. to be paid in within three years, and residue when required.

Votes.

Lien granted to secure tolls.

Damages and costs of suit for malicious injuries and obstructions.

Call and notice of the first meeting of the Corporation.

Waters not to be diverted to the injury of any Mills.

Right of public to use the improvements on payment of tolls.

Compensation to be made for all lands, &c. taken or damaged by the Company.

In case of disagreement as to compensation, amount to

III. And be it enacted, That the Capital Stock of the said Company shall consist of seventy five thousand pounds, to be divided into as many shares of such an amount as to the said Company, or the majority thereof, shall seem meet; and that ten per cent. of the said Capital shall be paid in within three years from the passing of this Act, and the residue in such instalments as may be required for the services of the said Company, to be declared by the Stockholders, or majority thereof, at any meeting to be called pursuant to any bye law of the said Corporation to be for that purpose enacted; and that in the management of the affairs and business of the said Company, every Stockholder shall have as many votes as he may possess shares.

IV. And be it enacted, That the said Company shall, in addition to the provisions made for the payment and collection of toll in this Act, have a lien therefor on all boats, lumber, or other things, subject to toll, passing through or over the said Canal or improvements.

V. And be it enacted, That if any person or persons shall wilfully or maliciously destroy, injure, impair or obstruct any of the rights, privileges or property of the said Corporation, such person or persons shall forfeit and pay to the said Company treble damages, with costs of suit, to be sued for and recovered by action of Trespass, in any Court of competent jurisdiction; and if any person or persons shall, by boat, raft, lumber, or otherwise, wilfully or unnecessarily delay or obstruct the approaching, entering, passing or re-passing of any lock, waste-way, inclined plane, sluice, or other avenue or passage-way, or do any other act or thing whereby the operations of the said Company, or the transportation, floating or passage of any lumber, merchandise, or other thing, in the said River or Canal, shall be hindered, obstructed or delayed, he, she or they shall, for every such offence, forfeit and pay double damages, with costs of suit, to be recovered in an action on the case, in any Court having competent jurisdiction.

VI. And be it enacted, That the first meeting of the said Corporation shall and may be called by notice signed by any four or more of the Members thereof, to be posted in three conspicuous places in the Parish of Saint Stephen, in the County of Charlotte, at least twenty days before the day of such meeting, and by publishing the same at least three weeks in some public newspaper published in the said County.

VII. And be it enacted, That the said Company shall have no right to retain, divert or keep back the waters of the said River, or any of the Lakes thereon, to the detriment or injury of any Mills or Machinery now erected or which may be hereafter erected thereon.

VIII. And be it enacted, That all and every person or persons shall have the right, under the direction and control of the said Company or its Agents, to use the said works and improvements for the purposes for which they were erected and intended, at all proper and suitable times, according to the regulations of the said Company, by paying therefor the usual and legal toll or compensation.

IX. And be it enacted, That the said Company shall make, allow and pay reasonable and proper compensation and satisfaction for all lands, tenements and hereditaments, taken, used, occupied, altered or damaged by means of and for the uses and purposes of the said Company, to be agreed upon by the said Company and the respective owners and occupiers of such lands, tenements and hereditaments; and in case of disagreement between the said Company and the said owners and occupiers, or any of them, then such compensation and satisfaction shall

shall be determined by three arbitrators, one to be chosen by said Company, and one to be chosen by the owner or owners, occupier or occupiers of the private property in question ; which two arbitrators so chosen shall choose the third arbitrator, and in case of their not agreeing in such choice within ten days after their appointment, then and in such case it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, upon application of the said Company, to appoint a third arbitrator, the award of whom or any two of whom shall be final and conclusive in the matters referred to them ; and in case any of the owners or occupiers of such property shall decline making any such agreement, or appointing such arbitrators, then and in every such case the said Company shall make application to the Supreme Court of this Province, stating the ground of such application ; and such Court is hereby empowered and required from time to time, upon such application, to issue a writ or warrant directed to the Sheriff of the County where such property may lie and be, or in case of the Sheriff being a party interested, to the Coroner of such County, and in case of the Sheriff and Coroner being both interested, then to one or more disinterested persons, as Elizors, commanding such Sheriff, Coroner, person or persons as the case may be, to summon and empanel a Jury of twelve freeholders within such County, who are altogether disinterested in the matters in difference, which Jury upon their oaths, (all which oaths as well as the oaths to be taken by any person or persons who shall be called upon to give evidence in the matter, the Sheriff, Coroner, or person or persons summoning such Jury, is hereby empowered to administer,) shall enquire, ascertain and assess the sum or sums of money, or annual rent to be paid as the amount of compensation and satisfaction, for the damage that may or shall be sustained by such owner or owners, occupier or occupiers of such property as aforesaid ; and the inquisition, award or verdict of such Jury shall be returned and filed in the Office of the Clerk of the Pleas of the said Supreme Court, and shall be final and conclusive between the parties ; which amount so assessed as aforesaid, with costs and expenses of such proceedings to be taxed and allowed by the said Supreme Court, shall be borne by the said Company, and shall be by them paid within thirty days after the said inquisition, award or verdict shall have been filed as aforesaid.

be settled by Arbitrators, or a Jury empanelled under the authority of the Supreme Court.

X. And be it enacted, That the said Company, their superintendents, engineers, artists, workmen and labourers, with their tools, implements, carts, waggons, sleds, and other carriages, and beasts of burden or draught, may enter upon the land contiguous to the said Canal, whether granted or ungranted, giving or publishing notice thereof to the occupants thereof, if any, and from thence take and carry away any stone, gravel, sand, earth, wood, or other material necessary for the construction of the said Canal, doing as little damage as possible, and repairing any breaches they may make in the enclosures thereof, and making amends for any damage that may be done therein, the amount of such damages, if the parties cannot agree, to be ascertained in like manner and in all respects as provided for in the seventh section of this Act in other cases.

Power to enter on any lands for the purposes of this Act.

XI. And be it enacted, That the said Company, or such person or persons as they shall from time to time appoint as Collectors or their Deputies, are hereby authorized to demand and receive of and from any persons having charge of any boat, craft, or other vessel, timber, wood, logs, bark, shingles, staves, lathwood, boards, planks, deals, scantling, goods, wares, or merchandise, live or dead stock, or other things whatsoever, passing through the said Canal, or part thereof, the rates of toll which shall be established by the said Company, and the said Company may bring suit for the same toll against the owner, shipper, supercargo,

Tolls for use of the Canal may be exacted.

Tolls, if excessive, may be reduced by the Legislature.

or Captain of such vessel, or other article, before any competent tribunal: provided always, that if after the expiration of six years from the time of completing the said Canal, the rates, dues or tolls that may be established by the said Corporation under and by virtue of this Act, shall be found excessive, it shall and may be lawful for the Legislature to reduce the said rates, tolls, or dues, so as that the same shall not produce to the said Corporation a greater rate of net profit than twenty pounds annually for every hundred pounds of said Capital Stock; and in order that the true state of the affairs of the said Corporation shall be known, it shall be the duty of the President and Directors thereof to produce and lay before the several Branches of the Legislature of the Province, at the expiration of six years after the said Canal shall have been completed, as aforesaid, a just and true statement of the monies by them disbursed and laid out in making and completing the said Canal in manner aforesaid, and also of the amount of tolls and revenues of said Canal, and of the annual expenditure and disbursement in maintaining and keeping up the same during the said six years, the said several accounts and statements to be signed by the President and Treasurer of the said Corporation, and by such President and Treasurer attested to on oath before any one of Her Majesty's Justices of the Peace for any County of this Province: and provided also, that it shall be the duty of the said President and Treasurer of the said Corporation, once in every year after the expiration of the said six years, to lay before the several Branches of the Legislature a like statement and account, verified on oath by the said President and Treasurer as aforesaid.

Collectors of tolls may prevent passage on the Canal, if tolls be not paid, and detain goods, &c.

XII. And be it enacted, That it shall and may be lawful for the Collector or Collectors of such tolls, or any or either of them, to stop or prevent the passage of any person or persons, or property of any kind, for and in respect of which toll ought to be paid; or it shall and may be lawful to and for the said Collector or Collectors to seize and detain the goods and chattels of such person or persons who may be unable, or who may refuse to pay for the same; and in case the said tolls shall not be satisfied, together with all reasonable costs and charges of making, keeping and detaining such distress, within the space of five days, the said Collector or Collectors shall and may sell the same, rendering the overplus, if any, after deducting such costs and charges of making, detaining and selling such distress, to the owner or owners thereof.

Yearly dividends of profits to be made.

XIII. And be it enacted, That the Directors of the said Company shall make yearly dividends of the tolls, income and profits arising to the said Company, first deducting thereout the annual costs, charges and expenses of the said Company, as well for the repairs of the works belonging to them as for the salaries and allowances made to their several officers and servants, and for such other purposes connected with the said Company, as may be deemed proper by the said Directors.

Joint Stock alone to be responsible for debts.

XIV. And be it enacted, That the Joint Stock or property of the said Company shall alone be responsible for the debts and engagements of the said Company.

Shares to be assignable.

XV. And be it enacted, That the Shares, Capital or Stock of the said Company shall be assignable or transferable according to such rules and regulations as may by the Directors be established in that behalf; but no assignment or transfer shall be valid or effectual unless such assignment or transfer shall be entered in a book to be kept by the Directors for that purpose.

Bridges to be made by the Company when the Canal obstructs the passage of a Road.

XVI. And be it enacted, That the said Company shall so make and construct said Canal, as not to obstruct or impede the use and passage of any public road which may cross the same; and in all places where said Canal may cross or interfere with any such public road, it shall be the duty of such Company to make

or cause to be made, a good and sufficient causeway or bridge over such Canal, sufficient for all the purposes of such road, and the same to maintain and keep in repair; and if said Company shall neglect or refuse to make such causeway or bridge as soon as practicable, or when made keep the same in repair, they shall be liable to pay the penalty of forty shillings for every day the same shall be neglected or refused, after having been notified in writing by the Commissioners of Roads of the Parish wherein such causeway or bridge, or the repairs thereof, is required; to be sued for and recovered by the said Commissioners in an action of debt with costs in any Court of competent jurisdiction, and when recovered, such penalties to be applied for the use of the public road in such Parish; and such Company moreover shall be liable to an action or actions at the suit of any person who may be aggrieved thereby.

XVII. And be it enacted, That the owner or owners of any land through which said Canal passes, shall not be prevented from constructing bridges over said Canal, agreeably to the form and structure of the bridges which may be constructed by said Company.

Bridges may be made over the Canal by proprietors of land passed through.

XVIII. And be it enacted, That if any person or persons shall wilfully and maliciously and to the injury or prejudice of the said Company, open or shut any lock, gate, waste gate or other gate, or by any means injure the same, so as to hinder or prevent the free use thereof, or shall throw down, injure or destroy any bridge by or over the said Canal, or shall break, injure or destroy any lock, bank, waste weir, dam, aqueduct, or any sluice or pier, or shall dig or bore through any bank with intent to injure the said Canal, or any of its works, to be erected or made by virtue of this Act, such person or persons shall be adjudged guilty of felony; and every person or persons so offending and being lawfully convicted thereof, shall be liable to the punishment prescribed for felony in the Act for improving the administration of justice in criminal cases.

Malicious injuries to the works to be deemed felony.

1 W. 4, c. 14.

XIX. And be it enacted, That the said Company shall complete their works for the floating or driving down said River logs, timber and other lumber within four years from the passing of this Act, or all authority by this Act given for that purpose shall cease; and the said Company shall complete their said works for all other purposes within eight years from the passing of this Act, or all authority by this Act given for all the said other purposes shall cease and become utterly null and void.

Works to be completed within specified periods, or authority given to cease.

XX. And be it enacted, That nothing contained in this Act shall prevent, or be construed to prevent the Legislature from making any amendments thereto, any thing in this Act contained to the contrary notwithstanding.

Act may be amended.

### CAP. L.

An Act to amend the Act to incorporate the Central Fire Insurance Company of New Brunswick.

Passed 11th April 1846.

‘**W**HEREAS, in and by an Act made and passed in the sixth year of the ‘Reign of William the Fourth, intituled *An Act to incorporate the Central Fire Insurance Company of New Brunswick*, it is among other things provided, that a statement of the affairs of the said Corporation shall, at the general meeting to be holden on the first Tuesday in March in every year, be laid before the Stockholders for certain purposes therein mentioned: And whereas the time for making the annual returns of the state of the affairs and business of the said Corporation is inconvenient: And whereas it is expedient to authorize the Stockholders of the said Corporation to reduce the number of Directors of the said Corporation;’

Preamble.

6 W. 4, c. 55.

Power to reduce the number of Directors to five.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Stockholders and Members of the said Corporation shall, and they are hereby authorized and empowered at any general meeting of the said Corporation, to reduce the number of Directors of the said Corporation to any number not less than five, and at any future time to increase the number if they deem it advisable, so that the number of Directors of the said Corporation shall never exceed nine, nor be less than five.

Annual general meeting to be held on the second Tuesday in March.

II. And be it enacted, That the annual general meeting of the said Corporation shall be hereafter holden on the second Tuesday in March in each and every year, instead of the first Tuesday in March as is now required by the Act incorporating the said Company ; provided that the returns to be annually made of the state of the affairs and business of the said Company shall be made up to the first Tuesday in March, as is now required by the Act incorporating the said Company.

Limitation.

III. And be it enacted, That this Act shall continue and be in force during the continuance of the Act to which it is an amendment, and no longer.

### CAP LI.

An Act to alter and amend the Act intituled *An Act for the collection of the Revenue of the Province.*

*Passed 14th April 1846.*

9 V. c. 2, s. 9, 47, and 55, repealed.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the ninth, forty seventh and fifty fifth sections of an Act made and passed in the present year of the Reign of Her present Majesty, intituled *An Act for the collection of the Revenue of the Province*, be and the same are hereby repealed.

Power given to search Vessels for dutiable goods.

II. And be it enacted, That it shall be lawful for the Treasurer, or any Deputy Treasurer, or Provincial Tide Surveyor, to go on board of any Ship or Vessel in any port or place in any part of this Province, either before or after such Ship or Vessel comes to anchor, and to search all parts of such Ship or Vessel for dutiable Goods, and freely to stay on board such Ship or Vessel so long as such Ship or Vessel shall remain in such port or place, and to search and examine the cargo of such Ship or Vessel ; and if the Master or person having charge or command of such Ship or Vessel shall refuse to submit to, or prevent or resist, such search or examination, the said Master or person in charge or command of such Ship or Vessel shall on due conviction, forfeit and pay the sum of one hundred pounds.

Paying Duties or warehousing goods made optional in certain cases.

III. And be it enacted, That the importer or consignee of any goods or articles subject to Duty, (except at the ports or districts of Saint John, Saint Andrews, Saint Stephen, Fredericton, and Woodstock, as in the said recited Act mentioned,) under and by virtue of any Act of the General Assembly of this Province, the Duties upon which would amount to twenty five pounds or upwards, may have the option either to secure the Duties on the same in the manner prescribed in and by the said recited Act, or to warehouse such articles, and pay the Duties thereon from time to time as the same may be sold or entered for home consumption, and before delivery thereof ; and that the importer or consignee of any goods or articles subject to Duty in like manner at the ports or districts aforesaid of Saint John, Saint Andrews, Saint Stephen, Fredericton, and Woodstock, the Duties upon which would amount to twenty five pounds or upwards, may warehouse such articles, and pay the Duties thereon from time to time as the same may be sold, or entered for home consumption, and before delivery thereof, as in the said recited Act is provided.

IV.

IV. And be it enacted, That this Act shall continue and be in force so long as Limitation.  
the Act to which this is an amendment.

## CAP. LII.

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

*Passed 14th April 1846.*

**‘**WHEREAS from the failure of the Potato Crop during the past year, it is Preamble.  
‘deemed expedient to place a sum of money at the disposal of the  
‘Justices of the Peace in their respective Counties, to assist new Settlers and  
‘other persons in procuring Seed the ensuing Spring;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council Monies granted to  
assist in procuring  
Seed Potatoes.  
and Assembly, That there be granted to the Justices of the Peace in the following  
Counties, that is to say :

The County of

Carleton, two hundred and twenty five pounds ;  
York, one hundred and fifty pounds ;  
Charlotte, three hundred pounds ;  
Kings, two hundred pounds ;  
Saint John, two hundred pounds ;  
Westmorland, three hundred pounds ;  
Albert, one hundred pounds ;  
Kent, two hundred pounds ;  
Northumberland, three hundred pounds ;  
Gloucester, two hundred pounds ;  
Restigouche, one hundred pounds ;  
Queens, one hundred and fifty pounds ;  
Sunbury, one hundred pounds ;

to be by them applied in affording assistance to poor Settlers and other persons  
in procuring Seed Potatoes the ensuing Spring.

II. And be it enacted, That it shall be lawful for the Justices at any General Distributors to be  
appointed by the  
Justices.  
Sessions, in their respective Counties, or at any Special Sessions of the Peace for  
that purpose to be holden, at which not less than three fifths of the number of  
Magistrates of the County shall be present, to appoint fit persons in their respec-  
tive Counties for the distribution of the said sums of money, for the purpose  
contemplated by this Act.

III. And be it enacted, That all persons obtaining relief under the provision Obligation to repay  
in labour on the  
Roads to be taken :  
of this Act, shall give an obligation to the Treasurer of their respective Counties,  
promising to pay the said sum which may be loaned to them, during the year one  
thousand eight hundred and forty seven, in labour on the Roads, under the direc-  
tion of the Commissioner who may be appointed by the Sessions of the respective  
Counties for that purpose.

IV. And be it enacted, That the said obligations shall be returned to the To be delivered to  
the County  
Treasurers.  
respective County Treasurers, and shall be kept by them until the same shall be  
repaid, or a certificate of labour performed to that extent upon the Roads of their  
respective Counties.

## CAP. LIII.

An Act to authorize the granting of Mill Reserves in certain cases.

*Passed 14th April 1846.*

**‘**WHEREAS in and by the fifth section of an Act made and passed in the Preamble.  
‘eighth year of the Reign of His late Majesty King William the Fourth,  
‘intituled

‘ intituled *An Act for the support of the Civil Government in this Province*, it is  
 ‘ enacted, that all disposals of any of His Majesty’s Lands, Woods, Mines and  
 ‘ Royalties within this Province made during the continuance of the said Act,  
 ‘ shall be utterly null and void and of none effect, unless made at Public Auction  
 ‘ to the highest bidder: And whereas it is deemed advisable to restrain the  
 ‘ operation of the said fifth section in certain cases: And whereas Capital to a  
 ‘ considerable extent has been invested in the erection of Saw Mills on many of  
 ‘ the small Streams, being tributaries of the Main Rivers in this Province, which  
 ‘ are wholly dependent for a supply of Logs from such Streams: And whereas  
 ‘ it is deemed expedient to authorize the setting apart, by the Government, of  
 ‘ Reserves of limited extent for the use of such Saw Mills;’

Governor in Coun-  
 cil may set apart  
 for four years  
 Lands as Mill  
 Reserves.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That notwithstanding any thing in an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the support of the Civil Government in this Province*, it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty’s Executive Council, upon written application made therefor, according to the form hereinafter prescribed, and duly attested to, to the satisfaction of the Governor and Council, without Sale by Public Auction, to set apart Crown Lands as Mill Reserves, for a period not exceeding four years,—and at a reserved annual rent, not less than ten shillings for every square mile, during the term of the Reserve, which rent is hereby required to be annually paid in advance,—for the use of Saw Mills situate on small tributary streams, from the banks of which, above the Mills, such Mills shall depend solely for a supply of Saw Logs, in the following proportions, videlicet: For a Mill having one gate, not exceeding five thousand acres; for a Mill having two or more gates, driving separate saws, not exceeding nine thousand acres: provided always, that no Reserve shall be made for any Mills, other than the Mills situate on the stream on which such Reserve is sought, and which may have been erected and in operation before the passing of this Act, and in no case below the Mill for which the Reserve shall be made, and in no case for any Mill situate in such a position as to be enabled to obtain a supply of Saw Logs from any other source than from the banks of the stream or tributary above the Mill on which such Mill shall be situate: provided always nevertheless, that nothing in this Act contained shall extend or be construed to extend to prevent the Government from selling or disposing of any part or portions of such Reserves for actual settlement, in like manner as if such Reserve had not been made, any thing in this Act contained to the contrary notwithstanding..

Annual rent.

Extent of Land.

Proviso for settle-  
 ment.

Reserve to cease if  
 rent be in arrear.

II. And be it enacted, That if the annual rent hereinbefore required to be paid upon the Reserves to be granted under the provisions of this Act, shall be behind or unpaid for a period of thirty days after the same shall become due and payable, such Reserve shall become null and void, and of none effect, in like manner as if such Reserve had not been made.

Lumber taken, ex-  
 cept to be cut at  
 the particular Mill,  
 made liable to for-  
 feiture.

III. And be it enacted, That all Logs, Timber or other Lumber which may be cut and carried away from such Reserve, except for the purpose of being manufactured in the Mill or Mills for which such Reserve shall have been made, shall be liable to be seized by the Crown, and upon lawful conviction shall be forfeited and sold to Her Majesty’s use, and the proceeds of such sale paid over to the Receiver General of the Casual Revenue: provided always, that if the said Mill or Mills should at any time cease to operate for the term of one year, such

Proviso for Mills  
 ceasing to operate.



such Reserve shall be determined and put an end to, and the ground therein included shall be open to general application for lumbering purposes, unless cause to the contrary be shewn to the satisfaction of the Executive Government of the Province.

IV. And be it enacted, That this Act shall not come into operation until the first day of September next, and shall continue in operation for four years from the said first day of September.

Commencement  
of Act.

FORM OF APPLICATION REFERRED TO IN THE FIRST SECTION.

Form of Applica-  
tion.

To His Excellency, &c. &c. &c.

The Petition of A. B.

Humbly sheweth,

That your Petitioner is the owner (or lessor) of a Saw Mill, situate on (*describe the Stream by its name*) being a tributary running into the River —, in the Parish of —, in the County of —, and having — gates, driving — separate Saws; that your Petitioner is entirely dependent upon the Lands on the said Stream, above the said Mill, for a supply of Logs for said Mill, and cannot obtain a supply from any other source; that the tract of Land which your Petitioner is desirous of obtaining as a Reserve for said Mill is situate as follows: (*here describe.*)

For the truth of the foregoing statement, your Petitioner respectfully refers to the affidavit hereto annexed. *Which affidavit must be made by disinterested parties, and must state the size of the Mill, number of gates, and the quantity each gate is capable of cutting.*

And your Petitioner as in duty bound will ever pray.

CAP. LIV.

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

Passed 14th April 1846.

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

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

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

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

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

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

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

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

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

To the Door Keepers attending the Legislative Council and Assembly the sum of ten shillings each per diem during the present Session. Doorkeepers.

To

- Messengers.** To the Messengers attending the Legislative Council and Assembly the sum of seven shillings and six pence each per diem during the present Session.
- Province Treasurer and Clerk.** To the Province Treasurer the sum of six hundred pounds for his services for the year one thousand eight hundred and forty six; and to Henry Whiteside, Chief Clerk in that Office, the sum of two hundred pounds for his services for the same period.
- Messenger to the Treasury.** To the Province Treasurer the sum of ninety one pounds five shillings, being for the services of a Tide Waiter or Messenger to the Treasury for the year one thousand eight hundred and forty six.
- Parish Schools.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twelve thousand pounds towards the encouragement of Parish Schools, agreeably to a Law of this Province.
- Apprehension of Deserters.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one hundred pounds, to be applied in rewarding persons for apprehending Deserters from Her Majesty's Land Forces within this Province: provided always, that no greater sum than five pounds be paid for the apprehension of any one Deserter.
- J. Abrams, Tide-waiter.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ninety one pounds five shillings to enable the Province Treasurer to pay John Abrams for his services as Tide Waiter at Saint John for the year one thousand eight hundred and forty six.
- Librarian Legislative Library.** To the Librarian of the Legislative Library the sum of sixty pounds for his services to the end of the present Session.
- Tidewaiter at Miramichi.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of sixty pounds for the services of a Tide Waiter at Miramichi for the year one thousand eight hundred and forty six.
- Destruction of Bears and Wolves.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds to encourage the destruction of Bears and Wolves, agreeably to a Law of this Province.
- Light Houses:**
- Gannet Rock,** To the Keeper of the Light House on Gannet Rock, and his Assistants, the sum of two hundred pounds;
- Thrum Cap,** To the Keeper of the Light House on Thrum Cap, Quaco, the sum of one hundred pounds;
- Point LeProe,** To the Keeper of the Light House on Point Le Proe the sum of seventy five pounds;
- Partridge Island,** To the Keeper of the Light House on Partridge Island the sum of seventy five pounds;
- Campo Bello,** To the Keeper of the Light House on Campo Bello the sum of ninety pounds;
- Beacon Light,** To the Keeper of the Beacon Light the sum of seventy five pounds;
- Machias Seal Island** To the Keeper of the Light Houses on Machias Seal Island the sum of one hundred pounds;
- Saint Andrews Harbour,** To the Keeper of the Light House in the Harbour of Saint Andrews the sum of forty pounds;
- Cape Enrage,** To the Keeper of the Light House on Cape Enrage the sum of seventy five pounds.
- Point Escuminac.** To the Commissioners of the Light Houses in the Gulph of Saint Lawrence, the sum of seventy five pounds to provide for the services of a Keeper for the year one thousand eight hundred and forty six at the Light House on Point Escuminac.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty two pounds ten shillings for a Tide Surveyor at Shippegan and Caraquet, in the County of Gloucester, for the year one thousand eight hundred and forty six.

Tide Surveyor,  
Shippegan and  
Caraquet.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty two pounds ten shillings for a Tide Surveyor at Bathurst, in the County of Gloucester, for the year one thousand eight hundred and forty six.

Tide Surveyor,  
Bathurst.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to provide for a Tidewaiter at Dalhousie, in the County of Restigouche, for the year one thousand eight hundred and forty six.

Tidewaiter,  
Dalhousie.

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

Money to be paid  
by Warrant.

### CAP. LV.

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

*Passed 14th April 1846.*

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

The sum of fifteen pounds granted last Session for the Road from Alexander Campbell's to the Road leading to Hitching's Mill in Saint James, be re-appropriated, and expended on the Road from Peake's to the Baillie Settlement, in Saint James.

Peake's to the  
Baillie Settlement  
in Saint James.  
*Re-appropriation.*

The sum of two thousand pounds for the improvement of the Great Road from Saint John to the Nova Scotia Line : six hundred pounds of which to be laid out on the Great Marsh in the vicinity of Saint John ; one hundred pounds on the old Westmorland or Post Road, so called ; three pounds four shillings to be paid T. Ferguson for work done under former Supervisor ; four hundred and ninety six pounds sixteen shillings on the Road leading from the Great Marsh in Saint John to Hayward's Mills ; and the remainder, eight hundred pounds, on the Roads and Bridges from Hayward's Mills to the Nova Scotia Line ; not to exceed fifty pounds of the latter sum for the old Road on the Tantamar Marsh.

Great Road,  
Saint John to the  
Nova Scotia Line.

The sum of seven hundred pounds for the Great Road from Saint John to Saint Andrews ; out of which a sufficient sum to be taken for a new Bridge over the Bocabec, and for in part keeping the Approaches to the Steam Boat Landing in repair.

Saint John to  
Saint Andrews.

The sum of one thousand pounds for the Great Road leading from Fredericton to Saint John, *via* Nerepis : three hundred pounds of which to be laid out between Saint John and Corry's, late Mather's, and for in part keeping the Approaches to the Steam Boat Landing in repair ; four hundred and fifty pounds from the Oromocto to Corry's ; and the remainder, two hundred and fifty pounds, to be laid out between Fredericton and the Oromocto.

Fredericton to  
Saint John, *via*  
Nerepis.

The sum of sixty five pounds for the Great Road leading from Nerepis to Gagetown ; fifteen pounds of which to be expended on Cranberry Bog.

Nerepis to Gage-  
town.

- Dorchester to Shediac. The sum of eighty pounds for the Great Road from Dorchester to Shediac.
- Shediac to the Bend of Petitcodiac. The sum of fifty pounds for the Great Road from Shediac to the Bend of Petitcodiac.
- Richibucto to Chatham. The sum of four hundred pounds for the Great Road from Richibucto to Chatham.
- Newcastle to Bathurst. The sum of three hundred and thirty pounds for the Great Road leading from Newcastle to Bathurst.
- Bathurst to Campbellton. The sum of eight hundred and thirty pounds for the Road from Bathurst to Campbellton; one hundred pounds of which to be laid out between Dalhousie and the latter place.
- Fredericton to Woodstock. The sum of one thousand and fifty pounds for the Great Road from Fredericton to Woodstock; out of which to be applied such sum as may be necessary for the Nackawick Bridge on the East side of the River.
- Woodstock to Arestook. The sum of five hundred pounds for the Great Road from Woodstock to the Arestook.
- Arestook to Grand Falls. The sum of six hundred pounds for the Great Road from the Arestook to the Grand Falls.
- Fredericton to the Finger Board. The sum of four hundred pounds for the Great Road from Fredericton to the Finger Board.
- Bellisle to Saint John. The sum of one hundred and fifty pounds for the Great Road from the Bellisle to Saint John; a sum not exceeding one hundred pounds of the same to be appropriated towards a Bridge at Yandle's.
- Fredericton to Newcastle. The sum of one thousand pounds for the Great Road from Fredericton to Newcastle: seven hundred and fifty pounds of which to be laid out between Fredericton and Renous River, including the erection of a Bridge at Bartholomew's Mills, and the repairs of Renous River Bridge; two hundred and twenty five pounds for that part of the Road from Renous River Bridge to Newcastle; and twenty five pounds to be paid to John Wilson for a Team Ferry Boat across the North and South West Branches of the Miramichi River in the year one thousand eight hundred and forty five, upon its being certified by A. M'Laggan and T. W. Underhill, Esquires, that this duty has been faithfully performed.
- Fredericton to Saint Andrews. The sum of six hundred pounds for the Great Road from Fredericton to Saint Andrews, to be equally laid out on each side of the River Magaguadavic, onwards.
- Salisbury to Harvey. The sum of four hundred and fifty pounds for the Great Road from Salisbury to Harvey; forty pounds of which to be paid by the Supervisor to James and Obadiah Calkin, when it shall be made appear to and certified by the Court of General Sessions of the Peace of the County of Albert, that they have erected a good and substantial Aboideau over Cape Demoiselle Creek, in Hopewell, by which the Tide shall be excluded from said Road.
- Shediac to Richibucto. The sum of seven hundred pounds for the Great Road from Shediac to Richibucto.
- Waweig to Saint Stephen. The sum of one hundred and fifty pounds for the Great Road from Waweig to Saint Stephen.
- Woodstock to Houlton. The sum of fifteen pounds for the Great Road from Woodstock to Houlton.
- Oromocto to Gagetown. The sum of one hundred and eighty pounds for the Road from Oromocto to Gagetown.
- Oak Bay to Eel River. The sum of five hundred pounds for the Road from Oak Bay to Eel River; one half of the Grant to be laid out North of the Little Digdeguash, and one half between the said Stream and the Baillie Settlement, care being taken to Bridge the Swamps and Brooks so as to make the same passable at all seasons.
- Fredericton to Bend of Petitcodiac. The sum of five hundred pounds for the Road from Fredericton to the Bend of Petitcodiac:

Petitcodiac : two hundred pounds of which to be laid out between New Canaan and Petitcodiac; two hundred pounds between Salmon River and Little River; and one hundred pounds between the Little River and Fredericton.

The sum of six hundred pounds for the Great Road from Grand Falls to the Canada Line.

Grand Falls to Canada Line.

The sum of four hundred pounds for the Road from Bathurst to Miramichi, *via* Pokemouche, to be laid out equally in the Counties of Northumberland and Gloucester.

Bathurst to Miramichi, *via* Pokemouche.

The sum of two hundred and fifty pounds for the Great Road from the Forks of the Marsh, Saint John, to Quaco; two pounds nine shillings and six pence to be paid William Ellard for work done on the said Road under a former Commissioner.

Forks of Marsh, Saint John, to Quaco.

250

The sum of one hundred pounds for the Road leading from Hampton to Bellisle.

Hampton to Bellisle.

The sum of one hundred pounds for a Road to and through a new Settlement in the Counties of Albert and Kings' County: sixty pounds of which to be laid out from Jones' Corner, South, by the Road opened by Potts and others to the Shepody Road, thence to continue south east until it intersects the Road leading from the Shepody Road to the Upper Salmon River, on the Bay Shore; and the remaining forty pounds to be laid out from Moore's Mill, past Jones' Corner, to Pollett River.

Road to and through a new Settlement in the Counties of Albert and Kings.

The sum of one hundred pounds for the Road from Hammond River to Hopewell; one half of which sum to be expended in Kings' County.

Hammond River to Hopewell.

The sum of sixty pounds for a new Bridge over Crooked Creek, in the County of Albert.

New Bridge over Crooked Creek.

The sum of one hundred and fifty pounds for the Road leading from Loch Lomond to Sussex Vale; one half of the same to be expended between Sussex Vale and the Hammond River, and the remaining half from Loch Lomond towards Hammond River.

Loch Lomond to Sussex Vale.

150

The sum of seventy five pounds for a Bridge near Smith's, Hammond River, in aid of individual subscription.

Bridge near Smith's, Hammond River.

The sum of two hundred pounds for the Road from Campbelton to Upsalquitch, to be expended in improving the Line round Pollock's Hill, on the Road leading to the Upsalquitch.

Campbelton to Upsalquitch.

The sum of one hundred and fifty pounds for the new Line of Road from the River to Gillan's, through the Victoria Settlement.

River to Gillan's, through Victoria Settlement.

The sum of eighty pounds for the Road from Little River Mills to a new Settlement above the Mills, County of Sunbury.

Little River Mills to a New Settlement.

The sum of fifty pounds for the Road from the Nerepis Road to and through the Douglas Valley Road, so called.

Nerepis Road to and through Douglas Valley Road.

The sum of one hundred and sixty pounds for the Road from Brockway's to Saint Stephen: sixty pounds of the same to be expended between Watson's line and Moore's Mills; sixty pounds between Moore's Mills and Smith's Mill; and forty pounds from Smith's Mill to the Digdeguash River.

Brockway's to Saint Stephen.

The sum of fifty pounds for the Road from Chamcook to the Pleasant Ridge: forty pounds of which to be expended between the Saint John Road and James Linton's; and ten pounds to be paid Robert Macfarlane and his associates, in full, for building approaches to the Glenelg Bridge on the said line of Road.

Chamcook to the Pleasant Ridge.

The sum of fifty pounds for the Road from Waweig to Roix: forty pounds of the same to be expended between the Digdeguash and Roix; and ten pounds from Roix, by M'Iroy's, to the Parish Line.

Waweig to Roix.

The sum of seventy pounds for the Trout Creek Bridge on the Great Road leading to the Finger Board.

Trout Creek Bridge

The

Cole's Island to  
New Canaan.

The sum of fifty pounds for the Road leading from Cole's Island to New Canaan, in Queens' County.

Richibucto to Bend  
of Petitcodiac,  
via Irishtown.

The sum of one hundred pounds for the Road from Richibucto to the Bend of Petitcodiac, *via* Irishtown.

Roads to a French  
Settlement, Saint  
Nicholas River.

The sum of sixty pounds for the Roads leading to a French Settlement, Saint Nicholas River: forty pounds of which for the Bridge at Welch's Creek and the Road from the South Branch Saint Nicholas River to the Louisbourg Settlement; and the remainder, twenty pounds, to be laid out on the Road leading to the same Settlement, West Branch.

Bay Verte to Gas-  
pereaux River.

The sum of one hundred and twenty five pounds for the Road leading from Bay Verte to Gaspereaux River, including a Bridge over the latter place.

Bend of Petitcodiac  
to the Mountain  
Settlement.

The sum of sixty pounds for the Road leading from the Bend of Petitcodiac to the Mountain Settlement.

Bridge over the  
Great Presqu'isle.

The sum of two hundred and fifty pounds for a Bridge over the Great Presqu'isle.

Pokemouche to  
Shippegan, by the  
Plains.

The sum of one hundred pounds for the Road between Pokemouche and Shippegan, by the Plains.

Bathurst towards  
Chaplin's Island  
Road.

The sum of eighty pounds for the Road from Bathurst towards the Chaplin's Island Road, by the Big Nipisiquit.

Blakslee's Farm to  
Loch Lomond.

The sum of one hundred and fifty pounds for the Road recently laid out and recorded from Blakslee's Farm to Loch Lomond.

Road to and  
through Theobald  
Settlement.

The sum of fifty pounds for the Road leading to and through the Theobald Settlement.

Quaco to Albert.

The sum of one hundred pounds for the new Road leading from Quaco to Albert County.

Bridge over Crook-  
ed Creek, Parish  
of Harvey.

The sum of thirty five pounds to assist in building a Bridge over Crooked Creek, in the Parish of Harvey, County of Albert, being amount granted last Session, but not expended.

Bridge over South  
West Branch of the  
Miramichi River.

The sum of nine hundred pounds towards the erection of a Bridge across the South West Branch of the Miramichi River, on the Great Road from Fredericton to Newcastle; four hundred pounds of which to be paid this year, and the remainder the year following.

Eastern Nerepis  
Road, from Goose  
Creek downwards.  
*Re-appropriation.*

The sum of ten pounds granted among the Bye Road Appropriations of one thousand eight hundred and forty two "for the Road from Robert Craig's to Salmon Brook," in Kings' County, (and which sum was not drawn from the Treasury,) be re-appropriated, and applied for the improvement of the Eastern Nerepis Road, from Goose Creek downwards, in said County.

Road South side of  
Barnaby's River to  
the Semiwagan  
Ridge.  
*Re-appropriation.*

The sum of ten pounds towards improving the Road on the South side of Barnaby's River to the Semiwagan Ridge, being a re-appropriation of the same sum granted in one thousand eight hundred and forty five, and not drawn from the Treasury, towards erecting a Bridge across Barnaby's River to connect the Road leading from the Semiwagan Ridge on that River with the main Road on the East side of Barnaby's River.

Bridge across the  
Nashwaak.

The sum of two hundred and fifty pounds to be appropriated as follows: Two hundred pounds in aid of individual subscription towards erecting a Bridge across the Nashwaak River; a sum not exceeding five pounds thereof to be allowed for exploring a site for the same: Twenty pounds for improving the Road on the West side of the Nashwaak River, from Mr. Peters' down to the Mills: Thirty pounds towards re-building the Bridge at Graves', in Saint Mary's.

Balance due on  
Arestook Bridge.

The sum of four hundred and seven pounds six shillings and eight pence to reimburse the Commissioners for building a Bridge over the Arestook the balance due on the Contract.

The

The sum of seven pounds ten shillings, granted in one thousand eight hundred and forty two, for a Bye Road in the County of York, (and not expended,) to improve the Road from the Baptist Meeting House to the old Road past the Burying Ground, near Lawrence's, in Kingsclear.

Baptist Meeting House to old Road near Lawrence's in Kingsclear.  
*Re-appropriation.*

The sum of twenty five pounds to repair damage done to the Bridge across the Hammond River, near Barnes', by the late freshet.

Bridge over Hammond River, near Barnes'.

The sum of four hundred pounds to be re-appropriated in improving the Roads and erecting the Bridges on the Settlement made on the Lands of the New Brunswick and Nova Scotia Land Company, in aid of appropriation made by the Company for that object.

Roads and Bridges, New Brunswick and Nova Scotia Land Company's Property.  
*Re-appropriation.*

The sum of one hundred and fifty seven pounds sixteen shillings and eight pence to reimburse the Supervisors of the Great Road to the Canada Line for over-expenditure the past year.

Over-expenditures on the Great Road to the Canada Line.

The sum of seventy three pounds seven shillings and six pence to reimburse the Commissioners the expenses of exploring and laying out a new line of Road from Quaco, in the County of Saint John, to the Upper Salmon River, in the County of Albert.

Exploration, Quaco to the Upper Salmon River.

A sum not exceeding two thousand pounds to be applied in rebuilding and repairing Bridges carried away or injured at the late Ice Freshet.

Rebuilding and repairing Bridges.

The sum of one hundred and fifty six pounds for the Road from Fredericton to Petitcodiac: one hundred pounds of which to be expended between Fredericton and Little River; the balance of fifty six pounds between Little River and Newcastle; being a re-appropriation of this sum before granted for the same Road, and not drawn from the Treasury.

Fredericton to Petitcodiac.  
*Re-appropriation.*

The sum of sixty pounds for the Road from Ralph Seely's to the Widow Kirkpatrick's, and for building a Bridge over Back Creek, being a re-appropriation of a Grant made for the same purpose in one thousand eight hundred and forty two, and not drawn from the Treasury.

Ralph Seely's to the Widow Kirkpatrick's, and Bridge over Back Creek.  
*Re-appropriation.*

The sum of ten pounds granted in one thousand eight hundred and forty one to assist in opening the Road from the late Jack Patterson's Cottage towards the College, be re-appropriated and applied towards erecting a Bridge across Earle's Creek.

Bridge over Earle's Creek.  
*Re-appropriation.*

The sum of twenty one pounds appropriated last year to repair Keswick Bridge, to be re-appropriated to repair or rebuild any of the Bridges in the Parishes of Douglas or Queensbury, in the County of York, which have been injured or destroyed by the late Ice Freshet.

Bridges in Parishes of Douglas and Queensbury.  
*Re-appropriation.*

To Francis Ellegood the sum of twenty two pounds ten shillings for damages sustained in consequence of an alteration in the Great Road from Fredericton to Woodstock; the same to be taken out of the appropriation for the said Road.

Francis Ellegood.

To James Willox and Timothy Killeen the sum of fifty pounds for work done on the Great Road between Fredericton and Woodstock during the past year; the same to be taken out of the Grant for that Road during the present Session.

James Willox and Timothy Killeen.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the following sums for the improvement of Bye Roads:

BYE ROADS.

#### CARLETON BYE ROADS.

Twenty pounds to improve the road from near Robert Clarke's, through the O'Donnell Settlement, to George Ivey's.

Bye Roads in Carleton.

Ten pounds to improve the road through the Spear Settlement to Oak Mountain.

Ten pounds to improve the road from Patrick M'Intyre's, to intersect the road leading from the Scotch Corner to William M'Kenzie's.

Twenty

Carleton  
Bye Roads,  
Continued.

Twenty pounds to extend the road from William Bull's, past Sidney Gates', to the Hodgden Road.

Ten pounds to improve the road from Albert Smith's to the road leading from William Bull's to Sidney Gates'.

Fifty pounds to open and improve a road on the division line between Robert Griffith's and G. A. Bedell's lands, or on the road leading through the Glebe Lot, the most approved and convenient site to be determined by the Supervisor of the Great Road from Fredericton to Woodstock.

Fifteen pounds to improve the road leading from the main Post Road, past Thomas Edwards', to Eel River Falls.

Twenty pounds to improve the road leading from Denis O'Brien's to William M'Kenzie's Corner.

Twenty pounds to open and improve the road from Isaac Gidney's to Eel River, and to extend to the farther end of the Gesner Settlement.

Twenty two pounds to open a road leading to the Monument Settlement, on Eel River.

Ten pounds to open a road from M'Nurling's land, on Eel River, to lands occupied by Woolford Chapman and Hardys.

Twenty pounds to improve the road from William M'Kenzie's, South, across the Big Swamp.

Ten pounds to assist in building a Bridge near Hugh Morrison's.

Twenty five pounds to improve the road from Samuel Hillman's, through the Watson and M'Bride Settlement, to the Maduxnikik.

Ten pounds to improve the road from John M'Lennan's to Jackson's Falls.

Fifteen pounds to improve the road from the Scotch Corner, passing Andrew Curry's, to Patrick Smith's.

Twenty pounds to improve the road leading from Isaac Yerxa's to Marshall's.

Twenty pounds to improve the road from George Debeck's to N. Green's Grist Mill.

Ten pounds to improve the road from James Watts' to Thomas Dalling's.

Five pounds to improve the road from the main Highway to Robert Kent's.

Twenty pounds to open and improve a road leading from William Tomkins' to the Kilmarnoch Settlement.

Twenty pounds to improve the road and Bridges from the lower County Line, on the East side of the River, to Daniel Shaw's.

Fifteen pounds to improve the road near John Shea's to the Newburgh Settlement.

Twenty five pounds to improve the road from H. Dickerson's, past M'Elroy's land, to the farther end of the Newburgh Settlement.

Fifteen pounds to improve the road from Daniel Shaw's upper line to the Becaguimec Bridge.

Twenty six pounds to pay the Commissioners balance due them for the erection of the Bridge over the Becaguimec Stream.

Twenty pounds to improve the road from the Cold Stream to the end of the Settlement.

Ten pounds to improve the road from the Deep Gully, on the North side of the Becaguimec Stream, to Robert Stephenson's.

Five pounds to improve the road from James Clark's, in the Victoria Settlement, to the farther end of the same.

Twenty pounds to improve the road from Joseph Swim's to John Stockford's.

Ten pounds to improve the road to a back Settlement, to lands occupied by Lloyd.

Ten



Ten pounds to improve the road from near Lovely's to Richard Bell's.

Twenty pounds to improve the road leading from near the mouth of the Monquat Stream to the farther end of the back Settlement.

Carleton  
Bye Roads,  
Continued.

Twenty pounds to improve the main Highway from the Becaguimec to the Monquat.

Twenty pounds to improve the road from the Monquat to the Tobique.

One hundred pounds to improve the road from the mouth of the Tobique, up said River, to the farther end of the Settlement.

Twenty pounds to improve the road from Elisha Baker's to the Curren Farm.

Twenty pounds to improve the road from the Curren Farm to Elijah Briggs'.

Ten pounds to improve the road from the Cold Brook, near Henry Sharp's, to intersect the Maduxnikik Road, near Shannon's.

Twenty pounds to improve the road from Henry Sharp's to Bell's; out of this sum a Bridge to be built over John Grant's Gully.

Twenty pounds to improve the road leading from Alexander Lindsay's to lands belonging to the Estate of Mr. Bisby and Sweet.

Forty pounds to improve the road from Alexander Lindsay's to the farther end of the New Ireland Settlement.

Ten pounds to improve the road leading past Charles Caldwell's to Moses Hannah's, until it strikes the Williamstown Road.

Sixty pounds to improve and extend the road leading from Matthew Corbett's to the farther end of the Good Settlement.

Twenty five pounds to improve the road to a Settlement on Green River, in Madawaska.

Fifty pounds to open and improve the road laid out by Hayward and Brown, from Matthew Corbett's to the contemplated site for a Bridge on the Great Presqu'isle.

Ten pounds to improve the road from James Phillips' to William Mallory's.

Twenty pounds to open a road from Joseph Burpe's Mill to the M'Cafferty Settlement.

Twenty pounds to improve the road leading from near James Jones' to the farther end of the M'Cafferty Settlement.

Ten pounds to improve the road from Denis Gitchell's to the farther end of the Settlement.

Twenty five pounds to improve the road from Thomas Gee's, in a southerly direction, to intersect the road leading from Robert Kerr's.

Thirty pounds to improve the road from James M'Cain's, past Andrew Kinney's, through the Greenfield Settlement.

Twenty pounds to improve the road from Pickard's Store to the Boundary Line.

Fifteen pounds to improve the road from Daniel Hopkins', past the Arestook Falls, to the Boundary Line.

Thirty pounds to improve the road from near Boyer's Mills to the Boundary Line; fifteen pounds of which to be laid out through the Cronk Settlement.

Twenty pounds to improve the road from Rufus Payson's to Alexander Lindsay's.

Forty nine pounds ten shillings to improve the new Portage Road, past the Grand Falls.

Ten pounds to improve a Swamp from Philip Cassidy's to Daly's School House.

#### ALBERT BYE ROADS.

Thirty three pounds fifteen shillings for the road from the Great Road up Coverdale River.

Twenty pounds for the road from Gideon Bray's to Coverdale River.

Twenty

Bye Roads in  
Albert County.

Albert Bye Roads,  
*Continued.*

Twenty pounds for the road from Kings' County Line to Hayward's Mills in the Goshen Settlement.

Forty pounds for the road from Chapman's to Mitten's, up Turtle Creek.

Fifty pounds for the road from M'Latchy's Bridge to Stone's, by the front road.

Thirty pounds for the road from Henry Steve's to Irving's.

Ten pounds for the road from Abraham Steve's to the Great Road.

Ten pounds for the road from Abraham Steve's to Round Hill, thence to Duffus'.

Twenty five pounds for the road from Hayward's to Hillsborough.

Twenty five pounds for the road from Hayward's to the Great Road in Hope-well.

Fifteen pounds for the road from James Rogers' through the Healy Settlement.

Thirty pounds for the road and Bridges to the Memel Settlement.

Ten pounds for the road from Lawrence O'Regan's to E. Wilbour's.

Fifty five pounds for the road and hill through the Caledonia Settlement to Mitten's.

Fifteen pounds for the road from Reuben Stiles' to Gideon Hunt's.

Fifty pounds for the road from Crooked Creek to Gallagher's.

Fifteen pounds for the road up Beaver Brook to Edgett's.

Fifteen pounds for the road over German Town Marsh.

Twenty pounds for the Road from William Tingley's to Wilband's.

Fifteen pounds for the road from Thomas Edgett's to Fullarton's.

Ten pounds for the Road from George Derry's to Robinson's.

Twenty five pounds for the road from Gilbert Forsyth's to Gallagher's.

Ten pounds for the road from Fillemore's to Daniel Copp's.

Twenty five pounds for the road from New Ireland to Salmon River.

Fifty five pounds for the road from Dennis Gallagher's to Point Wolfe.

Thirty five pounds for the road up Pine Brook to Bennett's Lake, thence to the Mechanic Settlement.

Thirty pounds to James Wallace, Esquire, Commissioner, to enable him to pay Asa Fillemore balance due him for building a Bridge over Upper Salmon River in one thousand eight hundred and forty four.

#### WESTMORLAND BYE ROADS.

Twenty five pounds for the road from Gaspereau Bridge to Cape Tormentine, through the Emigrant Settlement.

Twenty pounds for the road from Dobson's to H. Ward's.

Twenty pounds for the road from E. Raworth's to Cape Spear.

Ten pounds for the road from Cape Spear to R. Dobson's.

Twenty pounds for the road from Gaspereau to Great Shemogue.

Ten pounds for the road from the Great Shemogue Road to the Little Shemogue.

Ten pounds for the road from Philip Chapman's to Thomas Oulton's.

Ten pounds for the road from Thomas Oulton's to Emigrant Road.

Fifteen pounds for the road from Joseph Murray's to Thomas Oulton's.

Seven pounds ten shillings for the road from Adam Scott's to William Fillemore's.

Twenty pounds for the road from Great Shemogue to Little Shemogue.

Ten pounds for the road from the late John Anderson's, on the Little Shemogue, to Cadman's.

Twenty pounds for the road from the Great Shemogue Road to Little Cape.

Ten pounds for the road from Great Shemogue to Tedish.

Bye Roads in  
Westmorland.

- Ten pounds for the road from the Great Shemogue Road to John Wells'.
- Ten pounds for the road from Alexander Anderson's to D. Fillmore's.
- Fifteen pounds for the road from John Wells' to Alexander Anderson's.
- Seven pounds ten shillings for the road from the road near Gaspereau Bridge to Otter Creek.
- Seven pounds ten shillings for the road from E. Chapel's to and past Goodin's.
- Ten pounds for the road from the Shemogue Road to Fort Monkton.
- Ten pounds for the road from Bay Verte to Tignish.
- Ten pounds for the road from the Jolicoeur Lakes to the road from Point Migic to Wells'.
- Fifteen pounds for the Bridge over Long Lake, in Jolicoeur.
- Twenty pounds for the road from Amos Fowler's to Point de Bute.
- Fifteen pounds for the road from the Great Road in Dorchester to Fairfield.
- Ten pounds for the road from the Dorchester Road to Cole's Point.
- Twenty pounds for the road from Cook's to the Joggins.
- Ten pounds for the road from Cook's to second Westcock Hill.
- Seven pounds ten shillings for the road from Grand Aunce to Hard Ledge.
- Ten pounds for the road from second Westcock Hill to Grand Aunce.
- Fifteen pounds for the road from the Great Road to second Westcock Hill.
- Twenty pounds for the road from Wood Point to Cape Maringuin.
- Ten pounds for the road from James Ayer's to Beech Hill.
- Ten pounds for the road from Thomas Ayer's to John Lauder's.
- Twenty five pounds for the road from Thomas Ayer's to the Bon Homme Gould Settlement.
- Twenty pounds for the road from Benjamin Tingley's to the Saint Andrew's Settlement.
- Twenty five pounds for the road from Touse's to Benjamin Tingle's, *via* North Lake Settlement.
- Ten pounds for the road from William O'Brien's to D. Sears', across the Bog at the North Lakes.
- Ten pounds for the road from William Kinnear's to Beech Hill.
- Ten pounds for the road from Log Lake to Touse's.
- Twenty five pounds for the road from Driscoll's to Boyce's, Aboushagan Road.
- Twenty five pounds for the road from the Great Road on Sackville Great Marsh to D. Fillmore's, *via* Point Migic; four pounds ten shillings of which to be paid to John Anderson for expenditure.
- Fifteen pounds for the road from the Great Road in Dorchester to the Sackville line, *via* Cook Smith's.
- Seven pounds ten shillings for the road from the Great Road in Dorchester to Landrie's, *via* the Lake.
- Ten pounds for the road from the Great Road in Dorchester, at Charter's, to the Bon Homme Gould Settlement.
- Ten pounds for the road from Budro Village to Indian Town.
- Five pounds for the road from Indian Town to Taddy Bellevous'.
- Fifteen pounds for the road from Bellevous' Village to Dover.
- Ten pounds for the road from Delesdenier Village to Ayer's Mills.
- Fifteen pounds for the road from Dover to the Great Road, *via* Ralph Carter's.
- Fifteen pounds for the road from the Chapel in Dorchester round the Cornea Marsh.
- Seven pounds ten shillings for the road from the Chapel Road to Lorang Legere's.

Westmorland  
Bye Roads,  
*Continued.*

Westmorland  
Bye Roads,  
Continued.

Five pounds for the road from P. M'Ginley's to the Shediac Road.

Five pounds for the Chapel Road to Tusang Goodie's Mills.

Twenty pounds for the Bridge over Scoudac River, in Shediac.

Fifteen pounds for the road from Legere's to Barrichoi.

Ten pounds for the road from Morang Tario's to Joseph Galong's, on the Kouchibouguac.

Five pounds for the road from Thomas Gallang's, in Barrachoi, to the Cormea Settlement.

Ten pounds for the road from the road in Shediac to the French Settlement.

Twenty five pounds for the road from the Shediac Road to and through the Manudie Settlement.

Five pounds for the road from Budrot's, in Barrichoi, to the Ohio Settlement.

Ten pounds for the road from C. Kinnear's to Cormea's Meadows.

Ten pounds for the road from the Chapel, in Barrichoi, to C. Kinnear's.

Twenty pounds for the road from Barter's Cove, North side of the Shediac River, to John M'Dougal's.

Thirty pounds for the road from John M'Dougal's to the Irish Town Road.

Ten pounds for the road from Peter Babinot's, North side Shediac River, to Newman's Mills.

Ten pounds for the road from the Shediac Road to Harris's Mills.

Ten pounds for the road from Hall's Creek to and by Michael M'Farlane's.

Twenty pounds for the road from Lutz Mountain to the Steves Mountain.

Ten pounds for the Road from the Great Road to Steves Mountain Settlement.

Ten pounds for the road from the M'Lauchlan Road to Indian Mountain.

Twenty pounds for the road from James M'Fee's to Daniel Wheaten's, up the South side of the North River.

Ten pounds for the road from the Butternut Ridge Road to Cornhill.

Ten pounds for the road from King's, on the Butternut Ridge, along the line dividing the Arnold Grants.

Seven pounds ten shillings for the road from the Butternut Ridge Road to Jonathan Hicks'.

Ten pounds for the road from Alexander Kinnear's to Joseph Chapman's.

Twenty pounds for the road from the Great Road to Butternut Ridge.

Twenty pounds for the road from James Bleakney's to Cornhill, *via* North River.

Ten pounds for the road from the Great Road near James Bleakney's to the Line of Albert County, leading to Robert Stiles'.

Thirty pounds to Jonathan T. Colpit's, in part for a balance due him for building a Bridge over Pollet River.

Fifteen pounds for the road and approaches to the Bridge at Haslet's, over the Petitcodiac River.

Twenty pounds for the road from Petitcodiac River up the East side of the Pollet River, to the Bridge at Colpit's.

Seven pounds ten shillings for the road from the Great Road to Bell's Farm.

#### RESTIGOUCHE BYE ROADS.

Fifty pounds for the road from the Flat Lands to Mrs. Keddel's, including the Bridge over Mann's Brook.

Fifty pounds for the road leading to the Settlement in rear of James Christopher's, and from thence towards the Forks of the Upsalquitch.

Forty pounds for the road to the Settlement in rear of the Sugar Loaf Mountain.

Fifty

Bye Roads in  
Restigouche.

Fifty pounds for the road to Lily Lake Settlement.

Thirty pounds for the road to the Colebrooke Settlement.

Forty pounds for the road from the Crooked Bridge towards Eel River Settlement.

Thirty pounds for the road to the Settlement at Marl Lake.

Twenty five pounds for the road to the Mountain Brook Settlement.

Eighty pounds for the road leading in at James M'Pherson's to the Settlement on the North Branch of River Charlo, and for a Bridge over that River.

Twenty pounds for the road to the Settlement at Murdock's.

Twenty pounds for the road leading in at the East side of Benjamin River to the Shore on the line dividing the Lots of James Ferguson and Donald Cook.

Twenty pounds for the road leading in at Harrie's to the Settlement in rear on Nash's Creek.

Thirty pounds for the road to the Doyle Settlement.

Thirty pounds for the road to the Settlement in rear of Black's and Archibald's.

Fifteen pounds for the road from Bonamie's Point to Dalhousie.

Ten pounds for the road leading to the Shore in Eel River Settlement near James M'Pherson's.

One hundred pounds for the road leading from the Forks of Eel River towards the Colebrooke Settlement.

Ten pounds for a Bridge over the South East Branch of Eel River.

Twenty eight pounds fifteen shillings towards opening the road laid off by the Commissioners of Roads leading to the second concession on the line between Charles Davis' and William Serrell's.

Fifteen pounds to open a road leading from the Great Road on the East side of M'Nair's Mill Stream to the Bay Shore.

#### GLOUCESTER BYE ROADS.

Thirty pounds from the main road towards the Anderson Settlement on the line between James Wall's and Thomas Loane's.

Thirty three pounds for the road from Little Roche to the second concession on the Dumaresq line, to include a Bridge over the Little Elm Tree River.

Forty five pounds for the approaches to the new Bridge at Daniel Hadley's, and thence through the Glanmire Settlement towards Nigadou, on the explored line, including a Bridge over that River.

Eight pounds for the road from the Mill Stream Gully to the main road.

Twenty five pounds to explore and open the Morrison Road towards New Dunlop.

Sixty pounds for the Connolly Road to New Dunlop.

One hundred and five pounds to Henry W. Baldwin, late Commissioner, the balance due him for completing the Bridge at Blackstock's Mills and its approaches, in one thousand eight hundred and forty one.

Seven pounds for the Swamp on the Taylor Road from New Dunlop to Dumfries.

Twenty five pounds for the Dumfries Settlement Road.

Fifty pounds for the road between James Burns' and John Daley's, Tettagouche.

Eight pounds from Charles Commeaux at the Mill Stream, southwards.

Ten pounds from Doucett's to Hadley's.

Twenty five pounds from John Noseworthy's, in Rose Hill Settlement, to the Main Tettagouche Road, between Samuel Roy's and Joseph Kent's.

Seventy pounds for the new line from Bathurst towards Middle and Tettagouche River Settlements.

Twenty

Restigouche  
Bye Roads,  
Continued.

Bye Roads in  
Gloucester.

Gloucester  
Bye Roads,  
Continued.

Twenty pounds for the road through the Middle River Settlements.

Twenty pounds for the road through the Little River Settlements.

Twenty pounds for the road from the Big River Ferry, towards the Rough Waters at the South side of the Big Nepisiquid River.

Ten pounds from the Bathurst Road to the new Tyrone Settlement.

Twenty pounds for the Hornibrook Road, New Bandon.

Ten pounds for the road towards the Black Rock Settlement, on the line between Peter M'Kernan's and James Foley's.

Ten pounds from Waterloo Corner to Messinett Point.

Sixty five pounds for the road up the South Branch of Caraquet River, including a Bridge over Bertrand's Brook.

Twenty eight pounds three shillings and six pence to John Henry, to enable him to pay a balance due for over-expenditure in one thousand eight hundred and forty one.

Forty pounds for the Tracadu Road towards Shippegan, through Pokemouche.

Twenty pounds from the main road to Point A'Boulleau, over Lousier's Bridge.

Forty pounds for the Garryowen Settlement, including a Bridge over the Creek.

Five pounds sixteen shillings and six pence to Thomas Miller, late Commissioner, a balance due him for over expenditure.

Twenty five pounds for the road through the Kinsale Settlements.

Twenty pounds for the road from Grand Shippegan to Little Shippegan.

Twenty pounds for the road from the lower part of Caraquet Settlement towards Saint Simon's.

Bye Roads in  
Kent.

#### KENT BYE ROADS.

Ten pounds for the road through the Cocagne Cape from the Post Road.

Ten pounds for the new road through the Cape near Hebert's.

Twenty pounds for the road on the South side of the Cocagne River.

Twenty pounds for the road and Bridges on the North side of the Cocagne River.

Ten pounds for the road from Cocagne River to the County Line near Guegan's.

Twenty pounds for the road and Bridges from Cocagne River to the Ohio Settlement.

Twenty pounds for the road from Bouctouche River to Ohio Settlement.

Ten pounds for the road from the South side of Little Bouctouche River to the fourth tier of Lots.

Fifteen pounds for a Bridge over Little Bouctouche River below Doherty's Mill.

Ten pounds for the road on the South side of the Little Bouctouche River above Cutler's.

Twenty pounds for the road on the South side of the Great Bouctouche River.

Twenty five pounds for the road from Coat's Mill, on the North side of the Buctouche River, to the M'Laughlin Road.

Twenty five pounds for the road on the North side of Bouctouche River from M'Millan's upper line upwards.

Twenty five pounds for the road to Johnson's Mill, from Beckwith's, and to the tier of Lots in rear of the Indian Land.

Twenty pounds for the road from Basterash's to Mill Creek, of which thirteen pounds is to be paid John M'Millan for work done on the Bridge over Robecheaux Creek.

Ten pounds for the road from the Post Road to the second tier of Lots.

Ten pounds for the road leading to the head of Buctouche Bay from the Glenelg Settlement.

Fifteen

Fifteen pounds for the road from the head of the Chockpish River to the East Kent Bye Roads,  
Continued. Branch.

Twenty five pounds for a Bridge over the Chockpish River, below Johnson's Mill, and road to Mark Myer's.

Ten pounds for the road from Mark Myer's to the Little Chockpish River.

Ten pounds for the road from the Lower Village Road to M'Gowan's.

Ten pounds for the road from New Galloway to the East Branch.

Fifteen pounds for the road on the East side of the East Branch of the Nicholas River and Bridge over Smelt Brook.

Forty five pounds for the road from Richibucto to the Lower Village and Bridge over Atkinson's Creek.

Twenty pounds for the Bridge over the Galloway Creek.

Seven pounds ten shillings for the road from the Village Road to the Allan Settlement.

Ten pounds for the road from Irving's, at Spring Brook, to James Cochran's side line.

Ten pounds for the road from Chapel Point to the West side of Saint Nicholas River.

Ten pounds for the road from Chapel Point to Thomas Graham's Creek.

Twenty pounds for the road from the Main River to the West Branch of Saint Nicholas River.

Ten pounds for the road on the South side of the Richibucto River.

Five pounds for the road on the East side of the South Branch of Nicholas River, and to pay Philip Murky thirty shillings for work done on that road.

Fifteen pounds for the road on the East side of the Coal Branch.

Ten pounds for the road on the West side of the Coal Branch.

Fifteen pounds for the road from the Coal Branch to the Main River Mills.

Ten pounds for the road on the South side of the West Branch.

Ten pounds for the road from the Main River to Bass River by the Harley Line.

Seventy five pounds Mill Creek to Bass River, of which twenty three pounds to be paid to William M'William's for building Molus River Bridge, and forty one shillings and six pence to John O'Meara for work done on the road under John Carruther's.

Ten pounds road to the new Settlement, North West River.

Twenty pounds Bridge at the Mill on the road leading up the North West River.

Twenty pounds South side of Kouchiboguisis.

Twenty pounds North side of Kouchiboguisis from Powell's Mill up.

Twelve pounds ten shillings up Kouchiboguaac River above the Post Road, North side.

Twelve pounds ten shillings up Kouchiboguaac River above the Post Road, South side.

Twenty pounds Kouchiboguaac River to Point Sapine.

Twenty pounds from Point Edward up the North side of Kouchiboguaac.

Ten pounds Kouchiboguaac to Major Kollock's Bridge.

Twenty pounds South side of Kouchiboguaac.

Ten pounds Point Sapine to Escuminac.

Twenty pounds Little River to Taddy Babino's Line.

#### SUNBURY BYE ROADS.

Twenty pounds for the road from George Boon's to Ralph Seely's.

Seven pounds for the road from Daniel Timmins', past Peter Kane's.

Bye Roads in  
Sunbury.

Seven

Sunbury  
Bye Roads,  
Continued.

Seven pounds for the road from Walter Patterson's to J. and W. Parsons'.

Twenty five pounds for the road from Hartt's Mills to the Rushagonish.

Five pounds for the road from the above road to Oromocto, past Mott's Mills.

Ten pounds for the road from South Branch Road to John M'Laughlin's.

Ten pounds for the road from Scoullar's Mills, past Charles DeWitt's.

Thirty pounds for the road from Jeremiah Tracey's to the Rushagonish, past Joshua Thomas', on the line explored by the Commissioners towards the Beaver Dam.

Sixteen pounds one shilling to pay John M. Nason for building a Bridge over Big Brook last Summer.

Twelve pounds for the road from John Bayley's to C. Duplissa's Barn.

Fifteen pounds for the road from Hartt's to Thomas Mersereau's; five pounds of which to be expended in cutting down the Hill near Linus Seely's.

Forty pounds for the road from George Tracey's to the Rushagonish Road, near Kelly's Soldier House.

Ten pounds for the road near S. Boone's to William Tucker's.

Five pounds for the road from Patterson's Settlement to Foley's.

Ten pounds for the road from Scoullar's Mills, through a new Settlement, near Jacob Howe's.

Forty pounds for the Bridge over Back Creek, in addition to the sum already granted.

Twenty five pounds for the road from J. M. Wilmot's Farm to John Grass's; out of which balance due S. Nason for building a Bridge over Susawasis to be paid.

Twenty five pounds for the road from John Grass's to John Peabody's.

One hundred pounds for the road from the Blind Thoroughfare, in the Parish of Sheffield, to the Little River Mills.

Twenty five pounds for the road from the Petitcodiac Road, through the Carlow Settlement, between Hand's and Lang's.

Twenty pounds for the road from D. Dougherty's to Summers' upper line, on the Salmon Creek.

Twenty pounds for the road from D. Dougherty's to Thomas Williams', on the Hardwood Ridge.

Ten pounds for the road from the upper Mills, Newcastle, to Allbright's.

Ten pounds for the road from J. Peabody's, past Charles Johnston's.

Thirty five pounds for the road from Thomas Smith's to Alexander Morgan's.

Ten pounds for the road from William Shank's Farm to the Highway in Burton.

Twenty five pounds for the road from South Branch Road to Oromocto, near George Morrow's Store.

Ten pounds for the road from Samuel Boone's to Thomas Stennick's.

Five pounds for the road from Nerepis Road to Jeremiah Smith's.

Five pounds for the road from Nerepis Road to Isaac Cogswell's.

Twenty pounds for the Bridge over the Rushagonish, at Peabody's Mills.

Ten pounds for the Road near Jacob Smith's to Gillan's, through the Gordon Settlement.

Twenty five pounds for the road leading from Cannon's, through the Gordon Settlement, towards the Queen's Bridge.

Ten pounds for the road from the Nerepis Road towards the Victoria Settlement, past W. A. Cairr's.

Eight pounds to repair the Bridge over the Oromocto, near Abner Merserau's.

Ten pounds for the road leading from the River to the Petitcodiac Road, on the Division Line between Sunbury and York.



Five pounds for the road from Burpe's Mill through the Gordon Settlement.  
 Twenty three pounds nineteen shillings for a new road leading from the Petiti-  
 codiac Road to James and George Burpe's Mill, in the rear of Sheffield.

Sunbury  
 Bye Roads,  
*Continued.*

NORTHUMBERLAND BYE ROADS.

Bye Roads in  
 Northumberland.

Fifteen pounds for the road on the East side of Bartibog, from Moodie's Point  
 to James Ryan's.

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

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

Twelve pounds ten shillings for the road from Simpson's to Peter Davidson's,  
 on the North side of Burnt Church.

Twelve pounds ten shillings for the road from Upper Neguac to the Settlement  
 in rear thereof.

Fifteen pounds for the road from Lower Neguac to Stymest's Mill.

Fifteen pounds for the road from the Great Road, South side Tabusintac, down  
 to the Church.

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

Ten pounds for the road from M'Leod's Mill to Stymest's Mill.

Ten pounds for the road from the southerly angle of Lot number eleven,  
 granted to Jerome Savoy, to the back Settlement on the line between Lots occupied  
 by Edward O'Brian and William Blake.

Five pounds for the road from the Emigrant Settlement, South side Tabusintac,  
 to the road leading from M'Leod's Mill to Stymest's Mill.

Thirty seven pounds ten shillings for the Bridge across Red Pine Island Brook.

Fifteen pounds for the Bridge across the North Branch of Cowsaget's Creek.

Two pounds to Dugald M'Donald, balance due him for extra work performed  
 on the Hill on the East side of Oyster River.

Six pounds to William Drummond for extra work on Burnt Church River  
 Bridge.

Five pounds for the road from the lower Highway, Newcastle, to the River at  
 Strawberry Point.

Five pounds for the road from the West side of French Fort Cove back a dis-  
 tance of about two miles.

Five pounds to assist in the erection of a Bridge between Stewart's and  
 Campbell's.

Twenty five pounds to improve the road from the Settlement in rear of Moor-  
 field's to the Bathurst Road, near Russell's Mill.

Ten pounds to improve the road from the westerly end of Bartibog Bridge to  
 the Bathurst Road, near Russell's Mill.

Five pounds for the road on the West side of Bartibog, crossing the Farm of  
 Collector Wright, a distance of two and a half miles from Bathurst Road.

Five pounds for the road from Corry's to M'Mahon's, on the southerly side of  
 Bartibog River.

Five pounds for the road from Corry's to Blake's Farm, on the northerly side  
 of Bartibog River.

Five pounds for the road from Cassey's lower line, Escuminac, to Portage River.

Five pounds for the road leading from the Highway to the Sea side, near  
 Hamilton's School House, to carry away the water from the road passing through  
 Thomas Lewis' Marsh.

Northumberland  
Bye Roads,  
*Continued.*

Five pounds for the road from Placide Cassey's upper line towards the County of Kent.

Five pounds to explore and open a road from Lewis Sippley's, on the West side of Portage River, towards the mouth of the River, till it strikes the road laid out by Deputy Peters.

Five pounds five shillings to William Sullivan, balance due him, per certificate from Dudley Perley, Esquire.

One hundred and fifty pounds towards the erection of Bridges across Dennis' Creek and M'Ginnes' Creek, agreeably to plans and specifications furnished by David Crocker, Esquire, and to improve the road from Bay du Vin River to Eel River.

Fifteen pounds for the road from Bay du Vin River to John M'Kay's, on the Richibucto Road.

Twenty pounds for the road from Horten's Creek to the residence of John M'Donald, Esquire, thence to Kingston's, thence to the Mills on Bay du Vin; five pounds of which sum to be applied towards improving the Back Creek Bridge.

Twenty pounds for the road from the Mills on Bay du Vin River to the Richibucto Road, near Dickens' place.

Five pounds for the road from the Richibucto Road to the Power and M'Grath Settlement, near the City Landing, on the Bay du Vin River.

Five pounds for the road on the North side of Black River, from Campbell's Farm to the mouth of the River.

Five pounds for the road on the North side of Black River, from the Bridge to the residence of Farquhar M'Gray.

Fifteen pounds to improve the old Line of Communication along Bay du Vin Bay, from Bay du Vin River, downwards, past the Gardener property.

Ten pounds for the road from Point Aux Carr to Black River, opposite Saint Stephen's Church.

Ten pounds for the road from Taylor's Creek to Charles Stewart's Farm.

Five pounds for the road from the Richibucto Road to where the side road, on the southerly side of Napan River, meets the road leading to the Wellfield Settlement, and from thence to said Settlement.

Ten pounds for the road from the Richibucto Road to the upper Settler on the North side of Black River.

Seven pounds ten shillings for the road leading to the upper Settlement on the Little Black River; of which sum, two pounds ten shillings to be paid to Archibald Sinclair, per certificate from the late Commissioner.

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

Twenty pounds for the road from the rear of Hannah's Clearance to the Wellfield Settlement; five pounds of which sum to be expended on the branch leading to the residence of Martin Glyn and Dennis Brady; five pounds for the branch leading to the residence of John Morrison and others.

Ten pounds for the road from the rear of the first concession of Lots fronting on the Miramichi River, and extending back from the residence of the Reverend Samuel Bacon, to the third tier of Lots.

Twenty pounds for the road in rear of the front Lots in Chatham, commencing at John Henderson's upper line, back to Thomas M'Donald's, and from thence to the Nelson Line, and from Carrol's, on the rear of the second division of Lots, upwards, until it reaches the line joining the Parish of Nelson.

Ten pounds for the road from Flett's Cove to Barnaby's River Bridge.

Ten

Ten pounds for the road from the rear of Sutton's Barn to the Oates' Settlement; five pounds of which sum to be expended from the Meadows, inwards.

Five pounds to explore and open the road from Murphy's, on the Nowlan Road, to Wilson's, on the Sutton Road, between the Barnaby's River Road and the Nowlan Settlement.

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

Ten pounds for the road in rear of the Nowlan Settlement from M'Namara and Wallace's to the Halaran, Fee, and Hoolihan Settlements.

Fifteen pounds for the road on the East side of Barnaby's River to Hutchison's Farm.

Forty five pounds for the road from Barnaby's Mills to Tobin's Farm, thence towards Indian Town; fifteen pounds of which sum to be expended in cutting down the Hill at Doyle's Farm.

Twenty pounds for the road from Saunders' Grist Mill to the Settlement on the right hand Branch of Barnaby's River.

Five pounds for the road on the South side of Barnaby's River to the Semi-wagan Ridge.

Thirty five pounds for the road from Beaubear's Point to Cuppage and White's.

Ten pounds for the road from Jared Tozer's Farm to the Lower Williamstown Settlement.

Ten pounds for the road from the Ferry at Hutchison's on the North West to the South West Branch of Miramichi, through the Williamstown Settlement.

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

Ten pounds for the road from James Johnston's, on the North West, to John Menzies', on the Little South West, thence up the Little South West, on the North side, to Felix Mackie's Farm.

Ten pounds for the road on the South side of the North West, from M'Mahon's Farm to Henderson and Estey's.

Fifteen pounds towards the erection of a new Bridge over the Little Sevogle.

Ten pounds for the road leading from Oxford's Cove to Matchet's Farm, on the North side of the North West.

Thirty pounds for the road on the new line of road from Matchet's towards the Peabody Farm.

Forty pounds for the road from Newcastle to Chaplin's Island; thirty pounds of which to assist in completing the road from Trout Brook to the Copp Settlement, on the North West.

Five pounds for the road from the Copp Settlement to Cummings' Farm.

Forty pounds for the road leading from Cummings' Farm to Flyn's and Allison's.

Ten pounds for the road on the Bank of the North West from Watt's Farm to Hutchison's Ferry.

Five pounds to explore a road from the rear or lower line of George M'Kay's Farm to Sinclair and Clark's Farm, on the North West Mill Stream.

Five pounds for the road on the upper side of the North West Mill Stream to Corry and Curtis' Farm.

Twenty pounds for the road on the North side of Renous River between Lee's Farm and Indian Town.

Fifteen pounds for the road from Patrick Whellan's to James Donaldson's, on the North side of Renous River.

Fifteen pounds for the road from John Gowan's, at the mouth of Dungarvon, to Bartholomew's Mills.

Ten

Northumberland  
Bye Roads,  
Continued.

Ten pounds for the road from the lower Settlement on Dungarvon, through Bassiet's clearances, to the road from the mouth of Dungarvon, leading to Bartholomew's Mills.

Twenty pounds for the road from Bartholomew's Mills to the Bredalbane Settlement.

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

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

Ten pounds for the road on the South side of the South West, from Indian Town to the Forks on Cain's River.

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

Five pounds to explore a line from Sabbie's Mills to the Horse Shoe, on the South side of Cain's River, a distance of five miles.

Fifteen pounds for the road from the Horse Shoe, on Cain's River, to the Main South West, agreeably to Saddler's Line.

Ten pounds for the road from John Donald's, on the South West Branch of Miramichi, till it strikes the road to the Settlement on Cain's River, coming out on the South West.

Ten pounds to explore a road from Patrick Shinock's, on the North side of Cain's River, to the upper Settlement at Whallin's Brook, a distance of thirteen miles.

Ten pounds for the road from Blissfield Mills to the Hovey Settlement, through the Price and Hovey Settlement.

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

Ten pounds to explore and open a road from the new Settlement on Bartholomew's River to the South West Branch of Miramichi, coming out near DeCanton's.

Ten pounds for the road from opposite Boiestown, on the North side of the South West, to the easterly extremity of the Parish of Ludlow.

Five pounds ten shillings for the cutting down of the steep Hill between Taxes River Bridge and James Fairley's Farm.

#### KINGS BYE ROADS.

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

Fifteen pounds for the road from Michael Gunn's to Richard Nichols', and thence by the new line to Anthony Logues'.

Ten pounds for the Neck Road from James White's, Kennebecasis, to Seely's Point, Long Reach.

Fifteen pounds for the road from near White's Mill, by the new laid alteration, and by Neil M'Carron's to Henry Williams', Long Reach; ten pounds whereof to be expended between White's and M'Carron's.

Fifteen pounds for the road from Wetmore's Mill Pond, by S. Chatley's, to the Long Reach; one half of which to be expended between the Mill Pond and Chatley's.

Twenty five pounds for the new road from David Puddington's to the point of the Mountain.

Ten pounds for the road from Perry's Mill, by Purvis', to the Ketchum Road.

Ten pounds for the road from John Dixon's to Miss Perry's.

Ten

Bye Roads in  
Kings' County.

Ten pounds for the road from Perry's Mill, by Worden's, to Pickett's Mills.

Ten pounds for the Ketchum Road, from Pickett's Mills to Kennebecasis.

Ten pounds for the road from Kingston Creek, near Kierstead's, towards Pywell's Mills.

Ten pounds for the road from Coffee's to the new Bridge, and thence to Larwell's, in the Midland.

Ten pounds for the road from John M'Kenzie's to the Meeting House, near the Widow Erbe's.

Ten pounds for the road from Nutter's Landing to Pickett's Mills.

Ten pounds for the road leading from the Post Road to the Fowler Settlement and its branches.

Five pounds for the road from Crawford's to the Findlay Settlement.

Five pounds for the road leading from the Post Road to the Settlement of Robert and Daniel Work's.

Five pounds for the road leading from the Long Reach to the Cheyne Settlement.

Ten pounds for the Wallis Road, from Greenwich Parish Line, through the second tier of Lots, and Cheyne Settlement, towards the Nerepis.

Ten pounds for the Kimball Road.

Ten pounds for the road from the Wallis Road to Stephen Cronk's, and for the branch thereof leading north easterly to Lands granted to Harrington and others in the third tier, one half to be expended on the said branch.

Ten pounds for the new road leading from the Wallis Road, by M'Conkey's Mill, to the rear of the front Lots, and on to the Cheyne Road.

Ten pounds for the road from London's Bridge to the Bridge at Greenwich Hill Creek.

Ten pounds for the road from the School House, near Harding's, by Land's End, to Robert Salter's, and to the Meeting House Landing.

Fifteen pounds for the road from Thomas Souther's to John Cunningham's, and thence, by Harrison's and Worden's, to the Neck Road.

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

Ten pounds for the road from the Lyon Road, round the head of the Milkish, by Roberts', to join the Harrison Road.

Thirty pounds to complete the alteration of the road at Greenwich Hill.

Ten pounds for the road through the second tier of Lots, from Westfield Parish Line to Wallis Bridge.

Ten pounds for the road from the front to James M'Keel's, and for the branch leading to Thomas Wallis'.

Ten pounds to improve the worst parts of the road leading from the Yorkshire Road to Menzie's, and on to the Wayland place.

Ten pounds for the Yorkshire Road to Queens' County Line, and for that portion of the George Lyon Road which is in Kings' County.

Ten pounds for the road from George Jones' to the Cross in the second tier of Lots.

Ten pounds for the road from the Cross in second tier of Lots to the third tier, near John Hamilton's, and thence to Andrew Hamilton's.

Five pounds for the road from William Bogle's to the Yorkshire Road.

Five pounds to aid in building a Bridge near John Bulyea's.

Ten pounds for the road from Comely's Bridge to the Widow Flewelling's; of which a sufficient sum, not exceeding five pounds, to be expended for railing and improving the Bridge near Thomas B. Flewelling's.

Kings' County  
Bye Roads,  
Continued.

Kings' County  
Bye Roads,  
*Continued.*

Ten pounds for the road from Reverend James Cookson's, across the Lots, to the road along the side of the Jenkins' Lot, and for the last named road to the Highway leading up the Bellisle.

Five pounds for the road leading from the main Road to the back Settlement, by way of Braman's.

Ten pounds for the road from Michael Collins' to Robert Noble's.

Ten pounds for the road from John Reiker's to Barzilla Kierstead's.

Ten pounds for the road from Michael Collins' to the County Line, through the Jenkins' Settlement.

Five pounds for the road from the Main Road, near Urquhart's Cove, to the back Settlement.

Ten pounds for the road from Peter Spragg's to the Main Road, near the Widow Scott's.

Ten pounds for the road from Queen's County Line to the Forks of the East Scotch Settlement, by way of A. Stewart's.

Ten pounds for the road from James Cunningham's to the English Settlement.

Ten pounds for the road from the Kirk Grant to Allingham's, between Boyd's and Wilson's.

Ten pounds for the road leading from John Ingraham's to the Maxwell Road.

Ten pounds for the road from Edward Maxwell's to John Anderson's, called the Maxwell Road.

Ten pounds for the road from Redstone's Mill to Thomas Rutledge's, by Doctor Wilson's.

Ten pounds for the road from Francis Gallagher's to Thomas Pearson's.

Ten pounds for the road from Isaac Crawford's Brook towards the Mill Stream.

Ten pounds for the road from Samuel Marvin's to Thomas Benson's.

Ten pounds for the road from Jacob Gillies's to James How's.

Ten pounds for the road from Robert Smith's to the Pickwaket Road.

Ten pounds to improve the road from David Stevenson's to the Patecake Road.

Fifteen pounds to complete the Bridge near Stewart's Mill.

Seven pounds ten shillings for the road from Joseph Tomlison's to the West line of the Glebe Lot.

Ten pounds to improve the road from the Patecake Road, by William Mather's, to the Settlement of Samuel Dysart and others.

Five pounds for the road from James Innis' Farm to the M'Comb Road near Mercer's.

Five pounds for the road from Wilson's to Moses Innis', by way of Benjamin Butler's.

Ten pounds for the road from Wilson's to M'Comb's.

Ten pounds for the road from Kelly's Hill to the Campbell Settlement.

Ten pounds for the road from the Campbell Settlement to Sidney Baxter's.

Five pounds for the road from the Campbell Road through the Settlement of Barney M'Kinah and others.

Seven pounds ten shillings to complete the Bridge over Moosehorn Brook.

Five pounds to improve the road from Sidney Baxter's Hill to John Kenney's.

Ten pounds for the road from James Stark's to John Drummond's.

Ten pounds for the road leading from the Post Road, near Coat's Mill to Carmel Secord's; five pounds of this sum to be expended West of George Sherwood's.

Ten pounds for the road from Matthew M'Leod's to the Corner near Carmel Secord's.

Ten pounds for the road from David Johnston's to Daniel Johnston's, leading to Bellisle.

Ten

Ten pounds for the road leading from Jacob Wright's to Edward Sharp's, by way of Leeper's.

*Kings' County  
Bye Roads,  
Continued.*

Ten pounds for the road from Robert Lester's to Ezekiel Foster's.

Fifteen pounds for altering the line of road leading from Benjamin Lester's towards Ezekiel Foster's, through Good's Farm and others.

Ten pounds for the road from the Methodist Chapel to Ode Dunfield's.

Ten pounds from the road from Ephraim Rouse's to Moses Scott's.

Ten pounds for the road from James Knowlin's to William Sinnott's.

Ten pounds for the road from Smith's Creek to John Gillan's, by M'Gregor's Mill.

Ten pounds for the road from Coat's Mill to Jordan Mountain, by James Knowlin's.

Ten pounds for the road from John Dobson's to the Lumbert Settlement.

Ten pounds for the road from Graham's to Corry's.

Fifteen pounds for the road from Lockhart's to New Canaan.

Ten pounds for the road from Jesse Alward's to Galey's.

Ten pounds for the road from William D. Coats', Corn Hill, to the Westmorland County Line.

Five pounds for the road from John Perry's to Connel O'Boyle's.

Ten pounds for the road from the Post Road to William A. Stockton's, by way of Snider's.

Ten pounds for the road from Samuel Godard's to Hayward's Mill, in the Goshen Settlement.

Ten pounds for the road from Timothy Purtel's to Charles Freese's South Corner.

Five pounds for the Harmer Road, so called.

Five pounds for the Negro Brook Road.

Ten pounds for the road leading from Seely's Mill to Samuel Godard's.

Ten pounds to build a Bridge across Trout Creek, near Thomas Taylor's.

Ten pounds for the road from Lockhart's to William Baskin's, in the Donnegal Settlement.

Fifteen pounds for the road from Dutch Valley to the Shepody Road, through the Anderson Settlement.

Twenty pounds for the road from Ellison's to the Parish Line, near Drummond's.

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

Ten pounds for the road from John M'Monagle's to the Campbell Settlement.

Ten pounds for the Ward's Creek Road, from Fryer's upwards.

Ten pounds for the road from Cassidy's, on the north east side of Deforest's Lake towards Herrett's.

Ten pounds for the road from the Dutch Valley towards Shepody, by Walsh's.

Ten pounds for the road from Dutch Valley to Sparling's.

Ten pounds for the repairs of the road and rebuilding a Bridge near Nicholas Roach's Mill.

Ten pounds for the road from William Scott's to Drummond's, by way of Hamilton's.

Five pounds for the new Quaco Road.

Five pounds for the road leading to Salmon River, between the Shepody Road and the County Line.

Five pounds for the road from the new Quaco Road to Michael M'Makin's, by William Bradie's.

Ten pounds for the road from Ammon Fowler's to Sussex Vale, by Evanson's Manor.

Ten

Kings' County  
Bye Roads,  
*Continued.*

Ten pounds for the road from Edward M'Makin's to the Lake Road near John Sherwood's.

Ten pounds for the road from Hammond River to Deforest's Lake.

Ten pounds for the road from Deforest's Lake to the Salt Springs.

Ten pounds for the road from the Campbell Settlement to the Salt Spring Road, by Rose's Mill.

Ten pounds for the road from the Salt Spring Road to Upham Church.

Ten pounds to improve the Salt Spring Road, near the School House, above James Campbell's.

Five pounds for the road from near James Campbell's to Patrick Smith's.

Five pounds to repair the Bridge near George Brown's.

Five pounds for the road leading from the Main Road to Charles Robertson's.

Ten pounds for repairing the Bridge and improving the road near William Baird's.

Five pounds to improve the Church and Mill Road.

Fifteen pounds for the road leading from the Meeting House, South Stream, towards Lake Lomond, by William Wiggin's.

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

Ten pounds for the road from the new Settlement of William Blair, Marsh and others, to the Main Road.

Ten pounds for the road leading from Golden Grove School House to the County Line.

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

Ten pounds for the road from William Hill's to the Palmer Road.

Ten pounds for the road from Sherwood's Cove to Palmer's Field, on the Post Road.

Ten pounds for the road from Daniel Sweeney's to Alexander Kilpatrick's.

Ten pounds for the road from George Prince's to Thomas Dixon's.

Ten pounds for the road from near Brown's, on the Post Road, to the Settlement of James Hill and others.

Thirty five pounds in aid of individual subscription towards erecting a Bridge to connect Darling's Island with the Main Land near Clark's.

Twenty two pounds ten shillings to improve the road leading from Groom's Bridge to the Toll Bridge in Norton.

#### CHARLOTTE BYE ROADS.

Ten pounds to improve the road from Crickett's Farm to Black's Harbour, Pennfield.

Twenty pounds to build a Bridge over the Mill Stream at Woodland's, and make the approaches thereto, Pennfield.

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

Five pounds to repair the road from James Shaw's to the Saint John Road near Fisher's, Pennfield.

Fifteen pounds to improve the road from Dowd's Cove to the Saint John Road near New River Bridge, Pennfield.

Ten pounds to repair the Bridges on the road between Beaver Harbour and Woodbury's Farm, Pennfield.

Five pounds to repair the road from Thomson's Mills to Traynor's Landing, Pennfield.

Five pounds to improve the road between Beaver Harbour and John Holmes' Landing, Pennfield.

Bye Roads in  
Charlotte County.



Five pounds to improve the road and landing on the L'Etang River near Justison's, Pennfield.

Seven pounds ten shillings to improve the road from New River Bridge to the Mills, Pennfield.

Five pounds to assist in opening out the road from Crow Harbour to Popelogan, Pennfield.

Five pounds to improve the road from Crow Harbour to Boyd's Corner, Pennfield.

Seven pounds ten shillings to improve the road eastward past Spears' and Jack's Farms, Pennfield.

Five pounds to repair the road from Woodland's Mills to Hugh M'Kay's, Pennfield.

Five pounds to repair the road from Buckman's Mills to Woodland's Pennfield.

Five pounds to improve the road from A. Reiridon's Corner towards Millar's, Pennfield.

Seventeen pounds ten shillings to Hugh Flaherty and Daniel Gilmor, Esquires, to enable them in part to pay Joseph Monroe the balance due him for work, &c. done on the Portage Landing, Saint George, in one thousand eight hundred and forty five.

Twenty pounds to improve the new road from Hanson's Farm, near the Old Saint Andrews Road, to M'Gee's Farm, near the first Falls of the River Magaguadavic, Saint George.

Thirty two pounds to improve the road between John M'Deirmid's Farm and the Pound near Wallace's, Saint George.

Ten pounds to improve the road from John M'Vicar's through the L'Tete Settlement, Saint George.

Five pounds to assist in opening the road from Captain Thomson's Farm to the Mascareen Road, Saint George.

Ten pounds to improve the road and Bridges from Thomas Ferguson's Farm to Robert Kennedy's Farm, Saint George.

Five pounds to improve the road from Jonathan Harvey's Farm, by Jackson Thorpe's, to the road between the Lime Kilns and Seelye's, Saint George.

Seven pounds ten shillings to improve the road from the Lime Kilns towards Seelye's Farm, Saint George.

Twenty pounds to improve the road between the Upper Mills and the Flume Ridge, Saint George.

Twelve pounds ten shillings to improve the road between Patterson's Farm and Pomeroy's Bridge, Saint George.

Seven pounds ten shillings to improve the road between Pomeroy's and Bridge's Farm, Saint George.

Six pounds to improve the road between Archibald M'Vicar's Farm and Henry Cook's, Back Bay, Saint George.

Four pounds to improve the road between Archibald M'Vicar's Farm and Robert Patterson's Farm, Saint George.

Seven pounds ten shillings to procure materials for building Bridges on the contemplated change in the road between the Chapel Corner and Vinegar Hill, Saint George.

Six pounds ten shillings to improve the road between the Upper Mills and the Red Rock Settlement, Saint George.

Five pounds to improve the road between Seelye's Mills and M'Carroll's Corner, Saint George.

Charlotte County  
Bye Roads,  
Continued.

Charlotte County  
Bye Roads,  
*Continued.*

Sixteen pounds to improve the road on the eastern side of the River Magaguadavic, by the Canal, and through Hall's Farm, to the road between Lake Utopia and M'Nabb's Landing, Saint George.

Fifteen pounds to improve the road and Bridges between the Red Store and the Portage Road, Saint George.

Four pounds seventeen shillings and six pence to assist in opening out the road between Rose Bay, Lake Utopia and the River Magaguadavic, above M'Nabb's Creek, Saint George.

Ten pounds for the road from the Baillie Settlement to the Lynnfield Settlement, Saint James.

Ten pounds for the road from the Kirk in Saint James, past John Pomeroy's, to the Little Ridge.

Forty pounds for the road from Potter's Hill to the Kirk in Saint James, and to pay the balance due for building a Bridge across Moannes Stream of fifteen pounds, and to rail the same.

Ten pounds for the road from the Baillie Settlement, at John Robinson's Corner, to the Lynnfield Settlement, Saint James.

Forty pounds for the road from Simmons' Corner, in Saint Stephen, to Chandler's eastern line, in Saint James; one half to be laid out on either side of the Moannes Stream, after repairing or rebuilding the Bridge over the same.

Thirty pounds for the road from the Cove in Saint Stephen to the Basswood Ridge in Saint James.

Thirty pounds for the road from the Kirk in Saint James to the Gleason Settlement, and to build a Bridge across King Brook, if necessary.

Ten pounds for the road from Sprague's Falls in Saint Stephen to the Little Ridge Road.

Twenty nine pounds two shillings and six pence for the road from the new Church in Saint James to Canous Stream, and to bridge the same, if necessary.

Ten pounds for the road from Spence's to Clarke's Point in Saint James.

Ten pounds for the road from the Kirk in Saint James, across the Basswood Ridge, to Oak Hill.

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

Ten pounds for the road from the Baillie Settlement to the Anderson Settlement, Saint James.

Ten pounds for the road from the Thompson Settlement to the Pinkerton Settlement, Saint James.

Ten pounds for the Thompson Settlement to the Lynnified Settlement, Saint James.

Ten pounds for the road from the Ledge to Oak Point, Saint Stephen.

Ten pounds for the road from William Albee's to Colin Campbell's East Corner, Saint James.

Ten pounds for the road from Hitching's Mill to the Little Ridge, Saint James.

Eight pounds for the road from the Burnt Land to the Bowery Settlement, Saint James.

Eight pounds for the road from Peake's in Saint James to the road leading to Saint Stephen.

Eight pounds for the road from Andrew Mann's to William Wallace's, Saint James.

Ten pounds for the road from Scott's Field, past Stuart's Mill Seat, to the Parish Line, Saint David.

Forty pounds for the road from Oak Bay, past John Cotterell's, towards John Simonds' in Saint James; fourteen pounds of the same to pay John Cotterell the balance due him for building Point Brook Bridge last year.

Charlotte County  
Bye Roads,  
Continued.

Eight pounds for the road from the Woodstock Road to Whitmore's Corner, Saint David.

Fourteen pounds for the road from Foster's in Saint David to Chase's in Saint Patrick; nine pounds ten shillings of which to remunerate John Nesbitt for bridging two Sloughs therein last year.

Twenty three pounds for the road from the Fredericton Road near Moore's Mills, past M'Cann's, and over Tower Hill to Patrick Develin's, Saint David.

Fifteen pounds for the road from the Saint Andrew's Road near Jacob Reid's, to John Ragan's Corner, Saint David.

Twelve pounds for the road from Shaw's Hill in Saint David to John M'Adams' in Saint Stephen.

Ten pounds for the road from Smith's Corner to Lachlan M'Lachlan's, Saint David.

Ten pounds for the road leading from the Great Road, past James Stephenson's, to Hill's Point, Saint David.

Ten pounds for the road from Dickey's Saw Mill to the road leading to William Malkson's, Saint David.

Thirty pounds for the new road from Bartlett's Mills to the Widow Hitching's, Saint Andrews.

Ten pounds for the road from Chamcook Lake to the Frye Road, Saint Andrews.

Ten pounds for the road from the Frye Road to beyond Maxwell Murray's.

Fifteen pounds for the Frye Road from Crickett's to Bartlett's Mills.

Ten pounds for the road from M'Lellan's to the Frye Road.

Five pounds for the road from Joe's Point Bridge to Parkinson's Barn.

Twenty pounds for bridging the Slough in rear of John Leonard's Farm, in the Parish of West Isles.

Twenty pounds for the repairs of the road at or near Fountain's Cove, West Isles.

Thirty pounds for the road at the East end of Deer Island.

Ten pounds for repairs of the Duck Pond Bridge, Campo Bello.

Fifteen pounds for the road from Currie's Cove to Head Harbour, Campo Bello.

Fifteen pounds for the road from Hardwood Hill to Gilligan's, Campo Bello.

Five pounds to lower the Hill on the West end of Conroy's Bridge.

Fifteen pounds for the road from Leonard Newman's to Big Beach.

Fifteen pounds for the road from the Church towards Long Pond, Grand Manan.

Twenty pounds for building a Bridge at Seal Cove, Grand Manan.

Twenty pounds for the road from Spruce Hill towards Seely Cove, Grand Manan.

Fifteen pounds for the road from Dogget's Hill towards Grand Harbour.

Ten pounds for the road from the Episcopal Church to Matthew Stephenson's on the Glenelg Road, Saint Patrick.

Twelve pounds for the road from Matthew Stephenson's towards Brannen's on the Glenelg Road, Saint Patrick.

Ten pounds for the road from Brannen's to Clarence Hill on the Glenelg Road, Saint Patrick.

Fifteen pounds for the road through the Burnt Land on the Glenelg Road, Saint Patrick.

Fifty pounds for the road from the Long Turnpike to beyond Woodin's on the Glenelg Road, Saint Patrick.

Charlotte County  
Bye Roads,  
*Continued.*

Ten pounds for the road from Widow Newell's to the Pleasant Ridge Road, on the Glenelg Road, Saint Patrick.

Forty pounds for the road from M'Guire's to Lascelle's on the Glenelg Road, Saint Patrick.

Twenty pounds for the road from Lascelle's to James Linton's on the Glenelg Road, Saint Patrick.

Ten pounds for repairs of the Bridge at Still Water, Saint Patrick.

Ten pounds for the road from Charles Walker's to M'Farlan's Tannery, Saint Patrick.

Ten pounds for the road from Cathcart's, by Malcolm M'Farlan's, Saint Patrick.

Ten pounds for the Bog Road, so called, Saint Patrick.

Ten pounds for the road leading to M'Nabb's from the Rolling Dam Road, Saint Patrick.

Thirteen pounds for the road from the Rolling Dam to the Scotch Church in Whittier's Ridge, Saint Patrick.

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

Five pounds for the road to Dwyer's, through or near George M'Dowall's, Saint Patrick.

Eighteen pounds for repairing the road between Smart's and William Wilson's, Saint Patrick.

Bye Roads in  
Queens' County.

#### QUEENS BYE ROADS.

Twenty six pounds on the line between James Graham's and James Sproule's, to intersect the Enniskillen Road, and for a Bridge on said road.

Ten pounds for the Clown's Road, so called.

Ten pounds for the Quinn Road.

Twelve pounds ten shillings for the Enniskillen Road to the County Line, leading to Scoullar's Mills.

Seven pounds ten shillings for the road from Nerepis Road to Butler's Settlement.

Ten pounds from the Church to the Yorkshire Road, known as the Quinn Road.

Ten pounds from the Quinn Road to Mowan's Lime Kiln.

Twelve pounds ten shillings for the Gabriel Fowler Road.

Ten pounds for the Yorkshire Road to the County Line.

Twelve pounds ten shillings for the William H. Lyon Road.

Ten pounds for the George H. Lyon Road.

Thirty nine pounds to pay the balance of a contract for building the Bridge over Red Bank Creek, Salmon River.

Twenty pounds from Gaspereau to Salmon Creek.

Twenty pounds from Cole Creek to M'Donald's, Salmon River.

Twenty three pounds from Sunbury County Line, through Salmon Creek Settlement.

Ten pounds from Gaspereau Bridge through the Settlement West side Gaspereau River.

Ten pounds from George Burke's to Kame's Point.

Fifteen pounds from Kames' Point to Brown's Mill, Coal Creek.

Ten pounds from Ironbound Cove to Sunbury County Line.

Twenty pounds from Dykeman's Brook to Cox's Mill.

Seven pounds from the Den to Samuel White's, Grand Lake.

Ten pounds from Cox's Mill to Great Road, by way of Samuel Knight's.

Five pounds from Wiggins' Carding Mill to Main Road.

Seven pounds ten shillings for the road from John Roberts' to the back Settlement.

Fifteen pounds from Sands' Creek to Washademoak Lake.

Fifteen pounds for the road from Wiggins' Mill to Wasson's Mill.

Seven pounds from Andrew Lipsett's to James Spence's.

Ten pounds from M'Intyre's to Wasson's Mill, and to repair the Bridge.

Five pounds for the road from Lauchlan M'Lean's to Young's Cove.

Ten pounds from Wasson's Mill to M'Lean's Mill.

Ten pounds from M'Lean's Mill to the Settlement South side Cumberland Bay.

Five pounds for the road North side Cumberland Bay to the Settlement.

Ten pounds from George Elkin's to Allen M'Lean's.

Five pounds from Cumberland Bay Bridge to G. Elkin's.

Eight pounds from Cox's Point to Conrad Miller's.

Fifteen pounds from Young's Cove to Washademoak.

Five pounds from Robert Orchard's to intersect the Great Road leading to Jemseg.

Twenty five pounds from Gagetown to Tyng's Brook, thence to Octnabog.

Ten pounds from Gagetown to the Octnabog.

Twelve pounds ten shillings for the road from Octnabog to Nerepis Road.

Sixteen pounds from Vail's Ferry to Nerepis Road.

Twelve pounds from John Lounsberry's Ferry to the Gagetown Road.

Ten pounds for the road leading through Lands granted to Thomas Carney and others, to the Nerepis Road.

Ten pounds for the road from the Octnabog Bridge to Gagetown, crossing Lands granted to John Doyle and others.

Thirteen pounds for the road from the south west corner of the grant to the late Valentine H. Peters, on the Nerepis Road, to the Forks of the road near John Gaunce's.

Sixty pounds from Cole's Island to the New Canaan Settlement.

Fifteen pounds from the Forks of New Canaan to M'Donald's Mill.

Five pounds for the road from M'Donald's Mill to Alwood's Brook.

Fifteen pounds to build a Bridge over Perry's Mili Brook, and to repair the road from Kings' County Line to the Neighbourhood Road.

Ten pounds to open a road from the Meeting House to the School House, in Canaan Settlement.

Ten pounds for the road leading from South West Branch Octnabog, through New Ireland, to Gagetown Road.

Twelve pounds for the road leading from John Matthew's, Douglas Corner, known as the New Ireland Main Road, from the Shore to Jerusalem Settlement.

Ten pounds for the New Jerusalem Road.

Seven pounds ten shillings from Parks' Corner to the Gagetown Road.

Ten pounds from Lowrey's to Jerusalem Road, and thence to Ogden's.

Seven pounds for the road from Simpson's to Carney's.

Six pounds from Simpson's to Gagetown Road.

Twelve pounds from the Meeting House to Smith's Corner.

Ten pounds from Kings' County Line, Jerusalem Road.

Ten pounds to rebuild a Bridge between Robert Slip's and the late Mayes Case's.

Five pounds from Dickie's Mill to the County Line.

Eight pounds for the road on the line between Joseph Vanwart's and M'Crea's.

Fifteen

Queens' County  
Bye Roads,  
*Continued.*

- Fifteen pounds for the road from Samuel London's to the County Line.  
 Twelve pounds from Shannon Settlement to London Settlement.  
 Twelve pounds from Craft's Cove to the Shaw Road.  
 Five pounds from Shannon Settlement to Shaw's Mill.  
 Seven pounds ten shillings from John M'Donald's Point to the Cove Road.  
 Seven pounds ten shillings from the Meeting House to Charles M'Alpin's.  
 Fourteen pounds from Henry's to Washademoak Lake ; five pounds of which to improve the road near M'Donald's Saw Mill.  
 Fifteen pounds from Waterloo Settlement to the Great Road near William Hughes'.
- Five pounds from Reuben Vantassel's to the Great Road, to meet the Waterloo Road.
- Ten pounds from Alexander Stewart's to Griffiths', leading to the Great Road.  
 Ten pounds from Alexander Stewart's to the English Settlement, by way of William Somerville's, to commence at the Corner, near Dyer's.  
 Seven pounds ten shillings from Woodstock Corner to Salmon Creek Road.  
 Seven pounds ten shillings from Ebenezer Perry's to James Cody's.  
 Fifteen pounds from David Phillips' to George Parker's.  
 Ten pounds from Isaac Worden's to Pickett's Cove.  
 Seven pounds ten shillings from Pickett's Cove to David Fowler's.  
 Ten pounds for the road leading from Thomas Alcorn's to John Joslin's.  
 Seven pounds ten shillings from Maxwell's Corner to Shearer's.  
 Ten pounds from Maxwell's to the English Settlement Road.  
 Ten pounds from Murray's Saw Mill through the M'Farlane Settlement.  
 Eight pounds from John Starkie's to Charles Crookshank's.  
 Eight pounds from John Johnston's to Murray's Saw Mill.  
 Forty pounds from the North side Maquapit Lake to Newcastle.  
 Thirteen pounds from Michael Dillan's to James Kirkpatrick's.  
 Ten pounds from Hardwood Ridge Road to Bailey's Point.  
 Ten pounds for the road intersecting Lot number fourteen, to the rear of Lots numbers thirteen and fourteen, between John M. Starkie's and Mordecai Starkie's.
- Seven pounds ten shillings to compensate Gideon D. Bailey for turnpiking one hundred rods, at one shilling and six pence per rod, of the road from the Newcastle to the Big Cove Head, Grand Lake.
- Five pounds from Little River to Main Road near Syphers' Pond.  
 Seven pounds ten shillings from George Clarke's to the Forks of the Newcastle Road.
- Seven pounds to raise the Bridge and repair the road near Flemming's, South side Maquapit Lake.  
 Five pounds for the cross road near David Brill's, leading to Maquapit Lake.  
 Five pounds for the road on the line between Samuel and Moses Denton's, Maquapit Lake.  
 Twelve pounds ten shillings to repair the Winter Bridge at the Thoroughfare, Indian Point.  
 Twelve pounds ten shillings to remunerate Bryan M'Quade in part for cutting and opening six hundred rods of road through the Enniskillen Settlement.  
 Eight pounds for the road leading through the Foster Settlement, to intersect the Great Road, south east side Grand Lake.  
 Twelve pounds for the road on Lot number six, between Richard Stephen's and John Ellsworth's, to the Great Road leading from Washademoak to Jemseg.

Five pounds to pay the balance due Robert Crozier for erecting a Bridge over the Red Stone Creek.

Queens' County  
Bye Roads,  
*Continued.*

Seven pounds ten shillings for the road from Polley's Corner to the Church.

#### YORK BYE ROADS.

Bye Roads in  
York County.

One hundred and twenty five pounds for the road leading to the Howard Settlement ; the best site for the road to be selected by the Commissioners ; out of this amount the expenses of exploring the site to be deducted.

Ten pounds for the road from Jamieson's to the Skiff Lake.

Eight pounds for the road to the Rosborough Settlement ; two pounds of which towards Joseph Love's.

Twenty pounds for the road to and through the Poquiock Settlement, thence to the Magundy.

Ten pounds for the road from Carson's to the Mill near the Lake.

Thirty pounds for the road leading to the Lake George and Magundy Settlements.

Five pounds for the road leading to the Lake, past Trainer and Irvine's.

Thirty pounds for the road leading to Hamilton's, near the Dam, beyond the Magaguadavic Settlement ; three pounds of which towards Brown's, and a like sum towards Fisher's, in rear of the Blaney Ridge.

Twenty pounds for the road leading to the Saint Andrews Road, through the Smithfield Settlement, past Mrs. Hunter's.

Ten pounds for the road to the rear of the Garden Creek Settlement.

Five pounds for the road from the Alms House to the New Maryland Settlement.

Ten pounds for the road from the Maryland Road, downwards.

Fifty five pounds for the road from Essensa's, past Ross' Mill, to the Saint Andrews Road.

Forty pounds to pay the Commissioner the balance for opening the road through the Teetotal Settlement.

Ten pounds for the road to the Acton Settlement.

Five pounds for the road from Harvey Settlement to Frog Lake.

Six pounds for the road from Wilson's to Patterson's, in Harvey Settlement.

Ten pounds for the road from Piercey's to the Little Settlement in rear of Harvey.

Twelve pounds for the road from Wynne's to the Teetotal Settlement, to and through the Roach Settlement ; two pounds of which to be expended in opening a road to John Sweeny's, in the Hanwell.

Ten pounds for the road between Fredericton and Biggs' Farm, New Maryland.

Thirty pounds for the road leading from Morgan's to the Beaver Dam ; ten pounds of which to be expended between the Dam and the County Line.

Fifteen pounds to re-erect the Bridges leading to Israel Smith's and the Rushigonish destroyed by fire last Summer.

Twenty pounds to remunerate Timothy Killeen for work done on the Hanwell Road, and in full for his Contract.

Seven pounds ten shillings for the old road leading to Spring Hill.

Thirty pounds for the road from the Campbell Settlement to the Nackawickack, at Trout Creek.

Ten pounds for the upper road to the Campbell Settlement.

Four pounds to remunerate Currier and Treadwell for work done on the Nackawickack Bridge by M'Farlane.

York County  
Bye Roads,  
*Continued.*

Forty five pounds for the road to and through the Upper Caverhill Settlement, to meet the road from the Springfield Settlement, through the Lower Caverhill Settlement.

Ten pounds for the road from Doctor Caverhill's Corner to the School House.

Fifty pounds for continuing a road from the Mactaquack Settlement to the Springfield Settlement.

Seven pounds for the road near Morehouse's to the Springfield Settlement.

Ten pounds for the road to the King Settlement.

Twenty pounds to remunerate in part Richard Dunn for work done on the Market Wharf.

Fifteen pounds for the road from the Mactaquack, past the Scotch Lake, to the River Saint John.

Twenty five pounds for the road from Moore's to the Mactaquack ; out of which the balance due to the contractor for the Mactaquack Bridge to be paid.

Fifteen pounds for the road to the Tripp Settlement, from M'Keen's towards the Keswick Creek, and towards Harris', if required.

Fifteen pounds for the road to the new Settlement on the upper part of the Keswick, to be appropriated by the Commissioner betwixt the several roads as they may most require it.

Seven pounds five shillings for the road from the Keswick to Cardigan, passing the Bird Settlement.

Five pounds for the road on the North Line to Robert Bird's.

Ten pounds for the road from the Keswick to the Bird Settlement, through the Boon Settlement, passing Harris'.

Fifteen pounds for the road to Mount Hope.

Five pounds for the road from the Penniack Mills to Goodspeed's.

Forty pounds for the road on the eastern side of the Nashwaak.

Ten pounds for the road from M'Laggan's to Stanley.

Twenty pounds for an embankment on the River Saint John.

Ten pounds for the road to the M'Leod Hill Settlement.

Twenty pounds for the Royal Road and the Bridges thereon, a part to be expended between Cardigan and the North Branch of the Tay.

Fifteen pounds for the road from Boyd's to Stanley, past Mick's.

Ten pounds for the road from the Tay Creek Settlement to the Lime Kiln Road.

Five pounds for the road to the Hurler Settlement.

Fifteen pounds for the road to Stanley, passing Doctor Jacob's Farm.

Ten pounds for the road to the Fredericksburgh Settlement ; half of which to be expended on the road beyond Delucry's to the Temple Settlement.

Ten pounds for the roads leading to Parker's, Lane's and Monteith's ; to be divided equally between the three roads.

Twelve pounds for the road to and through the Humphrey's Settlement, on the Nashwaaksis.

Thirty pounds to complete the Bridge over the Nashwaaksis, at Pickard's Mills.

Fifteen pounds for the road from the Nashwaak to the New Durham Settlement.

Fifty five pounds for the Road from the Miramichi Road to the Nashwaak.

Ten pounds for the road leading to the Petitcodiac Road, on the County Line.

Seventeen pounds to repair the Bridges leading to the Keswick, and otherwise to repair the Roads.

Fifteen pounds for the road from Hanson's to the Church on the Nashwaak.

Fifteen pounds for the road from Hughes' to the Taxes River.

Ten pounds for the road leading to M'Pherson's, on the East side of the Nashwaak ;



Nashwaak ; half of which to be expended on the road leading to Stewart's and Stinson's.

York County  
Bye Roads,  
Continued.

Fifteen pounds for the road from the Rushigonish towards the Saint Andrew's Road, through the Little Settlement.

Eight pounds to repay an amount expended in erecting a Bridge across Mill Creek last Summer.

Ten pounds for the road leading to M'Kay's, on the Hill.

Five pounds for the road leading to Corbet's.

Five pounds for the road leading to a Settlement in the rear of Harvey, near Hay and Gill's.

Forty pounds towards enlarging and improving Regent Street Wharf.

Five pounds for the road from the Hanwell Road to the old road leading to Springhill, near the intersection of the said Road with the Great Road from Frederickton to Woodstock.

#### SAINT JOHN BYE ROADS.

Bye Roads in  
Saint John.

Ten pounds to repair the road from Black Settlement Road to Emerson's Creek, Mountain Road.

✓ Fifteen pounds for the road from Little River to Mispec.

Twenty pounds for the road from Little River to Loch Lomond.

+ One hundred pounds for the road from Little River to Black River.

Fifteen pounds for the road opened by Brown and others, past Brown's Mill.

Ten pounds for the road from Black River to Emerson's Creek.

Ten pounds for the road from Emerson's Creek to Gardner's Creek.

Ten pounds for the road from Quaco Road to the County Line, near Read's Farm.

Fifteen pounds for the road from Black Settlement Road to the Quaco Road, Back Road.

Twenty pounds for the road from Quaco Road, through the Ryan Settlement, to the Forks of the road turning towards the late M'Crackin's, and to cut down two Hills on said road.

Ten pounds for the road from the above Forks to the old Quaco Road, past John Davidson's.

Twenty pounds for the road from Quaco to the County Line, near Tabor's, Old Quaco Road.

Ten pounds for the road from Quaco Road to Tynemouth, past John Brown's.

Twenty pounds for the road from Quaco Road to the County Line, Mill and Church Road.

Thirty pounds for the road from Cody's, through the Hibernia Settlement, to the Forks of the road from thence to the Quaco Road.

Fifteen pounds for the road from the above Forks to the road opened by Brown and others.

Ten pounds for the road from Mahor's West line to Harding's Mill.

Twenty pounds for the road from the Forks, near Morrison's, to Frazer's Mill.

Fifteen pounds for the road from Tynemouth to the above Mill.

Twenty pounds for the road from Tynemouth Road, past Power's Farm, to Quaco.

Ten pounds for the road from the Irish Settlement to the Bay Shore, Pisirinco.

Fifteen pounds for the road leading to Sand Point.

Seven pounds for the road from Four Mill Road to the County Line, towards the late Smith's Mills.

Ten pounds for the road from the Millican Road, past Cain's, to the County Line.

Ten pounds for the road from near Ellison's, at Black River, past White's, to intersect the road from Frazer's Mill to Morrison's.

Ten

Saint John  
Bye Roads,  
Continued.

Ten pounds for the road from Nathaniel Floyd's, at the Parish Line, to the Ten Mile Creek, by way of John Howard's.

Five pounds for the road from near Godsoe's, in the Golden Grove Settlement, towards Humbert's Farm.

† Twenty pounds towards building a Bridge across Bean's Creek.

Five pounds for the road from Mill and Church Road, East, to communicate with the Millican Road, *via* Currie's.

Forty pounds towards building a Bridge across Ten Mile Creek Stream.

Fifteen pounds for the road from the above Bridge to connect the road opened by Brown and others.

Seventeen pounds for the road from Fraser's Mills to James Brown's, Esquire, on the line laid out by Mr. Cunningham.

Five pounds for the road from Black River Road to Evans' Cove, as laid out by Deputy O'Keleher.

Ten pounds to repair the road from Vaughan's Creek to the County Line, as laid out by Deputy O'Keleher.

Ten pounds for the road through the Church Land Settlement, till it meets the Great Road near Long's.

Forty pounds for the road from Dipper Harbour Bridge to the Saint Andrews Road.

✓ Thirty pounds for the road from the Saint Andrews Road to Mace's Bay, by way of Hanson's Mill.

✓ Twenty pounds for the road from Peter M'Lauchlan's to Dipper Harbour.

✓ Twenty pounds for the road from Frenchman's Creek to the Saint Andrews Road.

✓ Fifteen pounds for the road from the Saint Andrews Road, by the Settlement in rear of Menzie's Lake, to meet the road, M'Namara's Farm.

Ten pounds for the road from the Nerepis Road to M'Namara's.

Seven pounds to repair the road from James Heavey's to the Saint Andrews Road.

Twelve pounds for the road from Black Beach to Pisirinco.

Ten pounds for the road from Spruce Lake to the Landing Place at Pisirinco.

Ten pounds to build a Bridge over the Canal between South Bay and Musquito Cove.

Ten pounds for the road to connect the Botsford Mills Settlement with the lower Loch Lomond Road, as recently laid out by the Commissioners.

Six pounds for the road from Black River Mills to Morrison's Cove, along the shore, West.

Six pounds for the road from Thompson's Cove, Evans' Road, so called.

Ten pounds for the road from the Fork's, near Harding's Mill, to the County Line, near William R. Sentell's.

• Ten pounds for the road from West Beach to Cape Spencer, and thence to Mispec.

Ten pounds for the road from Hibernia Settlement Road, to the Quaco Road.

Twenty five pounds for the road from the Westmorland Road, through the Golden Grove Settlement; three pounds of which sum to be expended to improve the road to James Long's.

Ten pounds for the road from West Beach to Black River Road, Dowd's Road.

Fifteen pounds to assist the inhabitants in opening a road from the Town Plot at Quaco to the County Line, near Tabor's.

Twenty pounds for the road commencing at Barry's East Line, in Quaco, to the County Line, Brown's Road, so called. Seven

Seven pounds for the road from Belmore's Clearing, at Dipper Harbour, to the County Line, near Hanson's Mill, Little Lepreau, on a line laid out by O'Keleher.

*Saint John  
Bye Roads,  
Continued.*

Five pounds for the road from Pisirinco Bridge, at Stony Creek, to the Saint Andrews Road, near Robertson's.

Five pounds for a road from Craft's Mill Stream, to intersect Pisirinco Road.

Five pounds for the road from M'Niel's to Emerson's Creek, Black River Settlement.

Five pounds for the road from Black River Road towards Red Head Road, past Patrick M'Ardel's.

Five pounds for the Road from Boar's Head to the Kennebecasis Road, leading from M'Kay's Mill.

Twenty five pounds for the road from Indian Town Road, past M'Kay's Mill, to the Kennebecasis, opposite the Brothers'.

Twenty pounds to improve the road and Bridges from Great Salmon River to Little Salmon River.

Three pounds to remunerate John Jordan for an amount paid John Clark for repairing a road while Commissioner.

Four pounds seventeen shillings to pay George Ball for balance due him over expenditure in one thousand eight hundred and forty two.

Five pounds to pay Francis Gallagher balance due him for work performed on West Beach Road.

Two pounds seventeen shillings to pay Deputy O'Keleher in full for balance due for surveying and laying out the line of road from Vaughan's Creek to the Shepody Road.

Ten pounds sixteen shillings towards paying balance due William H. Craft.

II. And be it enacted, That the said several and respective sums of money, and every part thereof, shall be expended under the direction of such Supervisors and Commissioners as His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, may be pleased to appoint, and shall be paid to the several and respective persons who shall actually work and labour in making, completing and repairing the said several Roads and Bridges, or in furnishing materials therefor, at the most reasonable rates that such labour and materials can be provided; and every Commissioner so to be appointed shall, as early in the season as may be, carefully examine the part of the Road where any sums of money are to be expended, and shall lay out and mark off such allotment or allotments as may conveniently be contracted for, in order that the making or repairing of the same may be let by Auction to the lowest bidder; and in all such cases, such Commissioners respectively are hereby required to put a sufficient number of notices, not less than ten days previous to such sale, in three or more of the most public places in the neighbourhood where the work is to be done, which notice shall specify and describe the work to be performed, and also the place, day and hour when and where the same will be let by Auction as aforesaid; and it shall further be the duty of such Commissioners respectively to attend personally at the time and place so appointed, and there to let out to the lowest bidder such allotment or allotments, and at the same time to enter into written Contracts for the faithful performance of the work, in time and manner set forth in such Contracts; and in cases where the work required to be performed cannot be conveniently let at Auction, it shall be the duty of said Commissioners to agree with fit and proper persons to perform the same by days labour; provided that in no case shall more

*Money to be expended under the direction of Commissioners appointed by the Governor in Council.*

*Duty of Commissioners in expending money.*

than one quarter part of any Grant be so expended : and the said Commissioners shall severally keep an exact account of such monies, and shall produce Receipts in writing of the several and respective persons to whom any part of the said money shall be paid, as Vouchers of such payment, and render an account thereof upon oath, (which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer,) to be transmitted to the Secretary's Office on or before the first day of December next, to be laid before the General Assembly at the next Session.

Money to be paid by the Treasurer by Warrant.

III. And be it enacted, That the before mentioned sums of money shall be paid by the Treasurer out of the monies in the Treasury, or as payments may be made at the same, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, for which Warrant no fee or deduction shall be demanded or taken from the persons in whose favor they may issue.

Compensation to Commissioners.

IV. And be it enacted, That the said Commissioners intrusted with the expenditure of the said several and respective sums of money, shall, for their time and trouble, be allowed to retain at and after the rate of five per centum, out of the said money so intrusted to them respectively, together with a reasonable compensation for actual labour and work performed by them on the said several Roads and Bridges.

Money to be expended before the first day of October.  
Proviso.

V. And be it enacted, That the said Commissioners shall expend the said several and respective sums of money on the Roads, on or before the first day of October : provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending money after the first day of October, when it shall be necessary to expend the same for building Bridges, removing rocks, swamps, trees or other obstructions.

No money to be expended on alterations not recorded.

VI. And be it enacted, That none of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the Roads, unless such alterations shall have been first duly laid out and recorded.

### CAP. LVI.

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

*Passed 14th April 1846.*

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

E. Adams.

To Elizabeth Adams, Daughter of the late Widow of Christian Fero, an old Soldier of the Revolutionary War, the sum of ten pounds.

Vaccination, Westmorland.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one hundred pounds to be applied towards extending generally Vaccination among the inhabitants of the County of Westmorland.

R. Trecarten.

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

Roman Catholic School, St. John.

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

W. Watts.

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

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to pay a Sub-Collector and Deputy Treasurer at Woodstock, in the County of Carleton; the duties of both offices to be performed by one Officer; this being in addition to the allowance made to Deputy Treasurers by Law.

Sub-Collector and  
Deputy Treasurer,  
Woodstock.

To Matthew Brannen of the Secretary's Office, the sum of fifteen pounds as a mark of approbation for his long and faithful services in that Office.

M. Brannen.

To Mary Harned, Widow of the late Alward Harned, formerly Doorkeeper of this House, the sum of ten pounds.

M. Harned.

To Ann Fowler, Widow of the late Caleb Fowler, who served as an Ensign in the Revolutionary War in America, the sum of ten pounds to assist her in her present distressed circumstances.

A. Fowler.

To the Widow of Thomas Burden, Lieutenant of the Corps of Loyal Associated Refugees, the sum of ten pounds to assist her in her present distressed circumstances.

Widow of  
T. Burden.

To the Clerk of the Crown in the Supreme Court the sum of one hundred pounds for his services for the year one thousand eight hundred and forty five.

Clerk Crown,  
Supreme Court.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds for a Missionary for the Melicite Tribe of Indians stationed at Fredericton for the year one thousand eight hundred and forty six.

Missionary to In-  
dians, Fredericton.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds in aid of the Grammar School presently taught at Newcastle, in Northumberland, by John Sevewright, to whom the same shall be paid in part of his salary for teaching said School in the present year, on the usual certificate being given.

Grammar School,  
Newcastle.

To William Watts the sum of ten pounds for airing and taking care of the Province Hall.

W. Watts, airing  
Province Hall.

To John Gregory the sum of ten pounds to prepare an Index to the Laws of the present Session.

Index to Laws.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds in aid of individual subscription towards the Free School in the Parish of Portland; the same to be expended by the Board of Commissioners for the Roman Catholic School at Saint John.

Free School,  
Portland.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, such sum as will purchase a Bill of Exchange for two hundred pounds sterling, for the services of Henry Bliss, Esquire, Provincial Agent, for the year one thousand eight hundred and forty five.

Province Agent.

To Jacob Kollock, an old and meritorious Soldier, the sum of fifteen pounds to aid him in his present indigent circumstances.

J. Kollock.

To Jane M'Curdy, Widow of an old meritorious Officer of the Revolutionary War in America, the sum of ten pounds to relieve her in her present distressed condition.

J. M'Curdy.

To the Governor and Trustees of the Madras Board, the sum of four hundred pounds towards the support of that Institution.

Madras Board.

To the Trustees of the Wesleyan Academy at Sackville, the sum of three hundred pounds towards the support of that Institution.

Wesleyan Academy  
Sackville.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding two hundred and fifty pounds to be paid to the managing Committee of the Baptist Seminary at Fredericton, under the control of the Committee, when it shall be certified to His Excellency or Administrator of the Government, that the Institution is in an efficient state.

Baptist Seminary.

J. Simpson,  
Journals, Council  
and Assembly.

To John Simpson, Queen's Printer, the sum of two hundred and seventy five pounds for printing the Daily Journals of the Legislative Council and House of Assembly the present Session; and the further sum of one hundred and fifty pounds towards printing the Revised Journals and Appendices of both Houses of the Legislature for the present Session.

E. Fairchild.

To Elizabeth Fairchild, a Schoolmistress at Saint John, the sum of ten pounds for her services in that capacity.

M. A. Smith.

To Mary Ann Smith, for upwards of forty years a Schoolmistress at Saint John, the sum of ten pounds for her services in that capacity.

D. A. Lugin.

To Deborah Ann Lugin, Widow of the late George K. Lugin, many years King's Printer in this Province, the sum of fifteen pounds to assist her in her present destitute situation.

S. Cyphers.

To Sarah Cyphers, Widow of an Officer of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.

J. Simpson, Laws.

To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Laws of the present Session.

Draw Bridge,  
Oromocto.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds to pay an Overseer for taking charge of the Draw Bridge over the Oromocto, for the year one thousand eight hundred and forty six.

M. Whelpley.

To Mary Whelpley, Widow of the late Jonathan Whelpley, an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present distressed situation.

K. Austin.

To Keziah Austin the sum of twenty pounds, being the unpaid Pension due her as the Widow of the late Martin Austin, an old Soldier of the Revolutionary War, up to October one thousand eight hundred and forty five.

W. Cox.

To William Cox the sum of ten pounds, being the unpaid Pension due him as an old Soldier of the Revolutionary War, up to October one thousand eight hundred and forty five.

S. Lyon.

To Sabra Lyon, Widow of the late Hezekiah Lyon, an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present distressed situation.

D. Groom.

To Dorothy Groom, Widow of Enoch Groom, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.

L. Wannamaker.

To Leah Wannamaker, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute situation.

A. M'Mahon.

To Ann M'Mahon, Widow of James M'Mahon, a meritorious old Soldier, the sum of ten pounds.

J. Hawkins.

To Jane Hawkins, Widow of the late William W. Hawkins, an old Soldier of the Revolutionary War, twenty pounds.

M. Pendleton.

To Martha Pendleton, Widow of the late Stephen Pendleton, an old Soldier of the Revolutionary War, the sum of ten pounds.

Roman Catholic  
School, Saint  
Andrews.

To the Reverend William M'Donald, Charles William M'Stay, and Bartholomew Fitzgerald, Managing Committee of the Roman Catholic School in Saint Andrews, thirty pounds towards the support of said School.

G. Sherwood.

To Grizilla Sherwood, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds.

M. M'Nichol.

To Mercy M'Nichol, of Saint George, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds.

R. Watson.

To Robert Watson the sum of six pounds eighteen shillings and six pence, to reimburse advances made by him to Dorcas Kennedy, a Provincial Pensioner, on account

account of her Pension, she having died before the expiration of the year when the same would have become due.

To Rosanna Pulk, Widow of the late Henry Pulk, a Provincial Pensioner and Soldier in the Revolutionary War, who died twenty eighth September one thousand eight hundred and forty three, the sum of twenty pounds for the two years after said date. R. Pulk.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds towards remunerating a Missionary stationed at Woodstock, for the purpose of giving attendance to the Tobique and other Indians in that neighbourhood. Missionary to Indians, Woodstock.

To Ann M'Donald, Widow of the late Surgeon M'Donald, of the Jersey Volunteers, the sum of ten pounds. A. M'Donald.

To Elizabeth Whitehead, Widow of the late James Whitehead, a meritorious Soldier of the Revolutionary War, the sum of ten pounds. E. Whitehead.

To the Justices of the Peace for the County of Albert the sum of thirty five pounds to enable them to pay a Courier from the Great Road from Saint John to Halifax to the Shire Town of the said County. Courier from Great Road Saint John to Halifax to Hopewell.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds to aid the inhabitants of the County of Westmorland in employing a Courier to carry the Mails from Cape Tormentine to the Great Road of Communication through that County. Courier, Cape Tormentine to Great Road.

To the Committee of the Infant School established at Fredericton the sum of fifty pounds in aid of that Institution. Infant School, Fredericton.

To the Commissioners of Government House the sum of one hundred pounds for Coals for the Public Rooms and Offices in Government House. Government House Coals.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding fifty pounds to pay a Messenger to the Executive Council. Messenger to Executive Council.

To Alfred Kortwright, Lieutenant of Her Majesty's Surveying Service in the Bay of Fundy, &c., the sum of thirty two pounds five shillings and five pence to reimburse him for Duties paid on Wines, &c. at Saint John, consumed and made use of by him while prosecuting such service. Lieut. Kortwright, return Duties on Wines.

To Matthew Carruthers, late Deputy Seizing Officer, Miramichi, the sum of sixty three pounds to remunerate him for certain expenses and loss of time incurred in defending himself before Commissioners appointed by Government, against certain charges preferred against him in his official capacity by John T. Williston, Esquire, in the years one thousand eight hundred and forty four and one thousand eight hundred and forty five, which charges were not sustained. M. Carruthers.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds in payment of the balance due Francis Elliot for the erection of a Bridge over Bathurst Basin, in the County of Gloucester, including allowance for extra work in raising the height of the Bridge, in full of all demands for principal, interest and extra work for and on account of said Bridge, and as a final settlement of the transaction. F. Elliot, Bathurst Bridge.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds to compensate the Prince Edward Island Steam Navigation Company for having maintained a good and efficient line of Steam Communication between Miramichi, Charlotte Town and Pictou, for a period of six months during the past year. Prince Edward Island Steam Navigation Company.

To Henry Swim, of the Parish of Blissfield, in the County of Northumberland, the sum of ten pounds to compensate him for ferrying Her Majesty's Mails over the H. Swim, ferrying Mails, &c.

the South West Branch of Miramichi River during the past year, as also towards defraying the expense of a new Scow for that Ferry.

Courier, Gagetown  
to Salmon River.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds to enable a Courier to run once a week from Gagetown to Salmon River, through the Parishes of Waterborough, Chipman and Canning, the present year.

W. Tabb.

To William Tabb, a licensed Teacher, the sum of twenty pounds for teaching a School in the Foster Settlement, in Queens' County, for one year ending the first day of November one thousand eight hundred and forty five.

Justices of Carleton  
New Gaol.

To the Justices of the Peace of the County of Carleton the sum of four hundred pounds towards the erection of a new Gaol in the said County; the money not to be drawn until the year one thousand eight hundred and forty seven.

J. Black.

To John Black, of Pennfield, the sum of ten pounds, amount of Pension due his father, the late John Black, an old Soldier of the Revolutionary War, at the time of his death.

L. Bell.

To Letty Bell, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present destitute circumstances.

S. Creekmore.

To Sarah Creekmore, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present destitute circumstances.

M. Campbell.

To Martha Campbell, Widow of an old Soldier of the Revolutionary War, the sum of five pounds arrears of Pension for the year one thousand eight hundred and forty three.

M. M. Leggett.

To Mary M. Leggett the sum of twenty pounds to remunerate her for services performed as a Schoolmistress in the year one thousand eight hundred and forty five.

Lt. Col. Whannell,  
return Duties on  
Wines.

To Lieutenant Colonel Whannell, of Her Majesty's Thirty third Regiment, the sum of ninety nine pounds fifteen shillings and nine pence, to reimburse Duties paid on Wines, &c., consumed and made use of by the Officers of the Mess of that Regiment during the past year.

J. V. Tabor.

To James V. Tabor, licensed Teacher, the sum of five pounds to compensate him for teaching a School in the Parish of Chipman, Queens' County, for the period of three months ending the twenty eighth day of March one thousand eight hundred and forty five.

D. M'Lauchlan.

To Daniel M'Lauchlan the sum of four pounds ten shillings, being the Bounty due him on the catch of ninety barrels of Herring.

Lt. M. G. W. Ross,  
return Duties on  
Wine.

To Lieutenant M. G. W. Ross the sum of twenty pounds six shillings and one penny, being a Return Duty on Wine consumed by the Officers of the Gun Room Mess of Her Majesty's Surveying Steam Ship Columbia.

G. Smith.

To George Smith, a licensed Teacher, the sum of eight pounds six shillings and eight pence for teaching a School in the Parish of Greenwich, in Kings' County, for five months ending on the thirtieth day of April one thousand eight hundred and forty three.

H. Swim.

To Henry Swim the sum of four pounds fourteen shillings for ferriage of Her Majesty's Troops in the County of Northumberland in the year one thousand eight hundred and forty three.

Copies of Charts of  
Capt. Owen's  
Survey.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one hundred and fifty pounds for the purpose of obtaining copies of the Charts of the Survey of the River and Harbour of Saint John, lately made under the direction of the Honorable Captain W. F. Owen, R. N.

Repairs of Supreme  
Court Room.

To the Commissioner of Public Buildings a sum not exceeding one hundred pounds



pounds to make alterations and repairs necessary in the Supreme Court Room in the Province Building.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of six pounds seven shillings and six pence, being the amount expended by the Quarter Master General of Militia in collecting and cleaning Militia Arms.

Cleaning Militia  
Arms.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty seven pounds and ten pence, being the balance of the expenditure incurred in the late Inspection of Schools.

Balance on School  
Inspection expenses

To Richard Ferguson, Son of Thomas Ferguson, deceased, an old Soldier of the Revolutionary War, the sum of eight pounds six shillings and eight pence, being the amount due the said Thomas Ferguson at the time of his death.

R. Ferguson.

To Thomas Moses, Deputy Treasurer, West Isles, the sum of twenty five pounds, in consideration of the smallness of his income in that capacity, agreeably to the recommendation of the Committee of Trade; no further grant to be made for this service.

T. Moses,  
Deputy Treasurer.

To Allison and Spurr, of Saint John, the sum of seven pounds ten shillings and eight pence to reimburse them Duties paid on Rum exported thence to Nova Scotia in the schooner Martha Brae.

Allison and Spurr,  
return Duties.

To William H. Street, of Saint John, the sum of one thousand and thirty two pounds nine shillings and two pence, to reimburse him Duties paid on Goods consumed at the destruction of his Warehouse at the great conflagration on the night of the twenty ninth and morning of the thirtieth July last.

W. H. Street,  
return Duties.

To Samuel Napier the sum of three pounds fourteen shillings and six pence to compensate him for Gauging at the Port of Bathurst.

S. Napier,  
Gauging.

To Hugh Waterson, of Bathurst, the sum of eight pounds three shillings and nine pence to reimburse him for Duties paid on Canadian produce as Foreign, for the then want of proper certificates, requisite proof however being subsequently furnished.

H. Waterson,  
return Duties.

To B. R. Fitzgerald, of Saint Andrews, the sum of six pounds nine shillings and seven pence to reimburse him Duties paid on the exportation of a cargo of Lumber shipped to Jamaica on the thirtieth of April last, the Legislature having passed an Act at the last Session to relieve the County of Charlotte from the operation of the Export Duty Act on Lumber shipped to the West Indies, which Act has received the Royal assent.

B. R. Fitzgerald,  
return Duties.

To Charles Whittekir, of Saint John, the sum of three pounds seven shillings and eleven pence to reimburse him Duties paid on Seeds subsequently exported to the United States.

C. Whittekir,  
return Duties.

To John M'Gill, of Saint Patrick, in the County of Charlotte, the sum of fifty pounds as an encouragement to his Cloth Manufactory, and for the completion thereof.

J. M'Gill,  
Bounty.

To Crookshank and Walker, of Saint John, the sum of seven pounds five shillings and seven pence to reimburse them Duties on Goods exported to Annapolis, Nova Scotia.

Crookshank and  
Walker,  
return Duties.

To John Barnes, of Sackville, County of Westmorland, the sum of seven pounds ten shillings, being Bounty due him on seventy five barrels of Shad caught in one thousand eight hundred and forty five.

J. Barnes,  
Bounty on Fish.

To Blair Botsford and Company the sum of three pounds eighteen shillings and four pence to reimburse them Duties on Goods exported from Saint John to Amherst, Nova Scotia.

A. Botsford and  
Company,  
return Duties.

To Johnston and Mackie, of Miramichi, the sum of two pounds eight shillings

Johnston and  
Mackie,  
return Duties.  
and

and four pence to reimburse them Duties twice paid per schooner Waterloo at that place.

W. Carman,  
Gauging.

To William Carman, Gauger at Northumberland, the sum of ten pounds for his services in that capacity in the years one thousand eight hundred and forty four and one thousand eight hundred and forty five.

Peters and Tilley,  
return Duties.

To Peters and Tilley, of Saint John, the sum of eight pounds ten shillings and eleven pence to reimburse them for Duties twice paid on Medicines at Saint John.

P. Buckley.

To Patrick Buckley the sum of ten pounds to relieve him from a Bond given on the importation of four horses, brought with him as part of his Farming Stock from Nova Scotia to this Province, and to relieve him in part for expenses incurred.

E. and J. Wilson,  
return Duties.

To Edward and Joseph Wilson, of Saint Andrews, the sum of twelve pounds to reimburse them for Export Duties paid on a cargo of Lumber shipped to Honduras in the barque Lord Stanley, in July last, for the reasons stated in the appropriation to B. R. Fitzgerald.

Steam Boat Land-  
ing, St. Andrews.

To the Justices of the Peace for the County of Charlotte the sum of one hundred pounds towards the extension of the Steam Boat Landing in the Town of Saint Andrews.

Breakwater at  
Vaughan's or  
East Creek,  
Saint Martins.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds for the erection of a Breakwater on the West side, at the mouth or entrance of Vaughan's or East Creek, in the Parish of Saint Martins, at Quaco, in the County of Saint John.

T. Wallace,  
return Duties.

To Thomas Wallace, of Saint John, the sum of nine pounds to reimburse Duties on Machinery imported from the United States for the manufacture of Cordage.

W. Carvill,  
return Duties.

To William Carvill, of Saint John, the sum of nine pounds ten shillings and five pence to reimburse him Duties paid on Patent Machinery imported from Liverpool for the Saint John Cordage Manufactory.

Wharf at Dorches-  
ter Island.

To the Justices of the Peace for the County of Westmorland the sum of thirty pounds in aid of individual subscription towards repairing the Public Wharf at Dorchester Island.

Pier, Dark Har-  
bour, Grand  
Manan.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for the erection of a Pier or Heater at Dark Harbour, in the Island of Grand Manan.

L. Hawbolt.

To Leonard Hawbolt, Commissioner of Buoys and Beacons for Miramichi, the sum of seventy pounds nineteen shillings and three pence, being a balance over expended by him.

Wharf near Tilley's  
Sheffield.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds in aid of individual subscription for the erection of a Public Wharf or Landing at or near Tilley's, in Sheffield.

Erection of a  
"Sailor's Home"  
at Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds in aid of individual subscription towards the erection of a "Sailors' Home" at Saint John; the same to be taken from the Marine Hospital Fund.

J. Wilson,  
return Duties.

To John Wilson, of Saint Andrews, the sum of eight pounds eleven shillings and eleven pence to reimburse him Duties paid on a cargo of Boards exported to Demerara, in January one thousand eight hundred and forty six, for the reasons stated in the appropriation to B. R. Fitzgerald.

J. Barnes, Bounty.

To James Barnes, of Sackville, County of Westmorland, the sum of three pounds twelve shillings, being Bounty due him on thirty six barrels of Shad caught in one thousand eight hundred and forty five.

To Seymour Pickett, of Kings' County, the sum of fifty pounds to encourage his Cloth Manufactory. S. Pickett, Cloth Manufactory.

To Neil Bradley, a licensed Teacher, the sum of twenty pounds for teaching a School in District number three, in the Parish of Waterborough, in Queens' County, the period of twelve months ending the twenty fifth day of January one thousand eight hundred and forty four. N. Bradley.

To John Simpson the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Studholm, Kings' County, for four months ending the first day of February one thousand eight hundred and forty five. J. Simpson.

To Timothy Daley the sum of five pounds for having taught a School in the Parish of Kingston, Kings' County, for three months ending in November one thousand eight hundred and forty five. T. Daley.

To Matilda Mills the sum of twenty pounds for having taught a School in the Parish of Moncton, County of Westmorland, for one year ending the first day of April one thousand hundred and forty five. M. Mills.

To Mary Ann Grannell the sum of ten pounds for having taught a School in the Parish of Dorchester, County of Westmorland, for six months ending in January one thousand eight hundred and forty two. M. A. Grannell.

To Elizabeth Wilson the sum of six pounds thirteen shillings and four pence, for having taught a School in the Parish of Moncton, County of Westmorland, for four months ending first day of January one thousand eight hundred and forty six. E. Wilson.

To Abigail Smith the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Sackville, County of Westmorland, for four months ending first day of April one thousand eight hundred and forty five. A. Smith.

To David Adams the sum of ten pounds for having taught a School in the Parish of Dorchester, County of Westmorland, for six months ending the nineteenth day of June one thousand eight hundred and forty five. D. Adams.

To Delia Trites the sum of five pounds, to make up her Provincial allowance to twenty pounds, for having taught a School in the Parish of Moncton, County of Westmorland, for one year ending the sixteenth day of November one thousand eight hundred and forty four. D. Trites.

To John Owens the sum of thirteen pounds six shillings and eight pence for having taught a School in the Parish of Dorchester, County of Westmorland, for eight months ending the nineteenth day of January one thousand eight hundred and forty six. J. Owens.

To Mary A. Graves the sum of twenty pounds for having taught a School in the Parish of Salisbury, County of Westmorland, for one year ending in June one thousand eight hundred and forty four. M. A. Graves.

To Charles Arceneau the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Shediac, County of Westmorland, for four months ending the twenty fourth day of December one thousand eight hundred and forty five. C. Arceneau.

To Eloise Akerley the sum of twenty pounds for having taught a School in the City of Fredericton, County of York, for one year ending the twenty fourth day of December one thousand eight hundred and forty five. E. Akerley.

To George T. Latham the sum of five pounds for having taught a School in the Parish of Dumfries, County of York, for three months ending the sixteenth day of December one thousand eight hundred and forty five. G. P. Latham.

To James Gilchrist the sum of five pounds for having taught a School in the Parish of Kingsclear, County of York, for three months ending the sixth day of October one thousand eight hundred and forty five. J. Gilchrist.

To

- T. Bowser. To Thomas Bowser the sum of twenty pounds for having taught a School in the Parish of Saint Stephen, County of Charlotte, for one year ending the first day of April one thousand eight hundred and forty five.
- M. M'Kenzie. To Flora M'Kenzie the sum of ten pounds for having taught a School in the Parish of Saint David, County of Charlotte, for six months ending the first day of June one thousand eight hundred and forty three.
- S. Rogers. To Susan Rogers the sum of twenty pounds for having taught a School in the Parish of Saint David, County of Charlotte, for two separate periods of six months, the one ending the fourth day of April one thousand eight hundred and forty four, and the other the eighth day of October one thousand eight hundred and forty five.
- W. D. Swainson. To William D. Swainson the sum of ten pounds for having taught a School in the Parish of Saint Patrick, County of Charlotte, for six months ending the twenty ninth day of July one thousand eight hundred and forty four.
- C. Walker. To Christiana Walker the sum of twenty pounds for having taught a School in the Parish of Saint George, County of Charlotte, for one year ending the twenty sixth of December one thousand eight hundred and forty five.
- M. C. Albee. To Mary C. Albee the sum of twenty pounds for having taught a School in the Parish of Saint Stephen, County of Charlotte, for one year ending the sixth day of November one thousand eight hundred and forty five.
- M. L. Griffin. To Michael L. Griffin the sum of ten pounds for having taught a School in the Parish of Saint Stephen, County of Charlotte, for six months ending the twenty eighth day of October one thousand eight hundred and forty.
- M. Harvey. To Mary Harvey the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Saint Andrews, County of Charlotte, for four months, ending February one thousand eight hundred and forty five.
- M. J. Perkins. To Mary Jane Perkins the sum of twenty pounds for having taught a School in the Parish of Saint David, County of Charlotte, for two separate periods of six months, the one ending in November one thousand eight hundred and forty three, the other in October one thousand eight hundred and forty five.
- J. P. P. Lester. To James P. P. Lester the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Lancaster, County of Saint John, for four months ending the twenty first day of April one thousand eight hundred and forty five.
- L. M'Intyre. To Lydia M'Intyre the sum of eleven pounds thirteen shillings and four pence for having taught a School in the Parish of Saint Martins, County of Saint John, for seven months ending the first day of November one thousand eight hundred and forty five.
- R. Martin. To Rachel Martin the sum of twenty pounds for having taught a School in the Parish of Portland, County of Saint John, for one year ending one thousand eight hundred and forty five.
- T. H. Black. To Thomas H. Black, a Teacher of twenty six years standing, the sum of ten pounds, in full for past services.
- J. Ritchie. To James Ritchie the sum of five pounds for having taught a School in the Parish of Simonds, County of Saint John, for three months ending the first day of September one thousand eight hundred and forty five.
- F. X. Buteau. To Francis Xavier Buteau the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Beresford, County of Gloucester, for four months ending the twenty third day of November one thousand eight hundred and forty five.
- C. E. Lefrance. To C. E. Lefrance the sum of ten pounds for having taught a School in the Parish

Parish of Saumarez, County of Gloucester, for six months ending in January one thousand eight hundred and forty six.

To Mary Ann Sutherland the sum of ten pounds for having taught a School in the Parish of Bathurst, County of Gloucester, for six months ending in July one thousand eight hundred and forty two. M. A. Sutherland.

To Ann Ellis the sum of twenty pounds for having taught a School in the Parish of New Bandon, County of Gloucester, for one year ending in January one thousand eight hundred and forty six. A. Ellis.

To Donald Bell the sum of five pounds for having taught a School in the Parish of Alwrick, County of Northumberland, for three months ending in June one thousand eight hundred and forty five. D. Bell.

To Edward Lynch the sum of ten pounds for having taught a School in the Parish of Ludlow, County of Northumberland, for six months ending first day of May one thousand eight hundred and forty five. E. Lynch.

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

To Emily Wolhaupter the sum of eight pounds six shillings and eight pence for having taught a School in the Parish of Woodstock, County of Carleton, for five months ending the twenty fifth day of November one thousand eight hundred and forty five. E. Wolhaupter.

To the Province Treasurer the sum of one hundred and one pounds eighteen shillings, being amount of contingencies of Office, including Postage, Stationery and Printing for the past year. Treasury Contingent Expenses.

To the Province Treasurer the sum of two hundred pounds to enable him to pay the Rent of the Offices occupied by the Treasury Department to the thirty first December last. Treasury Department for Rent.

To David W. Jack the sum of six pounds eight shillings, being amount of his account for Gauging and Weighing at Saint Andrews for the year one thousand eight hundred and forty five. D. W. Jack, Gauging.

To Thomas Moses the sum of one pound six shillings for Gauging and Weighing at West Isles in one thousand eight hundred and forty five. T. Moses, Gauging.

To Benjamin C. Chaloner the sum of one hundred pounds in full for his services as Gauger and Weigher the past year. B. C. Chaloner.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two thousand five hundred and forty four pounds to enable the Province Treasurer to pay the debt due by the Province for the erection of the Provincial Penitentiary; the aforesaid sum being the balance of the four thousand pounds made chargeable on the Provincial Treasury by the Act Fourth Victoria, Chapter Forty four. Provincial Penitentiary.

To R. L. Saunders, Teacher of the African School at Loch Lomond, in the County of Saint John, the sum of ten pounds, being amount withheld from him from the grant of last Session. R. L. Saunders.

To Robert S. Bennison, Teacher of the African School at Saint John, the sum of twenty pounds for teaching a School for one year ending first day of May one thousand eight hundred and forty five. R. S. Bennison.

To John A. Boyce the sum of twenty pounds for teaching a School in the Parish of Greenwich, Kings' County, for two periods of six months each, the first period ending on the first day of May one thousand eight hundred and forty five, and the second ending on the first day of March one thousand eight hundred and forty six. J. A. Boyce.

W. M'Intosh.

To William M'Intosh, a licenced Teacher, in the Parish of Dumfries, in the County of York, the sum of twenty pounds, being an increased allowance by reason of his giving instruction in the higher branches of Education.

Samuel Hill, to purchase Land.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding thirty pounds to enable Samuel Hill to purchase two hundred acres of Crown Land on the Road between Oak Bay and Eel River, under the conditions recommended in the report of the Agricultural Committee of the present Session.

Jer. Coakley, to purchase Land.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding fifteen pounds to enable Jeremiah Coakley to purchase one hundred acres of Crown Land on the Road between Little River and Newcastle, in Sunbury County, on like conditions as former grant, as recommended by Agricultural Committee.

Agricultural Societies.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding seventy five pounds to each County for the support of Agricultural Societies, on the like terms and conditions as the grants of the past year for the same purpose.

J. P. A. Phillips, Farmers' Manual.

To J. P. A. Phillips the sum of twenty five pounds for two hundred copies of the "Farmers' Manual" of the past year, to be distributed among the Members of the Legislature for circulation.

British School, Saint John.

To the President, Vice-President and Committee of Management of the British School, in the City of Saint John, the sum of one hundred pounds in aid of that Institution.

Protection of Revenue.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one thousand six hundred pounds towards the protection of the Revenue for the present year.

Addition to Light House Keepers' Salaries.

To the Commissioners of Light Houses in the Bay of Fundy the sum of eighty pounds to enable them to pay the respective Keepers of the Light Houses on Partridge Island, the Beacon, Saint John, Point Leproe, Quaco, Gannet Rock, Cape Enrage, Machias Seal Island, and Campo Bello, ten pounds each, in addition to the several amounts voted them as their Salaries the present Session ;

A. Reed, Light House Keeper.

To Alexander Reed, Keeper of the Light House on Partridge Island, the sum of six pounds five shillings, being that amount short paid him on his Salary ending April one thousand eight hundred and forty three, agreeably to the Report of the Committee of Light Houses ;

J. Hutchinson, Light House Machinery.

To John Hutchinson, of Saint John, the sum of fifty pounds as an encouragement to him for the great improvement made by him in inventing Machinery for Lights in Light Houses ;

Light House Commissioners, Gulf of Saint Lawrence.

To the Commissioners of Light Houses in the Gulf of Saint Lawrence the sum of sixty five pounds eleven shillings and eight pence to reimburse them the balance of the expenditure of last year, and the further sum of one hundred pounds for the contingencies of the present year for Point Escuminac Light House ;

Road, Case's to Light House, Point Escuminac.

To the Commissioners of Light Houses in the Gulf of Saint Lawrence the sum of one hundred pounds for making and completing a Road leading from Case's lower line to the Light House, Point Escuminac :

The last five mentioned sums to be taken from the Funds received for Light Houses.

Justices of the Peace for Albert, towards erection of a new Court House and Gaol.

To the Justices of the Peace of the County of Albert a sum not exceeding five hundred pounds towards the erection of a County Court House and Gaol in the said County ; the same to be drawn from time to time as assessments are made on the said County to the extent of five hundred pounds for the same object, and satisfactorily

satisfactorily certified to His Excellency to have been paid, and Warrants to issue accordingly from time to time as aforesaid, as such assessments are so made and paid, and of equal amounts with such assessments.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred pounds towards removing obstructions in the Great Falls of the River Saint John. Obstructions  
Grand Falls Saint  
John.

To Thomas Pickard, Esquire, the sum of three hundred pounds to encourage him in the running of the Steamer "Reindeer" on the Saint John River, from Fredericton to Tobique. T. Pickard,  
Steamer Reindeer.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred pounds for the removal of a sunken Ship in the entrance to Bathurst Harbour, to be paid when it shall be certified to His Excellency that the Ship is so far removed as to leave no obstruction to the Navigation. Removal of sunken  
Ship, Bathurst  
Harbour.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred pounds for improving the Towing Paths and Boat Tracks from Fredericton to Grand Falls, as follows: Towing Paths,  
Fredericton to the  
Grand Falls.

One hundred pounds for Towing Path and Track from Fredericton to Woodstock;

One hundred pounds for Towing Path and Track from Woodstock to Arestock;

One hundred pounds for Towing Paths Arestock to Grand Falls.

To the Provincial Treasurer the sum of one hundred and fifty pounds for the services of an Assistant Clerk in his Office for the present year. Treasury Office,  
Assistant Clerk.

To the Quarter Master General of the Militia Forces the sum of one hundred and fifty pounds for his services for the year one thousand eight hundred and forty five. Quarter Master  
General Militia  
Forces.

To His Honor the Speaker the sum of nine hundred and fifteen pounds to reimburse him balance of the Verdicts and Costs accruing from the result of the actions instituted against him and the Serjeant at Arms in the privilege cases of Doak and Hill. Privilege case,  
Doak and Hill.

To the Adjutant General of the Militia Forces the sum of eighty five pounds for his services and contingencies of office for the year one thousand eight hundred and forty six. Adjutant General  
Militia.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds in aid of individual subscription for the support of the African School in the City of Saint John. African School,  
Saint John.

To Doctor G. P. Peters, Surgeon to the Vaccine Establishment, Central Board, at Saint John, the sum of twenty pounds for his services for the year one thousand eight hundred and forty five. Dr. G. P. Peters,  
Vaccination.

To the Commissioners of Light Houses in the Gulf of Saint Lawrence, to enable them to pay the Keeper of the Light House on Point Escuminac, the sum of ten pounds, in addition to the amount already voted for his services for the year one thousand eight hundred and forty six. Point Escuminac  
Light House  
Keeper.

To John M'Lauchlan, of Fredericton, County of York, for many years a zealous and efficient licensed Teacher of Youth in this Province, the sum of twenty pounds, in consideration of his advanced age and long and valuable services. J. M'Lauchlan,

To James Wilson the sum of twenty five pounds, in addition to the Parish School allowance, for having taught the higher branches of Education in the Academy at the Bend, in the County of Westmorland, for one year ending the thirty first December last. J. Wilson,

To the Trustees of the Sackville Academy at Westmorland the sum of two hundred Sackville Academy.

hundred pounds, in aid of individual subscription, towards the enlargement of the accommodations of the said Academy.

J. White, Seizure.

To James White, Esquire, High Sheriff of the City and County of Saint John, the sum of sixty six pounds fifteen shillings and nine pence, being expenses incurred by him in seizing and retaining a certain quantity of Rum and other articles at the suit of the Crown.

Legislative Library.

To the Joint Committee of the Legislative Library the sum of two hundred and fifty pounds sterling, towards the purchasing of Books.

J. Dibblee, Indian Land Commissioner.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty three pounds twelve shillings and three pence to compensate John Dibblee, Commissioner for Indian Affairs for the County of Carleton, for services performed in the year one thousand eight hundred and forty five by command of His Excellency the Lieutenant Governor.

J. G. M'Grigor.

To the Reverend John G. M'Grigor the sum of forty pounds towards remunerating him for conducting a School in the City of Saint John.

Provincial Penitentiary.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seven hundred and fifty pounds in addition to the sum provided by Law for the support of the Provincial Penitentiary for the year one thousand eight hundred and forty six.

R. M'Farlane, Fishway.

To Richard M'Farlane the sum of twenty pounds to recompense him for his ingenious invention of a Fish Way, and to defray the expense of bringing his Model to Fredericton for the inspection of the Legislature.

Queens' County Agricultural Society.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds, in aid of individual subscription, to enable the Queens' County Agricultural Society to procure an Entire Horse, of an improved breed, for the use of the said Society.

Roman Catholic School, Bathurst.

To the Reverend Andrew Barron, and the Managing Committee of the Roman Catholic School in Bathurst, the sum of thirty pounds to enable them to keep up and continue the efficiency of that School.

Provincial Lunatic Asylum.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two thousand five hundred pounds towards the erection of a Provincial Lunatic Asylum in the vicinity of the City of Saint John; this sum to be expended under the direction of Commissioners to be appointed for that purpose, and upon such site as will combine the advantages of climate and varied scenery, and near enough to the active and changing scenes of life, to arrest the attention and to amuse its inmates.

S. J. Wheten.

To Simon J. Wheten, a licensed Teacher, the sum of twenty pounds, being an increased allowance in consideration of his giving instruction in the higher branches of Education.

P. O'Neil.

To Patrick O'Neil, a licensed School Teacher, the sum of thirty pounds for having taught a School in the Parish of Portland for eighteen months ending third day of August one thousand eight hundred and forty three.

Provincial Contingencies.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred and fifty pounds for Provincial Contingencies for the present year.

W. Weatherall.

To William Weatherall, a licensed Schoolmaster, the sum of five pounds for teaching a School for the period of three months in the Parish of Saint George, in the County of Charlotte.

Hon. W. F. W. Owen, return Duties on Wine.

To the Honorable W. F. W. Owen, Captain of Her Majesty's Surveying Steam Ship Columbia, the sum of thirty eight pounds fourteen shillings and four pence, being the amount of Duties paid by him on Wines, &c. consumed and made use of by him while prosecuting the Survey of the River and Harbour of Saint John.

To



To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to improve the Boat Landing at the upper part of Beckwith's Wharf in Fredericton, in aid of individual subscription.

Boat Landing near Beckwith's Wharf, Fredericton.

To Isaac and John G. Woodward the sum of one hundred and twenty pounds to reimburse them Duties paid on Steam Machinery imported from the United States in one thousand eight hundred and forty five, of an approved description, for a Steam Boat to ply between Saint John and Boston for the conveyance of Passengers and Freight, the same to be paid upon a satisfactory certificate to be produced to His Excellency that the said Boat is plying successfully on the said route, and affords to the Public additional facility and accommodation.

I. & J. G. Woodward, return Duties on Steam Machinery.

To Mary Ann Hatfield the sum of ten pounds, being the amount which would have been appropriated to her late mother, Widow of the late David Hatfield, who served his Country faithfully in the Revolutionary War in America.

M. A. Hatfield.

To the two Appraisers at Saint John, under the Imperial Act, the sum of twenty five pounds each, for their services in the year one thousand eight hundred and forty five.

Appraisers, Saint John.

To John Porter and George M. Porter the sum of four hundred and seven pounds ten shillings for the purpose of enabling them to pay a Bond to the Crown given for Lumber seized and afterwards relinquished, and which Bond becomes due the first day of August next.

J. & G. M. Porter.

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

Distressed Indians, Seed Grain and Potatoes.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds towards enlarging and improving the Public Wharf at the foot of Regent Street in Fredericton, in aid of individual subscription.

Wharf at Regent Street.

To John S. Hamilton the sum of thirteen pounds six shillings and eight pence to compensate him for teaching a School in the Parish of Sheffield, County of Sunbury, eight months ending the eighth day of January one thousand eight hundred and forty six.

J. S. Hamilton.

To Benjamin Adams and John T. Carter, Overseers of the Poor for the Parish of Bathurst, County of Gloucester, the sum of seven pounds ten shillings, expenses incurred in the support of a Pauper Emigrant, to be charged upon the Emigrant Fund.

Distressed Emigrant, Bathurst.

To the Commissioners of the Alms House County of York the sum of twenty one pounds five shillings and one penny, being the amount expended by them in the year one thousand eight hundred and forty five in the support of Emigrant Poor; to be charged upon the Emigrant Fund.

Distressed Emigrants, York County.

To Henry Livingston and John Welling, Overseers of the Poor, Parish of Shediac, County of Westmorland, the sum of six pounds, amount expended by them in the support of a distressed Emigrant in the year one thousand eight hundred and forty five; to be charged upon the Emigrant Fund.

Distressed Emigrant, Shediac.

To the Commissioners of the Alms House for the City and County of Saint John the sum of one hundred and thirty five pounds four shillings and eleven pence, being the amount expended by them in the year one thousand eight hundred and forty five in the support and relief of Emigrant Poor; to be charged upon the Emigrant Fund.

Distressed Emigrants, St. John.

Distressed Emigrants, Charlotte County.

To the Commissioners of the Poor, Parish of Saint Andrews, County of Charlotte, the sum of twenty five pounds sixteen shillings and six pence, being the amount expended by them in the year one thousand eight hundred and forty five in the support of a destitute Emigrant and his family; to be charged upon the Emigrant Fund.

Distressed Emigrants, St. John.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of thirty seven pounds fifteen shillings and six pence, being the amount expended by them in the year one thousand eight hundred and forty five in the relief and support of Emigrant Poor; to be charged upon the Emigrant Fund.

Dr. G. J. Harding, Health Officer.

To George J. Harding, M. D., Health Officer at Partridge Island, the sum of twenty five pounds, in further remuneration of his services in the year one thousand eight hundred and forty five; to be charged upon the Emigrant Fund.

Chairman of Committee on Public Accounts.

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

Chairman of Committee on Public Accounts.

To the Chairman of the Committee of Public Accounts the sum of one hundred pounds for extra services performed in one thousand eight hundred and forty three, the said Grant having been inadvertently omitted in the appropriations of that year.

Division Line between Westmorland and Albert.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding fifty pounds to defray the expense for running the Division Line between the Counties of Westmorland and Albert.

D. S. Kerr, Reporting the Decisions of the Supreme Court.

To David S. Kerr, Esquire, Barrister at Law, the sum of seventy five pounds for reporting, and towards the expenses of printing the decisions of the Supreme Court.

Poor Female School at Fredericton.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds, in aid of individual subscription, towards the establishment of a School at Fredericton for the education of poor female children, under the auspices of the Lord Bishop of Fredericton; the same not to be drawn until it be satisfactorily certified that the School is in efficient operation.

Ferry Landings, South West Branch of Caraquet.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being the sum of fifty pounds, for the purpose of erecting Ferry Landings at the South West Branch of Caraquet River, pursuant to the Report of the Supervisor.

Division Line of Gloucester and Restigouche Counties.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to pay a Commissioner to be appointed to run out and mark the Division Line between the Counties of Gloucester and Restigouche, commencing at the northern termination of the same.

H. Coulter.

To Henry Coulter, a licensed Teacher, ten pounds for teaching a School in Saint Stephen six months ending the eighth day of April one thousand eight hundred and forty two.

R. Macfarlane.

To Ruth Macfarlane, of Saint Patrick, in the County of Charlotte, Widow of the late Duncan Macfarlane, a deceased Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.

Queen's Counsel in Prosecution against F. Fullerton.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty nine pounds three shillings and four pence to remunerate the Queen's Counsel for Counsel fees and expenses incurred at the Circuit Court for the County of Gloucester, in one thousand eight hundred and forty five, in conducting the prosecution against Francis Fullerton, accused of and convicted of murder.

J. Walsh.

To John Walsh the sum of twenty pounds for having taught a School in Saint John

John for one year ending first day of February one thousand eight hundred and forty five.

To Letitia J. Lowrey, Conductress of the Infant School at Saint John, the sum of twenty pounds for her services in that capacity. L. J. Lowrey.

To William Watts, late Usher of the Court of Chancery in this Province, the sum of twenty pounds in full for his services in that capacity. W. Watts, Usher Court of Chancery.

To the Mechanics' Institute at Saint John the sum of one hundred pounds to enable its Directors in part to relieve that establishment from the debt due, and to extend its general usefulness. Mechanics' Institute, Saint John.

To His Excellency the Lieutenant Governor, or Administrator of the Government for the time being, the sum of sixty two pounds ten shillings towards purchasing an Entire Horse for the County of Charlotte, provided that the said sum shall not be drawn until the sum of thirty seven pounds ten shillings be subscribed and paid by the Agricultural Society of the said County for the same purpose; and the further sum of sixty two pounds ten shillings towards purchasing an Entire Horse for the City and County of Saint John, provided that the said sum shall not be drawn until the sum of thirty seven pounds ten shillings be subscribed and paid by the Agricultural Society of the City and County of Saint John for the same purpose; being a re-appropriation in part of the sum of five hundred pounds granted at the last Session for the like object. Stallions for Charlotte and Saint John Counties.

To the Justices of the Peace for the County of Restigouche the sum of one hundred pounds to assist them in paying off the arrears of the Public Debt of the said County. Public Debt, Restigouche.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of sixty two pounds ten shillings towards purchasing an Entire Horse for King's County, (the said sum being one half of the amount granted in one thousand eight hundred and forty five for that purpose to the Counties of King's and Westmorland,) provided the said sum of sixty two pounds ten shillings shall not be drawn from the Treasury until the sum of thirty seven pounds ten shillings shall be subscribed and paid by the Agricultural Societies of King's County, or any such of them as may choose to subscribe the said amount. Stallion for King's County.

To J. P. A. Phillips, Proprietor of the Head Quarters Newspaper, the sum of one hundred pounds for reporting and publishing the Debates of this House during the present Session. J. P. A. Phillips, publishing Debates.

To the Commissioner of Public Buildings the sum of six hundred and ninety seven pounds thirteen shillings and eight pence, being the amount over-expended during the last year for replacing the out-buildings at Government House destroyed by fire, and for other contingencies. Government House Out-buildings.

To the Commissioner of Public Buildings the sum of one hundred and sixty three pounds eleven shillings and seven pence, being amount expended the last year for the repairs of the Province Hall and other Public Offices. Repairs of Province Hall, and other Public Offices.

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

To the Commissioner of Public Buildings a sum not exceeding two hundred pounds for the purpose of rebuilding the Laundry, Sheds and other Out-houses about Government House, destroyed by fire during the past year, and for other contingencies. Advance for Government House Out-buildings and Contingencies.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and thirty seven pounds two shillings and six pence to reimburse the Commissioners of the Temporary Provincial Lunatic Asylum the amount over-expended by them the past year. Lunatic Asylum, over-expenditure.

J. Simpson,  
Queen's Printer.

To John Simpson, Queen's Printer, the sum of one thousand two hundred and fifty eight pounds eight shillings and two pence, being balance in full due him to the thirty first day of December one thousand eight hundred and forty five, for publishing Journals of both Houses, Laws, and Publications in the Royal Gazette, and all other services.

Library Committee,  
for Reporting  
Debates.

To the Library Committee the sum of three hundred and fifty pounds to enable them to pay for reporting and publishing the Debates of both Houses at the present Session.

Stallion for West-  
morland County.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of sixty two pounds ten shillings towards purchasing an Entire Horse for the County of Westmorland, (the said sum being one half of the amount granted in one thousand eight hundred and forty five for that purpose to the Counties of King's and Westmorland,) provided the said sum of sixty two pounds ten shillings shall not be drawn from the Treasury until the sum of thirty seven pounds ten shillings shall be subscribed and paid by the Agricultural Societies of the County of Westmorland, or any such of them as may choose to subscribe the said amount.

Provincial  
Dredging Machine.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one hundred and forty pounds to be applied in repairing the Provincial Dredging Machine.

J. Herrington.

To John Herrington, a licensed Teacher of Youth in Saint John, the sum of twenty pounds for keeping a School for one year ending first day of April one thousand eight hundred and forty six.

Sub-Collector at  
Shediac.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding fifty pounds for the payment of a Sub-Collector at Shediac.

R. Brockway.

To Reuben Brockway, of Saint Patrick, in the County of Charlotte, the sum of twenty pounds to enable him to complete the purchase of a Lot of Land whereon he has lately erected a Saw Mill and Grist Mill for the benefit of the new settlers in the upper part of that Parish.

B. F. Tibbits,  
improvements in  
Steam Engine.

To Benjamin Franklin Tibbits, a native of this Province, the sum of one hundred pounds in consideration of the great talent and ingenuity exhibited by him in making important and successful improvements in the Steam Engine, and to assist him in securing a patent right to the same in England.

Weekly Communi-  
cation between  
Fredericton and  
Saint Andrews.

To Commissioners to be appointed by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, with the advice of Council, the sum of eighty pounds towards encouraging a weekly communication between Fredericton and Saint Andrews, to be paid quarterly upon its being certified that the communication is efficiently kept up.

Courier between  
Fredericton and  
the Finger Board.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of sixty pounds to enable him to pay a Courier for carrying the Mail once a week between Fredericton and the Finger Board.

Courier between  
Miramichi and  
Dalhousie.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to defray the expense of a semi-weekly Courier between Miramichi and Dalhousie.

Courier between  
Madawaska Post  
Office and River  
Saint Francis.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds to enable him to pay a Courier for carrying the Mail once a week between Madawaska Post Office and the River Saint Francis.

Courier between  
the Mouth of the  
Nerepis and Head  
of Long Reach.

To His Excellency the Lieutenant Governor or Administrator of the Govern-  
ment for the time being, the sum of thirty pounds in aid of a Courier to carry  
the

the Mails between the Mouth of the Nerepis and the Head of the Long Reach, through the Parishes of Westfield and Greenwich.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to pay a Courier for running once a week between the City of Saint John and Quaco.

Courier between Saint John and Quaco.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds to pay a Courier for running once a week between the City of Saint John and Black River, Gardner's Creek, and Ten Mile Creek Settlements, in the County of Saint John.

Courier between Saint John and Black River, Gardner's Creek, and Ten Mile Creek.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds for the purpose of remunerating a Courier between Long Creek, on the Washademoak Lake, and Sussex Vale.

Courier between Long Creek and Sussex Vale.

To Her Majesty's Justices of the Peace of the County of Gloucester the sum of thirty pounds to enable them to remunerate a Courier to run between Bathurst and Pokemouche, by way of Shippegan, for the year ending the first day of June one thousand eight hundred and forty six.

Courier between Bathurst and Pokemouche.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds for the support of a Courier between Miramichi and Pokemouche, *via* Tabusintac and Tracadie.

Courier between Miramichi and Pokemouche.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds to pay a Courier to run once a week between Gagetown and Robert Golding's, in the Parish of Wickham, during the Winter months.

Courier between Gagetown and Robert Golding's.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds, in addition to the sum of twenty pounds granted during the present Session, to aid the inhabitants of the County of Westmorland in employing a Courier to carry the Mail from Cape Tormentine to the Great Road of Communication through that County.

Courier between Cape Tormentine and the Great Road.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds to pay a Courier between Saint Andrews and Saint Stephen for carrying the Mails twice a week in the year one thousand eight hundred and forty six.

Courier between Saint Andrews and Saint Stephen.

To Commissioners to be appointed by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to encourage the running of a Packet between Saint Andrews, West Isles and Grand Manan.

Packet between Saint Andrews, West Isles, and Grand Manan.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds for the encouragement of a Packet between Prince Edward Island and Bay Verte, in the County of Westmorland, to be paid to William Weeks on a satisfactory certificate being produced that the said Packet has run at least once a fortnight during the season, touching at Bedeque and Charlotte Town each alternate voyage.

Packet between Prince Edward Island and Bay Verte.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds for the encouragement of a Packet between Shediac and Bedeque; the same to be paid Anthony Simpson, on a certificate being produced that the said Packet has been at all times fit to carry Passengers, and that she has been running at least once a week from the opening of the Navigation to the close thereof.

Packet between Shediac and Bedeque.

To George Bell and Hector M'Lean the sum of twenty pounds for ferrying Her Majesty's Mail across the Richibucto River for the last five years.

George Bell and H. M'Lean, ferrying Mails.

To Thomas E. Perley the sum of twenty pounds to reimburse him in part money

T. E. Perley, Mails from Madu-

waska to Saint Francis.

money advanced for carrying the Mail from Madawaska to Saint Francis during the past year.

W. Johnson,  
Mail between  
Miramichi and  
Bathurst.

To William Johnson the sum of twenty pounds for carrying an additional Mail between Miramichi and Bathurst during the past Summer.

English Mails by  
Express from  
Halifax.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds to defray the expense of forwarding the English Mails for this Province from Halifax by express.

Peter M'Kenna.

To Peter M'Kenna, a commuted Pensioner Ninth Dragoons, the sum of twenty five pounds in consideration of certain Land allotted in favor of, and in part paid for by him, having been subsequently granted by the Crown to another individual.

Charlotte County  
Boundary Line.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty six pounds sixteen shillings and four pence to provide for the balance due for running out the Lines of the County of Charlotte.

Provincial  
Lunatic Asylum.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one thousand pounds towards the support of the Provincial Lunatic Asylum for the year one thousand eight hundred and forty six.

Painting Province  
Building.

To the Commissioner of Public Buildings a sum not exceeding one hundred pounds to paint the exterior of the Province Building.

Abstract of School  
Returns.

To John Gregory the sum of twenty pounds for preparing an Abstract of the School Returns.

Division Line be-  
tween York and  
Sunbury Counties.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds to complete the running of the Division Line between the Counties of Sunbury and York.

Commissioners of  
Savings' Banks.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds to remunerate the Commissioners of Savings' Banks expenses incurred by them in investigating the affairs of the Fredericton Savings' Bank the past year.

Wall around the  
Provincial Peni-  
tentiary.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding fifty pounds to obtain Tools and other things necessary in obtaining materials for erecting a Wall round the Provincial Penitentiary.

Thomas Smith,  
work on Nerepis  
Road.

To Thomas Smith, of Petersville, in the County of Queens, the sum of fifteen pounds, being in full for work performed by him on the Nerepis Road in the year one thousand eight hundred and forty.

J. Foley.

To John Foley the sum of ten pounds for having taught a School in the Parish of Portland for six months in the year one thousand eight hundred and forty four.

Doak and Hill,  
return Duties.

To Doak and Hill the sum of twenty seven pounds eighteen shillings to reimburse them Duties paid on an improved Printing Press imported from the United States.

Postages of the  
Legislature.

To the Post Master at Fredericton the sum of three hundred and forty two pounds sixteen shillings and nine pence, being the amount of Postages of the Legislature during the present Session.

Contingencies of  
the Legislature.

To the Clerk of the House of Assembly the sum of two thousand two hundred and twenty two pounds one shilling and nine pence, being the Contingencies of the present Session.

Money to be paid  
by Warrant.

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

## CAP. LVII.

An Act relating to Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts.

*Passed 14th April 1846.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Circuit Courts for the trial of all issues joined or to be joined in the Supreme Court of Judicature in this Province, triable at Nisi Prius, shall commence and be held upon the days and times in the several Counties hereinafter mentioned, in each and every year, that is to say :

Circuit Court Terms appointed.

In the City and County of Saint John on the second Tuesday in January and first Tuesday in August ;

In the County of Charlotte on the fourth Tuesday in April and Tuesday next after the fourth Tuesday in October ;

In the County of King's County on the second Tuesday in July ;

In the County of Queen's County on the first Tuesday in March ;

In the County of Albert on the third Tuesday in July ;

In the County of Westmorland on the fourth Tuesday in July ;

In the County of Kent on the Tuesday next after the fourth Tuesday in July ;

In the County of Gloucester on the first Tuesday in September ;

In the County of Northumberland on the second Tuesday in September ;

In the County of Carleton on the last Tuesday in September ;

In the County of Sunbury on the last Tuesday in February ;

In the County of Restigouche on the last Tuesday in August.

II. And be it enacted, That it shall and may be lawful for any person or persons to take and sue forth Writs or Records of Nisi Prius, for the trial of the said issues, in such Counties respectively in which the venue or cause of action of such issues shall be respectively laid, and also Writs of Distringas, Subpœna, and all such other Writs and Precepts as are or may be by the practice and usage of the said Supreme Court be issued and sued forth.

Power to sue forth Writs of Nisi Prius, Distringas, &c.

III. And be it enacted, That such Circuit Courts respectively, shall commence and be held on the said days, and continued so long as the Justice presiding in any such Circuit Court shall consider necessary and expedient for the trial of issues then and there entered and triable ; provided always, and be it enacted, that in case it should happen, either by the pressure of business at other places, or from other unforeseen circumstances, any of the said Circuit Courts shall not be opened at any place specified for holding the same on the very day appointed for such purpose, it shall and may be lawful to open the same on the following day, or if such following day shall be a Sunday, or any other day of public rest, then on the succeeding day ; and such opening shall be as effectual to all intents and purposes as if the same had been opened on the very day appointed for that purpose, and shall be deemed and taken to be an opening thereof on the day for that purpose appointed ; and all Records and other proceedings under or relating to the said Courts, which may be opened and read by virtue of this Act, shall and may be drawn up, entered and made out under the same date, and in the same form in all respects as if such Circuit Courts had been opened on the day originally appointed for that purpose.

Courts to be held on the days appointed, and continued at the discretion of the Judge.

Proviso for opening the Court when not done on day appointed.

IV. And be it enacted, That the Chief Justice, or some one of the Justices of the Supreme Court for the time being, shall attend, be present, and preside at such Circuit Court respectively ; and the respective Sheriffs for the time being of the several Counties shall make return of all Writs and Precepts directed to them

Chief Justice or a Justice of the Supreme Court to preside ; and Sheriffs, Constables, Jurors and Witnesses to do their

them

duty as at the  
Supreme Court.

them respectively, returnable at such Circuit Courts; and such Sheriffs, and all Coroners, Bailiffs, Constables, and all officers and ministers of the Law in such Counties respectively, and also all Jurors to be summoned, and all parties and witnesses in the causes to be heard and tried at such respective Circuit Courts, shall give their attendance at such respective Circuit Courts, and shall be charged and bound in the like manner, and under the like pains and penalties for non-appearance and non-attendance, or for any misdemeanor or default at such Circuit Courts respectively, as if at the terms of the Supreme Court.

£250 granted to  
defray the travel-  
ling expenses of  
the Judges.

V. And be it enacted, That there be allowed and paid out of the Treasury of this Province a sum not exceeding two hundred and fifty pounds annually, to defray the travelling charges and expenses of the Judges holding such Circuit Courts; the same to be paid by Warrant of the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, on the Province Treasury, out of any monies which may be in the same.

Commencement  
and limitation of  
Act.

VI. And be it enacted, That this Act shall not come into operation until the first day of January next, and shall continue and be in force from the said first day of January next for the period of two years.

### CAP. LVIII.

An Act to repeal the Acts to afford relief to persons unfortunate in business.

*Passed 14th April 1846.*

Acts 7 V. c. 32, and

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to afford relief to persons unfortunate in business in certain cases*, and also an Act made and passed in the eighth year of the same Reign, in amendment thereof, intituled *An Act to explain and amend the Act to afford relief to persons unfortunate in business in certain cases*, be and the same are hereby repealed; provided always, that in any case where the Master of the Rolls, before the passing of this Act, shall have made his Order for the calling of a Meeting of the Creditors of any petitioning Debtor, the same may be proceeded with to the final discharge of such Debtor from all debts and liability in all respects the same as if the said recited Acts had not been repealed.

8 V. c. 94, &  
repealed.

Proceedings al-  
ready instituted  
may be completed.

### CAP. LIX.

An Act to extend the provisions of an Act further to amend the Law relating to Bankruptcy.

*Passed 14th April 1846.*

Preamble.

8 V. c. 88.

**W**HEREAS in and by the twelfth section of an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act further to amend the Law relating to Bankruptcy*, it was enacted, that when orders had been made for any Certificate of Conformity under the provisions of the Act relating to Bankruptcy, that such Certificate should be confirmed within a certain time therein expressed, which has expired: And whereas it is just and reasonable that Certificates ordered under the provisions of the said Law should be confirmed, notwithstanding the time limited in and by the said recited Act shall have expired: And whereas the said Act requires amendment in other respects;

Time for confirma-  
tion of Certificates  
of Conformity  
limited.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That every Certificate of Conformity, whether absolute or conditional, ordered or made under the Acts relating to Bankruptcy, shall and may be confirmed,



confirmed, or the confirmation of the same shall be applied for, agreeably to the provisions of the said Acts, within twelve calendar months from the passing of this Act; and if the said Certificate shall not be confirmed, or the same applied for, as aforesaid, within such time, the said Certificate shall be deemed and taken to be finally refused, within the meaning of the twenty fourth section of the Act made and passed in the fifth year of the Reign of Her present Majesty, intituled *5 V. c. 43. An Act relating to Bankruptcy in this Province.*

II. And be it enacted, That so much of the said twelfth section of the said recited Act as declares that any Certificate which shall not be confirmed, or the same applied for, within the time specified in and by the said recited Act, be and the same is hereby repealed. *5 V. c. 43, s. 12, in part repealed.*

III. And be it enacted, That the power and authority given to the Assignee in the ninth section of the said recited Act, to transfer the Books of Accounts to the said Bankrupt, shall be construed to extend to include Promissory Notes, Bonds, Due Bills, and all other assurance for money or debts due the said Bankrupt, so that the whole Personal Estate of the said Bankrupts may be re-invested in the said Bankrupts, agreeably to the provisions of the said ninth section of the said recited Act. *Power to transfer to the Bankrupt Books of Accounts, extended to Promissory Notes, &c.*

IV. And be it enacted, That the assignment of the Assignee of the said Bankrupt's Estate, duly executed, with an Affidavit of the Assignee indorsed thereon, that the said assignment was made according to Law, which Affidavit may be made before any Commissioner authorized to take Affidavits in the Supreme Court, shall be deemed *prima facie* evidence of the right of such Bankrupt to recover any such debt so assigned in his own name. *Assignment duly executed to be prima facie evidence of right of Bankrupt to recover debts.*

### CAP. LX.

An Act in amendment of the Laws now in force relating to Grammar Schools.

*Passed 14th April 1846.*

**WHEREAS** it appears that the benefits derived from some of the Grammar Schools are not commensurate with the large sums of money annually granted for their support; *Preamble.*

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Scholars in the several Grammar Schools in this Province shall be taught Orthography, Reading, Writing, Arithmetic, English Grammar, Geography, English Composition, Ancient and Modern History, Natural History, Natural Philosophy, the practical Branches of the Mathematics, the Use of the Globes, the Latin and Greek Languages, and such other useful learning as may be judged necessary. *Branches of Education to be taught in Grammar Schools.*

II. And be it enacted, That in every such Grammar School there shall be an average number of fifteen Scholars over ten years of age in daily attendance, and that the following Branches of Education shall be taught in the said Schools respectively: English Grammar, English Composition, Ancient and Modern History, Natural History, Natural Philosophy, Arithmetic, Geography, the Use of the Globes, Latin, Greek, and the practical Branches of Mathematics. *Average number of pupils to be in attendance.*

III. And be it enacted, That it shall be the duty of the Master of every such Grammar School to keep a true and correct Register of the names and ages of the several Scholars, and daily to mark therein the presence or absence of each Scholar, as the case may be, and to furnish the Trustees and Directors of such Grammar School, semi-annually, with a true copy of the same, and also with a Return pointing out the average number in daily attendance, with the several Branches of Education taught to each Scholar. *A Daily Register of the Scholars to be kept, and a copy to be furnished to the Trustees and Directors.*

Trustees and Directors to examine the Schools and make Reports.

IV. And be it enacted, That it shall be the duty of the Trustees and Directors of the several Grammar Schools to examine and inspect the same at least once in every six months, and to make a Report of every such examination; which Report shall set forth the Master's name, age, religious profession, and whether married or single—the Books and Apparatus used in School—the Branches of Education actually taught—the size, fitness, and condition of the building, and suitability of the furniture—the nature and extent of the religious instruction—the mode of discipline—the manner of teaching the several Branches of Education—the general state and condition of the School, with such other information as may be necessary and proper.

Registers and Reports to be transmitted for the information of the Government and House of Assembly.

V. And be it enacted, That it shall further be the duty of the said Trustees and Directors, and they are hereby required to transmit semi-annually to the Office of the Provincial Secretary, all such Registers, Returns and Reports for the information of the Government, and for the inspection and examination of the General Assembly; and if it shall at any time appear from such Registers, Returns and Reports that any Grammar School is in any respect deficient and short of the hereinbefore prescribed requirements, then and in such case it shall and may be lawful for the Lieutenant Governor or person administering the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, to reduce the annual allowance for such Grammar School in their discretion, so that the same shall in no case be less than fifty pounds per annum to any one School.

Power to reduce the money allowances in certain cases.

Commencement and force of Act.

VI. And be it enacted, That every part of this Act shall, after the passing thereof, be and continue in full force and effect, any other law, usage or custom to the contrary notwithstanding.

### CAP. LXI.

An Act further to extend the provisions of an Act, intituled *An Act to encourage the establishment of Banks for Savings in the Province.*

*Passed 14th April 1846.*

Preamble.

6 G. 4, c. 4.

‘WHEREAS in and by the thirteenth section of an Act made and passed in the sixth year of the Reign of King George the Fourth, intituled *An Act to encourage the establishment of Banks for Savings in the Province*, it is among other things enacted, that the Debentures to be issued in pursuance of the provisions of the said Act, shall never at any time exceed the amount of ten thousand pounds, in the aggregate, for the whole Province; and that whenever the Debentures issued in pursuance of the provisions of the said Act shall amount, in the aggregate for the whole Province, to the said sum of ten thousand pounds, the Province Treasurer and his Deputies shall cease to issue any more such Debentures, and it shall be the duty of the said Treasurer to give the requisite directions to his Deputies for that purpose: And whereas in and by an Act made and passed in the fourth year of the Reign of Her present Majesty, intituled *An Act to extend the provisions of an Act, intituled An Act to encourage the establishment of Banks for Savings in this Province*, it was enacted, that it should be lawful for the Treasurer of the Province and his Deputies to receive Deposits and issue Debentures for the sum of ten thousand pounds, in addition to the said sum of ten thousand pounds mentioned in the first herein recited Act: And whereas it is deemed expedient further to extend the provisions of the said recited Acts;

4 V. c. 20.

Power given to the Province Treasurer and his Deputies to

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Treasurer of the Province and his

his Deputies, in addition to the sum of twenty thousand pounds to be by them received, and for which they are authorized and empowered to issue Debentures in and by the said several recited Acts, to receive further Deposits to the amount of ten thousand pounds, and to issue Debentures therefor in like manner, and subject nevertheless to the provisions and restrictions in the said Act herein first recited contained, any thing in the said last mentioned Act to the contrary thereof in any wise notwithstanding.

receive and issue Debentures for the further sum of £10,000.

CAP. LXII.

An Act to repeal the second section of an Act, intituled *An Act in addition to an Act, intituled 'An Act for the better extinguishing of Fires which may happen in the City of Saint John,' and to continue a certain Act relating to the same matter therein mentioned.*

Passed 14th April 1846.

**‘**WHEREAS it is of the utmost importance to the protection of the pro-  
 ‘perty of the Citizens against the ravages of Fire, that no hinderance  
 ‘or impediment should be thrown in the way of the Corporation of the City in  
 ‘raising a sufficient sum of money to place the Fire Department in the City of  
 ‘Saint John in an efficient state;’

Preamble.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly,  
 That the second section of an Act made and passed in the eighth year of the  
 Reign of Her present Majesty, intituled *An Act in addition to an Act, intituled  
 'An Act for the better extinguishing of Fires which may happen in the City of Saint  
 John,' and to continue a certain Act relating to the same matter therein mentioned,* be  
 and the same is hereby repealed.

Act 8 V. c. 63, s. 2,  
 repealed.

CAP. LXIII.

An Act to authorize an assessment on the City of Saint John for the payment of the County  
 Contingencies.

Passed 14th April 1846.

**‘**WHEREAS the Contingent Funds of the City and County of Saint John  
 ‘are inadequate to the payment of the contingent expenses of the  
 ‘County;’

Preamble.

Be it therefore enacted by the Licutenant Governor, Legislative Council and  
 Assembly, That it shall and may be lawful for the Justices of the Peace of the  
 City and County of Saint John, at any General Sessions of the Peace to be holden  
 for the said City and County, to order and direct an assessment for the current  
 year, not exceeding the sum of seven hundred and fifty pounds, together with the  
 expenses of assessing and collecting the same, for the purpose of defraying the  
 contingent expenses of the said County, to be assessed, levied, collected and paid  
 in the same manner as any County or Parish Rates are assessed, levied, collected  
 and paid, under and by virtue of any Act or Acts of Assembly made or to be  
 made for that purpose; and when received, to be paid over by the Collector into  
 the hands of the County Treasurer, to be disbursed by him from time to time on  
 the orders of the said Justices in any General Sessions to be made for the pur-  
 pose of paying such County Contingencies.

An annual assess-  
 ment not exceeding  
 £750, with expen-  
 ses, to defray  
 County Contingea-  
 cies, authorized.

CAP. LXIV.

An Act further to facilitate the means of supplying the City of Saint John with Water, and for  
 the more effectual prevention and extinguishment of Fires within the said City.

Passed 14th April 1846.

**‘**WHEREAS the incorporation of the Saint John Water Company has  
 ‘been highly beneficial to the Public, and the abundant supply of  
 ‘Water

Preamble.

‘ Water gratuitously furnished by the said Company for the extinguishment of the  
 ‘ calamitous Fires which have so frequently happened within the said City, has,  
 ‘ under Divine Providence, been the means of preserving the said City from almost  
 ‘ total destruction and ruin : And whereas it is deemed just and reasonable that  
 ‘ all properties fronting upon all Streets, Lanes, Squares, Highways and Alleys  
 ‘ wherein Mains are already established, or hereafter may so be, should in future  
 ‘ be made liable to contribution by assessment, towards the charges and expenses  
 ‘ of establishing, upholding and preserving works so highly important, as well to  
 ‘ the health and comfort of the Citizens, as to the protection and preservation of  
 ‘ property within the said City ;’

Property fronting  
 on Streets through  
 which the Mains of  
 the Saint John  
 Water Company  
 pass, made rateable  
 for the benefit of  
 that Company

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and  
 Assembly, That all Stores, Houses, Out Houses, and Buildings of every nature,  
 kind and description, and Water Lots fronting upon all Streets, Lanes, Squares,  
 Highways, Alleys and Wharves in the said City of Saint John, as well wherein  
 are now placed the Mains of the said Saint John Water Company, as also wherein  
 the same may from time to time hereafter be placed, shall be deemed and taken  
 and are hereby declared to be subject and liable to a rate or assessment of four  
 pence per running foot front, for each and every year during the continuance of  
 this Act, to be paid to the Collector for the time being of such rate or assessment,  
 for the benefit of the said Saint John Water Company, by the owner or owners  
 of such vacant Lands and Water Lots, and by the owner or owners of such Stores,  
 Houses, Out Houses and Buildings respectively ; and the owner of such Stores,  
 Houses, Out Houses and Buildings shall be deemed and taken, and they are  
 hereby declared to be subject and liable to the payment of the said rate or assess-  
 ment of four pence per running foot front as aforesaid, of such Stores, Houses,  
 Out Houses and Buildings, as also for each and every foot front of Lands, not  
 built upon, thereunto respectively belonging or therewith used, occupied or  
 enjoyed, whether such Lands be used for the purposes of a road way, passage,  
 alley way, lane, yard, garden, or otherwise howsoever, and whether the same be  
 owned by the owner or owners of such Stores, Houses, Out Houses and Buildings  
 respectively, or not, any thing herein contained to the contrary notwithstanding :  
 provided always, and be it enacted, that all Corner Lots, Stores, Houses, Out  
 Houses and Buildings, and the Lands, not built upon, thereunto respectively  
 belonging as aforesaid, having fronts on any two or more Streets or Wharves,  
 wherein such Mains now are or hereafter may be placed, shall be rated or assessed  
 for only one half the number of feet front upon such Streets and Wharves ; and  
 further provided, that all Public Squares and Burying Grounds, and also all  
 Lands whereon now are or hereafter may be built Public Buildings and places of  
 Public Worship, together with all such Public Buildings and places of Public  
 Worship, are hereby declared to be free and exempt from the rate or assessment  
 imposed by this Act ; and further provided, that nothing herein contained shall  
 subject any House, Out House or Building to any rate or assessment under this  
 Act, unless a Main of the said Company now is placed in operation in front of or  
 running past the same, or until a Main as aforesaid shall be placed and in opera-  
 tion in front of and passing the same ; and further provided, that the Houses,  
 Stores and Buildings fronting on Brussels Street shall be exempted from any rate  
 under this Act.

Exceptions.

Collector of the rate  
 to be annually  
 appointed by the  
 Common Council  
 of Saint John.

II. And be it enacted, That the Mayor, Aldermen and Commonalty of the  
 City of Saint John, in Common Council assembled, shall and may, and they  
 are hereby required, on or before the first day of July in each and every year,  
 during the continuance of this Act, by Warrant under the Common Seal of the  
 said

said City, to nominate and appoint one fit and proper person to collect the rate or assessment hereby ordered, and to demand and receive of and from such person so nominated, before the delivery unto him of the Warrant aforesaid, a Bond or Obligation payable unto the said Saint John Water Company, their Successors or Assigns, with two good and sufficient Sureties, in such penal sum as the said Mayor, Aldermen and Commonalty, in Common Council assembled, may deem reasonable and proper, conditioned for the due and faithful discharge of his duty as such Collector; and for the due and faithful payment by him, the said Collector, to the President or Treasurer of the said Saint John Water Company for the time being, or to whomsoever the said Saint John Water Company may from time to time in that behalf direct, (first deducting his charge for collecting the same,) of all such sum and sums of money as may come into his hands, or into the hands of any other person or persons for him as such Collector, within the time after the receipt and collection of the same hereinafter set forth, which Bond or Obligation, immediately upon being executed by such Collector and his Sureties, as aforesaid, shall be delivered by the Mayor to the said Saint John Water Company; and in case of the death, sickness, absence or resignation of the said Collector, or his dismissal from office by the said Mayor, Aldermen and Commonalty, in Common Council assembled, (for which full power and absolute authority is hereby to them given,) on complaint of and proof of any default, negligence or impropriety in the discharge of his duties as such Collector, then, and in every such case, it shall and may be lawful for the said Mayor, Aldermen and Commonalty, in Common Council assembled, and they are hereby required forthwith to appoint another fit and competent person in his room and stead, and to require and receive from such person the like security, to be in like manner disposed of, and so as often as such case shall happen.

Security to be taken  
in the name of the  
Water Company.

III. And be it enacted, That if the said Mayor, Aldermen and Commonalty of the said City of Saint John, shall neglect or refuse to appoint such Collector on or before the first day of July in each and every year during the continuance of this Act, or any or either of them, as they are hereinbefore in that respect directed, then, and in every such case, it shall and may be lawful to and for the President and Directors of the said Saint John Water Company for the time being, and they are hereby authorized and empowered, immediately after such neglect or refusal, to nominate and appoint such Collector under the seal of the said Saint John Water Company, and take Bonds with sufficient sureties for the faithful discharge of his duties as such Collector, with the like power and authority to the said President and Directors, as is hereinbefore in that behalf given to the said Mayor, Aldermen and Commonalty, to appoint others in his room and stead, in case of his neglect or refusal, his death, sickness or resignation, or his dismissal from Office by the President and Directors of the said Saint John Water Company, on complaint and proof of default, negligence or impropriety in the discharge of his duties as such Collector, as often as any such case shall happen; the said President and Directors of the said Saint John Water Company giving to the said Mayor, Aldermen and Commonalty, in Common Council assembled, immediate notice of every such appointment, and publishing the same in two or more of the Newspapers published in the said City of Saint John, for at least fifteen days; which Collector so appointed by the said President and Directors of the said Saint John Water Company from time to time, is hereby authorized and empowered to demand, recover and receive the rate or assessment hereby imposed, and in case of neglect or refusal by any person or persons to pay his, her or their assessment, to proceed for the recovery thereof in every respect as

Collector to be appointed by the  
Water Company  
on the neglect or  
refusal of the Com-  
mon Council.

fully

fully and effectually, to all intents and purposes, as if such Collector were appointed and authorized by the said Mayor, Aldermen and Commonalty, in Common Council assembled, under the Common Seal of the said City.

List of property and the owners to be delivered to the Collector by the Water Company.

IV. And be it enacted, That it shall and may be the duty of the said Saint John Water Company, and they are hereby required on or before the said first day of July in each and every year, during the continuance of this Act, to prepare from the best information they can ascertain, a list or schedule of all Water Lots, Stores, Houses, Out Houses and Buildings, liable to the said rate or assesment under and by virtue of this Act, with the names of the owners thereof respectively, so far as the same can be ascertained, and shall cause to be delivered unto every such Collector, immediately on his appointment, as hereinbefore is provided for, a correct copy thereof, under the Seal of the said Saint John Water Company, for his information in collecting the assessment or rate imposed by this Act; and that it shall be the duty of such Collector, immediately after the receipt of the said warrant or appointment and schedule aforesaid, to demand and receive the several sums of money in the said schedule contained, of and from the owner and owners respectively of the Lands, Water Lots, Houses, Out Houses, Stores and Buildings therein set forth, and shall on the first Monday in each and every month, pay over unto the President or Treasurer of the said Saint John Water Company, or unto whomsoever the said Saint John Water Company may from time to time in that behalf direct, the several sums of money which may have been received by such Collector during the preceding month, (first deducting therefrom at and after the rate of six per centum for collecting the same,) together with a list under his hand of the persons from whom, and the Lands, Water Lots, or Houses, on account of which the same may have been received; and upon the neglect or refusal of any person or persons to pay over the respective amounts of his, her or their assessment, the said Collector, within thirty days after demand made upon such owner or owners, or their representatives respectively, or the tenant or tenants of such owner or owners, shall proceed against such owner or owners so neglecting or refusing, according to the powers herein given to the said Collector, and also within six calender months after the receipt of the warrant or appointment for collecting such assessment, shall render to the President of the said Saint John Water Company, under oath, a full and true account of all and every sum and sums of money, which may have been received by him on account of the said assessment, and also a correct list of all defaulters, and the Lands, Water Lots and Houses respectively, upon which such default shall have been made.

Collector to pay over money monthly, and render accounts within six months.

Proceedings to recover over-due assessments.

V. And be it enacted, That in case of the neglect or refusal of the owner or owners, or their representatives respectively, or the tenant or tenants of such owner or owners of all Water Lots, Stores, Houses, Out Houses and Buildings assessed under and by virtue of this Act, to pay the amount of such assessment for the space of ten days after demand of such assessment by the Collector thereof made, it shall be the duty of such Collector to make application to any Justice of the Peace of the City and County of Saint John, which Justice is hereby required, upon complaint made to him under oath by such Collector, that the amount of assessment has not been paid, and that demand has been duly made, to issue warrant of distress and execution against the party complained of, in the form following, that is to say :

Saint John, ss. To any Constable of the City of Saint John.

You are hereby commanded to levy of the goods and chattels of ———, within the

the said City, the sum of — which sum is the amount assessed upon —, as owner of [*the premises assessed,*] and also — costs, amounting in the whole to —, besides costs of levying this Execution, and have that money before me at my Office, on the — day of —, to be rendered to —, Collector of the rate assessed under the provisions of an Act of the General Assembly of this Province, intituled *An Act further to facilitate the means of supplying the City of Saint John with Water, and for the more effectual prevention and extinguishment of Fires within the said City*; and for want of sufficient goods and chattels whereon to levy, you will take the body of the said — and deliver — to the Keeper of the Gaol of the said City and County, and the said Keeper will take the said — and — safely keep for — days, unless the said — and costs be sooner paid; and when you shall have executed this precept, make return to me at the day and place aforesaid. Given under my hand this — day of — 184—.

— — Justice of Peace.

And the Constable to whom any Execution as aforesaid shall be delivered, shall forthwith proceed to levy the same, in the like manner as is provided for the levying Executions, in an Act made and passed in the fourth year of the Reign of King William the Fourth, intituled *An Act to regulate proceedings before Justices of the Peace in Civil Suits*. 4 W. 4, c. 45.

VI. And be it enacted, That the owner or owners, occupier or occupiers, tenant or tenants of all Stores, Houses, Out Houses and Buildings, hereby made liable to the said assessment or rate, who now are, or hereafter shall become tenants of the said Saint John Water Company, by receiving into such Stores, Houses, Out Houses or Buildings, a supply of water, shall be entitled to a reduction in the rent charged by the said Company, to the extent of the said assessment, of four pence per foot of such premises so supplied, for each and every year he, she or they may continue the tenants of the said Company; and that payment by any one of the tenants or occupiers of any Water Lot, or any Store, House, Out House or Buildings liable to assessment under and by virtue of this Act, of such sum of money as is hereby assessed upon the same respectively, shall be deemed and taken to be payment of the rate or sum so assessed; and every such payment shall be deemed and taken as between the person and persons entitled to receive rent for such Water Lot, Store, House, Out House and Building, and the tenant or occupier so paying, to have been paid on account of the rent to which such tenant or occupier may be liable, at the end of the quarter or term during which such payment may be made, by virtue of any lease, demise, contract, custom, agreement, or otherwise howsoever.

Owners, &c. of property taxable under this Act, receiving a supply of water from the Company, to have credit for the amount assessed.

VII. And be it enacted, That the said Saint John Water Company shall and will, during the continuance of this Act, at their own proper costs and charges, place and establish Fire Plugs for supplying water whenever fires shall happen in the said City, or vicinity thereof, at such distances from each other along the Mains now placed, or hereafter to be placed, as the Mayor, Aldermen and Commonalty of the said City, in Common Council convened, shall from time to time direct and appoint; and all Fire Plugs now established, or hereafter so to be, shall and will, at their own proper costs and charges, during the continuance of this Act, keep and maintain in good and sufficient serviceable order, free of all costs, charges and expenses to the said City.

Plugs for water at fires to be established by the Company.

VIII. And be it enacted, That any person or persons thinking himself, herself or themselves aggrieved or overrated by any rate or assessment to be made by virtue of this Act, within six days after the demand thereof made as aforesaid, may

Appeal allowed in cases of excessive assessment.

may appeal to any two Justices of the Peace of the said City and County of Saint John, who are hereby empowered and required to examine into the appeal, and if the same shall be supported to their satisfaction, they shall give such relief as they may think just, either by directing the sum overrated not to be collected, or if collected and paid, to be repaid, or else such person or persons shall be allowed the sum so overrated in any future assessment to be collected under the provisions of this Act.

Five Directors of the Water Company to form a Board for business.

IX. And be it enacted, That five of the Directors of the said Saint John Water Company shall constitute a Board for the transaction of business, of which the President shall always be one, except in cases of sickness or necessary absence; and in every such case, the Directors then present shall choose one of their Board as Chairman in his stead, and that the President or Chairman shall vote at the Board as a Director, and in case of there being an equal number of votes for and against any question before the Board, the President or Chairman shall have a casting vote, any Laws heretofore made and passed to the contrary notwithstanding.

Time and place for bringing actions for proceedings under this Act defined.

X. And be it enacted, That if any action or suit shall be commenced against any person or persons for any thing that shall be done in pursuance of or by the authority of this present Act, in every such case the action or suit shall be commenced within three calendar months next after the fact committed, and not afterwards, and shall be laid and brought in the City and County of Saint John, except in cases where the Court shall otherwise order, and not elsewhere; and the Defendant or Defendants in such action or suit to be brought, shall and may plead the general issue, and give this Act and the special matters in evidence, at any trial to be had thereupon, and that the same was done in pursuance, and by the authority of this Act, and if it shall appear so to be done, or that such action or actions shall be brought after the time before limited for bringing the same as aforesaid, or shall be brought in any other County or place, that then the Jury shall find for the Defendant or Defendants.

Defence.

Limitation of Act.

XI. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty, and no longer: provided always, that nothing in this section contained shall be construed to prevent the recovery of all and every the rates or assessments imposed by this Act.

### CAP. LXV.

An Act to authorize the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John.

*Passed 14th April 1846.*

Preamble.

‘ **W**HEREAS the widening of Saint John Street, and the continuation thereof to Duke Street, in the City of Saint John, would greatly improve that portion of the City, and it is deemed advisable to effect the same before the Buildings destroyed by the late fire along the western side of the said Street shall have been replaced by others of a permanent description;’

Commissioners to carry out this Act to be appointed by the City Corporation.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful to and for the Mayor, Aldermen and Commonalty of the City of Saint John, to nominate and appoint, and also to re-appoint and supply, as it may be necessary and expedient, three or more disinterested persons, (of whom the Alderman for Queens' Ward, in the said City, for the time being, if so qualified, shall be one,) Commissioners, for the purpose of performing the duties hereinafter in that behalf prescribed; which said Commissioners, before they enter on the performance of the duties of their appointment,



appointment, shall severally take an oath, or affirmation in any case where affirmation is by Law allowed, before any Justice of the Peace of the said City and County, faithfully to perform the said duties.

II. And be it enacted, That it shall be the duty of the said Commissioners forthwith to enter upon the duties of the said appointment, and to cause a survey and plan of the said Street, and the continuation thereof to Duke Street, and the several lots of Land, Beach or Flats lying between the said Street and continuation thereof, and low water mark, in the Harbour of Saint John, and to fix and decide upon the best mode and method of widening and enlarging the said Street and continuation thereof, as aforesaid; and for that purpose the said Commissioners shall have full power and authority to enter in and upon the Lands and Tenements situate or being upon or near to the said Street and continuation thereof aforesaid, and to determine and decide where and in what manner such Street and continuation thereof shall be widened and enlarged; provided that the Land required for the widening and enlarging of the said Street and continuation thereof, shall be taken from the western side thereof, and shall in no case exceed the width or distance of forty feet from the present eastern side line of the said Street and continuation thereof aforesaid.

III. And be it enacted, That the said Commissioners, or the major part of them, so soon as they shall have caused such survey and plan to be made, and shall have decided where and in what manner such Street and continuation thereof as aforesaid shall be widened and enlarged, shall proceed to make a just and equitable estimate and assessment of the value of the lands, tenements and hereditaments required for the widening and enlarging of the said Street and continuation thereof, (due regard being had to the benefit accruing to the owners or parties interested in such lands, tenements or hereditaments respectively, from the widening and enlarging of the said Street and continuation thereof,) and also an estimate of the amount or sum of money which will be required for the purpose of taking down and removing all buildings or parts of buildings, or erections on the said Street and continuation thereof, and building up and completing the said Street and continuation thereof, to the width hereinbefore mentioned, so as to make the same a good and sufficient public Street or Highway, and also an estimate of the amount or sum of money which will be required for the purpose of paying to the said Commissioners, or such of them as shall be actually engaged in the duties directed by this Act, an adequate remuneration for their trouble in the due performance of such duties, not exceeding ten shillings per diem, during the time they respectively shall be actually engaged therein, together with all reasonable expenses for plans, surveys, clerk hire, and other necessary disbursements, and the charges of collection of the several assessments to be made under and by virtue of this Act, and shall assess and apportion the aggregate amount of such several estimates on all the parties owning or interested in the several Lots of land, tenements and hereditaments fronting upon the said Street and continuation thereof, and upon the Wharves lying on the western side thereof, so far forth as the same can be ascertained, according to the best discretion of the said Commissioners, or the major part of them, in proportion to the benefit accruing to such parties respectively, from the widening and enlarging of the said Street and continuation thereof; and shall thereupon report their proceedings in that behalf to the Common Council of the said City, which said Report shall contain an apt and sufficient designation or description of the respective lots or parcels of land, tenements or hereditaments that may be required for the purpose of widening and enlarging the said Street and continuation thereof, with the names of the

Commissioners to cause a plan to be made, and decide the method of widening the Street.

Power to enter on Lands.

Enlarged width limited to forty feet, and the addition to be taken from the western side.

Commissioners to make an estimate of Lands, &c. required for the enlarged Street, and of other expenses, and assess the amount on owners of Land fronting on the Street, and upon the Wharves lying on the western side thereof;

And report their proceedings to the Common Council.

respective

respective owners, lessees or other parties interested in such lands, tenements or hereditaments, so far forth as the same can be ascertained by the said Commissioners, and also the several sums of money estimated and assessed as and for compensation or allowance to be made for the value of the land or other tenements respectively, required for the purposes aforesaid, and also the names of the respective owners, lessees and other parties interested in the several lots of land, tenements and hereditaments so to be assessed as aforesaid for the benefit aforesaid, with the several and respective sums of money assessed upon the same; provided that in all cases where the owners and parties interested, or their respective estates and interests in the said lands, tenements and hereditaments are unknown or cannot be fully ascertained by the said Commissioners, it shall be sufficient for them to set forth in their said Report, in general terms, the respective sums assessed or to be allowed or paid by the owners of the fee or inheritance of and in such lands, tenements and hereditaments, without specifying the names or the particular estates or interests of such parties, or any or either of them.

Commissioners to file a copy of their Report and Plan in the Office of the Clerk of the Peace, and publish notice thereof.

Any person affected may object.

Assessment may be amended.

Report to be final within ten days after filing, and property required for the enlarged Street vested in the City Corporation.

IV. And be it enacted, That the said Commissioners, or the major part of them, immediately after the making and completing of such report as is required in and by the third section of this Act, shall deposit and file a true copy thereof, together with the plan or survey mentioned in the second section of this Act, in the Office of the Common Clerk of the said City, for the inspection of all whom it may concern, and shall give notice thereof, by advertisement to be published in two or more of the public Newspapers printed in the said City; and any person or persons whose rights may be affected, or who may consider themselves aggrieved by the said Report, or any part thereof, may within ten days after the first publication of the said Notice, state his, her or their objections to the same in writing, to the said Commissioners, and the said Commissioners or the major part of them, shall thereupon proceed to reconsider the said Report, or such part or parts thereof as shall or may be so objected to as aforesaid, and in case the same shall upon such re-consideration appear to the said Commissioners, or the major part of them, to require alteration or amendment, but not otherwise, they shall and may amend the same accordingly.

V. And be it enacted, That upon such alteration or amendment, if required, being made, or in case no alteration or amendment shall be required, then within ten days from and after the filing the said Report, as directed in and by fourth section of this Act, such Report shall be final and conclusive, as well upon the Mayor, Aldermen and Commonalty of the said City of Saint John, as upon the owners, lessees, or other parties interested in the Lands, Tenements or Hereditaments in such Report mentioned; and the Mayor, Aldermen and Commonalty of the said City of Saint John shall become possessed of and entitled to all the said Lands, Tenements, Hereditaments and Premises in the said Report described and mentioned, as being required for the purpose of widening and enlarging the said Street and continuation thereof, to and for the use of the Public, and to be converted and applied to and for the purpose of a Public Street and Highway; and thereupon the said Mayor, Aldermen and Commonalty, and any person or persons acting under their authority, shall and may take possession of the same, or any part or parts thereof, without any suit or proceeding at Law for that purpose, and shall and may, at any time or times thereafter, take down, remove and carry away all Buildings, or parts of Buildings, or erections of what nature or kind soever, on such Lands, Tenements, Hereditaments or Premises, and shall, immediately after receiving the amount to be assessed, as hereinbefore mentioned, for building up and completing the said Street and continuation thereof, with all convenient

convenient speed build up and complete the said Street and continuation thereof, as hereinbefore provided; and any obstructions to the authorities aforesaid, in taking such possession of the said Streets and Buildings or Erections, or removal of such Buildings or Erections, as aforesaid, or building up and completing the said Street and continuation, as aforesaid, by any person or persons whomsoever, shall and is hereby declared to be a misdemeanor, and for every offence such person or persons shall and may be indicted and punished, as in ordinary cases of misdemeanor; and moreover the said Buildings and Erections are hereby declared to be and shall be treated as common nuisances.

Obstructions to completing the Streets deemed a misdemeanor.

VI. And be it enacted, That the several and respective sums of money or assessments hereinbefore directed to be assessed, shall be a lien or charge upon the Lands, Tenements, Hereditaments and Premises in the said Report mentioned, in that behalf, and upon the estate and interest of the respective owners and proprietors thereof, or parties interested therein; and as well the said owners and proprietors thereof, and parties interested therein, as also the occupants and tenants thereof respectively, shall be liable to pay on demand the respective sum or sums so assessed and mentioned in the said Report, to the Chamberlain of the said City for the time being, to and for the use of the persons and parties herein-after mentioned; and in default thereof, it shall be the duty of the Mayor or Recorder of the said City for the time being, on proof of such demand having been made, and of the sum or sums so demanded being and remaining unpaid, to issue a Warrant under the hand and seal of the said Mayor or Recorder, directed to the Sheriff of the said City and County, commanding him forthwith to levy the same, with lawful interest thereon from the time of such demand, together with the charges and expenses of collection, by distress and sale of the goods and chattels of such owner or owners, occupant or occupants, or party or parties interested so neglecting or refusing to pay the same, tendering the overplus, if any there shall be after deducting all just charges, to such owner or owners, occupant or occupants, party or parties interested respectively; and if in any case there shall be found no goods or chattels whereon to levy, then, and in every such case, the Warrant so to be issued, as aforesaid, shall be returned by the said Sheriff to the said Mayor or Recorder, with the return "Nulla Bona" indorsed thereon, and thereupon it shall be the duty of the said Mayor or Recorder to issue another Warrant, under his hand and seal, directed as aforesaid, and commanding the said Sheriff to levy the amount therein specified upon the Lands, Tenements, Hereditaments or Premises respectively, whereon the particular sum so to be levied shall have been assessed; provided that nothing herein contained shall affect any agreement between landlord and tenant, or any other contracting parties respecting the payment of such assessments or charges.

Assessment to be a charge on the premises mentioned in the Report.

Liability to pay and be sued for default.

VII. And be it enacted, That so soon as the several and respective sums of money or assessments hereinbefore directed to be assessed, shall have been collected or received by the said Chamberlain of the said City, it shall be the duty of such Chamberlain, from and out of the fund thereby created, forthwith to pay to the respective persons and parties mentioned and specified in the said Report, as entitled to receive compensation and allowance, the sum or sums of money therein set down and awarded to each of such person or persons, party or parties respectively; and in case of neglect or default in payment of the same, the respective person or persons, party or parties so entitled to the same as aforesaid, his, her or their Executors or Administrators, at any time or times after demand by him, her or them respectively made in writing for the same, shall and may sue for and recover the same, with lawful interest from and after the date of

Chamberlain to pay to the parties mentioned in the Commissioner's Report the amounts awarded to them.

Means of recovery in case of refusal.

such demand, with costs of suit, in an action of debt against the said Chamberlain for the time being, in any Court of Record in this Province, and in case the amount or sum of money so to be recovered shall not exceed five pounds, lawful money of this Province, then the same shall and may be sued for and recovered by the person or persons, party or parties, entitled thereto, as aforesaid, by suit or process against such Chamberlain, in the City Court of the said City; and in all or any of such suits or actions so to be brought, as aforesaid, this Act and the Report of the said Commissioners, with proof of such demand as aforesaid, and of the right or title of the Plaintiff or Plaintiffs, to the sum or sums of money demanded under or by virtue of the said Report, shall be conclusive and sufficient evidence; provided that whenever the said person or persons, party or parties, so entitled, as aforesaid, or any or either of them respectively, shall be infants, or non compos mentis, or feme covert, or under any other legal disability, or absent from the Province, and also in all cases where the name or names of the owner or owners, party or parties, interested or entitled in and to any Lands, Tenements, Hereditaments or Premises required or taken for the purposes aforesaid, shall not be set down and mentioned in the said Report, or when the same, though mentioned and set down in such Report, cannot upon diligent enquiry be found, it shall and may be lawful for the said Chamberlain to pay the sum or sums mentioned in the said Report, as payable to such person or persons, party or parties respectively, into the Court of Chancery of this Province, or as such Court shall direct and decree in that behalf, to and for the use of such person or persons, party or parties respectively; and provided also, that in all or every case or cases where any sum or sums of money, compensation or allowance under this Act, shall be paid or allowed to any person or persons, party or parties, other than the person or persons, party or parties, to whom the same should, or of right, ought to be paid by virtue of this Act, it shall and may be lawful for the person or persons, party or parties, so entitled, to sue for and recover the same, with lawful interest, and costs of suit, by action of debt as aforesaid, against the person or persons, party or parties respectively, to whom the same shall have been so paid.

Report and proof of demand to be sufficient evidence.

Money to be paid into the Court of Chancery in the case of Infants, &c.

Money erroneously allowed and paid may be recovered by the party entitled.

Order of payments to be made by the Chamberlain.

VIII. And be it enacted, That the Chamberlain of the said City shall in the first place hold and retain from and out of the first payments made to him on account of such assessments, the amount so to be assessed for taking down and removing the buildings or erections, and building and completing the said Street as aforesaid, to the order of the said Mayor, Aldermen and Commonalty, to be by them used and applied to and for the purpose of taking down and removing the said buildings or erections, and building and completing the said Street as aforesaid; and shall in the next place from and out of the said assessments, make the several payments in and by the seventh section of this Act directed to be made; and lastly pay the respective Commissioners and all other parties and expenses hereinbefore mentioned, agreeably to the assessments aforesaid.

Commissioners' compensation to be awarded by the City Corporation, and, together with expenses of Clerk hire, &c. to be assessed on the parties and in the proportion mentioned in the Report.

IX. And be it enacted, That the Commissioners to be appointed under and by virtue of this Act, who shall enter upon the duties of such appointment, shall each be entitled to receive such sum for each day they shall be respectively actually engaged in the duties of their appointment, as the Mayor, Aldermen and Commonalty of the said City shall award to be paid by the said Chamberlain, which said sum or amount shall be considered as part of the expenses incurred by virtue of this Act, and shall, together with all reasonable expenses for plans, surveys, clerk hire, and other necessary disbursements and charges of collection thereof, be assessed by the said Mayor, Aldermen and Commonalty upon the respective persons,

persons, parties and properties mentioned in the said Report of the Commissioners to be assessed pursuant to the third section of this Act, such second or further assessment to be at the same rate and in the like proportion on each of the said persons' properties, or parties, and be received, levied and recovered in like manner as the sums of money or assessments mentioned in the sixth section of this Act.

### CAP. LXVI.

An Act to alter and amend an Act for the more efficient inspection of Flour and Meal.

*Passed 14th April 1846.*

**6** WHEREAS in and by the fourth section of an Act made and passed in the eighth year of Her present Majesty's Reign, intituled *An Act to provide for the more efficient inspection of Flour and Meal*, it is enacted that all Flour or Meal in virtue of that section shall be branded with a branding or marking Iron: And whereas such branding and marking is found to be inconvenient, and also that no provision is made for the filling up, under the direction of the Inspector, any barrels or half barrels of Flour and Meal that may be found deficient in weight, but that the same are liable to seizure; for remedy whereof

Preamble.

8 V. c. 77.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for the Inspector or any of his Deputies, to allow all barrels or half barrels of Flour and Meal so found to be deficient, to be filled up with the like quality of Flour and Meal, to the weight mentioned in the third section of the Act to which this is an amendment.

Inspector to allow barrels of Flour or Meal deficient in weight to be filled up.

II. And be it enacted, That it shall and may be lawful, at the discretion of the Inspectors or their Deputies, to use, (instead of a branding or marking Iron,) black or red paint for such marking as is described in the fourth section of the above recited Act.

Black or red paint may be used for marking.

### CAP. LXVII.

An Act to revive, continue and amend the several Acts relating to Fires in the Parish of Fredericton.

*Passed 14th April 1846.*

**6** WHEREAS an Act made and passed in the fifth year of the Reign of His Majesty King George the Fourth, intituled *An Act to repeal the Laws now in force for appointing Firewards, and the better extinguishing of Fires so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town*; also an Act made and passed in the seventh year of the Reign aforesaid, intituled *An Act to extend the power of the Firewards in the Parish of Fredericton, and to make further regulations for the better extinguishing of Fires that may happen in the said Parish*; and an Act made and passed in the seventh year of the Reign of King William the Fourth, intituled *An Act to continue and amend the Acts relating to Firewards in the Town of Fredericton*, have lately expired;

Preamble.

5 G. 4, c. 5.

7 G. 4, c. 11.

7 W. 4, c. 37.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said recited Acts be and the same are hereby revived and continued, and declared to be in full force during the continuance of this Act, except in so far as the provisions of the said recited Acts or any of them shall be inconsistent with the terms of this Act.

Acts 5 G. 4, c. 5, 7 G. 4, c. 11, and 7 W. 4, c. 37, continued and revived.

II. And be it enacted, That the Firewards in the said Parish of Fredericton shall be increased to ten in number, and appointed in the manner provided in the

Number of Firewards increased to ten.

second

Carrying a Staff dispensed with.

Firewards to appoint a Chief Fireward, and establish rules of precedence.

Enginemen may be increased in number, with title to all the exemptions under the Fire Acts.

Power given to organize a Company of Hosemen and of Axe and Hook and Ladder Men.

No fire to be raised within two hundred feet of any fence, &c.

Penalty.

Power given to order places where light combustible materials are kept to be so closed as to be safe from sparks from adjoining chimnies.

Penalty.

Justices to raise money by assessment to keep up the efficiency of the Fire Department on the requisition of the Firewards.

Limitation.

second section of said first recited Act; and that each of the said Firewards shall not be required to carry the staff heretofore used for the purpose of distinction, and required by the third section of the said second recited Act; that such Firewards so soon as they conveniently can after their appointment, shall elect from their own body a Captain or Chief Fireward, and such other subordinate Officers as may be deemed necessary by them, and make and ordain such rules of precedence and order among themselves for the orderly government of the Firewards, and to promote unanimity and decision on occasions of fire, as may seem necessary; provided that such Captain or Chief Fireward shall be annually elected in the month of May in each and every year.

III. And be it enacted, That the said Firewards shall and may from time to time, as to them or the major part of them it shall seem meet, enlarge the number of Enginemen for the Engines of the said Parish, in such proportion to each Engine as the size thereof and other circumstances may make advisable, so that the number of Enginemen attached to any one Engine shall not exceed twenty five; and that the additional Enginemen so appointed shall have and enjoy the privileges and exemptions specified in that behalf in the said recited Acts; that the said Firewards, or the major part of them, shall have power to establish and organize one sufficient Company of Hosemen, not exceeding ten in number, one Company of Axemen and Hook and Ladder Men, not exceeding twenty in number, and that the said Firewards have power to appoint some distinguishing badges to be worn or carried at Fires by the members of said Companies.

IV. And be it enacted, That no person or persons shall wilfully set on fire, or cause or permit to be set on fire, any combustible materials within two hundred feet of any fence, gate or building in the said Parish, and that every person or persons so offending shall forfeit and pay a sum not exceeding twenty shillings, in the discretion of the Justice before whom the offender or offenders may be convicted for each and every offence, to be recovered and applied as other fines mentioned in the said recited Acts.

V. And be it enacted, That the Firewards for the time being, or any two of them, shall have full power to direct and order that every loft, barn or building within the limits of the said Parish, in which hay, straw or other light combustible material is kept and being, shall be closed and protected so that such hay, straw or other light combustible material be not exposed to ignition by sparks from the adjoining chimnies; and every owner or holder of such loft, barn or building, who shall not so close and protect the same on such order given and due time allowed therefor, shall be liable to pay a fine not exceeding twenty shillings, in the discretion of the Justice before whom the offender or offenders may be convicted for such neglect or refusal as aforesaid.

VI. And be it enacted, That the Justices of the Peace for the County of York, or the major part of them, in their General Sessions, are hereby required to raise by assessments such sum or sums, not exceeding one hundred pounds in any one year, on the said Parish, as the said Firewards may from time to time, by estimate in writing, produced to such Justices in Session, deem to be necessary for the efficient management and support of the Fire Department and Apparatus of the said Parish; such assessment to be made and levied as is directed in the said first recited Act.

VII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year one thousand eight hundred and forty eight.

## CAP. LXVIII.

An Act relating to the old Gaol in the County of York, and to provide for the liquidation of the County Debt.

*Passed 14th April 1846.*

**W**HEREAS the Justices of the Peace for the County of York have erected Preamble.  
 ‘ a new Gaol in the County of York, on a lot of Land purchased for  
 ‘ that purpose, and in consequence thereof the old Gaol and the ground attached  
 ‘ thereto are no longer required for the purpose of a Gaol, and it has been deemed  
 ‘ advisable to authorize the Justices of the General Sessions of the Peace for the  
 ‘ County of York to lease the said Gaol, and to appropriate the rent to the pay-  
 ‘ ment of the Debt incurred in the erection of the said Gaol, and other County  
 ‘ purposes, and also to authorize the said Justices to raise a sufficient sum of  
 ‘ money upon Debentures to pay the said County Debt, which Debentures are to be  
 ‘ gradually paid off and discharged by the product of said rent and assessment,  
 ‘ for that purpose made on the County;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council Power given to the  
Justices in General  
Sessions to lease by  
Auction the old  
Gaol and premises.  
 and Assembly, That the Justices of the General Sessions of the Peace for the  
 County of York shall, and they are hereby authorized and empowered, to lease  
 the said old Gaol Lot, and the Gaol erected thereon, either in the whole or in  
 such lots or parcels as the said Justices of the General Sessions of the Peace may,  
 at any General Sessions, order and direct, for any term or terms not exceeding  
 twenty one years, for and upon such rents, and with such covenant or covenants  
 for the renewal of such lease or leases as the said Justices in Session may deem  
 for the advantage of the County of York, and may agree upon with the person or  
 persons who may take such lease, and good and valid leases of the said Land,  
 with the Gaol thereon erected, with such covenants therein may be made, by and  
 under the authority of the said General Sessions, sealed with the Seal of the said  
 General Sessions, signed with the proper Hand of the presiding Justice of the  
 said Sessions, and countersigned by the Clerk of the Peace of said County; pro-  
 vided that no lease shall be made or entered into of any part of the said Land or  
 the Building thereon, unless at Public Auction, after thirty days Public Notice  
 thereof, and the upset price or rent at which sale shall have been previously pre-  
 scribed by the said Justices in General Sessions.

II. And be it enacted, That it shall and may be lawful for the Justices of the Power to borrow  
£600 to pay off  
debt on the new  
Gaol.  
 Peace for the County of York, at any General Sessions of the Peace for the said  
 County, to raise by Loan a sum of money, not exceeding six hundred pounds, for  
 the purpose of paying off or in part paying off the debt now due by the said  
 Justices of the Peace for the County of York, for erecting the Gaol in the said  
 County, to be paid off and discharged in the manner hereinafter mentioned; the  
 same to be taken in Loans of not less than twenty five pounds; and that Deben-  
 tures in the following form, or to that effect, shall be delivered to the person or  
 persons from whom such Loan shall be obtained, viz :

Number —.

County of York, ss.

Form of  
Debentures.

These are to certify, That [*here insert name, residence and addition of lender,*]  
 hath lent and advanced to the Justices of the Peace for the said County, the sum  
 of twenty five pounds currency, which sum is payable to him or order [*or her as  
 the case may be,*] together with lawful interest, pursuant to an Act of Assembly  
 made and passed in the ninth year of the Reign of Queen Victoria, intituled *An  
 Act relating to the old Gaol in the County of York, and to provide for the liquidation  
 of*

*of the County Debt.* Dated the — day of — in the year of our Lord one thousand eight hundred and forty —.

By Order of the Sessions.

A. B., Presiding Justice.

C. D., Clerk of Peace.

Which Debentures shall be signed by the presiding Justice of the Sessions for the said County, and countersigned by the Clerk; and shall be respectively numbered according to the time at which the same may be made and issued; and a memorandum thereof shall be submitted by the Clerk at the next General Sessions, and the same shall be entered on the Minutes of the said Court.

County Treasurer  
to receive, disburse  
and account for  
money borrowed.

III. And be it enacted, That the monies so authorized to be borrowed by the said Justices, shall from time to time be paid to and received by the County Treasurer, and shall be paid out by him from time to time when required, by the order of the said General Sessions, in such sum or sums as they may think fit, for the purpose of paying off the debts aforesaid; and the said County Treasurer shall, at every General Sessions of the Peace for the said County, render a just and true account, on oath, if required, of the sums of money received and paid by him on this account, separate and distinct from his other accounts.

Debentures to bear  
interest.

IV. And be it enacted, That the said holders of such Debentures shall be entitled to receive interest for the same annually, not exceeding six per cent., to be paid by the Treasurer of the County out of the assessments hereinafter mentioned, upon the orders of the said General Sessions, to be made in manner hereinafter mentioned.

£100 and expenses  
to be raised  
annually by assess-  
ment to pay off  
Debentures.

V. And be it enacted, That it shall and may be lawful for the said Justices of the Peace of the said County, and they are hereby authorized and required to make a rate and assessment of one hundred pounds in each and every year, besides the charge for assessing and collecting, for paying off and discharging the Loans contracted for the purpose hereinbefore mentioned by virtue of this Act, until the same shall be paid off; the said several sums to be assessed, levied and collected in such proportions and in the same manner as any other County Rates for public charges can or may be assessed, levied and collected, under and by virtue of any Act or Acts of Assembly made or to be made for assessing, levying and collecting County Rates for public charges as aforesaid, and when collected shall be paid into the hands of the said County Treasurer, for the purposes of this Act; provided that no assessment shall be made until the next January General Sessions of the Peace for the County of York.

Money raised by  
assessment and  
rents to be dis-  
burged under the  
Debentures.

VI. And be it enacted, That the monies to be assessed as aforesaid, and the rents of the said old Gaol and Lot shall from time to time be applied, after discharging the yearly interest due on the several principal sums mentioned in such Debenture, in due order according to their number, beginning with number one; and that the said County Treasurer shall, so often as he may be directed by the said General Sessions of the Peace, give one month's Public Notice, by advertisement in one of the Newspapers published in the County, for calling in such and so many of the Debentures as the said Justices are prepared to pay off, specifying the numbers in such advertisements, and the same, by and under such orders as aforesaid, shall pay off accordingly; and that from and after the expiration of such notice, the interest on such Debentures shall cease.

Money arising from  
debts to be dis-  
burged under the  
orders of the Jus-

VII. And be it enacted, That whenever the said Justices may receive any sum or sums of money as and for or on account of the said debts due to the said County, the same shall be paid to and received by the said County Treasurer; and



and shall be paid out by him to the orders of the said General Sessions, in such sums and at such times as the said Sessions may think fit, he rendering an account thereof in the same manner as in the case of monies hereinbefore mentioned; and it shall and may be lawful for the said Justices in their said General Sessions, and they are hereby required to appropriate and apply such monies so as aforesaid received for such debts from time to time in the payment of a certain number of the said Debentures, with the interest due thereon, in their due order as aforesaid, causing the like notice to be given thereof as aforesaid.

VIII. And be it enacted, That the said Debentures shall be transferable by any holder or holders thereof by endorsement thereon made by the person or persons to whom such Debenture or Debentures shall have been originally made payable, or his, her or their endorsee, when such endorsement is specially made, and the said endorsement so made thereon, shall confer sufficient authority to the endorsee to demand and receive the payment therefor.

### CAP. LXIX.

An Act to quiet the Titles to certain Lands in Fredericton.

*Passed 14th April 1846.*

‘ **W**HEREAS His Majesty King George the Fourth did, by Letters Patent, under the Great Seal of the Province of New Brunswick, bearing date the third day of March, in the year of our Lord one thousand eight hundred and twenty eight, and in the ninth year of His Reign, grant to Thomas Pickard, James Balloch, and John Simpson, five several Lots of Land, situate in Fredericton, and being particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of this Province, will more fully appear: And whereas His said Majesty did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty seventh day of May, in the year of our Lord one thousand eight hundred and thirty, and in the eleventh year of His Reign, also grant to Daniel Ludlow Robinson, a Town Lot, so called, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of this Province, will more fully appear: And whereas His Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the sixteenth day of November, in the year of our Lord one thousand eight hundred and thirty one, and in the second year of His Reign, grant to Thomas B. Smith and Amasa Coy, thirty two perches of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant to the said Thomas B. Smith and Amasa Coy, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register for the Province, will more fully appear: And whereas His said Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty third day of January, in the year of our Lord one thousand eight hundred and thirty three, and in the third year of His Reign, also grant to John S. Saunders, three roods and eleven perches of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant to the said John S. Saunders, reference being thereunto had, or the registry thereof, will more fully appear: And whereas His said Majesty King William the Fourth did, by

‘ **L**etters

‘ tices, and in payment of Debentures.

‘ Debentures to be transferable by endorsement.

‘ Preamble, reciting Grants to

‘ Thomas Pickard, James Balloch, and John Simpson,

‘ Dan. L. Robinson,

‘ Thomas B. Smith and Amasa Coy,

‘ John S. Saunders,

‘ Wm. N. Akerley,

‘ Letters Patent, under the Great Seal of this Province, bearing date the twenty  
 ‘ first day of April, in the year of our Lord one thousand eight hundred and thirty  
 ‘ seven, and in the seventh year of the Reign, also grant to William Needham  
 ‘ Akerley, one rood and eighteen perches of Land, situate in Fredericton, and  
 ‘ particularly designated, distinguished and described by proper metes and bounds  
 ‘ in the said Grant to William Needham Akerley, reference being thereunto had,  
 ‘ or the registry thereof in the Office of the Secretary and Register of the Pro-  
 William J. Bedell, ‘ vince, will more fully appear: And whereas His said Majesty King William  
 ‘ the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing  
 ‘ date the twenty first day of April, in the year of our Lord one thousand eight  
 ‘ hundred and thirty seven, and in the seventh year of His Reign, also grant to  
 ‘ William J. Bedell, one rood and eight poles of Land, situate in Fredericton,  
 ‘ and particularly designated, distinguished and described by proper metes and  
 ‘ bounds in the said Grant, reference being thereunto had, or the registry thereof  
 ‘ in the Office of the Secretary and Register of this Province, will more fully  
 Fran. E. Beckwith, ‘ appear: And whereas his said Majesty King William the Fourth did, by Letters  
 ‘ Patent, under the Great Seal of this Province, bearing date the twenty fifth day  
 ‘ of April, in the year of our Lord one thousand eight hundred and thirty seven,  
 ‘ and in the seventh year of His Reign, also grant to Francis E. Beckwith, one  
 ‘ acre and two roods of Land, situate in Fredericton, and particularly designated,  
 ‘ distinguished and described by proper metes and bounds in the said Grant,  
 ‘ reference being thereunto had, or the registry thereof in the Office of the  
 Thomas Pickard, ‘ Secretary and Register of the Province, will more fully appear: And whereas  
 ‘ His said Majesty King William the Fourth did, by Letters Patent, under the  
 ‘ Great Seal of this Province, bearing date the twenty fifth day of April, in the  
 ‘ year of our Lord one thousand eight hundred and thirty seven, and in the  
 ‘ seventh year of His Reign, grant to Thomas Pickard, two roods and sixteen  
 ‘ perches of Land, situate in Fredericton, and particularly designated, distinguished  
 ‘ and described in the said Grant, reference being thereunto had, or the registry  
 ‘ thereof in the Office of the Secretary and Register of this Province, will more  
 Thomas T. Smith, ‘ fully appear: And whereas His said Majesty King William the Fourth did, by  
 ‘ Letters Patent, under the Great Seal of this Province, bearing date the twenty  
 ‘ fifth day of April, in the year of our Lord one thousand eight hundred and thirty  
 ‘ seven, and in the seventh year of His Reign, also grant to Thomas T. Smith,  
 ‘ one rood and eight perches of Land, situate in Fredericton, and particularly  
 ‘ designated, distinguished and described by proper metes and bounds in the said  
 ‘ Grant, reference being thereunto had, or the registry thereof in the Office  
 A. T. Coburn, ‘ of the Secretary and Register of this Province, will more fully appear: And  
 ‘ whereas His said Majesty King William the Fourth did, by Letters Patent,  
 ‘ under the Great Seal of this Province, bearing date the twenty fifth day of April,  
 ‘ in the year of our Lord one thousand eight hundred and thirty seven, and in  
 ‘ the seventh year of His Reign, also grant to Abraham T. Coburn, one rood and  
 ‘ eight poles of Land, situate in Fredericton, and particularly designated, distin-  
 ‘ guished and described by proper metes and bounds in the said Grant, reference  
 ‘ being thereunto had, or the registry thereof in the Office of the Secretary and  
 James Tibbetts, ‘ Register of this Province, will more fully appear: And whereas Her present  
 ‘ Majesty Queen Victoria did, by Letters Patent, under the Great Seal of this  
 ‘ Province, bearing date the third day of April, in the year of our Lord one thou-  
 ‘ sand eight hundred and forty, and in the third year of Her Reign, also grant  
 ‘ to James Tibbetts, one rood and eight poles of Land, situate in Fredericton,  
 ‘ and particularly designated, distinguished and described by proper metes and  
 ‘ bounds.

' bounds in the said Grant, reference being thereunto had, or the registry thereof  
 ' will more fully appear: And whereas also His late Majesty King George the  
 ' Third did, by Letters Patent, under the Great Seal of this Province, bearing  
 ' date the ninth day of May, in the year of our Lord one thousand eight hundred,  
 ' and in the fortieth year of His Reign, grant unto the Rector, Church Wardens  
 ' and Vestry of Christ Church, in the Parish of Fredericton, and their Successors  
 ' for ever, a lot or tract of Land, situate in the Town Plat of Fredericton, and then  
 ' occupied as a Burying Ground; and also the lot or piece of Ground on which  
 ' Christ Church, as the Parish Church of Fredericton aforesaid, then stood and  
 ' now stands, with a space of Ground surrounding the same on the tract reserved  
 ' for a Common, and other public uses, in front of block number eleven, in the  
 ' said Town Plat, as particularly designated, distinguished and described by  
 ' proper metes and bounds in the said Grant, reference being thereunto had, or  
 ' to the registry thereof in the Office of the Secretary and Register of this Pro-  
 ' vince, will more fully appear: And whereas also His Majesty King George the  
 ' Third did, by Letters Patent, under the Great Seal of this Province, bearing  
 ' date the first day of December, in the year of our Lord one thousand eight  
 ' hundred and ten, and in the fifty first year of His Reign, grant unto the Rector,  
 ' Church Wardens and Vestry of Christ Church, in the Parish of Fredericton,  
 ' and their Successors for ever, three certain lots or blocks of Land, containing  
 ' in the whole ten acres two roods and thirty one perches, more or less, situate,  
 ' lying and being near the south westerly bank of the River Saint John, at the  
 ' north west end of part of the Town Plat of Fredericton, in the County of York,  
 ' and particularly designated, distinguished and described by proper metes and  
 ' bounds in the said Grant, reference being had thereunto, or the registry thereof  
 ' in the Office of the Secretary and Register of this Province, will more fully  
 ' appear: And whereas His Majesty King George the Fourth, by Letters Patent,  
 ' under the Great Seal of this Province, bearing date the twenty third day of  
 ' August, in the year of our Lord one thousand eight hundred and twenty, grant  
 ' to Anthony Lockwood, one rood and thirteen perches of Land, being particularly  
 ' designated, distinguished and described by proper metes and bounds in the said  
 ' Grant, reference being thereunto had, or the registry thereof in the Office of  
 ' the Secretary and Register of the Province, will more fully appear: And whereas  
 ' His said Majesty King George the Third did, by Letters Patent, under the  
 ' Great Seal of this Province, bearing date the seventeenth day of May, in the  
 ' year of our Lord one thousand eight hundred and seventeen, and in the fifty  
 ' seventh year of the Reign of His said Majesty King George the Third, grant  
 ' to Richard Winter, one rood and twelve perches of Land, being particularly  
 ' designated, distinguished and described by proper metes and bounds in the said  
 ' Grant, reference being thereunto had, or the registry thereof in the Office of  
 ' Secretary and Register of the Province, will more fully appear: And whereas  
 ' Her present Majesty Queen Victoria did, by Letters Patent, under the Great  
 ' Seal of this Province, bearing date the ninth day of January, in the present year  
 ' of our Lord one thousand eight hundred and forty six, and in the ninth year of  
 ' Her Reign, grant to the Right Reverend John, the Lord Bishop of Fredericton,  
 ' and his Successors, all that piece or parcel of Land, situate in Fredericton, lying  
 ' between Brunswick Street and the River Saint John, and commonly called the  
 ' Church Green, and particularly designated, distinguished and described by  
 ' proper metes and bounds in the said Grant, for the purpose of erecting a Cath-  
 'edral thereon, and with a proviso therein contained, that no other building or  
 ' erection, other than the said Cathedral, should be erected or set up thereon,  
 ' reference

Rector, Church  
Wardens and  
Vestry of Christ  
Church,

Rector, Church  
Wardens and  
Vestry of Christ  
Church,

Anth'y Lockwood,

Richard Winter.

The Lord Bishop  
of Fredericton.

‘reference being thereunto had, or the registry thereof in the Office of the  
 ‘Secretary and Register of the Province, will more fully appear: And whereas  
 ‘the said several pieces and parcels of Land contained in the said several Grants  
 ‘above mentioned, are all situate in front of the Town Plat of Fredericton, as  
 ‘described in the Grant to Cornelius Akerman and others, and form part of the  
 ‘Land reserved for a Common and other public uses: And whereas doubts have  
 ‘recently been started as to the titles of the aforementioned Grantees to the  
 ‘Lands specified in the said Grants, and the right of the Crown to grant any of  
 ‘the Land reserved in Fredericton, has been questioned: And whereas common  
 ‘justice to the individual purchasers and their assigns, as well as the peace and  
 ‘quiet of the inhabitants of Fredericton, alike require that all such doubts should  
 ‘be removed, and any question of the validity of their titles for ever set at rest  
 ‘and quieted;’

Recited Grants to  
 be good titles.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council  
 and Assembly, That the said several Grants above mentioned, and each and  
 every of them, shall be good, valid and effectual for all the purposes therein  
 severally contained, and shall be deemed to operate against all persons what-  
 ever, according to the terms and conditions of such Grant, and subject alone  
 to the provisoes and conditions therein contained; and all Courts of Law and  
 Equity shall, and they are required, in all suits, actions or controversies in any  
 way relating thereto, to presume that the title to the land specified in each and  
 every of the aforementioned Grants, was in the Crown at the time of the issuing  
 of such Grant, and thereby regularly and legally granted and aliened.

Construction  
 of Act.

II. And be it enacted, That this Act shall be construed liberally for the pur-  
 pose of effecting the objects for which it was enacted.

### CAP LXX.

An Act to encourage the building of a Steamer to run between the Great Falls and the River  
 Saint Francis, on the Upper Saint John.

*Passed 14th April 1846.*

Preamble.

‘**W**HEREAS a Petition has been presented to the General Assembly of  
 ‘this Province from James Drake, of the City of Fredericton, in the  
 ‘County of York, praying for an exclusive privilege for the term of five years, to  
 ‘be granted to him by an Act of the General Assembly of this Province, as an  
 ‘encouragement for the erection of a Passage and Freight Boat to be worked by  
 ‘Steam, for the accommodation and conveyance of Passengers and Freight  
 ‘between the Grand Falls and the upper part of the River Saint John: And  
 ‘whereas a Steam Boat for the accommodation and conveyance of Passengers  
 ‘and Freight between the Grand Falls and the upper part of the River Saint  
 ‘John, is much wanted, and will add greatly to the facility of the communication;’

Exclusive right of  
 navigating by  
 Steam the Saint  
 John, from the  
 Grand Falls up-  
 wards, granted to  
 James Drake, upon  
 Bond being given  
 to erect a Boat  
 within six months.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council  
 and Assembly, That the said James Drake, upon good and sufficient security  
 being given to Her Majesty, Her Heirs and Successors, by Bond, by the said  
 James Drake, in the penal sum of two thousand pounds, conditioned to be void  
 on the erection of a good and sufficient Boat to be worked by Steam, competent  
 to the accommodation of one hundred Passengers and thirty tons of Freight,  
 within six months from the passing of this Act, shall so soon as such Boat shall be  
 completed and finished, have, possess and enjoy to himself, his Executors,  
 Administrators and Assigns, the sole right of carrying Passengers and transporting  
 Freight of different kinds in a Boat so to be worked by Steam on the River Saint  
 John, from the Grand Falls upwards, for the term of five years from the passing  
 of

of

of this Act; and no other person or persons whomsoever, other than the said James Drake, his Executors, Administrators or Assigns, shall use or employ any Boat or Boats to be worked by Steam above the Grand Falls, aforesaid, and within this Province, for any purpose whatsoever during the said term of five years.

II. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to restrain or in any manner affect the right of any person or persons to carry Passengers and transport Freight in Boats or Vessels of any description whatsoever, not worked by Steam, in like manner as such person or persons might have done, if this Act had not been made.

Right of using Boats of any other description reserved.

III. Provided always, and be it enacted, That if the said James Drake shall neglect to enter into and duly execute the said Bond, as required by the first section of this Act, within two months from the time of the passing of this Act, the same shall cease to be of any force or effect.

Act to cease if Bond be not executed within two months.

IV. Provided also, and be it enacted, That whereas such Steam Boat can be made use of during the Summer season only, a list of the rates of the passage money and freight intended to be received and taken during the then next ensuing season, shall within one month before such Boat shall be actually used for the transportation of Passengers and Freight as aforesaid, be published in one of the public Newspapers in Fredericton and Woodstock; and in case any alteration of such rates to be taken in any subsequent season shall be thought expedient to be made during the enjoyment of the right hereinbefore granted, such alteration shall be in like manner published, one month at the least before the commencement of the season, and that no higher or greater rates shall be taken in any season than such as shall be published to be taken during such season as aforesaid; and that in case such Steam Boat shall be unfit for use, or shall not be ready to be employed for the purposes aforesaid, agreeably to the true intent and meaning of this Act, during the space of two months in any season after such Steam Boat shall be completed and finished as aforesaid, unless in case of any accident by which the necessary repairs of such Boat shall require longer time to complete the same, then and from thenceforth the said right secured as aforesaid by this Act shall cease, determine, and become null and void.

List of rates to be published, and none higher to be exacted.

Exclusive right to cease on any discontinuance of operation for upwards of two months, except for repairs.

V. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to interfere with or diminish any rights granted to the New Brunswick Railway Company by an Act of this present Session of the Legislature, intituled *An Act to incorporate the New Brunswick Railway Company*, any thing in this Act contained to the contrary notwithstanding.

Rights of the New Brunswick Railway Company saved.



# Anno Octavo VICTORIÆ Reginae.

## CAP. CII.

An Act to facilitate the settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line.

Passed 27th March 1845.

**W**HEREAS in and by the fifth section of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the support of the Civil Government in this Province*, it was enacted that all disposals of any of His Majesty's Lands, Woods, Mines and Royalties in this Province, made during the continuance of the said Act, shall be utterly null and void and of none effect, unless made at Public Auction to the highest bidder: And whereas Her Majesty's Imperial Government have caused a Survey to be made for a new Line of Road between Quebec and Halifax, to be carried through this Province, and it is desirable that facilities should be given for the settlement of the Lands adjacent to the said Road, by making free Grants of Land to persons settling on the same;

Preamble.

8 W. 4, c. 1.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That when and so soon as Her Majesty's Home Government shall have caused the contemplated new Road between Quebec and Halifax to be laid out and fixed, and the making of the said Road to be commenced, it shall and may be lawful for His Excellency the Lieutenant Governor, or person administering the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, to appropriate, as free Grants or Locations, all the ungranted unlocated Wilderness Lands, situate immediately on each side of the said Road, within this Province, for actual settlement, under such restrictions and regulations respecting the settlement and improvement of the Lands thus located or granted, as shall from time to time be made and declared by the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council: provided always, that such Grants shall not be made to any person or persons other than for actual and immediate settlement thereon by the person to whom such Grant shall be made; and provided also, that the extent of any Grant or Location so to be made shall not exceed to any individual one hundred acres, nor extend along the side of the said Road more than fifty rods; nor shall more than one free Grant be made to the same individual of Lands on the same Road; nor shall any such Grant be made to any other than natural born or naturalized male subjects of Her Majesty, of the full age of twenty one years; nor shall it be lawful for any Grant or Letters Patent to issue to any person or persons under the provisions of this Act, until the person or persons applying for a Grant of Lands under the provisions of this Act, shall have, under a Location Ticket, to be issued by order of the Administrator of the Government for the time being, by and with the advice

Free Grants of the Land contiguous to the Road may be made for actual settlement, after the Line of Road is fixed and the making of it commenced.

Grants limited to 100 acres each, with 50 rods front.

Grantees to be British Subjects, and of age.

The Letters Patent not to issue till after a specified occupation and improvement.

of

of Her Majesty's Executive Council, actually located himself or themselves upon the Land applied for, resided three years thereon, built a Cottage, and cleared ten acres of such Land.

Titles to the Land acquired under this Act exempted from the operation of the Act 8 W. 4. c. 1.

II. And be it enacted, That all Locations, Grants, and Letters Patent, made and issued for Land situate on that part of the said contemplated new Road between Quebec and Halifax, which shall be within the limits of this Province, under the provisions, restrictions and regulations of this Act, shall be good and valid and sufficient to pass the Estate which such Locations, Grants, or Letters Patent, made in pursuance of the provisions of this Act, purport to grant, any thing in an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the support of the Civil Government in this Province*, contained to the contrary notwithstanding.

Act suspended until Her Majesty's approbation be declared.

III. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto first had and declared.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

### CAP. CIII.

An Act to increase the Representation of King's County.

*Passed 27th March 1845.*

Preamble.

‘ WHEREAS the increase of population, advancement of improvement, and importance of King's County, render it expedient to increase the Representation of said County in the General Assembly of this Province;’

King's County to send an additional Member to the General Assembly.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said County of Kings shall be entitled to send one additional Member to serve in General Assembly of this Province for the said County, to be elected by the Freeholders of said County in like manner, and subject to the like laws and regulations under which the other Members are elected in other Counties in this Province respectively: provided always, that no such election of such Member shall take place until the next General Election.

Act suspended until Her Majesty's approbation be declared.

II. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto had and declared.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

### CAP. CIV.

An Act to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County.

*Passed 27th March 1845.*

Preamble.

‘ WHEREAS from the great extent of the present County of Westmorland, and other causes, it is necessary and expedient that the same be divided into two Counties;’

County of Westmorland divided, and County of Albert erected.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the County of Westmorland which lies westward of the Bay of Fundy and the Petitcodiac River, commencing at the eastern line of the County of Saint John on the Bay Shore; thence along the Bay Shore easterly and northerly, (including Grindstone Island), to the mouth of the Petitcodiac River; thence by the channel of the said River, up stream, until it strikes the eastern line



line of lot number twelve, situate in the Parish of Salisbury, lying on the South side of the Petitcodiac River, and bounded by the said River, and heretofore granted to George Blakney; thence South twenty three degrees East along said Blakney's eastern line and its prolongation, to the rear of lot number thirteen, granted to George Pitfield; and thence South forty five degrees West to the eastern line of King's County; thence southerly and along said King's County Line, and also its prolongation along the said line of the said County of Saint John to the place of beginning, at the Bay Shore aforesaid, be and the same is hereby erected into a County, separate and distinct from the said County of Westmorland, and shall be called and known by the name of the *County of Albert*.

II. And be it further enacted, That the like Courts of Justice shall be erected and established, and the like Justices and other Officers constituted and appointed in the said new County as are now erected and established, constituted and appointed in the said County of Westmorland, and with the like powers and authorities.

Establishment of Courts of Justice, of Justices and other Officers for the new County.

III. And be it further enacted, That the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas shall be holden in the Shire Town of the said new County twice in every year, at the times following, that is to say: On the fourth Tuesday in June and the second Tuesday in November, and continue until the business shall be finished, not exceeding five days; and that two additional Terms of the said Inferior Court of Common Pleas for the said County shall be holden as follows, that is to say: On the second Tuesdays in March and September in each year, and to continue until the business be finished, not exceeding five days, at which additional Terms no Jury shall be summoned.

Terms of the Court of Sessions and Common Pleas.

IV. And be it further enacted, That the Town of Hopewell, in the said new County of Albert, shall be the Shire Town of the said County, and that a Court House and Gaol shall be erected in the said Shire Town in like manner and by the like ways and means as such buildings have been or may be erected in other Counties in the Province, and in such place within the said Shire Town as the Lieutenant Governor or Administrator of the Government for the time being shall direct; and that all the Public Offices in the said new County shall be kept at the place so to be directed and determined by the Lieutenant Governor or Administrator of the Government for the time being.

Hopewell to be the Shire Town.

Court House and Gaol to be erected, and Public Offices kept there.

V. And be it further enacted, That in the said Shire Town shall be erected and established a Registry of Deeds, Conveyances, Wills, Mortgages, Memorials of Judgments or Recognizances for the said County, to be managed and executed by a Register to be constituted in like manner, and under and subject in all respects to the like laws, rules and regulations as any other Registry in any other County of the Province; and that all Deeds, Conveyances, Wills, Mortgages, Memorials of Judgments, Recognizances, which may affect any Lands, Tenements or Hereditaments in the said County, shall be entered and registered at full length in the said Registry; provided the same Deeds or other documents have not been before registered in the said County of Westmorland.

A Registry of Deeds, &c. to be established.

VI. And be it further enacted, That the several Parishes of the said County of Westmorland, in whole or in part, comprised within the said new County, shall continue by their respective names to be the Parishes of the said new County, until altered by the General Assembly; and that the Town or Parish Officers to be hereafter annually appointed for the said new County shall in all respects possess the same powers as the like Officers in any other County: provided always, that the powers and authorities of the present or any other Officers appointed or to be appointed by the Court of General Sessions of the Peace for the

Parishes of Westmorland comprised in the new County to be the Parishes of the new County until altered.

the said County of Westmorland shall continue until after the first General Sessions of the Peace shall be holden in and for the said new County of Albert.

New County to send one Member to the General Assembly.

VII. And be it further enacted, That the said new County shall be entitled to send one Member to serve in the General Assembly of this Province, to be elected by the Freeholders in like manner and subject to the like laws, rules and regulations under which other Members are elected in any other County; and that all such Freeholders whose Title Deeds may have been registered in the County of Westmorland before this Act shall come into operation, shall be entitled to vote, without having their Deeds registered anew in the said new County: provided always, that no Writ shall be issued for the election of such Member until there shall be a General Election for the Province.

Proclamation to be issued before new County be deemed to be established.

VIII. And be it further enacted, That the said new County shall not be deemed to be erected and established until the Commission shall be issued for erecting the said Courts of Justice, and appointing the several Justices and other Officers for the said new County, and the same shall be notified by Proclamation of the Lieutenant Governor or Administrator of the Government for the time being.

Act suspended until Her Majesty's approbation be declared.

IX. Provided always, and be it further enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto first had and declared.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

#### CAP. CV.

An Act to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt.

*Passed 27th March 1845.*

Preamble.

6. V. c. 43.

**W**HEREAS under and by virtue of an Act made and passed in the sixth year of the Reign of Her present Majesty Queen Victoria, intituled *'An Act to facilitate the negotiation of a Loan to pay off the Public Debt, a Loan of Seventy thousand pounds, Sterling, was advanced to the Province by the Bank of British North America, repayable with Interest after the rate of five pounds ten shillings per centum per annum, by fourteen equal annual instalments of five thousand pounds each; and it hath been agreed by and between the Commissioners appointed under the said recited Act, and the said Bank of British North America, that the said Interest on the said Loan shall be paid semi-annually, that is to say, on the first day of June and the first day of December in each year, after the rate aforesaid, at the Office of the Bank of British North America, in London; for which said Loan, Debentures have been issued and delivered to the said Bank of British North America, which said Debentures were intended to have been made in the form set out in and according to the directions of the said recited Act; and the first Instalment of the said Loan, with Interest, was paid on the first day of September, Anno Domini one thousand eight hundred and forty four, and the Debentures so given for that Instalment have been taken up, discharged, and cancelled, as required by the said recited Act: And whereas the said Debentures so given for the said Loan were not made in the form directed by the said recited Act; and also that the form set out in the said recited Act for the said Debentures is defective and liable to misconstruction; it is therefore deemed expedient that the Debentures so given for the said Loan now remaining undischarged shall be called in and cancelled, and that new Debentures should be given in lieu thereof, in the form set forth in the Schedule to this Act annexed;*

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That immediately, or so soon after this Act comes into operation as conveniently can be done, the Treasurer of the Province for the time being, shall, and he is hereby required to have struck off and prepared as many new Debentures as may be necessary, in the form set out in the Schedule to this Act annexed, for the purpose of being given in exchange for the said Debentures issued for the said Loan under and by virtue of the said recited Act, and for the same several and respective amounts and interest, and which said new Debentures shall be signed by the Lieutenant Governor or Administrator of the Government for the time being, and the Treasurer of the Province for the time being; and that so soon as such new Debentures are so prepared and signed as aforesaid, it shall be the duty of the Treasurer of the Province for the time being, and he is hereby required to give Public Notice in one of the Public Newspapers of the City of Saint John, and also personal notice to the Manager of the Bank of British North America in Saint John for the time being, that such new Debentures are prepared and ready for delivery at the said Treasurer's Office, in exchange for the said Debentures so issued as aforesaid under the said recited Act; and upon the production at the said Treasurer's Office of any of the said Debentures so issued as aforesaid under the said recited Act, to be exchanged for the said new Debentures to be prepared under the directions of this Act, the said Treasurer of the Province for the time being, shall deliver to the holder or holders thereof producing the same, as many of the said new Debentures so to be prepared and signed as directed by this Act, as such holder or holders shall produce and deliver up of the said former Debentures issued under the said recited Act, in exchange for the same, and such new Debentures so given in exchange shall correspond in number and amount with the Debentures so delivered up by the holder or holders thereof.

New Debentures, according to the form in the Schedule, to be prepared and exchanged for those already issued.

Notice to be given.

II. And be it enacted, That it shall be the duty of the Treasurer of the Province for the time being, and he is hereby required forthwith to cancel and discharge all and every Debentures and Debenture issued under the said recited Act which shall be so delivered up to be exchanged for Debentures of the like number and amount, to be prepared, signed and delivered, under the directions and in the form prescribed by this Act.

Debentures received in exchange to be cancelled.

III. And be it enacted, That all and every Debentures and Debenture that shall be so issued and delivered under the directions of this Act, in lieu of and in exchange for the same number and amount of the said Debentures heretofore issued under the said recited Act, shall from thenceforth stand in lieu and be held and taken to be the Debentures given for the said Loan so raised as aforesaid, and be chargeable and payable with the Interest thereon, in manner as is directed by the said recited Act, the same as if issued in the first instance under and by virtue and according to the directions of the said recited Act, any thing in the said recited Act in any wise to the contrary thereof notwithstanding.

Debentures issued under this Act to be deemed the Debentures for the Loan, and to be payable with the interest as in the Act 6 V. c. 43.

IV. And be it enacted, That all expenses incurred by the Treasurer of the Province for the time being, in carrying the provisions of this Act into effect, shall be chargeable upon the Ordinary Revenue of the Province, and paid out of the same by the said Treasurer of the Province for the time being, and charged by him in his Accounts as Provincial Treasurer.

Treasurer's expenses made chargeable upon the Revenues.

V. And be it enacted, That the said recited Act, and every clause, matter and thing therein contained, shall remain and continue in full force and effect, and be deemed and taken to apply to the Debentures issued under this Act in all respects, except in so far as the same is altered by this Act in respect to the form

Act 6 V. c. 43, continued in force, except as altered in respect of the form and issuing of the Debentures.

and issuing of the said Debentures to be given in exchange for those issued under the said recited Act.

Act suspended  
until Her Majesty's  
approbation be  
declared.

VI. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation thereto be first had and declared.

### SCHEDULE.

Treasury Department, New Brunswick.

No. —, Class —, Substituted Debenture.

Form of substituted  
Debentures.

This Debenture is by virtue of an Act of the General Assembly of the Province of New Brunswick, intituled *An Act to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt*, substituted for the Debenture No. —, Class —, issued by virtue of an Act of the General Assembly of the said Province, intituled *An Act to facilitate the negotiation of a Loan to pay off the Public Debt*; and is chargeable on the monies raised by virtue of the lastly mentioned Act, and also on all monies which may be in the Treasury of the said Province, or which shall be paid into the same on or after the — day of —, 184—, for the sum of —, Sterling, with Interest, to be paid on the same semi-annually, that is to say, on the first day of June and the first day of December in each year, after the rate of five pounds ten shillings per centum per annum, at the Office of the Bank of British North America, in London; and the said principal sum of —, Sterling, to be paid on the — day of —, in the year 184—, at the Office of the said Bank of British North America, in London, to the holder hereof.

Dated the — day of —, 184—.

A. B.

*Lieutenant Governor  
or Administrator of the Government.*

C. D.

*Province Treasurer.*

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

### CAP. CVI.

An Act to revive and continue an Act for the Naturalization of Aliens in this Province.

*Passed 14th April 1845.*

4 V. c. 45, revived  
and continued.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of Her present Majesty, intituled *An Act for the Naturalization of Aliens in this Province*, be and the same is hereby revived and continued, and declared to be in force for the term of seven years from and after the time when this Act shall come into force, and no longer.

Act suspended  
until Her Majesty's  
approbation be  
declared.

II. Provided also, and be it enacted, That this Act shall not be in force until Her Majesty's Royal approbation be thereunto had and declared.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

### CAP. CVII.

An Act to increase the Representation of the County of Northumberland.

*Passed 14th April 1845.*

Preamble.

**W**HEREAS it is deemed advisable to increase the Representation of the County of Northumberland in the General Assembly of this Province;

I.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the County of Northumberland shall be entitled to send two additional Members to serve in the General Assembly of this Province for the said County, to be elected by the Freeholders in the said County in like manner, and subject to the like laws, rules and regulations under which the other Members are elected in the said County or any other County; provided that no Writ shall issue for the election of such Members until there shall be a General Election for the Province.

County of Northumberland to send two additional Members to serve in the General Assembly.

II. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto had and declared.

No Writ to issue until a General Election take place.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

Act suspended until Her Majesty's approbation be declared.

### CAP. CVIII.

An Act relating to the Election of Representatives to serve in the General Assembly.

*Passed 14th April 1845.*

**W**HEREAS the provisions of an Act made and passed in the sixth year of the Reign of Her Majesty Queen Victoria, intituled *An Act to improve the Law relating to the Election of Representatives in the General Assembly*, require amendment;

Preamble.

6 V. c. 44.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the fifth section of an Act made and passed in the sixth year of the Reign of Her present Majesty, intituled *An Act to improve the Law relating to the Election of Representatives to serve in General Assembly*, which appoints the places for holding the Polls at all contested Elections hereafter holden for Members to serve in the General Assembly for any County in this Province, be amended in the following respects:—

Act 6 V. c. 44, s. 5, amended.

In the County of Northumberland:

Polling Places in Northumberland;

Instead of at the Town of Chatham, the polling place for the Parish of Chatham shall be at or near the Town of Chatham.

In the County of Kent:

Kent;

Instead of for the District comprising Oak Point and the West Branch of Saint Nicholas River, in the Parish of Weldford, the polling place for the Parish of Weldford shall be held at such place in the said Parish as the Sheriff shall appoint, and notice of such place so by him appointed shall be given in the manner and at the time provided by the first section of the said recited Act.

That the Freeholders comprised in the Lots fronting on the Aldoune River and Bay in the Parish of Carleton, shall assemble with the Freeholders of Richibucto, and poll their votes at the Court House in the said Parish of Richibucto.

In the County of Carleton:

Carleton;

Instead of the polling place at or near Green River, for the Parish of Madawaska, there shall be two polling places for the said Parish of Madawaska, and for which purpose the said Parish of Madawaska shall be divided into two Districts:

The first District to be known as District number seven, to comprise all that part of the Parish of Madawaska lying below the upper line of Lot number twenty five, granted to Joseph Daigle, Junior, and the Freeholders thereof shall assemble at or near Grand River.

The

The second District to be known as District number eight, to comprise all that part of the said Parish of Madawaska not comprised in District number seven, and the Freeholders thereof shall assemble at or near the Mouth of the Little Madawaska River.

Queen's ;

In the County of Queen's :

Instead of the polling place appointed for the Parish of Waterborough, the polling place for the said Parish of Waterborough shall be at or near John Farris'.

Instead of the polling place appointed for the Parish of Chipman, the polling place for the said Parish of Chipman shall be at or near Andrew M'Donald's.

Instead of the polling place appointed for the Parish of Brunswick, the polling place for the said Parish of Brunswick shall be at or near the late John Humphreys', in the New Canaan Settlement.

Gloucester ;

In the County of Gloucester :

Instead of the polling places established by the said recited Act, the following are hereby declared to be places for holding the Poll at any future Election to be holden for the County of Gloucester :—

District number one, from the Restigouche Line to the Bathurst Line, comprehending the Parish of Beresford, at the Church at Little Roche.

District number two, from the Beresford Parish Line to the Big Nepisiquet River, at the Court House.

District number three, from Big Nepisiquet River to Teague's Brook at or near lot number twelve, at Salmon Beach.

District number four, from Teague's Brook round Misonette, up the South Branch of Caraquet River, at the Church in Grand Aunce.

District number five, from the South Branch of Caraquet River to the Blackhall Portage, at the Church in Caraquet.

District number six, from the Blackhall Portage, eastward, round by Saint Simon's Inlet, to the Wough Bridge, at or near John Gionet's.

District number seven, all the remaining territory to the eastward of Pokemouche River and Saint Simon's Inlet, at the Church at Shippegan.

District number eight, Pokemouche Settlement, (so called) at Valentine Gibbs' and Pokemouche.

District number nine, the rest of the County, at or near William Lousier's, in Tracaday.

Saint John.

In the County of Saint John :

Instead of District number one to comprise that part of the City of Saint John lying on the east side of the Harbour, the Electors who reside in that part of the City of Saint John lying on the east side of the Harbour, shall assemble in the different Wards in which they reside, and poll their votes at such place in each Ward as the Sheriff or Returning Officer for the time being shall appoint; and notice of such place so by him appointed shall be given in manner and at the time provided by the first section of the said recited Act; and in the other Districts for the said County in the said Act mentioned, the term " Freeholders," shall extend and be applied to all persons entitled to vote within the said Districts.

Time for question-  
ing the qualification  
of a Candidate  
limited.

II. And be it enacted, That the time for questioning the qualification of any Candidate at any Election hereafter holden for any City or County in this Province, under the provisions of the twenty fourth section of the said recited Act, shall be limited to the time appointed by the tenth section of the said recited Act for the offering of Candidates ; and it shall be the duty of the Sheriff or Returning Officer,

Officer,

Officer, forthwith to give the Candidate, his agent, or person nominating him, whose qualification is so questioned, notice of such questioning; and in default of the declaration provided by the said recited Act being filed with the Sheriff or Returning Officer, by the time mentioned in the said Act, the said Sheriff or Returning Officer shall strike the name of the Candidate whose qualification is so questioned, from the Poll Book.

On default of declaration of qualification after notice, name of the Candidate to be struck from the Poll Book.

III. And be it enacted, That so much of the thirty fourth section of the said recited Act as provides for filling up any vacancy in the Assembly during the recess of the General Assembly, occasioned in any manner except by death, resignation, or appointment to the Legislative Council, be and the same is hereby repealed, but in all other respects the said section shall remain in full force and effect.

6 V. c. 44, s. 34, in part repealed.

IV. and be it enacted, That in the event of the division of any Parish or Parishes in this Province, from and after the passing of this Act, without providing anew for the polling of the votes of the resident Electors of such Parish or Parishes, the resident Electors of such Parish or Parishes shall poll their votes at the same place in all respects as if no such division had taken place, unless otherwise provided by the Law dividing such Parish or Parishes.

When Parishes are divided, and no Polling Places specially appointed, Votes to be polled as if no division had taken place.

V. And be it enacted, That if any Sheriff, Returning Officer, Deputy, Under Sheriff, Poll Clerk, or other person whatsoever, appointed and acting under the authority of the said recited Act, or this Act, for any Election for any County or City in this Province, shall wilfully contravene or disobey the provisions of the said recited Act, or this Act, or any of them, with respect to any matter or thing which such Sheriff, Returning Officer, Deputy, Poll Clerk, or other person whatsoever, is by the said recited Act or this Act required to do, and for which default or offence no specific penalty is provided in the said recited Act, he shall for such his offence be liable to be sued in an action of debt in the Supreme Court of this Province for the penal sum of fifty pounds; and the Jury before whom such action shall be tried, may find their verdict for the full sum of fifty pounds, or for any less sum which the said Jury shall think it just that he should pay for such his offence; and the defendant in such action being convicted, shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same: provided always, that no such action shall be brought except by a person being an Elector, or claiming to be an Elector, or a Candidate, or a Member actually returned, or other party aggrieved, within four months after the commission of the offence for which such action is brought; provided also, that the remedy hereby given against the Sheriff or Returning Officer shall not be construed to supersede any remedy or action against him according to the Law now in force.

For contravening or disobeying the provisions of the Act 6 V. c. 44, or this Act, suits may be brought in the Supreme Court.

Limitations to the action.

VI. And be it enacted, That in the construction of the said recited Act, and of this Act, except there be something in the subject or context inconsistent with or repugnant to such construction, every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing, and every word importing the plural number, shall extend and be applied to one person or thing, as well as several persons or things, and the words Returning Officer shall apply to every person or persons to whom by virtue of his or their office, under any Law or Statute, the execution of any Writ or Precept doth or shall belong, for the election of a Member or Members to serve in the General Assembly of this Province, by whatever name or names such person or persons may be called; and that no misnomer or inaccurate description of any person, place or thing named or described in any notice required by the said recited

Construction of the Act.

Singular numbers.

Returning Officer.

Misnomer or inaccurate description.

recited Act, or this Act, shall in any wise prevent or abridge the operation of the said recited Act, or this Act, with respect to such person, place or thing; provided that such person, place or thing shall be so denominated in such notice so as to be commonly understood.

Act suspended until Her Majesty's approbation be declared.

VII. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto had and declared.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

## CAP. CIX.

An Act to authorize a return of Duties in certain cases.

*Passed 14th April 1845.*

Preamble.

**W**HEREAS British and Colonial Vessels resorting to the Saint Croix for cargoes of Lumber for the West India Markets, by reason of their exemption from all duties or charges, except a small port charge, almost exclusively proceed to the Ports on the United States side of the Saint Croix for their cargoes, thereby greatly injuring the Trade of the County of Charlotte: And whereas the inducement now existing for the said Vessels to resort to the said Ports for their Lumber, may, without loss to the Revenue, be removed by granting a return of the Export, Light House, and Buoy and Beacon Duties, to all British and Colonial Vessels laden in the said County wholly or chiefly with Lumber for the said Markets; therefore

A Drawback of Export Duty under the Act 7 V. c. 18, allowed on Lumber shipped from Charlotte County to certain places, and also of the Light House, and Buoys and Beacon Duties chargeable on the Vessels carrying the Lumber.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Provincial Treasurer or Deputy Treasurer, and they are hereby respectively required to grant a drawback of all the export duty paid or secured to be paid under the Act of the General Assembly of the Province, intituled *An Act relating to the collection of Duty on Timber and other Lumber*, upon any sawed Lumber shipped from the County of Charlotte to any port or place in the British or Foreign West Indies, or to any British Possession in the Gulf of Mexico or South America, or to any French or Dutch Possession in South America, and also a drawback of the duties paid or secured for the support of Light Houses, Buoys and Beacons, by any ship or vessel on her return to the said County from any of the ports or places above mentioned, after having been laden in the said County in whole or chiefly with sawed Lumber, and actually landed the same in some of the aforesaid ports or places.

A Bond for the Duties to be taken, and cancelled on compliance with this Act.

II. And be it enacted, That it shall and may be lawful for the Treasurer or Deputy Treasurer, and they are hereby respectively required to take a Bond to the Queen's Most Excellent Majesty (in the penal sum of double the amount of the duties) with a good and sufficient surety for the payment of the said duties in one year from the date thereof, which Bond, it shall, on a compliance with the provisions of this Act, be the duty of the Treasurer or Deputy Treasurer to cancel.

Evidence of Exportation.

III. And be it enacted, That the evidence to be required of the exportation of the aforesaid Lumber, shall be the Affidavits of the Master and of the Owner or Consignee, before the Treasurer, or one of his Deputies; and the Affidavit of the Master shall be as follows:—

'I, A. B., do swear, that the following Lumber, to-wit: — are now actually on board the — whereof I am Master, bound for — and that the same is intended to be landed at the above port or place (or some other of the ports or places above mentioned, as the case may be).'

And



And the Owner of the said Lumber, or his Agent, shall make and subscribe an Affidavit, that he is Owner or Agent of the Owner of such Lumber, and that the contents of the Affidavit made by the Master are just and true, to the best of his knowledge and belief: provided always, that before any drawback or remission of duty upon sawed Lumber so exported shall be obtained, it shall be incumbent upon the Owner, Consignee, or Agent of such Lumber, to produce to the Treasurer or his Deputy to whom the several duties as aforesaid shall have been secured, within one year from the time of exportation thereof, a Certificate under the hand of the Collector or Principal Officer of the Customs or of the Revenue of the place to which the same was exported, or a Certificate of two resident Merchants of the place where such Lumber may have been landed, that such Lumber has been actually landed, and he shall, at the same time, make and subscribe the following Affidavit:—

‘ I, A. B., do swear, that the Lumber exported by me (or by A. B., the Owner, as the case may be) in the Ship or Vessel called the — whereof — was Master, a Certificate of the landing of which is by me now exhibited, have been actually landed at — to the best of my knowledge and belief.’

IV. And be it enacted, That this Act shall not go into operation until Her Majesty’s Royal approbation thereunto be first had and declared.

Act suspended  
until Her Majesty’s  
pleasure be known.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 20th November, 1845, and published and declared in the Province the 7th day of January, 1846.*]



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9TH VICTORIA. A. D. 1846.

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