

**ACTS**  
OF  
**THE GENERAL ASSEMBLY**  
OF  
**HER MAJESTY'S PROVINCE**  
OF  
**NEW BRUNSWICK,**  
PASSED IN THE YEAR  
**1839.**

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**FREDERICTON:**

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

MDCCCXXXIX.

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ANNO PRIMO VICTORIÆ REGINÆ.

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**Anno Regni VICTORIÆ Britanniarum Reginae Secundo.**

**A**T the General Assembly of the Province of New Brunswick begun and holden at Fredericton on the Twenty eighth Day of December, *Anno Domini* One thousand eight hundred and thirty seven, in the First 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 Fifteenth Day of January one thousand eight hundred and thirty nine; being the Second Session of the Twelfth General Assembly convened in the said Province.

THE  
ACTS  
OF  
THE GENERAL ASSEMBLY, &c.

CAP. I.

An Act to amend the Laws now in force relating to the Militia in this Province.

*Passed 21st February 1839.*

I. **WHEREAS** it is expedient and necessary for the Militia service of this Province, that the Commander in Chief for the time being should have the power of forming the several Companies of Artillery and Sea Fencibles into separate and distinct Battalions, Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and immediately after the passing of this Act, the Lieutenant Governor and Commander in Chief for the time being in this Province, be and he is hereby authorized to form the said Companies of Artillery and Sea Fencibles into separate and distinct Battalions.

Companies of Artillery and Sea Fencibles may be formed into separate Battalions.

II. And be it further enacted, That the Non-Commissioned Officers and Privates of the said Corps respectively, and also the Non-Commissioned Officers and privates of any uniformed Company of Dragoons or Riflemen; who shall submit their names through their respective Commanding Officers to the Commander in Chief for the time being as Volunteers for actual service, shall be exempted from Draft by Ballot, and having so volunteered shall be liable to perform all duties required by the Commander in Chief, and shall be liable to all the pains and penalties imposed by Law on persons so drafted by ballot; and when called out into such actual service, the said Corps, or such portions thereof as may be required, shall be under the command of Officers belonging to their respective Corps, and shall be formed into Companies separate and distinct from persons drafted by Ballot as aforesaid.

Volunteers for actual service from Artillery, Sea Fencibles, Dragoons or Riflemen exempted from Draft by Ballot.

III. And be it further enacted, That in case any person belonging to either of the said Corps, whose name shall have been so submitted as aforesaid, shall refuse when called upon to perform any of the duties required of him, he shall be subject to a fine of ten pounds, and in case he neglect or refuse to pay the same, he shall be committed to the nearest County Gaol where he can be safely kept, by warrant under the hand of the Commanding Officer of the Battalion, Troop or Company to which he may belong, where he shall remain three Calendar months, or until he pay the said fine; and that after such refusal and payment of the said fine or suffering the said imprisonment, such person, in case of a Draft by Ballot, shall

Volunteers refusing to perform duties liable to a fine, and the Ballot in any subsequent Draft.

Proviso.

shall be liable and subject thereto, anything in this Act to the contrary notwithstanding: Provided always, that nothing in this Act shall extend or be construed to extend to exempt any of the said Artillery, Sea Fencibles, Dragoons or Riflemen from the control and command of the commanding Officer of the Regiment or Draft to which they may be attached.

Act may be altered.

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

## CAP. II.

### An Act imposing Duties for raising a Revenue.

*Passed 23d March 1839.*

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

Duties granted for the use of the Province and support of the Government on articles specified in the Schedule.

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

Duties to be in addition to any Duties imposed by Acts of Parliament.

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

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

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

Duties to be repaid or Warehouse Bond cancelled as to goods exported for the deep sea or whale fishery.

IV. And be it further enacted, That when any articles that shall have been warehoused, or on which duties shall have been paid under this or any other or previous Act, shall be exported for the use of the deep Sea or Whale Fisheries, the

the amount of such duties shall be repaid to the exporter by the Treasurer or Deputy Treasurer, or the Warehouse Bond cancelled, on affidavit (of the exporter) of the same having been so exported, for the use aforesaid.

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

*Schedule of Articles subject to Duty, and Articles exempted from Duty.*

	£.	s.	d.	Schedule of Articles liable to Duty.	
<b>SPIRITS, <i>videlicet</i>,</b>					
Brandy, per gallon,	0	2	0		
Rum, per gallon,	0	1	6		
Geneva, Gin or Hollands, per gallon,	0	1	6		
Whiskey, per gallon,	0	1	6		
Cordials, per gallon,	0	1	6		
Shrub, Santa, Lime Juice, per gallon,	0	0	6		
<b>WINES, <i>videlicet</i>,</b>					
On all wines imported direct from the place of growth and produce, per gallon,	0	1	6		
Otherwise imported, per gallon,	0	2	0		
<b>SUGAR, <i>videlicet</i>,</b>					
Muscovado or brown, per hundred weight,	0	2	6		
Loaf, Lump, or refined, per pound,	0	0	1		
<b>DRIED FRUITS,</b> per hundred weight,	0	5	0		
<b>MOLASSES,</b> per gallon,	0	0	1		
<b>TOBACCO,</b> Manufactured (except Snuff and Cigars) per pound,	0	0	0½		
Snuff and Cigars, for every £100 of the true and real value thereof,	5	0	0		
<b>CATTLE.</b>					
For and upon every foreign Horse,	3	10	0		
For and upon every foreign Ox,	1	0	0		
For and upon all other Foreign Horned Cattle,	3	10	0		
For and upon the following Foreign Manufactured Articles, when not imported from the United Kingdom, <i>videlicet</i> ,					
Chairs,	}	For every £100 of the true and real value thereof,		25 0 0	
Clocks,					
Clock Cases,					
Clock Movements or Machinery,					
Watches,					
Household Furniture,					
Pictures,					
Mirrors,					
Looking Glasses.					
And for and upon all soap and candles, india rubber shoes, and all other Foreign Articles, manufactured or not manufactured, not otherwise charged with duty, nor hereinafter declared to be free of duty,	}		For every £100 of the true and real value thereof,		10 0 0

And

Schedule of articles liable to Duty,  
Continued.

And for and upon all Articles, the manufacture of the United Kingdom, imported or brought into this Province, whether by sea or inland carriage or navigation, or which may be saved from any wrecked or stranded ship or vessel, or not otherwise charged with duty, nor hereinafter declared to be free of duty; also all manufactures of silk or cotton, of the British East India Possessions, pepper and all other description of spices.

For every £100  
of the true and  
real value there-  
of,

2 10 0

Colonial Leather and Malt Liquor, } For every £100 of the true  
and real value thereof,

5 0 0

### EXCEPTIONS

Articles exempted  
from Duty.

To all Foreign Articles Manufactured or not Manufactured, *videlicet*,

Agricultural Implements, (Axes excepted.)  
Bees Wax.  
Bristles.  
Books (printed) and Pamphlets.  
Beans.  
Bread.  
Cotton Wool.  
Cows.  
Cordage.  
Canvas.  
Dye Woods.  
Felt.  
Flour and Meal of all kinds, (Buckwheat excepted.)  
Grass seeds and all other kinds of seeds and plants.  
Grain of all kinds.  
Hay.  
Hides.  
Horsehair.  
Horns.  
Hemp.  
Hops.  
Indigo.  
Iron.  
India Rubber.  
Lumber of all kinds.  
Leaf Tobacco.  
Lignum Vitæ.  
Mahogany Logs, Boards and Veneers.  
Meats, dried and salted.  
Mill Saws.  
Pitch.  
Peas.  
Rosin.  
Rice.  
Salt.

DUTY FREE.

Tea.



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A. D. 1839.

2° VICTORIÆ.

C. 2.

5

- Tea.
- Tar.
- Turpentine.
- Tallow.
- Vinegar.

DUTY FREE.

Articles exempted from Duty, Continued.

To all articles the manufacture of the United Kingdom, *videlicet*.

- Agricultural Implements.
- Anchors.
- Barley, Pot or Pearl.
- Beef.
- Bacon.
- Books (printed) and Pamphlets.
- Bread.
- Bunting.
- Bricks and Tiles.
- Coals.
- Copper, Bolt and Sheet.
- Copper, Spikes and Nails.
- Canvas.
- Coal Tar.
- Cordage.
- Duck.
- Felt, patent.
- Fishing Nets.
- Hooks, Lines and Twines.
- Flour and Meal of all kinds.
- Globes.
- Iron, bolt, bar, square, pig or sheet.
- Iron Block Bushes.
- Lead, bar and sheet.
- Mineral Salt and Salt of all kinds.
- Malt.
- Machinery for Mills or Steam Boats.
- Mathematical and Musical Instruments of all kinds, and Philosophical and Chemical Apparatus.
- Hydraulic Engines.
- Maps.
- Oakum.
- Pork.
- Printing Paper.
- Steel.
- Spikes and Sheathing Nails.
- Ship Tackle and Apparel.
- Sheathing Paper.
- Tin in Sheets and Blocks.
- Zinc.

FREE DUTY.

## CAP. III.

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

Passed 23d March 1839.

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 :

- Chaplains.** To the Chaplain of the Legislative Council in General Assembly the sum of twenty five pounds.  
To the Chaplain of the House of Assembly the sum of twenty five pounds.
- Sergeants at Arms.** To the Sergeant at Arms attending the Council in General Assembly, the sum of twenty shillings *per diem*, during the present Session.  
To the Sergeant at Arms attending the House of Assembly, the sum of twenty shillings *per diem*, during the present Session.
- Clerks.** To the Clerk of the Legislative Council, in General Assembly, the sum of two hundred pounds for his services during the present Session.  
To the Clerk of the House of Assembly the sum of two hundred pounds for his services during the present Session.
- Clerks' Assistants.** To the Clerk Assistant of the Legislative Council, the sum of one hundred pounds for his services during the present Session.  
To the Clerk Assistant of the House of Assembly, the sum of one hundred pounds for his services during the present Session.
- Doorkeepers.** To the Doorkeepers attending the Legislative Council and Assembly, the sum of twelve shillings and sixpence, *per diem*, during the present Session.
- Messengers.** To the Messengers attending the Legislative Council and Assembly, the sum of ten shillings, each, *per diem*, during the present Session.
- Province Treasurer.** To Beverley Robinson, Esquire, Province Treasurer, the sum of six hundred pounds for his services for the year one thousand eight hundred and thirty eight; and the further sum of two hundred and fifty pounds to enable him to pay a Clerk for the same period.
- Parish Schools.** To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding seven thousand pounds, for the encouragement of Parish Schools, agreeably to a Law of this Province.
- Light Houses.** To the Commissioners of Light Houses in the Bay of Fundy, the following sums, to pay for services in the year one thousand eight hundred and thirty nine :  
For the Keeper of the Light House on Gannet Rock and his assistant, the sum of one hundred and sixty five pounds ;  
For the Keeper of the Light House on Point Leproe, the sum of one hundred pounds ;  
For the Keeper of the Light House on Thrumb Cap, Quaco, the sum of one hundred pounds ;  
The sum of six hundred pounds to defray the contingent expenses of the Gannet Rock, Point Leproe and Quaco Light Houses, for the year one thousand eight hundred and thirty nine ;  
To the Keeper of the Light House on Partridge Island, the sum of one hundred pounds ;  
For the Keeper of the Beacon Light House, the sum of one hundred pounds ;  
The sum of two hundred and fifty pounds for contingent expenses of Light Houses at the entrance of the Harbour of Saint John, for the year one thousand eight hundred and thirty nine.  
To the Commissioners of Machias, Seal Island, Campo Bello and Saint Andrews Harbour

Harbour Light Houses, the following sums to pay for the services for the year one thousand eight hundred and thirty nine : Light Houses, Continued.

For the Keeper of the Light House on Campo Bello, the sum of one hundred and twenty pounds ;

For the Keeper of the Light House on Machias Seal Island, the sum of one hundred and thirty pounds ;

For the Keeper of the Light House in the Harbour of Saint Andrews, the sum of thirty pounds ;

The sum of five hundred and fifty pounds to defray the contingent expenses of the said Light Houses, for the year one thousand eight hundred and thirty nine.

To the Quarter Master General of the Militia Forces, the sum of fifty pounds for his services for the year one thousand eight hundred and thirty nine. Quarter Master General.

To His Excellency the Lieutenant Governor or Commander in Chief, 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. Apprehension of Deserters.

To the Master in Chancery appointed to carry Messages from the Legislative Council to the House of Assembly, the sum of fifty pounds. Master in Chancery.

To D. W. Jack, Tide Surveyor at Saint Andrews, the sum of one hundred and fifty pounds, for his services from the first day of April, one thousand eight hundred and thirty eight, to the same period one thousand eight hundred and thirty nine. Tide Surveyor at Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, 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 thirty nine. Tide Waiter at Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds for the services of a Tide Surveyor at Miramichi, for the year one thousand eight hundred and thirty nine. Tide Surveyor at Miramichi.

To B. C. Chaloner, Tide Surveyor at Saint John, for his services from the first day of May, one thousand eight hundred and thirty eight, to the same period, one thousand eight hundred and thirty nine, the sum of fifty pounds. Tide Surveyor at Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of individual subscription, to pay a Courier between Bathurst and Pokemouche via Shippegan, in Gloucester. Courier between Bathurst and Pokemouche.

To the Justices of the Peace for the County of Queens, the sum of thirty pounds to enable them to pay a Courier between Gagetown and the Nerepis, for the year one thousand eight hundred and thirty nine. Courier between Gagetown and the Nerepis.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred and fifty pounds, being for the services of a Tide Waiter or Messenger to the Treasury, for the year one thousand eight hundred and thirty nine. Tide Waiter or Messenger to the Treasury.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding five hundred pounds, to defray any expenses that may be incurred in the protection of the Provincial Revenue, for the year one thousand eight hundred and thirty nine. Protection of the Revenue.

To the Justices of the Peace for the County of Westmorland, the sum of fifty pounds, to enable them to pay a Courier passing between Harvey and the Great Road leading from Dorchester to Saint John. Courier between Harvey and the Great Road.

To William Watts, the sum of ten pounds, for airing and taking care of the Province Hall. W. Watts.

To

Light Houses on  
Cape Sable, Seal  
Island and Brier  
Island.

To the Commissioners of Light Houses in the Bay of Fundy, the sum of two hundred pounds, to be applied by them towards the support of Cape Sable, Seal Island, Light House; and also one hundred pounds towards the support of the Light House on Brier Island, in the Province of Nova Scotia, for the year one thousand eight hundred and thirty nine.

Courier between  
Pokemouche and  
Miramichi.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of individual subscription, to pay a Courier passing between Pokemouche and Miramichi, in the Counties of Northumberland and Gloucester.

Destruction of  
Bears.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding three hundred pounds, to encourage the destruction of Bears, agreeably to a Law of this Province.

Grammar Schools.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums, for Grammar Schools, in the year one thousand eight hundred and thirty nine:

For the Grammar School in the County of Westmorland, the sum of one hundred pounds;

For the Grammar School in Saint John; the sum of one hundred and fifty pounds;

For the Grammar School in King's County, the sum of one hundred pounds;

For the Grammar School in the County of Kent, the sum of one hundred pounds;

For the Grammar School in Queen's County, the sum of one hundred pounds;

For the Grammar School in the County of Charlotte, the sum of one hundred pounds;

For the Grammar School in the County of Sunbury, the sum of one hundred pounds;

For the Grammar School in the County of Northumberland, the sum of one hundred pounds;

For the Grammar School in the County of Gloucester, the sum of one hundred pounds;

For the Grammar School in the County of Carleton, the sum of one hundred pounds.

Messenger to the  
Executive Council.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds, to enable His Excellency to pay a Messenger to the Executive Council.

Provincial Secretary for  
Contingencies of Office.

To the Honorable William F. Odell, Provincial Secretary, for defraying the expense of Stationery, Printing, Bookbinding, &c. for the Secretary's Office, for the Commissions of Oyer and Terminer and Gaol Delivery for the several Counties, and for Fuel and contingent expenses of the Office, for the year one thousand eight hundred and thirty seven, the sum of one hundred and five pounds, and the like sum of one hundred and five pounds for the year one thousand eight hundred and thirty eight.

Monies 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 Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury or as payment may be made at the same.

CAP. IV.

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

Passed 23d March 1839.

**1. 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:

To His Excellency the Lieutenant Governor, the sum of one thousand pounds, to be by His Excellency transmitted to Sir John Colborne, the Governor General, for the purpose of being distributed under the direction of the Governor General, towards relieving the immediate necessities of the loyal sufferers in the two Canadas. Relief of Loyal Sufferers in the two Canadas.

To the Governor and Trustees of the Madras School, the sum of five hundred pounds for the year one thousand eight hundred and thirty nine, towards the support of that institution. Madras Corporation.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums to pay meritorious old Soldiers of the Revolutionary War, and the widows of the same class of persons, in indigent circumstances: Soldiers of the Revolutionary War and their Widows.

To James Whitehead, the sum of twenty pounds.

To Jane M'Cardy, the widow of the late Samuel M'Cardy, the sum of ten pounds.

To Mary Banks, the widow of an officer of the Revolutionary War, the sum of twenty pounds.

To Angus M'Phee, the sum of ten pounds.

To Hezekiah Lyons, the sum of ten pounds.

To John Underwood, the sum of ten pounds.

To James Flint, the sum of ten pounds.

To Joseph Madgett, the sum of ten pounds.

To Isaac Adams, the sum of ten pounds.

To Enoch Groom, the sum of ten pounds.

To Dugald Clarke, the sum of ten pounds.

To Donald M'Donald, the sum of ten pounds.

To David Bruce, the sum of ten pounds.

To Gershom Bonnell, the sum of ten pounds.

To Michael Dennison, the sum of ten pounds.

To Holden Turner, the sum of ten pounds.

To John Baldwin, the sum of ten pounds.

To Ruth Baird, the sum of ten pounds.

To John Dunlap, the sum of ten pounds.

To Cornelius Ackerman, the sum of ten pounds.

To William M'Pherson, the sum of ten pounds.

To Alexander M'Kenzie, the sum of ten pounds.

To George Sinnett, the sum of ten pounds.

To Charity Ricketts, the sum of ten pounds.

To Thomas Ferguson, the sum of ten pounds.

To Patrick Van, the sum of ten pounds.

To the Sheriff of the County of Restigouche, the sum of ten pounds, to compensate him for expenses incurred in returning a Member of Assembly to represent the said County. Sheriff of Restigouche.

To Elizabeth Briscoe, the sum of twenty pounds, for teaching a School in Saint Andrews, for the year one thousand eight hundred and thirty eight. E. Briscoe.

To

- Infant School, St. John.** To William H. Robinson, and the Committee of Management of the Infant School at Saint John, twenty five pounds in aid of individual subscription towards that institution.
- Free Female School in Fredericton.** To Mrs. Isabella Hales, and the Committee of Management for the Free School at Fredericton, for the instruction of poor female children, the sum of twenty pounds, in aid of individual subscription towards the support of that institution.
- W. Watts.** To William Watts, ten pounds, for his services as Crier or Usher in the Supreme Court for the ensuing year.
- Index to Laws.** To John Gregory, ten pounds, to prepare an Index to the Laws of the present Session.
- M. Brannen.** To Matthew Brannen, of the Secretary's Office, twenty five pounds, as a mark of approbation for his long and faithful services in that Office.
- E. Fairchild.** To Elizabeth Fairchild, of the City of Saint John, the sum of twenty pounds, for her services as a Schoolmistress in the City of Saint John.
- Dr. G. P. Peters.** To Doctor G. P. Peters, Surgeon to the Vaccine Institution, Central Board, Saint John, the sum of twenty pounds, for his services for one thousand eight hundred and thirty eight.
- Province Agent.** To the Committee of Correspondence, such sum as will procure Bills of Exchange on London for two hundred pounds, sterling, to be remitted Henry Bliss, Esquire, Province Agent, for his services during the year one thousand eight hundred and thirty eight.
- Adjutant General.** To the Adjutant General of the Militia Forces, the sum of seventy five pounds, for his services in the year one thousand eight hundred and thirty nine.
- Tide Waiter at Dalhousie.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, for a Tide Waiter at Dalhousie, in the County of Restigouche, for the year one thousand eight hundred and thirty nine.
- Mrs. Kennedy.** To Mrs. Kennedy, widow of the late William Kennedy, of Saint Stephen, who faithfully served his Sovereign as a non-commissioned Officer during the Revolutionary War, ten pounds.
- Tide Waiter at Bathurst.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, for a Tidewaiter at Bathurst, in the County of Gloucester, for the year one thousand eight hundred and thirty nine.
- Free School, St. John.** To the Justices of the Peace for the City and County of Saint John, one hundred and fifty pounds, towards the support of a Free School established in the said City, unconnected with the Madras Board.
- J. Simpson.** 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 Assembly, during the present Session.  
To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Journals of the Legislative Council and Assembly during the present Session.  
To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Laws of the present Session.
- B. C. Chaloner.** To B. C. Chaloner, Guager and Weigher at Saint John, the sum of two hundred pounds, being in full for his services during the year one thousand eight hundred and thirty-eight.
- Tide Waiter, Richibucto.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds, for the service of a Tide Waiter at Richibucto, for one thousand eight hundred and thirty nine.
- Spaker and Members of Assembly.** To the Speaker of the House of Assembly, the sum of one hundred and fifty pounds

pounds for the present Session ; and to each and every Member of the House of Assembly, the sum of twenty shillings *per diem*, during the present Session, provided that no greater amount than fifty pounds be drawn by any one Member for any such attendance ; also to each and every Member for travelling charges, the sum of twenty shillings *per diem*, for each day's travel, to be certified by the Speaker agreeably to a Law of the Province.

To Mary Ann Smith, for upwards of forty years a School Mistress at Saint John, the sum of twenty pounds, in consideration of her services in that capacity. M. A. Smith.

To Charity Williams, the sum of ten pounds, in consideration of her long and faithful services as a Teacher in the Parish of Fredericton. C. Williams.

To Deborah Ann Lugin, Widow of the late G. K. Lugin, many years King's Printer in this Province, the sum of twenty five pounds to assist her in her present destitute condition. D. A. Lugin.

To Beverley Robinson, Esquire, Province Treasurer, the sum of eighty eight pounds and five pence, being amount over advanced in the year one thousand eight hundred and thirty eight for the protection of the Revenue. Over advance for protection of the Revenue.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred and forty four pounds three shillings and four pence, being for office contingencies for the year one thousand eight hundred and thirty eight. Treasury contingencies.

To D. W. Jack, the sum of nineteen pounds fifteen shillings, being for guaging and weighing at Saint Andrews, in the year one thousand eight hundred and thirty eight. D. W. Jack.

To Robert Watson, the sum of one pound eighteen shillings, being for guaging and weighing at Saint Stephen, in the year one thousand eight hundred and thirty eight. R. Watson.

To Thomas Moses, the sum of three pounds eighteen shillings and six pence, being for guaging and weighing at West Isles, in the year one thousand eight hundred and thirty eight. T. Moses.

To His Excellency the Lieutenant Governor and Commander in Chief, the sum of four hundred and sixty five pounds, to pay the Provincial allowance to the Adjutants of the several Battalions of Militia in the Province, and the further sum of two hundred and thirty two pounds ten shillings to pay the Sergeant Majors of the same, during the past year. Adjutants and Sergeant Majors.

To His Excellency the Lieutenant Governor and Commander in Chief, a sum not exceeding one hundred pounds, to be applied towards the relief of the wives and children, now at Fredericton and Saint John, of such of Her Majesty's Troops recently ordered through this Province to resist the lawless invasion of the Canadas from the neighbouring frontier, as were precluded from taking their families with them. Relief of Wives and Children of Troops ordered to Canada.

To Theodosia E. Close, the sum of twenty pounds, for teaching a School in the Parish of Brunswick, County of Queen's, for one year ending first February one thousand eight hundred and thirty nine. T. E. Close.

To Samuel Grimshaw, the sum of ten pounds, for teaching a School in the Parish of Sussex, in King's County, for six months, ending the first day of May one thousand eight hundred and thirty seven. S. Grimshaw.

To William Bell, the sum of fifteen pounds, for teaching a School in the Parish of Sussex, for nine months, ending in June one thousand eight hundred and thirty eight. W. Bell.

To Her Majesty's Attorney General, for the year one thousand eight hundred and thirty seven, the sum of one hundred pounds, and the like sum for the year one thousand eight hundred and thirty eight. Attorney General.  
To

- Solicitor General. To Her Majesty's Solicitor General, for the year one thousand eight hundred and thirty seven, the sum of fifty pounds, and the like sum for the year one thousand eight hundred and thirty eight.
- Clerk of the Crown, Supreme Court. To the Clerk of the Crown in the Supreme Court, for the year one thousand eight hundred and thirty seven, the sum of one hundred pounds, and the like sum for the year one thousand eight hundred and thirty eight.
- J. M'Carthy. To John M'Carthy, the sum of ten pounds, for teaching a School in the Parish of Kingston, for six months, ending twelfth June one thousand eight hundred and thirty eight.
- J. Prince. To Joseph Prince, the sum of twenty pounds, for teaching a School in Dorchester, County of Westmorland, for one year, ending thirteenth day of November one thousand eight hundred and thirty four.
- Sub-Collector and Deputy Treasurer at Woodstock. To His Excellency the Lieutenant Governor, 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 to be in addition to the allowance allowed to Deputy Treasurers by Law.
- G. Knilands. To George Knilands, the sum of fifteen pounds, for teaching a School in the Parish of Portland, County of Saint John, for nine months, ending the first day of October one thousand eight hundred and thirty four.
- Return of duty on Wines, &c. for Her Majesty's 65th Regiment. To Lieutenant Colonel Senior, commanding Her Majesty's sixty fifth Regiment, the sum of fifty two pounds four shillings, being a return of duty on Wines, &c. consumed by the Officers of that Regiment during the time they were stationed in this Province.
- Return of duty on Wines, &c. for Her Majesty's XI. Regiment. To Isaac Richardson, Major of the eleventh Regiment, the sum of fifty pounds thirteen shillings and ten pence, being a return of duties on Wines, &c. consumed by the officers of that Regiment during the time they were stationed in this Province.
- Return duties on Wines, &c. for Her Majesty's 35th Regiment. To Lieutenant Colonel Maxwell, of Her Majesty's thirty sixth Regiment, the sum of thirty pounds sixteen shillings and three pence, being a return of duties on Wines, &c. consumed by the officers of that Regiment during the time they were stationed in this Province.
- S. Clarke, Excess of Head Money. To Samuel Clarke, the sum of eleven pounds five shillings being for an excess of head money paid on forty five passengers, at the Treasury, Saint John, in June one thousand eight hundred and thirty seven, per ship Lord John Russell, from Waterford, to be taken from the Emigrant Fund.
- R. Rankin & Co. Excess of Head Money. To Robert Rankin and Company, of Saint John, the sum of seven pounds five shillings, being for an excess of head money paid on passengers, per Brig Leslie Gault, from Londonderry in May last, at the Provincial Treasury, to be taken from the Emigrant Fund.
- J. Pendleberry. To John Pendleberry, the sum of sixteen pounds to remunerate him for expenses of erecting a building on Machias Seal Island.
- James Petrie, for extra services when employed on Saint Paul's Island. To the Commissioners for the relief of shipwrecked mariners at Saint Paul's Island, the sum of thirty pounds, to remunerate James Petrie for extra service rendered by him while employed as superintendent of the humane establishment on said Island, for six years at a small salary, and for expenses incurred by him in returning to Miramichi when superseded, the Commissioners being bound by their agreement to provide for his return.
- J. Wilkinson, division line between King's and Queen's. To His Excellency the Lieutenant Governor, the sum of two hundred and thirty eight pounds five shillings and eleven pence, being the balance of expenses incurred in surveying and marking out a certain division line between King's and Queen's Counties, the same to be paid to John Wilkinson, Deputy Surveyor who performed the service.



To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds two shillings, being for the expenses incurred for exploring a road through the Williamstown settlement, up to the River des Chutes; the same to be paid to James Ketchum who performed the service.

J. Ketchum,  
Exploration.

To Mark Needham, one of the Firewards of Fredericton, the sum of five pounds eight shillings, being return duties on a fire engine, &c. imported for the use of the Town of Fredericton.

Return of duty on  
a Fire Engine for  
Fredericton.

To William Watts, the sum of ten pounds, being for his services in attending the Court of Chancery for the past year.

W. Watts.

To the Justices of the Peace for the County of Charlotte, the sum of six hundred pounds, towards the erection of a new Court House in that County.

Court House,  
Charlotte County.

To James Reynolds, Keeper of the public ferry at Indian Town, Parish of Portland, County of Saint John, the sum of twenty pounds, towards remunerating him for keeping the said Ferry the last year, for the reasons stated in his Petition, and for transporting the daily mails on the route to Fredericton.

J. Reynolds,  
Ferry at Indian  
Town.

To His Excellency the Lieutenant Governor the sum of nine hundred and forty eight pounds to enable the Commissioner to pay the balance due on the contract for the Cocagne Bridge.

Cocagne Bridge.

To His Excellency the Lieutenant Governor, the sum of fourteen pounds fifteen shillings, to defray the expenses incurred by the Commissioner for an exploration from Sackville to the Nova Scotia Line.

Exploration from  
Sackville to the  
Nova Scotia Line.

To the Justices of the Peace for the City and County of Saint John, the sum of nine hundred and thirty five pounds one shilling and seven pence, to reimburse the Overseers of the Poor for expenses incurred during the year one thousand eight hundred and thirty eight, in the support of the temporary Provincial Lunatic Asylum, established in the said City.

Temporary Lunatic  
Asylum, Saint  
John.

To James Brown, Junior, of Saint David, in the County of Charlotte, the sum of thirty pounds, for the remuneration for time and expenses connected with the inspection of the Royal Road.

J. Brown, Junior.

To the Justices of the Peace for the City and County of Saint John, the sum of fifty two pounds two shillings and eight pence, to reimburse the Overseers of the Poor for the Parish of Portland for expenses incurred in one thousand eight hundred and thirty eight, towards the support and relief of indigent and distressed Black Refugees.

Black Refugees,  
Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds, for the purpose of remunerating Doctor A. Gesner, for making a partial Geological Survey of a part of the Province, the same being in addition to two hundred pounds granted towards this service at the last Session of the Legislature.

Geological Sur-  
vey.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum two hundred and sixty one pounds fifteen shillings, being amount of expenses incurred in procuring a practical exploration of the River Saint John, from Fredericton to the Grand Falls.

Exploration of the  
River Saint John.

To Levi Weston, the sum of twenty one pounds eight shillings for services by him performed in the winters of one thousand eight hundred and thirty seven and one thousand eight hundred and thirty eight, as a Vaccinating Surgeon, under the direction of a Committee of the Board of Health, for the County of Charlotte, at Saint Stephen; also to Samuel Bayard, nine pounds twelve shillings, for like services under the like direction; also twenty five pounds eighteen shillings and nine pence, to William Coulter, for like services under the like direction.

L. Weston, S.  
Bayard, W. Coul-  
ter, for services in  
vaccinating in  
Charlotte County.

To James M'Indoe, an old and faithful servant of this House, the sum of twenty pounds, to relieve him in his present distressed circumstances.

J. M'Indoe.

To

R. Coltart.

To Richard Coltart, of the County of Northumberland, the sum of thirty five pounds, to remunerate him for loss sustained in the performance of Road Contracts, the same to be taken from the Great Road grant from Fredericton to Newcastle.

Fredericton and  
Woodstock Stage  
Coach Company.

To the President and Directors of the Fredericton and Woodstock Stage Coach Company, the sum of two hundred pounds, to enable them to keep up the efficient establishment on that route.

Provincial Contingencies.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one thousand pounds for Provincial Contingencies.

Equipment of Volunteer  
Dragoons.

To His Excellency the Lieutenant Governor or Commander in Chief, such sum as will procure Bills of Exchange on London for five hundred pounds, sterling, to enable his Excellency to procure such Saddlery as may be deemed requisite for the equipment of Volunteer Dragoons employed in the Provincial service.

Ferryman at the  
Jemseg and  
Washademoac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, to enable him to remunerate a licenced Ferryman at the Jemseg and Washademoac, for his services in facilitating the passage of the Mails across the said places, during the year one thousand eight hundred and thirty nine.

J. M'Lauchlan.

To John M'Lauchlan, a licenced Teacher, the sum of twenty pounds, for teaching a School in Fredericton, ending in October one thousand eight hundred and thirty six.

F. J. Earls.

To Frances Jemima Earls, a licenced Schoolmistress, the sum of fifteen pounds, being for her services in teaching a School in the Parish of Woodstock, County of Carleton, for nine months, ending first day of March, one thousand eight hundred and thirty nine.

J. Gilchrist.

To James Gilchrist, the sum of ten pounds, for teaching a School for the education of poor Blacks, in the Lake George Settlement, for the period ending the first day of July one thousand eight hundred and thirty eight.

L. E. Barry.

To Lydia E. Barry, the sum of fifteen pounds, being for her services in teaching a School for nine months, ending first day of February one thousand eight hundred and thirty nine, in the Parish of Saint Martin's, County of Saint John, it appearing her licence did not issue in consequence of her certificate not having been forwarded by the Board of Education.

W. Corry, in aid  
of publishing a  
Spelling Book.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds, to be paid to William Corry, of Westfield, King's County, to aid him in publishing a Spelling Book, compiled by him for the use of the Schools in this Province, the said sum to be paid to him as soon as it shall be certified to the satisfaction of His Excellency the Lieutenant Governor that an edition of at least one thousand copies of the said Spelling Book has been published.

J. Sevewright,  
Grammar School  
at Newcastle.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of the Grammar School presently taught at Newcastle, in the County of Northumberland, by John Sevewright, to whom the same shall be paid, in part of his salary for teaching said school the present year, on its being certified to His Excellency the Lieutenant Governor, by the Reverend James Souter and William Abrams, Esquire, that the same is due to the said John Sevewright for such services.

B. M'Donald.

To Bridget M'Donald, whose husband came to his death in assisting Her Majesty's Troops in their march to Quebec, the sum of ten pounds to assist her in her present destitute circumstances.

Crookshank and  
Walker, draw-  
back on Wine.

To Crookshank and Walker, of Saint John, the sum of eleven pounds seven shillings, being for drawback on two casks of Wine exported to Boston in the Schooner Catharine, in May one thousand eight hundred and thirty six. To

To Crookshank and Walker, the sum of six pounds three shillings and three pence, being for drawback on one cask of Wine exported to Jamaica, by the Brig Africa, in September one thousand eight hundred and thirty seven.

To George F. S. Berton, Esquire, Barrister at Law, the sum of two hundred and fifty pounds, being an additional grant in full for his services in revising in so highly creditable and satisfactory a manner the new edition of the Province Laws.

Revised edition of Laws.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two hundred and fifty pounds, to enable his Excellency to employ a competent person for the present year to continue the Geological survey and exploration of the Province already commenced.

Geological Survey.

To John B. Terrio, the sum of twenty pounds, in aid of an Oat Mill.

J. B. Terrio.

To the President and Directors of the Saint Andrews and Saint John Stage Coach Company, the sum of one hundred pounds, to enable them to continue their highly efficient establishment on the Great Road between Saint Andrews and Saint John.

Saint Andrews and Saint John Stage Coach Company.

The sum of ten pounds granted last Session to James Ross, an old Soldier of the Revolutionary War, to be reappropriated, and the same to be granted to Charles M'Pherson, who advanced the money to the said Ross immediately after the grant was made, but was unable to obtain the order on the Treasury in consequence of the death of the said Ross.

C. M'Pherson, for J. Ross.

To the Harvey Royal Mail Coach Company, the sum of one hundred pounds, to enable them to continue running the said Coach.

Harvey Royal Mail Coach Company.

To the Victoria Line Company, the sum of one hundred pounds, to enable them to continue running the said Coach from Saint John to Dorchester.

Victoria Line Company.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds, for James Tupper, for establishing a Mail Coach to run between Woodstock and the Grand Falls, County of Carleton.

J. Tupper, for Mail Coach between Woodstock and the Grand Falls.

The sum of one hundred and twenty five pounds in the hands of the Commissioners for improving the harbour of Quaco, to be reappropriated, and to be granted to His Excellency the Lieutenant Governor or Commander in Chief, that amount to be applied in the following manner :

Reappropriation of grant for Quaco Harbour.

Seventy five pounds for cutting down or avoiding by a better route, the hill on the south side of Vaughan's Creek ;

Fifty pounds for the improvement of the Road in that Settlement, from the eastern line of John Fownes' to Melvin's beach.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, annually, for the next two years, the sum of one hundred and fifty pounds, in aid of establishing a line of Stages between Fredericton and Newcastle, Miramichi, to be paid annually by warrant on the Provincial Treasurer, under the hand and seal of His Excellency the Lieutenant Governor to such person or persons as shall be appointed to run such stage or stages, by two or more Commissioners, (to be appointed by His Excellency the Lieutenant Governor, who is hereby authorized to make such appointments,) on its being certified to His Excellency the Lieutenant Governor or Commander in Chief for the time being, by such Commissioners, or the major part of them, that the person or persons who shall be so appointed by such Commissioners as aforesaid, to run such stage or stages, have well and faithfully performed that duty, and run a good, safe and commodious stage or stages, well adapted for the accommodation of travellers, once a week, that is to say, going to Fredericton, and returning to Newcastle, Miramichi, within the week, during the year, for which such Commissioners shall so certify

Stage between Fredericton and Newcastle.

- certify as aforesaid, unless prevented by the badness of the Road, or unavoidable accidents, and that the person or persons so employed and running such stage or stages, have not less than two changes of good horses on the road.
- Courier between Saint John and Saint Martin's.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, in aid of individual subscription to pay a Courier between Saint John and Saint Martin's.
- W. Hanington, Bridge over Buctouche River.** To William Hanington, Contractor for the Bridge over the Buctouche River, the sum of two hundred and fifty pounds, towards the loss he has sustained in faithfully executing his contract; it appearing that he was obliged to put up three additional abutments, and to extend the Bridge upwards of one hundred feet beyond the length stipulated by said contract, and, further, that the channel of the river was upwards of seven feet deeper than the plan submitted to him when he undertook the work.
- D. and P. Hatfield, drawback on Whiskey.** To David and Peter Hatfield, the sum of forty four pounds fourteen shillings, being for drawback on five puncheons of Whiskey, exported on board Schooner Isabella Anna, to Sierre Leone, in August in the year one thousand eight hundred and thirty eight.
- Removal of Rock at West Head.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds, to be appropriated to the removal of a part of the rock at West Head, at the mouth of the River Saint John.
- Index to Journals of Assembly.** To the Clerk of the House of Assembly, the sum of two hundred and fifty pounds, for preparing an Index to the Journals of the House, from the year one thousand seven hundred and eighty six, a period of ten years; this completing the work.
- D. Hay.** To Duncan Hay, of Caraquet, the sum of twelve pounds sixteen shillings and six pence, being the amount of duties exacted from him at the Custom House, Bathurst, in consequence of a mistake in his clearance.
- L. Picket.** To Lewis Pickett, the sum of ten pounds, to enable him to rebuild an Oat Kiln, the former one having been destroyed by fire.
- Breakwater, Saint John.** To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of five hundred pounds, towards the expenses incurred and to be incurred by them, in the extension of the Breakwater, for the preservation of the harbour of Saint John.
- R. Foulis.** To Robert Foulis, of Saint John, the sum of fifty pounds, as an encouragement for him to continue the School of Arts which he has established at Saint John.
- Gaol in York County.** To the Justices of the Peace for the County of York, the sum of one thousand pounds, towards the erection of a Gaol in the said County.
- J. Bradley and others, Stages between Saint John and Fredericton.** To J. Bradley, Thomas Corrigan and associates, proprietors of the line of Stages between Saint John and Fredericton, the sum of one hundred pounds, towards compensating them for the expenses they have incurred in maintaining their highly useful and efficient establishment on that route.
- R. F. Hazen, Esquire, apprehension of Deserters.** To R. F. Hazen, Esquire, Mayor of Saint John, the sum of twelve pounds three shillings and two pence, to remunerate him for expenses incurred in assisting Her Majesty's Land Forces in searching for and apprehending Deserters.
- Wharf at Regent Street, Fredericton.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds, to enable him to compensate M'Pherson and Coy, F. W. Hatheway and Spafford Barker, to aid them in the erection of a public Wharf, at Regent street landing, in Fredericton, in aid of individual subscription.
- C. Stockwell and others, Stages between Saint John and Fredericton.** To Cyrus Stockwell, James Hewitt and H. Gould, the sum of fifty pounds, to aid them in running a line of Stages between Saint John and Fredericton.

To Hugh Allen, late master of the Grammar School, in the County of Westmorland, the sum of fifty pounds, in full for compensation for his services agreeably to the certificate and recommendation of the Trustees. Hugh Allen.

To Thomas Wyer, Harris Hatch, Samuel Frye and John M'Lachlan, late Trustees of the Charlotte County Savings' Bank, the sum of seven hundred and two pounds twelve shillings and five pence, to remunerate them for losses sustained by the failure and defalcation of the Cashier of the said Bank. Late Trustees of the Charlotte County Savings Bank.

To the Board of Health for the City and County of Saint John, the sum of three hundred and twenty seven pounds ten shillings and six pence, to reimburse them for obligations they have undertaken to Medical gentlemen in arresting the progress of Small Pox in the said City and County, and for the preservation of the public health. Board of Health, Saint John.

To David M'Almon, of Richibucto, in Kent, the sum of ninety three pounds two shillings and four pence, to remunerate him for damages and costs by him paid in an action brought against him for acts done in the execution of his duty as an officer of the Militia. D. M'Almon.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ten pounds to pay a Courier from Saint John to Quaco, in addition to the sum already granted. Courier between Saint John and Quaco.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of private subscription, for carrying the mail three times a week during the ensuing year, with a double sleigh or waggon, with two horses, for the accommodation of passengers between Saint Andrews and Saint Stephen. Stages between Saint Andrews and Saint Stephen.

To Her Majesty's Justices of the Peace of the County of Gloucester, the sum of one hundred pounds, to assist in paying off a debt due by the said County. Gloucester County debt.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds, towards erecting a public Wharf within the harbour of Shediac, the land upon which the said Wharf is to be built being first conveyed to the Justices of the Peace for the County of Westmorland, for the purposes of a public landing. Public Wharf at Shediac.

To Lieutenant Colonel Allen, late Inspecting Field Officer, the sum of one hundred pounds, as a retired allowance for his long services in that capacity. Lieutenant Colonel Allen.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds, to purchase a small tract of land to be deeded in trust to the Magistrates of the County of Westmorland, for the use of the Micmac Indians. Purchase of Land for Micmac Indians.

To the Justices of the Peace for the County of Restigouche, the sum of seven hundred and fifty pounds, to assist them towards the erection of a Court House and Gaol in the said County. Court House and Gaol in Restigouche.

To the Justices of the Peace of the City and County of Saint John, the sum of eight hundred and one pounds two shillings and two pence, towards reimbursing the Overseers of the Poor for the said City, for expenses incurred in the support and relief of sick and distressed Emigrants, for the year one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund. Distressed Emigrants, Saint John.

To the Overseers of the Poor for the Parish of Saint Stephen, in the County of Charlotte, the sum of fifty pounds, to reimburse the said Parish for expenses incurred in the support of transient poor during the past year, the same to be taken from the Emigrant fund. Transient poor, Parish of Saint Stephen.

To the Commissioners of the Alms House for the County of York, the sum of one hundred pounds, to remunerate them for expenses incurred for Emigrants and transient Poor, for the year ending one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund. Emigrants and Transient poor, York County.

Emigrants and Transient poor, Saint Andrews.

To the Overseers of the Poor for the Town of Saint Andrews, the sum of three hundred and fifty pounds, to reimburse them for expenses incurred in the support of sick and distressed Emigrants and transient Poor, for the year one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund.

Distressed Emigrants, Parish of Portland.

To the Justices of the Peace for the City and County of Saint John, the sum of one hundred and eighteen pounds eleven shillings and one penny, towards reimbursing the Overseers of the Poor for the Parish of Portland, for expenses incurred in the support and relief of sick and distressed Emigrants, for the year one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund.

Transient poor, Parish of Saint George.

To the Overseers of the Poor for the Parish of Saint George, in the County of Charlotte, twenty pounds, to reimburse the said Parish for expenses incurred for the support of transient Poor for the past year, the same to be taken from the Emigrant fund.

Transient poor, Chatham.

To the Overseers of the Poor for the Parish of Chatham, in the County of Northumberland, the sum of nineteen pounds three shillings and two pence, to reimburse the said Parish for the support of transient Poor for the past season, the same to be taken from the Emigrant fund.

Overseers of poor in Kingston.

To George Raymond and others, Overseers of the Poor for the Parish of Kingston, King's County, the sum of twenty five pounds five shillings, to reimburse them for expenses incurred in maintenance and medical attendance for a maimed transient pauper, for the year one thousand eight hundred and thirty eight, the same to be taken from the Emigrant fund.

Madras Corporation, Fredericton School House.

To the Governor and Trustees of the Madras Board, the sum of two hundred pounds, to enable them to enlarge the School House at Fredericton.

Overseers of Poor in Harvey.

To the Overseers of the Poor for the Parish of Harvey, the sum of eleven pounds five shillings, to defray the expenses incurred by them in the support of James Higgins, a transient pauper.

W. Hamilton.

To William Hamilton, the sum of eighteen pounds nine shillings, being for drawback on one pipe of Wine and one cask of Gin exported to Lower Canada.

Mary Dingee.

To Mary Dingee, widow of the late James Dingee, the sum of fifteen pounds, to compensate her for accommodation afforded to Her Majesty's Troops, on their route to Canada, and in consideration of her not keeping a Tavern while affording such accommodation.

J. Z. Brown.

To John Z. Brown, who sustained severe injury in assisting Her Majesty's Troops across the River Aristook, on their route to Canada, the sum of twenty pounds, to assist him in his present destitute condition.

Canal across Grimross Neck.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand two hundred and fifty pounds, towards opening a Canal across Grimross Neck, in Queen's County, in aid of individual subscription, the same to be drawn on such conditions being complied with as are stated in a Bill which has passed this House during the present Session, and which has received the assent of the Legislative Council.

Juad W. Milne.

To James Milne and William Milne, the sum of twenty five pounds, to compensate them for preparing a plan of Shediac Harbour, sent to this House by Message from His Excellency the Lieutenant Governor.

Rev. J. Alley, for Madras School House, Saint Andrews.

To the Reverend Jerome Alley, the sum of forty pounds, in aid of individual subscription, to enable him to finish the Madras School House in the Town of Saint Andrews, in the County of Charlotte, the same being intended for the education of poor children of all denominations in that County.

Widow of I. W. Jouett.

To the Widow of Isaac W. Jouett, late Usher of the Black Rod to the Legislative

Legislative Council, the sum of twenty pounds, to assist her in her present situation.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, towards the expense of exploring (by a Commissioner or Commissioners to be appointed by His Excellency for that purpose,) a proposed new line of Road between the head of Bellisle Bay and Kingston, in King's County, as contemplated by the petition of Edward G. N. Scovil, Vincent White and others; and also to survey the present Great Road between those two places and explore some minor alterations proposed therein, and to report on both routes at the next Session of the General Assembly, the results of such exploration to exhibit the courses and distances, the levels, the comparative advantage of, and an estimate of the probable expense of completing each of those lines.

Exploration of Road from Head of Bellisle Bay to Kingston.

To Xenophon Jouett, late Usher of the Black Rod to the Honorable Her Majesty's Council, the sum of twenty five pounds, in consideration of his long services and advanced age, having served that Honorable Body nearly thirty eight years.

X. Jouett.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds, to be paid James Blackhall, for his services to the Revenue, during the year one thousand eight hundred and thirty eight, in the County of Gloucester.

James Blackhall.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds, for a Tide Surveyor at Shippegan and Caraquet, in the County of Gloucester, for the year one thousand eight hundred and thirty nine.

Tide Surveyor at Shippegan and Caraquet.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, towards remunerating Missionaries stationed at Madawaska for the purpose of giving attendance on the Tobique or other Indians established in the neighbourhood of that settlement.

Missionaries for the Tobique Indians.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds, for the purpose of establishing two Packets to carry the Mails from Saint Andrews to Deer Island, Indian Island, Campobello and Grand Manan, and back from these places to Saint Andrews.

Packets from Saint Andrews to Deer Island.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds, to assist the Inhabitants of the Parishes of Botsford and Westmorland, in the County of Westmorland, to employ a Courier to carry the Mails from Cape Tormentine, in the Parish of Botsford, to the Post Office in Fort Lawrence.

Courier from Cape Tormentine to Fort Lawrence.

To the Chairman of the Committee of Public and Private Accounts, the sum of one hundred and fifty pounds for various services performed by him during the recess, and also for extra services during the Session, in auditing and reporting the said Accounts.

Chairman of Committee of Public and Private Accounts.

To John Wright, Esquire, the President of the Agricultural Society lately established, and now in operation, in the County of Northumberland, in aid of the funds of that Society, the sum of one hundred pounds.

Agricultural Societies, Northumberland,

To the President of the Agricultural Society of the County of Charlotte, in aid of the funds raised by private subscription to promote the objects of that Society, one hundred pounds.

Charlotte County,

To the President of the Agricultural Society of the Parishes of Westfield and Greenwich, in King's County, the sum of twenty five pounds, for the encouragement of the said Society.

Westfield and Greenwich,

To the President of the Floral and Horticultural Society in Fredericton, the sum of twenty pounds, in aid of individual subscription, towards advancing the interests of that Society.

[Floral and Horticultural Society, Fredericton.]

To

- Gloucester. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, in aid of the Agricultural Society recently formed in the County of Gloucester, to be paid when it shall be certified to His Excellency by the General Sessions of the said County, that a like sum has been subscribed and paid by the inhabitants for the purposes of the Society.
- G. F. Campbell for forwarding extra Mails. To George Frederick Campbell, Esquire, Post Master, the sum of twelve pounds, to remunerate him for expenses incurred in forwarding extra Mails to Saint John, with letters which came by the steam ships Royal William, Great Western and Liverpool, during the present winter.
- House of Correction, Saint John. To the Justices of the Peace for the City and County of Saint John, the sum of five hundred pounds, towards the erection of the House of Correction now contracted for, the same not to be drawn from the Treasury until one thousand eight hundred and forty.
- School House at the Little Rock settlement. To Her Majesty's Justices of the Peace of the County of Gloucester, the sum of fifteen pounds, to aid individual subscription in the erection of a School House at the Little Rock Settlement in the aforesaid County.
- Exploration of Road from Burton to the Nerepis. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds eighteen shillings, to be applied for the balance of expenses incurred by George Hayward and C. F. Street, Esquires, Commissioners appointed by His Excellency for exploring a new line of Road from Burton to the Nerepis Road.
- Exploration of the Royal Road. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy one pounds eight shillings and ten pence, for expense incurred by James Brown, Junior, and George Hayward, Esquires, Commissioners appointed by His Excellency for examining and exploring the Royal Road, so called.
- Exploration of Great Road between Burgoyne's Ferry and Patchell's Ferry. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and twenty pounds, towards expenses incurred by James A. Mac- lauchlan, Esquire, and others, Commissioners appointed by His Excellency for exploring and laying out a part of the Great Road on the River Saint John leading to the Canada line, between Burgoyne's Ferry, in the County of York, and Patchell's Ferry, in the County of Carleton.
- Ferry Slip at Rennie's landing, Newcastle. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, towards building a Ferry Slip at Rennie's landing, in the Parish of Newcastle, opposite the Town of Chatham.
- Indigent and distressed Indians. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds, to enable the Commissioners for Indian affairs to afford relief to the indigent and distressed Indians in the Province.
- Steam Boat Slip at Saint Stephen. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, towards completing a Steam Boat Slip at Saint Stephen, in the County of Charlotte, in aid of private subscription.
- J. M'Clain. To John M'Clain, a licenced Teacher, the sum of twenty pounds, for teaching a School in the Parish of Sussex, for one year ending December one thousand eight hundred and thirty five.
- Stages between Bend of Peticodiac and Shediac. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, in aid of individual subscription, to encourage the driving a Stage at least three times a week between the Bend of Peticodiac and Shediac, in the County of Westmorland, the same not to be drawn from the Treasury until a certificate be lodged with the Secretary of the Province that the conditions of this grant have been complied with, for the year one thousand eight hundred and thirty nine.
- M. Merry. To Margaret Merry, the sum of ten pounds for teaching a School in the Parish



of Newcastle, for the year ending thirty first day of July one thousand eight hundred and thirty six.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ninety nine pounds to enable Abner Bull, the Commissioner appointed to build a Bridge over Bull's Creek, in the County of Carleton, the balance due the Contractor.

Bridge over Bull's Creek.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds, to remunerate C. H. Jouett for the expenditure of that sum on a Bye Road in Deer Island, County of Charlotte, in the year one thousand eight hundred and thirty seven, he having been appointed by His Excellency for this service on the nineteenth of July in that year, and the sum having been expended the following year by another Commissioner, and consequently the warrant having been obtained by the latter.

C. H. Jouett.

To Cavalier H. Jouett, late Deputy Treasurer at West Isles, the sum of five pounds nine shillings, for expenses incurred by him in conducting a prosecution before the Court of Oyer and Terminer in the County of Charlotte, in the year one thousand eight hundred and thirty seven, against Richard T. Cord and Cyrus Stephen Cord, for assaulting and obstructing him in discharge of his duty as such Deputy Treasurer.

C. H. Jouett.

To the Justices of the Peace for the County of Westmorland, the sum of thirty pounds, to encourage the running at least once a fortnight of a sufficient Packet for the conveyance of Passengers, &c. between Shediac, in said County, and Bedeque, in Prince Edward Island, the said amount to be paid the person running the same, upon its being certified to the Justices that a sufficient Packet has been running as aforesaid at least four months.

Packet between Shediac and Bedeque.

To the Saint Andrews and Saint John Stage Coach Company, the sum of fifty pounds, in addition to the former grant of this Session, to enable them to keep up the establishment.

Saint Andrews and Saint John Stage Coach Company.

To John Simpson, Queen's Printer, the sum of one hundred and twenty five pounds, to reimburse him in part for the very heavy expenses incurred by him in publishing the Debates of this House the last Session, and inprocuring a Press and Types for the express purpose of continuing the publication of those debates yearly.

J. Simpson.

To John Simpson, Queen's Printer, the sum of six hundred and seventy six pounds seventeen shillings and six pence, being balance of his account for printing the Revised edition of the Laws of this Province, with the copious Index and Appendix.

To John Simpson, Queen's Printer, the sum of one hundred and sixty one pounds fifteen shillings and six pence, in full for his account for publishing in the Royal Gazette.

To John Simpson, Queen's Printer, the sum of four hundred and seventy four pounds ten shillings, being balance of his account for printing the Laws and Journals of the last Session.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds, in aid of the Agricultural and Emigrant Society for the County of Westmorland, to be paid whenever it shall be certified to His Excellency the Lieutenant Governor that a like sum has been subscribed and paid by the inhabitants for the purposes of the said Society.

Westmorland Agricultural and Emigrant Society.

To John Simpson, Queen's Printer, the sum of one hundred and fifty three pounds nine shillings and three pence, being balance of his account for printing the Journals of the Legislative Council for the last Session.

J. Simpson.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of

D. Crocker.

Exploration of  
Road from Tatta-  
gouche to Eel  
River.

of one hundred and seventeen pounds eight shillings and five pence, to reimburse David Crocker, the Commissioner appointed by His Excellency, for exploring a new line of Road from Tattagouche to Eel River.

Dredging  
Machine.

To the Commissioners appointed to prepare a Dredging Machine for the Province, the sum of three hundred and five pounds one shilling and threepence, being balance of the amount expended for completing the same.

Locating English  
Emigrants.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred and nineteen pounds thirteen shillings and four pence, to reimburse the Commissioners appointed for locating the English Emigrants from Northumberland, on the Great Road leading from Fredericton to Saint Andrews, for monies advanced by them for such purpose.

Exploration of  
Royal Road and  
Road from Frede-  
ricton to West-  
morland.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of eight hundred and sixty three pounds one shilling, to reimburse H. J. Hansard and George Wightman for expenses incurred in sundry explorations &c. of the following lines of Road the last year, under directions of His Excellency, viz:— The Royal Road, so called; the Road from Fredericton to Westmorland, passing the head of the Grand Lake, and a further exploration of a newly proposed Road extending from that Road to the head of the tide at Richibucto River.

W. Hammond,  
Drawback.

To William Hammond of Saint John, the sum of twenty one pounds ten shillings and six pence, being drawback on two puncheons of Rum and one hogshead of Geneva, exported in December in the year one thousand eight hundred and thirty seven, to Amherst, Nova Scotia.

E. D. W. Ratch-  
ford, Drawback.

To E. D. W. Ratchford, of Saint John, the sum of seven pounds sixteen shillings, being drawback on one hogshead Brandy exported in December in the year one thousand eight hundred and thirty seven, to Amherst, Nova Scotia.

Crookshank and  
Walker, Draw-  
back.

To Crookshank and Walker, of Saint John, the sum of six pounds eighteen shillings, being drawback on one hogshead of Brandy exported in December in one thousand eight hundred and thirty seven, to Amherst, Nova Scotia.

Provincial Secre-  
tary, extra Clerk  
Hire, &c.

To the Honorable William F. Odell, the sum of fifteen pounds sixteen shillings, being extra Clerk hire, printing bills, &c. in preparing renewed Commissions for public Officers.

Enlargement of  
Provincial Secre-  
tary's Office.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding five hundred pounds, for the enlargement of the Provincial Secretary's Office, and for other improvements in said Office.

Exploring Road  
from Brockway's  
to lower Bridge  
over the St. Croix.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty two pounds twelve shillings and sixpence, to reimburse the Commissioners for expenses in exploring and surveying a line of Road from the Bridge at Brockway's to the lower Bridge over the River Saint Croix.

T. Smith, Pro-  
vince Hall Plans,  
&c.

To Thomas Smith, Architect, the sum of twenty five pounds, for services in examining the state of the Province Hall, and preparing plans, elevations and specifications for the proposed improvements to that building, as well as the Secretary's Office.

Removing Bar at  
the Jemseg.

To such Commissioners as His Excellency the Lieutenant Governor or Commander in Chief may appoint, for the purpose of improving the navigation between the River Saint John and the Grand Lake, by the removal of a bar at the entrance of the Jemseg, the sum of three hundred pounds.

Exploration of  
Road from Red  
Rock Settlement  
to Harding's.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds, towards reimbursing the Commissioners for exploring a line of Road leading from the Red Rock Settlement to Harding's, on the Nerepis Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum  
of

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of two hundred pounds, to be appropriated towards removing the Shoal in the River Saint John, near the Oromocto. Removing Shoal near the Oromocto.

To His Excellency the Lieutenant Governor or Commander in Chief, in case His Excellency should think it advisable to call out for service a corps of Riflemen for the defence of the Province, a sum not exceeding six hundred pounds, to enable His Excellency to procure clothing and equipments for the said Corps. Equipment of a Corps of Riflemen.

To John Gregory, Clerk Assistant of the Legislative Council, ten pounds, for extra copies of the Province Laws for the use of Magistrates, for the year one thousand eight hundred and thirty nine. Extra Copies of Province Laws.

That the sum of two thousand five hundred pounds, appropriated last year to His Excellency the Lieutenant Governor or Commander in Chief, towards the erection of a Court House in Fredericton, be reappropriated towards the expense of making addition and improvements to the Legislative Hall or Province Building, and a fire proof building for the Clerk of the Supreme Court. Improvement of the Province Hall and for a fire-proof Building for the Clerk of the Supreme Court.

To George Lee, Junior, the Clerk Assistant of this House, the sum of seventy five pounds, for making a fair copy of the Index to the files of this House from the first General Assembly up to the year one thousand eight hundred and thirty eight. George Lee, Junior.

To the Commissioners of Government House, the sum of one thousand two hundred and fifty pounds, towards the balance due them. Government House.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds, as a further amount towards the protection of the Revenue. Protection of Revenue.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred and seventeen pounds four shillings and four pence, to pay D. M'Millan for binding the revised edition of the Laws. Binding Revised edition of Laws.

The sum of ten thousand pounds, voted in supply on the twenty seventh day of February last, and placed at the disposal of His Excellency the Lieutenant Governor or Commander in Chief for the pay and subsistence of the Militia embodied for the defence of the Province, to be reappropriated, and that the same sum be granted to His Excellency to be applied towards the defence of the Province generally. Defence of the Province.

To A. Wedderburn, Emigrant Agent, at Saint John, the sum of fifty pounds, in addition to the amount allowed him on the Civil List of the Province. A. Wedderburn.

To H. E. Dibblee, Sub-Collector and Deputy Treasurer at Woodstock, the sum of twenty nine pounds six shillings and three pence, being for the expenses incurred in building a Lock up House at Woodstock for the security of Goods seized under the Revenue Laws. Lock up House at Woodstock.

To the Clerk of the House the sum of two thousand two hundred and seventy six pounds four shillings and two pence, for the Contingencies of the present Session. Legislative Contingencies.

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 Commander in Chief 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 payment may be made at the same. Money to be paid by Warrant.

## CAP. V.

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

*Passed 23d March 1839.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, to such persons as his Excellency the Lieutenant Governor or Commander in Chief for the time being shall appoint, in addition to the sums already granted, the following sums for the purposes hereinafter mentioned :—

Digdeguash  
Bridge.

To George Anderson, Esquire, Supervisor of the Great Road from Saint John to Saint Andrews, the sum of three hundred and nineteen pounds eight shillings and six pence, being the balance of his contract for building the Digdeguash Bridge.

Great Road, Saint  
John to Saint  
Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand one hundred and eighty pounds eleven shillings and six pence, for the improvement of the Great Road from Saint John to Saint Andrews; two hundred pounds of which sum to be expended on the line between the Bridge near the late Stuart Seeley's and John Roix's.

Richibucto to  
Chatham.

To His Excellency the Lieutenant Governor, the sum of three hundred pounds for the road from Richibucto to Chatham.

Dorchester to  
Shediac.

To His Excellency the Lieutenant Governor, the sum of one hundred and fifty pounds for the road from Dorchester to Shediac.

Bend of  
Peticodiac to  
Shediac.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds for the road from the Bend of Peticodiac to Shediac.

Shediac to Richi-  
bucto.

To His Excellency the Lieutenant Governor, the sum of one hundred and twenty pounds for the road from Shediac to Richibucto.

Richibucto  
to Bend of  
Peticodiac.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds for the improvement of the road from the head of Richibucto River to the Bend of Peticodiac.

Sussex Vale to  
Lock Lomond.

To His Excellency the Lieutenant Governor, the sum of five hundred pounds for the road from Sussex Vale to Lock Lomond.

Salisbury to Har-  
vey's.

To His Excellency the Lieutenant Governor, the sum of five hundred pounds for the Great Road from Salisbury to Harvey's, forty seven pounds twelve shillings and four pence of which to be paid James Wallace and John Nixon, late Commissioners for building a Bridge over the Peticodiac River, and also the sum of one hundred pounds to be expended between Alexander Steeves', in Hillsborough, and John Calhoon's, in Hopewell.

Piers and Landing  
places, Harbour of  
Saint John.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of one thousand two hundred and fifty pounds, to assist in building Piers and Landing places on the eastern and western sides of the Harbour of Saint John, in order to form a connexion with the several Great Roads, by the establishing of Steam Ferry Boats for the sure, safe and speedy conveyance of Her Majesty's Mails and passengers across the said Harbour.

Hammond River  
to Hopewell.

To His Excellency the Lieutenant Governor, the sum of two hundred pounds for the road from Hammond River to Hopewell.

Oromocto to  
Gagetown.

To His Excellency the Lieutenant Governor, the sum of one hundred and fifty pounds for the road from Oromocto to Gagetown.

Saint John to  
Fredericton, *via*  
Nerepis.

To His Excellency the Lieutenant Governor, the sum of six hundred pounds for the improvement of the Great Road from Saint John to Fredericton, *via* Nerepis.

Widening Mill  
Bridge.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of five hundred pounds, for widening the Mill Bridge. To

To His Excellency the Lieutenant Governor, the sum of three thousand five hundred pounds for the improvement of the Great Road from Fredericton to Newcastle. Fredericton to Newcastle.

To His Excellency the Lieutenant Governor, the sum of five hundred pounds for the road from Newcastle to Bathurst. Newcastle to Bathurst.

To His Excellency the Lieutenant Governor, the sum of two hundred pounds for the Road from the Nerepis to Gagetown. Nerepis to Gagetown.

To His Excellency the Lieutenant Governor, the sum of nine hundred pounds for the erection of Bathurst Bridge. Bathurst Bridge.

To His Excellency the Lieutenant Governor, the sum of four hundred pounds, for the Road from Fredericton to the Fingerboard; one hundred and sixty two pounds ten shillings of this sum to be appropriated in paying N. Hubbard, for damages and interest paid by him to persons through whose lands a new line of road has been opened. Fredericton to the Fingerboard.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds, for the Road from Bellisle to Saint John; thirty nine pounds ten shillings and eight pence of which to be paid to Caleb Wetmore, Esquire, former Supervisor, for balance due him. Bellisle to Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand five hundred pounds for the improvement of the Great Road from Fredericton to Saint Andrews. Fredericton to Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums:

The sum of seven hundred and fifty pounds, for the Road from Saint John to Hayward's Mills, on the Great Road leading to the Nova Scotia line; Saint John to Hayward's Mills.

The sum of two hundred and fifty pounds, for the completion of the Bridge over Hampton Ferry; Bridge over Hampton Ferry.

The sum of one hundred pounds, for the Road from the head of the Marsh, near Ellison's, to the Hammond River at Beatteay's, on the old Westmorland Road, so called, and to repair such other parts of the old Westmorland Road from the Aboideau to Frog Pond, as may be required; Head of Marsh to Hammond River, and repair of the old Westmorland Road.

The sum of seven hundred pounds for the Road from Hayward's Mills to the Nova Scotia line. Hayward's Mills to the Nova Scotia line.

To His Excellency the Lieutenant Governor, the sum of one thousand five hundred pounds, for the Great Road from Bathurst to Campbelltown, and that the same be expended as follows, viz: Bathurst to Campbelltown.

The sum of eighty pounds for the Cut at Tettagouche Bridge, to be paid over to the late Commissioner; the sum of fifty pounds to improve the Road between Tettagouche and Little Rock; the sum of one hundred and seventy pounds between Belle Doune Bridge and Jacquet River; the sum of six hundred pounds for a Bridge over Eel River; the sum of six hundred pounds from Dalhousie to Campbelltown.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds for the Great Road from Woodstock to Houlton. Woodstock to Houlton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and fifty pounds to open a new line of Road from Woodstock, through the Williamstown settlement, to the River des Chutes. Woodstock to River des Chutes.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four thousand five hundred pounds, towards the shortening of the Road from Sackville, in the County of Westmorland, to Nova Scotia Province line, across the Tantamar Marsh, and towards the Bridges on the same, in aid of individual subscription; Sackville to the Nova Scotia Province line.

subscription; five hundred pounds of which to be drawn from the Treasury, if required, in one thousand eight hundred and thirty nine, two thousand pounds in one thousand eight hundred and forty, and the remaining sum of two thousand pounds in one thousand eight hundred and forty one; Provided always, and it is distinctly and unanimously understood, that no further provision is to be made by the Legislature towards this object; and any difference of expense beyond the said sum of four thousand five hundred pounds, is to be made by contribution from individuals through whose lands the projected alteration may take place, and by others who may be induced to subscribe towards the same; And provided also, that no part of the monies shall be drawn from the Treasury until it be satisfactorily ascertained that such additional amount beyond the said sum of four thousand five hundred pounds, necessary fully to complete the said Road and Bridges, shall have been subscribed and properly secured or paid: And provided further, that it be ascertained that such part of the Nova Scotia line onwards, as may be required to be made and completed by Nova Scotia, be undertaken by that Province.

Fredericton to  
Peticodiac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand pounds to improve the new line of Road from Fredericton to Peticodiac.

Red Rock to the  
Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds to open a new line of Road from Red Rock, in the Parish of Saint George and County of Charlotte, to the Nerepis.

Oak Bay to Bridge  
at Eel River.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds for opening and improving the new line of Road from Oak Bay, in the County of Charlotte to the Bridge at Eel River.

Fredericton to the  
Canada line.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of three thousand pounds for the Great Road from Fredericton to the Canada line, the same to be appropriated as follows: To open and improve the Road between Burgoyne's Ferry and George Wheeler's, and to open and improve the Road between the Poquiock and Patchel's Ferry; Provided that a sum not exceeding five hundred pounds of which to be appropriated in the payment of any sums of money due on contracts entered into by the Supervisor for erecting or repairing Bridges between Fredericton and Woodstock, and also for the making of any repairs on the Road on the north side of the River Saint John, that the present travelling may absolutely require.

Bridge at Brock-  
way's to the lower  
Bridge over the  
Saint Croix.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds to open a Road from the Bridge at Brockway's, Magaguadavic, to the lower Bridge over the River Saint Croix.

Grand Lake to  
Richibucto.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds for the exploration of the Road between Grand Lake and Richibucto.

Connick's at Wa-  
weig to Bridge in  
Saint Stephen.

To His Excellency the Lieutenant Governor, the sum of sixty pounds for the improvement of the Great Road from Connick's, at Waweig, to the lower Bridge, in Saint Stephens.

Settlement at  
Saumarez to Set-  
tlement at Aln-  
wick.

The sum of forty pounds to be expended on that portion of the Bye Road connecting the Settlements of Saumarez and Alnwick, in the Counties of Gloucester and Northumberland, which hitherto has not been under the supervision of the Bye Road Commissioner of either of those Parishes.

Bridge over  
Salmon River.

To Thomas Dunfield, the sum of fourteen pounds, for building a Bridge over the Salmon River, Sussex, on the line of the Great Road from Saint John to Nova Scotia line, by the direction of George Hazen, late Supervisor, in one thousand eight

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eight hundred and thirty six, the same to be taken out of the grant of this year on said road.

To His Excellency the Lieutenant Governor, the sum of three thousand pounds towards opening and improving the Road around Lake Tamiscouta, and down towards such positions on the River Saint John as His Excellency may deem expedient. Road around Lake Tamiscouta.

The sum of five hundred pounds for the further improvement of the Royal Road. Royal Road.

The sum of thirty five pounds granted in a former Session of the Legislature, for the Road from the Ferry to the lower line of the Parish of Saint Mary's, to be expended in building a Bridge across Sterling's Creek, be reappropriated as follows: The sum of fifteen pounds to open a new line of Road laid out by Good-fellow from Hughes' to the Taxes River; and the sum of twenty pounds to open the Road from Little Mills to the Great Road from Fredericton to Saint Andrews. Hughes' to Taxes River; Little Mills to Great Road.

To His Excellency the Lieutenant Governor, the sum of two hundred pounds to improve the new Road from Groom's in Hampton, to the new Bridge in Norton, King's County. Groom's to New Bridge in Norton.

To His Excellency the Lieutenant Governor, the sum of fifty pounds, in aid of erecting a Bridge across the Taxes River, Boiestown, in the County of Northumberland. Bridge across the Taxes River.

To His Excellency the Lieutenant Governor, the sum of five hundred pounds towards the erection of a Bridge over Oromocto River. Bridge over the Oromocto.

To His Excellency the Lieutenant Governor, the sum of fifteen pounds to pay such Commissioner as he may appoint to examine a new line of Road from the Forks of the old Westmorland Road or Marsh Road to Loch Lomond. Forks of old Westmorland Road to Loch Lomond.

To L. B. Rainsford, late Supervisor of the Great Road from Fredericton to Saint John, the sum of twenty three pounds fifteen shillings, the same to be paid Mr. Rainsford by the present Supervisor, out of the monies voted the present Session for improving said Road. L. B. Rainsford.

KENT BYE ROADS.

The sum of forty pounds from Kouchibouguac to Point Sabine. Bye Roads in Kent.

The sum of thirty pounds from Point Edward to the Shipyard.

The sum of thirty seven pounds ten shillings for the road on the south side of Kouchibouguac River; of which seven pounds ten shillings to be paid to Saunders and Porteus, for a balance due on Island Creek Bridge.

The sum of twenty five pounds for the road from Kouchibouguac to the Little River.

The sum of ten pounds from Taddy Babino's to the Post Road.

The sum of fifteen pounds for the road on the north side of the Kouchibouguasis River from the foot of the Rapids upwards.

The sum of thirty pounds for the Road on the south side of the Kouchibouguasis River.

The sum of ten pounds for the road on the south side of Kouchibouguac River above the Post Road.

The sum of twenty five pounds for the road on the south side of the Aldoune River.

The sum of eighty pounds from Richibucto to Molus River.

The sum of twenty five pounds from Mill Creek to the Indian line, fifteen pounds of this sum to be expended above Carruther's.

The sum of sixty pounds for a Bridge over Molus River.

The

Kent Bye Roads,  
Continued.

- The sum of thirty pounds from Little's to the Mill on the Main River.
- The sum of twenty pounds from Pine's, on the Main River, to the Bridge over Trout Brook.
- The sum of fifteen pounds for the road from Smith's up the Coal Branch.
- The sum of fifteen pounds from the Coal Branch Bridge to the Church.
- The sum of forty pounds for the road from the Coal Branch to the West Branch.
- The sum of ten pounds from the West Branch to the Town Plot.
- The sum of fifteen pounds to complete the Bridge over Indian Creek.
- The sum of eighty pounds from the West Branch to Richibucto.
- The sum of fifteen pounds for a Bridge over Kinslo Brook, on the south Branch of Saint Nicholas River.
- The sum of fifty pounds for the road from Richibucto to the Lower Village.
- The sum of forty pounds for the road from Jardine's to the Post Road; twenty pounds of which to be paid John Jardine, Esquire, being a balance due to him for the repairs of Galloway Creek Bridge.
- The sum of fifteen pounds from Chockpish to the Lower Village.
- The sum of twelve pounds for the road on the south side of Chockpish River, up stream.
- The sum of seventy pounds for the Bridges on the north side of the Buctouche River.
- The sum of thirty pounds for the road on the south side of Little Buctouche River.
- The sum of twenty pounds for the road from Bucfouche to Cocagne, by the shore.
- The sum of ten pounds for the road from the south side of Little Buctouche River to the New Settlement in rear of the front lots.
- The sum of fifteen pounds for the road on the north side of Cocagne River to the Thibedo settlement.
- The sum of sixty pounds for the road on the south side of Cocagne River.
- The sum of twelve pounds for the road through the Cape.
- The sum of fifteen pounds for the road to Galloway from the Cross Road at Murray's.
- The sum of ten pounds for the road from John Savoy's to the Post Road.
- The sum of ten pounds for the Bridge over the Lagoon near Oliver Myer's.
- The sum of thirteen pounds ten shillings to William Fitzgerald and Thomas Johnson, towards paying the balance due for east Branch Bridge.

#### GLOUCESTER BYE ROADS.

Bye Roads in  
Gloucester.

- The sum of eighty pounds for the road between Pokemouche and Tracadu.
- The sum of fifteen pounds for a Bridge to be erected over Lousier's Creek.
- The sum of forty five pounds for the Caraquet Lower Portage.
- The sum of fifteen pounds for Saint Mary's Bridge, on Almac Island.
- The sum of forty five pounds for the roads connected with the Shippegan settlement.
- The sum of forty pounds for the road from Grand Aunce to End's Bridge.
- The sum of ten pounds for the road from End's Bridge to the South West Ferry.
- The sum of ten pounds for the roads through the Waterloo Settlement.
- The sum of twenty pounds for the road from Grand Aunce to the Wellington Settlement, in the rear.

The



The sum of fifteen pounds for the road from the Church at Grand Aunce to the Great Swamp. Gloucester Bye Roads, Continued.

The sum of sixteen pounds for a Bridge over the Brook between Grand Aunce and Daniel Cohelan's, and for repairing Parrott's Bridge.

The sum of thirty pounds for the road from William Stephen's to Thomas Ellis' Brook.

The sum of thirty five pounds for the erection of a Bridge over Thomas Ellis' Brook.

The sum of fifteen pounds for a public landing on Lot number twenty five, at New Bandon.

The sum of fifty pounds for erecting a Bridge at Richard Dawson's.

The sum of thirty pounds for the road from Janeville, eastwards.

The sum of one hundred pounds for the road leading from the Miramichi road to Patterson's Cove.

The sum of twenty pounds for the road from Patterson's Cove to Sutherland's.

The sum of thirty five pounds for the road from Bass River to Watson's Bridge.

The sum of fifteen pounds for the road from M'Carthy's to John Smith's.

The sum of fifteen pounds for the road from William Barry's to Dempsey's Brook.

The sum of fifteen pounds for the road from Teague's Brook, westwards.

The sum of twelve pounds for repairing Bass River Bridge.

The sum of forty five pounds for the road from Little River Mills to the Town of Bathurst, through the Swamp.

The sum of forty pounds for the road through Youghall Settlement.

The sum of ten pounds for the landing at the foot of King's Street.

The sum of seventy five pounds for the road from Bathurst to the Babino River.

The sum of twenty pounds for the road above Daly's, Tettagouche.

The sum of ten pounds for the road below Daly's.

The sum of twenty five pounds for the road in the Kinsale Settlement.

The sum of twenty pounds for the road from William Molloy's to Saint Peters'.

The sum of thirty pounds for the road up the Little River from Lot number seven, towards the Bridge.

The sum of seven pounds for the repairs of Little Nipisiquid Bridge.

The sum of fifty five pounds for cutting down the hills and filling up the Glebe Brook in the rear of Bathurst.

The sum of thirty pounds for the road through the Settlements in the rear of of the Little Rock Grant, for exploration or otherwise.

#### RESTIGOUCHE BYE ROADS.

The sum of one hundred and fifty pounds from James Christopher's to George Firth's, at the head of the Flat Land Settlement. Bye Roads in Restigouche.

The sum of twenty pounds from Mair's to Christopher's.

The sum of forty pounds for the road to the Sugar Loaf Mountain Settlement.

The sum of twenty pounds to open a road from the Town of Dalhousie to the Croker line, in rear of H. Montgomery's.

The sum of sixty pounds for the road from Eel River Settlement to the Great Road.

The sum of fifty pounds from the shore to Reed's Mills Settlement, in rear of David M'Intosh's.

The sum of twenty pounds for the road leading to the Mountain Brook Settlement. The

Bye Roads in  
Restigouche,  
Continued.

The sum of thirty pounds for the road lead to the Settlement on River Charlo, in rear of Alexander M'Pherson's.

The sum of ten pounds for the road near James M'Pherson's to the Settlement in rear.

The sum of thirty pounds for the road to the Settlement on Nash's Creek, in rear of Robert Harvey's.

The sum of one hundred pounds for a Bridge over M'Nair's Mill Stream, near the Mill.

The sum of twenty pounds from M'Nair's Mill to Nash's Creek,

The sum of one hundred pounds from Belle Dune to New Mill Settlement.

#### KING'S COUNTY BYE ROADS.

Bye Roads in  
King's County.

The sum of ten pounds for the road from Isaac Perry's to John Dixon's, in Kingston.

The sum of ten pounds from Elias Flewelling's to Captain Perry's by way of Harvey's.

The sum of twenty five pounds for the new road from Shaw's to the solid Bridge at the point of the Mountain.

The sum of fifteen pounds for the road from Justus Wetmore's, Kennebecasis, to Crawford's, on the Long Reach; to be expended between the Midland and the Reach Road.

The sum of fifteen pounds for the road from White's Mills to the Long Reach, near William's; one half of said sum to be expended between the Midland and the Reach Road.

The sum of fifteen pounds for the new road from Rolston's to White's Mill Bridge.

The sum of fifteen pounds for the Neck Road from near Seely's Point to James White's.

The sum of ten pounds for the road across Long Island, Kennebeccasis.

The sum of ten pounds for the road along the west side of Long Island, Kennebeccasis.

The sum of ten pounds to build a Bridge near Benjamin Whites, southeast side of Long Reach, and for making a causeway and approaches thereto.

The sum of twenty pounds for the road from the Reach road near Sugget's, towards Kingston; of which sum twelve pounds ten shillings to be expended in building a Bridge over the Big Hollow, and also a sufficient sum to improve the winter road leading from the shore road, near Kierstead's, to the Creek.

The sum of ten pounds for the road from the Widow Crawford's towards Bates' Mills.

The sum of fifteen pounds for the road leading from Bates' Mills, through the Midland to the Neck Road, near M'Williams; to be expended between Coffee's and Hatley's.

The sum of fifteen pounds for the road from Alexander Black's, Bellisle, to James Peters' landing.

The sum of ten pounds for the road from James Ganong's Landing to the Midland, at the junction of the Pickwacket Road.

The sum of ten pounds for the Pickwacket Road.

The sum of thirty pounds for the roads from Pickett's Mills, by Ketchum's Brook, to the shore road, Kennebeccasis.

The sum of ten pounds for the road leading from the Great Road to the Fowler Settlement in Westfield.

The sum of fifteen pounds for the road from Bilbery Point to Kennedy's Mill, east side of Nerepis.

The

The sum of ten pounds for the road from the Great Road to the Findlay Settlement.

King's County  
Bye Roads, Con-  
tinued.

The sum of ten pounds for the road from Goose Creek to Salmon Rock.

The sum of ten pounds for the road leading from the Long Reach to the Cheyne Settlement.

The sum of ten pounds for the road from Moses Kembal's to the second tier of Lots.

The sum of ten pounds for the road from the second tier of Lots to Stephen Cronk's.

The sum of fifteen pounds for the winter road from James B. Lyons', Long Reach, to the Milkish.

The sum of ten pounds for the road from the School House, near W. G. Harding's, to Land's End.

The sum of ten pounds to cut down a Hill on and improve the road leading from the east side of Milkish Creek to the centre road.

The sum of ten pounds to improve the winter road across the upper end of Kennebeccasis Island.

The sum of fifteen pounds for the road from the new Bridge at Samuel Jones', north west side of Milkish, to Thomas Fenwick's upper line.

The sum of ten pounds for the road from William Saunders' to the Reach Road, leading to James B. Lyon's.

The sum of ten pounds for the road from Robert Salter's, north west side of Milkish, to the Meeting House, and thence to the Kennebeccasis.

The sum of ten pounds for the road across Kennebeccasis Island, from Wills' to Keef's.

The sum of ten pounds for the road from the County line, near John Jones', to William Vanwart's, in Greenwich.

The sum of ten pounds for the road from Comeley's Brook to William Flaglor's corner.

The sum of ten pounds; one half of said sum to complete the new road from James Bulyea's to the Bridge, and the remainder to improve the public landing at Jones' Cove.

The sum of fifteen pounds to build a Bridge near Lawson's, on the road from Greenwich Hill Creek to the back lands, and improve the road from the Creek to the said Bridge.

The sum of ten pounds for the road from the County line, near Moore's, to Andrew Hamilton's, and thence towards Bogle's; one half of said sum to be expended between Hamilton's and Bogle's.

The sum of fifteen pounds for the road leading from the Cross Roads, in second tier of Lots, to the front road, near James Bulyea's, Junior.

The sum of ten pounds from the Widow Becket's to the Cross Roads, and thence towards Hickey's.

The sum of ten pounds for the road from the Yorkshire Road to John Cotton's, in the Menzie Settlement.

The sum of eight pounds for the road from the Yorkshire Road to Golding's.

The sum of fifteen pounds to build a Bridge over the Creek near Joseph Wallis'.

The sum of ten pounds for the road from the front road, near Brown's, towards the Wallis Settlement.

The sum of ten pounds for the road from James M'Keel's, through second tier of lots, to the Westfield Parish line.

The

King's County  
Bye Roads, Con-  
tinued.

The sum of seven pounds, to be paid to Isaac Haviland, Esquire, Commissioner in one thousand eight hundred and thirty eight for building a Bridge near Harrington's Mill, on the road from John Crabb's, Junior, to the shore, to enable him to complete the contract for and finish the same.

The sum of twelve pounds for the road from the junction of the Wetmore road to the School House in the West Scotch settlement.

The sum of ten pounds for the road from Robert Noble's to the back Settlement.

The sum of fifteen pounds for the road from Elijah Spragg's to Robert Spragg's.

The sum of ten pounds to build a Bridge between James Lake's and John Willager's, west side of Bellisle.

The sum of fifteen pounds for the road from Jacob Pigeon's to William Wetmore's, Springfield.

The sum of ten pounds for the road from John Van Wart's to the Pidgeon Settlement.

The sum of ten pounds for the road from James Lake's, northwest of Bellisle, to the back Settlement of John Ricker and others.

The sum of ten pounds for the road from the Maxwell Road towards the Scotch Kirk, by way of Robert Reed's.

The sum of fifteen pounds for the Bridge between Peter Spragg's and the Baptist Meeting House.

The sum of fourteen pounds five shillings to Edward G. N. Scovil, Commissioner, to enable him to fulfil the contract for building a Bridge.

The sum of ten pounds for the road from near John Foster's to Doctor C. Wilson's.

The sum of ten pounds for the road from James Cunningham's to the English Settlement.

The sum of ten pounds for the road from Donald M'Laughlin's to the Main Road near the Scotch Kirk.

The sum of twenty five pounds for the road from the Church in Bellisle to Ezekiel Fosters'.

The sum of ten pounds for the road from near English's on Bellisle, towards the Mill stream, by way of Joseph Sharp's.

The sum of ten pounds for the road from R. Colpitt's to Thomas Coates' Mill.

The sum of ten pounds to assist in building a Bridge across the Mill Brook of Thomas Coates.

The sum of ten pounds for the road from Henry Sharp's, near the Finger Board, to Howe's.

The sum of fifteen pounds for the road from near Hale's place, by the widow Giou's, to the main road, near Colpitt's.

The sum of ten pounds for the road from Henry Parlee's to the Finger Board road.

The sum of ten pounds for the road from Stewart's Mills to William H. Baxter's.

The sum of ten pounds for the road from W. H. Baxter's to the Sussex line.

The sum of ten pounds for the road from Henry Jackson's to Joseph Moody's.

The sum of ten pounds for the road from David Floyd's to Connor's.

The sum of ten pounds for the road from D. B. Wetmore's to James Wilson's.

The sum of ten pounds for the road from Longstroth's towards the City, to be expended between Thomas Palmer's road and the Saint John County line.

The sum of fifteen pounds for the road and Bridges between Gondola Point Church, and Sherwood's Cove, in Hampton. The

King's County  
Bye Roads, Con-  
tinued.

The sum of fifteen pounds for the road from George Prince's to the Post Road leading from Hammond River Bridge to Hennigar's.

The sum of twenty pounds for the road leading from the late James Smith's Mills to the Golden Grove road near Hastings'.

The sum of fifteen pounds to build a Bridge near John Palmer's in Hampton.

The sum of ten pounds for the road from near Charles Robinson's, Hammond River, to Andrew Bull's.

The sum of ten pounds for the road across Darling's Island.

The sum of thirty pounds for the road from Groom's in Hampton, to the Toll Bridge in Norton.

The sum of ten pounds for the road from Deforest's Lake to John Sherwood's Mill, in Upham.

The sum of ten pounds for the road from Lackie's Brook to John Sullivan's.

The sum of ten pounds for the road from Edward M'Mackin's to the road leading to Deforest's Lake.

The sum of twelve pounds six shillings and nine pence, to John Sherwood, Commissioner, to enable him to fulfil his contract for building a Bridge near Caleb Davis.

The sum of ten pounds thirteen shillings and three pence for the road from John Sherwood's to Captain Dick's.

The sum of ten pounds to improve the road near John Steeves'.

The sum of ten pounds for the road from the new Bridge over Hammond River, to the County line, near Cother's.

The sum of ten pounds for the road from near Joseph Barnes' to the new Bridge over Hammond River.

The sum of fifteen pounds for the road from Joseph Barnes' to James Campbell's.

The sum of fifteen pounds for the road from James Campbell's to the head of the Salt Spring Settlement.

The sum of eleven pounds to Ebenezer Smith, to enable him to pay John Barnes and Laurence Cullinan for erecting a Cutwater to the New Hammond River Bridge, and making approaches to the said Bridge.

The sum of ten pounds for the road from Isaac Brown's to Robert Marshall's.

The sum of twenty pounds to aid in opening and improving a road from the Shepody road, at or near Schoal's Farm, towards the Great Salmon River.

The sum of ten pounds for the road from Noah Taber's to the Saint John County line.

The sum of forty pounds for the new road from near Joseph Barnes' to the Church near Upham's.

The sum of ten pounds for the road from the south Stream Bridge to the County line towards the Miliken Settlement.

The sum of ten pounds for the road from John Jordan's to near Charles Gayley's, in Sussex.

The sum of ten pounds for the road from near Moses Jordan's to William M'Leod's Scotsman.

The sum of ten pounds for the road from the Smith Creék to John Jordan's.

The sum of twenty pounds for the road from John Ryan's to the head of the Mill Stream.

The sum of ten pounds for the road from James Nowlin's to the Methodist Chapel on the Mill Stream.

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King's County  
Bye Roads, Conti-  
nued.

The sum of ten pounds for the road from the cross road to Henry Collin's, through the Mountain Settlement.

The sum of ten pounds for the road from William Beach's to John Dobson's, Junior.

The sum of ten pounds to assist in building a Bridge near Jacob Snider's.

The sum of seventeen pounds seven shillings and six pence, to enable Abraham Good to pay up his contract for building a Bridge over the Mill Stream near Ulis Haney's.

The sum of ten pounds for the road from the Spragg Settlement to near Gilead Seacord's.

The sum of ten pounds for the road from near Kyle's, at the Cedar Camp Creek, to Wesleyan Settlement near Negro Brook.

The sum of ten pounds to assist in building a Bridge on the Henry Leek Road, so called.

The sum of fifteen pounds for the road from near Patrick Welsh's to the Shepody road near M'Laughlin's.

The sum of ten pounds to assist in building a Bridge over Trout Creek, between William Austin's and Thomas Taylor's.

The sum of ten pounds for the road from Walton's Mills to Cowin's, at the head of the south branch of Trout Creek.

The sum of nine pounds twelve shillings and six pence for the road from the south branch to the Westmorland line by way of James Hayward's.

The sum of ten pounds for the road from Ezekiel Foster's to the Queen's County line, through the English Settlement.

The sum of ten pounds for the road from Ezekiel Foster's to the School House near Justus Kierstead's.

The sum of fifteen pounds for the Bridge and road between Samuel Folkin's and Morris Frazee's.

The sum of thirty three pounds for the Bridge between Joseph Darling's and William Ryley's.

The sum of ten pounds for the road from William Lockhart's towards New Canaan to the County line.

The sum of ten pounds for the road from Westley Perry's to Josiah Keith's.

The sum of fifteen pounds for the road from William C. Beech's to Alwood's, on Butternut Ridge.

The sum of fifteen pounds for the road from Gayley's to the Butternut Ridge.

The sum of ten pounds for the road from Patrick Melone's to the County line, towards the Shepody Road.

The sum of ten pounds for the road from near James Dunfield's to the new road near Thomas Dunfield's Mill, on the north side of the River.

The sum of fifteen pounds for the road near Samuel Kierstead's to the Irish Settlement, so called.

The sum of ten pounds for the road from Joseph Sharp's to Burk's.

The sum of ten pounds for the road from the Campbell Settlement to the Burying ground in Sussex.

The sum of ten pounds for the road from the Campbell Settlement to the Salt Spring Settlement.

The sum of ten pounds for the road from Matthew M'Leod's to Henry Parlee's.

The sum of ten pounds for the road from near M'Gregor's Mill to William Sinnott's by way of Barney Finney's.

The sum of ten pounds for the road from near William Gamblin's to the Goshen Settlement.

WESTMORLAND BYE ROADS.

The sum of forty pounds for the road from Thomas Ayer's to Benjamin Landrie's. Bye Roads in Westmorland.

The sum of ten pounds for the road from the Great Road no Sackville Great Marsh to Point Migic.

The sum of ten pounds for the road from Philip Chapman's to Thomas Oulton's, Junior.

The sum of twenty five pounds for the road from Thomas Oulton's, Junior, to the Emigrant road.

The sum of fifteen pounds for the road from Thomas Oulton's, Junior, to Joseph Murray's.

The sum of twenty pounds for the road from George Richardson's to Crossman's.

The sum of twenty pounds for the road from the Dorchester road to Crossman's by the way of Mittin's.

The sum of fifteen pounds for the road from Tedish to Shemogue.

The sum of fifteen pounds for the road from John Anderson's to Blanches', crossing the Little Shemogue.

The sum of thirty pounds for the road from Sackville to Aboushagan.

The sum of forty pounds for the road from the Chapel in Barrichoie to the Sackville road, including Bridges.

The sum of twenty five pounds for the road from the Gaspereaux to the Great Shemogue.

The sum of ten pounds for the road from the Great Shemogue road to the Ferry on the Little Shemogue.

The sum of fifty pounds from Gaspereaux to Cape Tormentine, through the Emigrant Settlement.

The sum of twenty pounds for the road from the Great Road to Grand Aunce, by the way of the second Westcock Hill.

The sum of fifteen pounds for the road from Ephraim Raworth's to Cape Spear.

The sum of ten pounds for the road from Patrick Blanche's to the Little Cape on the west side of the Great Shemogue.

The sum of fifteen pounds for the road from James Purdy's to George Cook's.

The sum of fifteen pounds for the road from the Aboushagan Road to David Cook's.

The sum of twenty pounds for the road from the Shediac road to the French Settlement; two pounds ten shillings of which to be paid Moses Welling for over expenditure.

The sum of forty pounds for the road from Wood Point to Cape Maranguin; ten pounds to be expended in erecting a Bridge or Aboideau over Peck's Creek.

The sum of ten pounds for the road from James Ayer's to Beech Hill.

The sum of twenty pounds for the road from Widow Kinnear's to Fairfield.

The sum of ten pounds for the road from Joseph O'Bean's in Tedish to the Kouchibouguac Lake Settlement.

The sum of ten pounds for the road from Point Migic Road to N. Hick's on the north side of Tower's Goose Lake.

The sum of ten pounds for the road from George Dobson's to the Emigrant road.

The sum of fifteen pounds for the road from Townsend's to Bay Verte.

The sum of forty pounds for Kichibouguac Bridge.

The

*Westmorland Bye  
Roads, Continued.*

The sum of twenty pounds for the road from the Great Road at Charter's in Dorchester to Benjamin Landrie's.

The sum of ten pounds for the road from Cook Smith's, in Dorchester, to Sackville Town line.

The sum of twenty pounds for the road from Thomas Le Blanch's, in the Lake Settlement to Kichibouguac Lake.

The sum of fifteen pounds for the road from John Raworth's to the Emigrant road.

The sum of seventy five pounds for the road from John Well's at Square Lake, to open the new line of road to Point Migic Road; fourteen pounds of which to be paid Philip Palmer, Deputy Surveyor, for exploring and making survey of said road, and from the same to the head of Jolecure Lakes.

The sum of thirty five pounds for the road from three mile Camp, on said road, to the head of Jolecure Lakes.

The sum of ten pounds for the road from the Beech Hill road to John Lander's.

The sum of fifteen pounds from Morang Tarrio's to John Gallang's; two pounds ten shillings of which to be paid Simon Lezere, for over expenditure.

The sum of ten pounds for the road from Josiah Hick's to Toler's Island.

The sum of ten pounds for the road from the Great Road to Cole's Island.

The sum of ten pounds for the road from Nathan Merrill's to the Dorchester Road.

The sum of ten pounds for the road from Tedish to the Little Cape, by the way of Cape Bald.

The sum of five pounds for the road from Belonia Budrot to the Back Settlement; ten shillings of which to be paid Sylvan Arseneau for over expenditure.

The sum of five pounds for the road from Joseph Cormea's to Joseph Leblanc's.

The sum of five pounds for the road from the Great Shemogue road to John Downing's at the Ferry.

The sum of twenty pounds for the road from Bay Verte to Dobson's.

The sum of ten pounds for the road up the east side of the Memramcook, past Patrick Gayton's.

The sum of ten pounds for the road from John Palmer's to second Westcock Hill.

The sum of twenty pounds for the road from Gilbert Forsyth's in New Horton to Cape Enrage.

The sum of fifty pounds for the road from German Town to Point Wolf Harbour.

The sum of fifteen pounds for the road from New Ireland to Salmon River.

The sum of ten pounds for the road from William Fillmore's to Daniel Copp's on the Ridge.

The sum of fifteen pounds for the road from John Ritchie's to Stephen Style's on Crooked Creek.

The sum of twenty pounds for the road from Ezra Pick's to the Memel road inclusive; of which sum fifteen pounds to be paid John Rogers.

The sum of twenty five pounds for the road to the Caledonia Settlement from Hopewell.

The sum of fifteen pounds for the road from Ezra Pick's through the Haley Settlement.

The sum of ten pounds for the road from the Great Road to Aaron Robinson's.

The sum of forty pounds for the road from Hamilton's in Hopewell to Hillsborough.

The



The sum of fifty pounds for the road from M'Latchy's Bridge to Stoney Creek, thence to Mill Creek. Westmorland Bye Roads, Continued.

The sum of twenty pounds for the road from James Gunning's to Henry Steeves'.

The sum of fifteen pounds for the road from Henry Steeves' to the Irvine Settlement.

The sum of fifteen pounds for the road from Chapman's up Turtle Creek.

The sum of fifteen pounds for the road from Thomas Colpitts' Mill through to the Coverdale River Road, and thence to Robert Colpitt's.

The sum of twenty five pounds for the road up Pollet River to John Geldart's ; of which sum twenty pounds to be paid Thomas Colpitt's.

The sum of ten pounds for the road from Daniel Wheaton's to Robert Dobson's.

The sum of ten pounds for the road from Abner Taylor's on the North River to the Lewis Settlement.

The sum of fifteen pounds for the Road from George Colpitt's, up Coverdale River.

The sum of fifteen pounds for the road from Robert Scott's to North River.

The sum of ten pounds for the road from the Great Road in Hillsborough to the Round Hill.

The sum of ten pounds for the road from Alexander Cane's to George Colpitt's Mill.

The sum of fifty pounds for the road from the Bend to the Mountain Settlement inclusive.

The sum of fifty five pounds for the road from the Bend to Irishtown.

The sum of fifteen pounds for the road from Irishtown to the French Settlement.

The sum of five pounds for the road from William Duffy's to Abraham Steeves', in Hillsborough.

The sum of thirty five pounds for the road from near Gabriel Herbert's, through Downing and Beliveau Villages, and thence by the Chapel to the Great Road.

The sum of thirty pounds for the road from Ralph Carter's to the Peticodiac River.

The sum of seven pounds ten shillings for the road from James Crandall's to Bell's Farm.

The sum of twenty pounds for the road from Shediac road through the French Minudie Settlement.

The sum of ten pounds for the road from John Harris' to Jacob Trites, thence to Brown's Mill.

The sum of thirty pounds for the road from the Great Road to the Butternut Ridge.

The sum of seven pounds ten shillings for the road from the road at the Chapel at Dorchester to the Cove ; of which sum five pounds to be paid Amang Cormier.

The sum of ten pounds for the road from P. M'Ginley's to David Johnston's.

The sum of five pounds for the Marsh road from the Cape road to Cole's Point.

The sum of seven pounds ten shillings for the road from Charles Tibido's to Lorang Lezere's.

The sum of seven pounds ten shillings for the road over Budrot's Marsh.

The sum of fifteen pounds for the road from Robert Colpitt's, Junior, to the King's County line, near J. Hoyt's.

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Westmorland Bye Roads, Continued.

The sum of five pounds for the road from the Caledonia road to Eben Wilber's.

The sum of five pounds for the road from the Great Road to Peter Jonah's.

The sum of five pounds for the road from the main road near Stoney Creek to Thomas Roger's.

The sum of five pounds for the road from the Shediac road to the Beliveau Settlement.

The sum of fifty pounds for the road from George Cook's to the Joggins; of which forty pounds to be paid John Palmer.

CARLETON BYE ROADS.

Bye Roads in Carleton.

The sum of seventy pounds to improve the road and Bridges from Patchell's Ferry to Daniel Shaw, in Northampton.

The sum of twenty five pounds to improve the road from Elisha Cogswell's to the Newburgh Settlement, to be principally laid out in the further end of the Settlement.

The sum of seventy five pounds to improve the road and Bridge from Daniel Shaw's to the Begaguimick; the principal part to be expended on the Deep Creek Hill, and building a Bridge near Noble's.

The sum of seventy pounds to improve the road from the mouth of the Begaguimic, on the southerly side, to William Seely's, to open the new part of the road.

The sum of ten pounds to improve the road from William Seely's, past James Clarke's to Joseph Clarke's.

The sum of fifteen pounds to improve the road from the mouth of the Begaguimick on the northern side, and up the Cold Stream.

The sum of ten pounds from the Cold Stream up the Begaguimick.

The sum of fifteen pounds to open a new road from the Cold Stream to the River, near Rideout's.

The sum of ten pounds to open a new road from James Dyer's to a back settlement in the rear of M'Isaac's.

The sum of sixty five pounds to improve the road and build a Bridge from the Begaguimick to the Monquot.

The sum of ten pounds to improve the road from the Monquot Stream to the back Settlement

The sum of twelve pounds to improve the road from John Wright's Farm to a back Settlement in Andover.

The sum of twenty pounds to improve the roads and Bridges from the Monquot to Richard Wharton's.

The sum of sixty pounds to improve the road from Richard Wharton's to the Tobique.

The sum of fifteen pounds for the road from the Tobique to the Salmon River.

The sum of ten pounds to improve the road from Thomas Gee's to the back Settlement in the Parish of Wicklow.

The sum of ten pounds to improve the road from the Eight Mile Tree, on the Restook Portage, to the River.

The sum of five pounds to improve a Cross Road on the Portage, four miles above the Restook River to the River Saint John.

The sum of ten pounds to improve the road from Ballard's, at the mouth of the Restook, up to the mouth of the same.

The sum of eleven pounds for the road from Benjamin Tibbett's to a back Settlement.

The

The sum of ten pounds to improve the road from Thomas Pomfrey's to a back Settlement. Carleton Bye Roads, Continued.

The sum of ten pounds for opening a road from O'Connor's Creek to a back Settlement.

The sum of twenty pounds to improve the road from Boyer's Mill to a back Settlement.

The sum of fifteen pounds to improve the road from Charles Lewis' in a northerly direction past William Stewart's.

The sum of ten pounds to improve the road near Kerr's to a back Settlement.

The sum of forty five pounds to improve the road from M'Kean's to the further end of the Settlement.

The sum of eight pounds on the Ferry Road above Elisha Shaw's.

The sum of twelve pounds to improve the road from James Jones' above the Little Presqu' Isle to a back Settlement.

The sum of thirty five pounds to improve the road from Burpe's Mill to the River near Boyer's; ten pounds of the same to be laid out from the Highway to the River.

The sum of twenty pounds from the Little Presqu' Isle to Robert Gurney's; a part of the same to improve a Bridge near Simmon's.

The sum of twenty pounds to improve the road from William Mallory's, in a southerly direction to the Mill.

The sum of forty five pounds to improve the road from William Lindsay's and Hannah's, past Rufus Payson's, to M'Laughlan's.

The sum of fifteen pounds to improve the road from James M'Laughlan's to the Falls on the north branch of the Meduxnikick.

The sum of ten pounds for the road from William Lindsay's to William Bell's on the Meduxnikick.

The sum of twelve pounds to improve the road past Chapman's, through the Moody Farm to the Jackson Town Road.

The sum of twenty five pounds to improve the road from Henry Sharp's, past George Wilson's to Richard Martin's; to be laid out on the road which is now opened.

The sum of twelve pounds to improve the road from Martin's to Bell's.

The sum of sixty pounds to improve the road from Jacob Estabrook's through the Williamstown Settlement.

The sum of ten pounds to improve the road from Johnston's to James Dunn's.

The sum of ten pounds to open a road near Rufus Payson's, through to the upper School House.

The sum of ten pounds to improve the road from Robert Hume's to Jonathan Tracey's to the Jackson Town Road.

The sum of fifteen pounds to improve the road from Henry Sharp's to the River, near the Court House.

The sum of forty pounds to open a road, to commence a little above the Meduxnikick, across the late Richard Smith's Farm, Baker's and Phillips', to intersect the road leading from Henry Sharp's to the Meduxnikick, according to the Petition of Elisha Cunliffe, and F. Morehouse, Commissioners of Highways, and ninety nine others.

The sum of sixteen pounds eight shillings and six pence to Joseph Rideout, for balance of his account.

The sum of eighty eight pounds eleven shillings and six pence to William Emsley, to assist him in paying off balance due for building Monquot Bridge. The

Carleton Bye  
Roads, *Continued*.

The sum of ten pounds to improve the road on the lower line of the Woodstock Grant, near Eel River.

The sum of sixty pounds to improve the road from near Judge Beardsley's to M'Donald's, in the back Settlement.

The sum of fifteen pounds to improve the road from the lower line of the Glebe Lot, in Woodstock to the back Settlement.

The sum of five pounds to improve the road from John Beardsley's to the back Settlement.

The sum of twenty pounds to open the road from Amos E. Tierney's down the Meduxnikick, to intersect the Houlton Road.

The sum of twenty pounds for the road from M'Indoe's to Peabody's Mill.

The sum of fifteen pounds from Peabody's Mill to the Falls of the Meduxnikick.

The sum of twelve pounds for the road from the Falls of the Meduxnikick towards M'Bride's Settlement.

The sum of ten pounds for the road from Richmond Corner to Peabody's Mill.

The sum of twenty five pounds to improve the road from the Houlton Road, near Hillman's to George Gartly's.

The sum of fifteen pounds to improve the road from George Gartly's to the Meduxnikick.

The sum of ten pounds to improve the road from Wolhaupter's to Fleming's.

The sum of thirty pounds to improve the road from Richmond Corner to the Hogden Road.

The sum of fifteen pounds for the road from M'Kenzie's Corner to Perley's Mill.

The sum of fifteen pounds to improve the road from Perley's Mill, past Ivey's, to the M'Donald Settlement.

The sum of fifteen pounds to improve the road from the Hogden Road, past Atkinson's, to the Houlton Road.

The sum of fifteen pounds to improve the road from the School House in the Irish Settlement, past Daly's, to the further end of the Settlement.

The sum of fifteen pounds to improve the road from the Hogden Road, past Yerxa's and Green's, to the further end of the Settlement.

The sum of ten pounds to improve the road from the Hogden Road to Fleming's and Crane's.

The sum of twenty five pounds to improve the road from M'Kenzie's Corner, in a southerly direction past Woodward's and Blue's.

The sum of ten pounds to improve the road from Richmond road to William Bull's, to the Hogden Road.

The sum of five pounds to Abner Bull, as commission due him on money paid the Contractors for building the Bridge over Bull's Creek.

#### SUNBURY BYE ROADS.

Bye Roads in  
Sunbury.

The sum of fifty pounds for the road from George Boon's to Ezekiel Seely's.

The sum of ten pounds for the road from Isaac Cogswell's to the Garey Road.

The sum of fifteen pounds for the road from Daniel Wood's to the South Branch Road.

The sum of ten pounds for the road from Jeremiah Smith's to the Garey road.

The sum of thirty pounds for the road from Richard Kimball's farm to John Bell's.

The sum of ten pounds for the road from South Branch road to Scoullar's Mills. The

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Sunbury Bye Roads, Continued.

The sum of ten pounds for the road to a New Settlement near Walter Paterson's.

The sum of twenty pounds for the road from South Branch Bridge to Thomas Hartt's.

The sum of twenty pounds for the road from Thomas Hartt's to Solomon Tracey's.

The sum of seventy five pounds for the road from Rushagonis to Hartt's Mills.

The sum of fifteen pounds for the road from Hartt's Mills to Diamond Square.

The sum of fifteen pounds for the road from Burpe's Mill through the Gordon Settlement.

The sum of twenty pounds for the road from William Dow's to J. M. Wilmot's Farm.

The sum of fifty pounds for the road from Rushagonis to William Dow's.

The sum of twenty pounds for the road from John Bell's to Burpe's Mill.

The sum of ten pounds for the road from the road near Jones' at Rushagonis, to the Oromocto River, opposite to John Wood's.

The sum of eighty pounds for the road from John Hoyt's to the County line between Queen's and Sunbury; twenty pounds of which to be expended between John Hoyt's and Daniel Timmin's.

The sum of five pounds for the road from John Bailey's to the Block House.

The sum of twenty pounds for the road leading from Thomas Hartt's to Thomas Mersereau's.

The sum of fifteen pounds for the road leading from the south Branch Road to John M'Laughlin's.

The sum of fifteen pounds to widen the road at Burpe's Mill Dam.

The sum of ten pounds for the road from Thomas Hartt's to the public landing.

The sum of twenty pounds for the road from John Peabody's to John Morgan's.

The sum of ten pounds for the road from Jeremiah Gillan's to Abner Mersereau's.

The sum of sixty five pounds for the road from the French Lake Road to the Little River Mills in the Parish of Sheffield.

The sum of twenty five pounds for the road from Oak Point to Sand Point.

The sum of sixty pounds for the road from the Highway in Burton, at or near Jacob Smith's to the Nerepis Road.

The sum of five pounds for the Blind Thoroughfare to the Little River Road.

The sum of fifteen pounds for the road from Hamilton's Road to the Little River Road.

The sum of ten pounds to improve the road from Jacob B. Smith's in Burton, to S. Burpe's upper line.

The sum of twenty pounds for the road from William Boon's to Thomas Stennix's.

The sum of twenty pounds for the road from John Seely's to Abner Mersereau's.

The sum of ten pounds for the road from Scoullar's Mills to Clapman Smith's, Junior.

The sum of fifteen pounds for the Bridge at the Blind Thoroughfare.

The sum of ten pounds for the road from William Armstrong's to James Mills'.

The sum of ten pounds for the road from Andrew Smith's to James Johnston's.

The sum of five pounds for the road from Daniel Dow's to Charles Johnston's.

## NORTHUMBERLAND BYE ROADS.

Bye Roads in  
Northumberland

The sum of two hundred and twenty one pounds towards building a Bridge across Oyster River.

The sum of ten pounds for the road on the east side of the Big Bartibog River, from Moody's point to the head of the tide.

The sum of ten pounds to explore and open a road to the newly formed settlement between Bartibog and Miramichi River.

The sum of twenty nine pounds for the road from Bartibog to Tabisintac.

The sum of forty nine pounds to pay Duncan M'Graw the balance of his contract for the erection of Black River Bridge.

The sum of forty pounds towards improving the road run by C. J. Peters, Esquire, on the north side of Black River, between Walsh's farm and the Bridge across Black River.

The sum of twenty pounds to improve the road between Black River Bridge and the little Branch Bridge.

The sum of twenty pounds to improve the road between little Branch Bridge and Horton's Creek.

The sum of twenty pounds to improve the road from Horton's Creek to John M'Donald's farm, on the Bay du Vin River.

The sum of twenty pounds to improve the road from John M'Donald's farm to Kingston's farm, on Bay du Vin River, and thence to Gregan's Mills.

The sum of twenty pounds to improve the road on Black River, from the Richibucto Road to the Settlement four miles upwards.

The sum of eighty pounds towards opening and improving the road from George Williston's farm to Eel River.

The sum of seventy pounds towards the erection of a Bridge across Taxes River.

The sum of ten pounds towards improving the road from William Hogan's farm to M'Allister's, in the Parish of Blissfield.

The sum of ten pounds towards improving the road from M'Allister's, in the Parish of Blissfield, to Robert Doak's farm.

The sum of thirty pounds towards improving the new line of road on Cain's River; of which sum nineteen pounds six shillings and four pence, to pay Thomas N. Underhill balance due him.

The sum of twenty pounds to improve the road on the north side of Renous' River, between Patrick Wheeler's and Indian Town.

The sum of twenty five pounds towards improving the new line of road from Lee's farm to James Donaldson's, on Renous River.

The sum of fifteen pounds to improve the road from Doak and M'Laggan's Mills to the mouth of the Dungarvon, on the Renous River.

The sum of twenty pounds towards opening and making the road from Doak and M'Laggan's Mills to the Upper Settlement on Bartholemew's River.

The sum of fifteen pounds towards exploring and opening a road from Cain's River, on the south side of the south west Branch of the Miramichi, up till it strikes the road to the Settlement on Cain's River, coming out at John Donald's farm.

The sum of twenty pounds to explore and open a road from Saunders' Grist Mill to the Settlement on the right hand Branch of Barnaby's River.

The sum of twenty five pounds to improve the road from Dennis Kirk's, on the east side of Barnaby's River to Joseph Hutchison's farm.

The sum of forty pounds to improve the new line of road laid out by D. Crocker, on the south side of the south west Branch of Miramichi; of which  
sum

sum thirty one pounds sixteen shillings to be paid to the Contractor for the Bridge across Clark's Cove. Northumberland Bye Roads, Continued.

The sum of twenty pounds to improve the road between Nelson Village and Barnaby's Island, of which sum twelve pounds eight shillings and six pence to be paid David Crocker for balance due him.

The sum of ten pounds to improve the road from Sutton's Barn to the third tier of Lots.

The sum of twenty pounds to improve the road on the south side of Barnaby's River, to the Semiwagan Ridge.

The sum of sixty pounds to improve the road from George Flett's farm to Barnaby's River, through the Nowland Settlement; of which sum fifty five pounds ten shillings and six pence to be paid David Crocker, being the balance due him.

The sum of one hundred and thirty four pounds to improve the road on the north side of the north west, from Menzie's farm to the head of the tide.

The sum of twenty pounds to complete the road from Hutchison's Ferry to the Main Road, below the North West Mills.

The sum of twenty pounds to complete the road from the North West Mills to Stewart's farm.

The sum of twenty pounds to improve the road from Cuppage and White's to James Holme's farm, on the south west.

The sum of twenty pounds to improve the road from Wildcat Brook, through the Indian Reserve, to Peabody's New Richmond Farm.

The sum of ten pounds for the road from the Meeting House, below David Tozer's, to the M'Lean Settlement, Williamstown.

The sum of twenty pounds to improve the road from Beaubair's Point to Cuppage and White's.

The sum of twenty pounds to improve the road from the north west to the south west Branch of the Miramichi, through the Williamstown Settlement.

The sum of forty pounds to pay Andrew Hay for making a road from Campbelltown to Boiestown.

The sum of fifteen pounds to improve the road from George Johnston's, on the south side of Napan River, to M'Knight's Grist Mill.

The sum of ten pounds to improve the road from M'Innes' Creek to Point aux Car.

The sum of ten pounds to improve the road from the new Bridge across Black River to Napan River, near M'Knight's Mill.

The sum of five pounds to improve the road from M'Cully's farm to Hannah's farm, Napan River.

The sum of ten pounds to continue and connect the rear road in the Parish of Chatham with the road leading to the back lots in rear of John Henderson's farm.

The sum of six pounds to improve the road to John Creighton's farm, on the north side of Napan River, leading from Saint John's Church, Chatham.

The sum of ten pounds to improve the road in front of the second tier of Lots to the third tier of lots in rear of Saint Paul's Church, Chatham.

The sum of ten pounds to improve the road to the rear Lots next below the Parsonage, Chatham.

The sum of ten pounds to improve the road from Saint John's Church, Chatham, to the Upper Settlement, Napan River, to be laid out on the road from the rear of the first concession of Lots to the Napan River.

The

Northumberland  
Bye Roads,  
Continued.

The sum of ten pounds for the road on the north side of the Richibucto road, from William Dickens' residence to the Bay du Vin River at the City landing.

The sum of ten pounds to improve the road above Henderson's Cove, from John Casey's to Rust's farm on the rear lots.

The sum of ten pounds to improve the road in the rear of the front Lots in Newcastle, above Mill Cove, from Rust's farm to the Chaplin Island Road.

The sum of ten pounds to improve the road up the North West from where it strikes off above Fiddes' through the Indian Reserve.

The sum of twenty five pounds to pay Donald M'Donald balance due him on completion of last year's contract.

The sum of ten pounds to improve the road between Lots fifty four and fifty five, and to continue the same to the Green Brook on the Bartibog.

The sum of ten pounds to open and lay out a road from the lower line of William Gordon's lot, running to the Settlement on Little Bartibog, known as Coltart and Skee's Settlement.

The sum of ten pounds to continue the road from Southart's to M'Ewan and Gyher's in rear of Moorfield's.

The sum of ten pounds to improve the road from the Bathurst road, leading up Bartibog, and cutting down the steep Hill in rear of Collector Wright's farm.

The sum of five pounds to improve the road leading to the Quigly Settlement from the Bathurst Road.

The sum of ten pounds to improve the road from Bartibog Bridge downward to M'Cashy's on the north side of Bartibog.

The sum of seventy pounds to improve the road from Newcastle to Chaplin's Island.

The sum of fifteen pounds to pay J. A. Street, Esquire, balance due him for erecting a Ferry Slip opposite the Town of Newcastle.

#### SAINT JOHN COUNTY BYE ROADS.

Bye Roads in St.  
John County.

The sum of sixty pounds for the road from Blakeslee's farm to Little River; forty three pounds ten shillings of which to be paid R. Calvert, balance due him for erecting a Bridge over Little River.

The sum of seventy pounds from Frog Pond to Loch Lomond, and to repair the Bridge near Cody's.

The sum of twelve pounds from Black Settlement road to Garnett's.

The sum of fifty pounds from Garnett's, by Clark's Mountain, to Emerson's Creek Mountain road, so called.

The sum of twenty five pounds for a new Bridge on the Road from Little River to Mispick, and thence onwards and for the road itself.

The sum of twenty five pounds for the road from Little River to Loch Lomond.

The sum of thirty five pounds for the road from Little River to Black River, to be expended from the east side of Calvert's farm to Black River.

The sum of twenty five pounds from the old Westmorland Road through the Golden Grove Settlement.

The sum of twenty pounds for the road from Cody's to head of First Lake.

The sum of seventy pounds for the road from head of First Lake to Quaco.

The sum of twelve pounds for the road from Mispick Mills towards Cape Spencer.

The sum of twenty five pounds for the new road opened by Brown and others, past Brown's Mills to Tynemouth.

The sum of thirty pounds from Black River to Emerson's Creek, and thence to



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to Gardner's Creek, including a Bridge across Emerson's Creek, and to causeway from the Bridge to the upland, south side.

St. John County  
Bye Roads,  
Continued.

The sum of ten pounds to improve the hill at the School House, on south side of Emerson's Creek.

The sum of ten pounds to improve William's Hill, so called, Black River Settlement.

The sum of ten pounds for the road from Cother's road, so called, across the Bridge at the head of Second Lake, to the County line towards Miller Smith's.

The sum of fifty pounds for the road from the Black Settlement road, near Cody's, to the Quaco road, through Wilmot's farm.

The sum of four pounds ten shillings to be paid Widow Ryan, balance due her late husband on a contract, credited in accounts of late Commissioner Peters.

The sum of thirty pounds for the road from the Quaco road through the Ryan Settlement to the new Shepody road.

The sum of ten pounds for the road from the Millican Settlement, to Hammond River.

The sum of fifteen pounds for the road from Quaco to the County line, near Tabor's.

The sum of twenty pounds for the road from Dipper Harbour School House to the Saint Andrews road.

The sum of ten pounds to finish opening the road through the Bloomsbury Settlement, to intersect the M'Bratney road.

The sum of fifteen pounds for the road from John Davidson's to the old Quaco road.

The sum of twelve pounds for the road from Millican's road past Cain's, to the County line.

The sum of twelve pounds for the road from Quaco road near Maher's, to Tynemouth, by John Brown's.

The sum of ten pounds for the road from Black Beach to Pisarinco.

The sum of ten pounds for the road from Sand Cove to the main road.

The sum of twenty pounds for the road near the Church, Quaco road, to Barnes' Mill and Church road.

The sum of ten pounds for the road from the Bridge across the Thoroughfare, at the head of large Loch Lomond, to the County line.

The sum of ten pounds for the road towards Hammond River near Beattie's.

The sum of thirty pounds for the road from Cody's to the School House in the Hiberian Settlement.

The sum of fifteen pounds for the road from the above School House to the Forks of the road opened by Brown and others, towards Tynemouth.

The sum of twelve pounds for the Bridge across the Creek at Craft's Mills, on the road to Saint Andrews.

The sum of forty pounds for the Bridge across Gardner's Creek.

The sum of ten pounds for the road from Maher's west line to Harding's Mill.

The sum of twenty five pounds for the road from the Highway near Delaney's to the Kennebecasis.

The sum of fifteen pounds for the road leading to Sand Point.

The sum of twenty five pounds for the road from Indian Town to Kennebecasis, opposite the Brothers.

The sum of fifteen pounds for the road from Boar's Head to the road near M'Crosken's.

The sum of twenty five pounds for the road from the Highway, near Indian Town, to Mackay's Mill.

St. John County  
Bye Roads,  
Continued.

The sum of seventy five pounds towards a Bridge across Mackay's Mill Stream, and for the road.

The sum of forty five pounds for the Bridge over the stream which crosses the road from Delaney's to Kennebecasis.

The sum of fifteen pounds for the road from the Narrows of Musquash to the Saint Andrews road.

The sum of fifteen pounds for the road from Black Beach to the Saint Andrews road, by way of the Irish Settlement.

The sum of seven pounds for the road from the Settlement near Menzie's to the Saint Andrews road.

The sum of ten pounds for the road from the Saint Andrews road to the Nerepis road, near Vaughan's House at the Long Bridge.

The sum of thirty pounds for the road from the Quaco road to the County line near Reed's farm; nine pounds seventeen shillings and six pence to be paid James Cother, due him.

The sum of ten pounds for the road from near Barry's Mills to the Loch Lomond road.

The sum of twenty five pounds for the road near M'Bratney's past M'Laren's Mill, (M'Laren's road so called); fifteen pounds of which to be paid J. R. Partelow, for advances made last year, the road being omitted in the Bye Road Appropriations.

The sum of ten pounds to open a road from Golden Grove to Loch Lomond.

The sum of twenty five pounds for the road from Great Salmon River to Quaco.

The sum of thirty pounds for the road from the Shepody road at or near Schoales', to the Great Salmon River; and for a Bridge over Salmon River.

The sum of thirteen pounds ten shillings for the road from the Great Salmon River to the Shepody road.

#### YORK COUNTY BYE ROADS.

Bye Roads in  
York County.

The sum of thirty pounds for the road leading from the River Saint John to the Howard Settlement.

The sum of seven pounds to open a road from the Howard Settlement to Dow's Mill.

The sum of fifteen pounds for the road through the Poquiock Settlement.

The sum of twenty pounds for the road from the Poquiock Settlement to the Magundy.

The sum of fifteen pounds for the road from the School House, Magundy, to James Brown's.

The sum of twenty five pounds for the road from Carson's in the Poquiock Settlement to Wilson's Mills.

The sum of twenty five pounds for the road from John Gray's to the Magundy Settlement.

The sum of twenty pounds to improve the road leading from Donnelly's base line, to the Lake George road.

The sum of ten pounds for the road on the Base line, Magundy, from Number one to Number sixteen.

The sum of sixty pounds to alter and improve the road from the Magundy Settlement to the Magaguadavic Ridge.

The sum of twenty pounds to rebuild the Bridge over Long's Creek, below Gilmour's Mills.

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The sum of ten pounds for the road from Nicholas Barker's to Abram's.

York County  
Bye Roads,  
Continued.

The sum of fifty pounds for the road leading to and through the Smithfield Settlement.

The sum of twenty five pounds for the road from Lawrence Grant's Southampton, to the Campbell Settlement.

The sum of twenty pounds for the road leading to and through the upper Caverhill Settlement towards the lower Settlement.

The sum of thirty pounds for the road leading to and through the lower Caverhill Settlement towards the upper Settlement.

The sum of fifteen pounds for the road from Mitchell's to Adam Jackson's, thence to Fleming's.

The sum of fifty five pounds for the road from Adam Jackson's, by Stewart's, to the River Saint John.

The sum of seven pounds for the road from the Scotch Settlement to Reuben Lyon's.

The sum of eighteen pounds for the road from the mouth of the Mactaquack to the Scotch Settlement.

The sum of sixty five pounds for the road from Jacob M'Keen's to Mauzeroll's Ferry.

The sum of fifteen pounds for the road from Humphrey Sisson's to James Whitehead's.

The sum of twenty five pounds for the road from the Tripp Settlement to the Keswick.

The sum of fifteen pounds for the road from Darius Burt's to Gould Crouse's.

The sum of ten pounds for the road from the School House beyond Moses Lawrence's to William Estey's.

The sum of five pounds for the road leading to the Hurlet Settlement.

The sum of eight pounds for the road leading from the Royal Road to Charles King's.

The sum of thirty five pounds for the road from William John's, through the Bird Settlement to Jones' Mills.

The sum of twenty pounds to remunerate David Burt for the erection of a Bridge across Jones' Millstream.

The sum of seventy pounds for the road from the south branch of the Tay to Stone's; of which a sum not exceeding ten pounds to be expended in altering, if necessary, and improving the road leading towards Stanley, by Mick's, and a like sum to be expended in improving the road through Cardigan, if the Commissioner thinks it necessary.

The sum of fifteen pounds for the road from the Cardigan road to the Company's road through Jones and George's Settlement.

The sum of ten pounds for the road from the Tay Creek road to John Larkin's.

The sum of five pounds to open a road from the Cardigan road, through Jones and Sanson's to William Davidson's.

The sum of twenty pounds to remunerate Andrew Hay for expenses incurred by him in completing a road on the Company's Land.

The sum of fifteen pounds for the road around Clarke's Hill on the Nashwaak.

The sum of fifteen pounds to improve the road at the Meeting House, Nashwaak.

The sum of seventy five pounds to open and improve a road from David Brown's to the Great Road leading from Fredericton to Newcastle.

The sum of fifty pounds towards erecting a Bridge across the Taxis River.

The

York County  
Bye Roads,  
*Continued.*

The sum of twenty five pounds for the road leading from the Alms House in Fredericton to the New Maryland Road.

The sum of sixty pounds for the road from Fredericton to the New Maryland Settlement.

The sum of fifteen pounds for the road from the School House, New Maryland, to Israel Smith's.

The sum of fifteen pounds for the road from Israel Smith's to the County line, and to alter the same, if necessary.

The sum of fifteen pounds towards erecting a Bridge across the Rushagonis Stream, leading to the Little Settlement.

The sum of twenty pounds for the road leading to and through the Little Settlement.

The sum of ten pounds to open a road from the Hanwell Settlement to Little's Mills.

The sum of fifty pounds to explore and open a road between the Little Settlement and the Great Road leading from Fredericton to Saint Andrews, near the Lake; a sum not exceeding ten pounds of which to be expended in exploring the best route for the said road.

The sum of fifteen pounds to improve the road leading from the continuation of Smyth Street towards the Fredericton Glebe.

The sum of fifteen pounds to remunerate Daniel Jouett, for the erection of a Bridge across the Mactaquack.

The sum of fifteen pounds towards erecting a Bridge on the Attorney General's Hill and to improve the road.

The sum of twenty pounds to alter and improve the road leading to the Settlement, in the rear of M'Leod's Hill, from the Nashwaaksis, by the Royal Road.

The sum of five pounds to improve the road leading from the Royal Road to Jenkin's, in Hampton.

The sum of two hundred and fifty pounds to open a new line of road from John M'Gibbon's to Shepherd's, along the front in the Parish of Douglas, as laid out by the Commissioners.

Bye Roads in  
Charlotte County.

#### CHARLOTTE COUNTY BYE ROADS.

The sum of ten pounds for the road from the Chiputnecticook Ridge to Daniel Campbell's, in Saint James.

The sum of ten pounds for the road from John Pomeroy's to the Kirk in Saint James.

The sum of fifteen pounds for the road from Hitching's Mill to the Little Ridge in Saint James.

The sum of ten pounds for the road from Hitching's Mill to the Kirk in Saint James.

The sum of sixty pounds for the road from Jones Jackson's to Hitching's Mill, in Saint James, and to repair the Bridge across the Moannes Stream.

The sum of thirty pounds for the road from Mrs. Spence's to Clarke's Point in Saint James.

The sum of twenty five pounds for the road from the Kirk over the Basswood Ridge to Oak Hill in Saint James.

The sum of fifteen pounds for the road from the new Church through Oak Hill, to the Canous Stream, in Saint James.

The sum of twenty pounds for the road from Peake's to the Baillie Settlement in Saint James.

The

The sum of fifteen pounds for the road from the M'George Settlement, through the Lynnfield Settlement, towards Saint David's. Charlotte County  
Bye Roads,  
Continued.

The sum of ten pounds for the road from Milltown, to Richard Barter's, in Saint Stephen.

The sum of sixty pounds for the road from the Basswood Ridge, in Saint James, to Samuel Stuart's in Saint Stephen.

The sum of thirty pounds for the road (leading from the road from Milltown to Richard Barter's), to the farthest settlement on the Little Ridge.

The sum of ten pounds for the road from Alexander M'Kay's towards M'Kay's Mill in Saint James.

The sum of fifteen pounds for the road from Joel Hill's to the upper Mills in Saint Stephen, and to rail the Bridge across the Moannes Stream.

The sum of twenty pounds to repair the Bridge near the Watt Tannery, and the Bridge near John Grimmer's in Saint Stephen.

The sum of fifteen pounds for the road from the Ledge to the Head of Oak Bay, in Saint David, to be expended in making a Bridge at the foot of the Steep Hill on said road, and carrying the road around the side of the Hill.

The sum of eight pounds to build a Bridge across the Fenderson Brook, in Saint James.

The sum of ten pounds to assist in cutting down the Hill near Henry Keezer's, in Saint David.

The sum of ten pounds for the road from Joseph Hill's to James Stephenson's in Saint David.

The sum of ten pounds to assist in building a Bridge between Michael Young's and Jacob Young's in Saint David.

The sum of ten pounds for the road from the main road to Thomas Mitchell's, in Saint David.

The sum of ten pounds for the road from Tower's Corner to Robert Ferguson's, in Saint David.

The sum of ten pounds for the road from John Nisbett's, in Saint David, to Simmond's, in Saint James.

The sum of ten pounds for the road from the main road to John Wilson's, in Saint David.

The sum of ten pounds for the road from the old Meeting House Corner, in Saint David, to Jesse Grimmer's, in Saint Stephen.

The sum of fifteen pounds for the road commonly called the Board Road, in Saint David.

The sum of twenty pounds for the road from Edwin Foster's, in Saint David, to Chase's in Saint Patrick.

The sum of twenty six pounds twelve shillings for the road from Valentine Sharman's to Oak Bay, in Saint David.

The sum of ten pounds for the road from Collin's to Gardner's in Saint David.

The sum of ten pounds for the road from Anderson's to Smith's in Saint David.

The sum of ten pounds for the road from Jacob Reid's, in Saint David, to the Great Road.

The sum of ten pounds for the road from Tower Hill to M'Lachlan's Hill in Saint David.

The sum of fifty two pounds eight shillings for the new road from Upton's Bridge, in Saint Stephen, to Foster's Mill road in Saint David, to assist in building Bridges and opening the same.

The sum of ten pounds for the road from Bartlett's to Connick's, in the Parish of Saint Andrews.

Charlotte County  
Bye Roads,  
Continued.

The sum of seven pounds ten shillings for the road from Brick Kiln Cove to Joe's Point, in the Parish of Saint Andrews.

The sum of seven pounds ten shillings to assist in gravelling the road from Indian Point to the Saint John Road.

The sum of twenty five pounds for the road from Welsh Pool to Todd's Corner, in the Parish of Campo Bello.

The sum of one hundred pounds for the road from Todd's Corner to Curry's Cove, in the Parish of Campo Bello.

The sum of twelve pounds ten shillings for the road from Curry's Cove to the Light House, in the Parish of Campo Bello.

The sum of twelve pounds for the road from Welsh Pool to Holmes' Beach, in the Parish of Campo Bello.

The sum of twelve pounds ten shillings for the road from Green Brook to Abner Bingham's, in the Parish of Grand Manan.

The sum of thirty pounds to build a Bridge over Woodbury's Mill Stream in the Parish of Grand Manan.

The sum of fifty pounds for the road from Davidson's Hill to Charles Ingall's in the Parish of Grand Manan.

The sum of sixty three pounds for the road from Craig's farm to Caleb Benson's in Seal Cove, Grand Manan.

The sum of seventy five pounds for the road from Northwest Harbour Bridge to Claim Cove, and thence to North Harbour public landing on Deer Island.

The sum of sixty eight pounds for the road leading from Welsh's Brook, near the Saint John Road, through Morrison and Sime's Grant, and thence to Pleasant Ridge, in Saint Patrick.

The sum of forty pounds for the main road on the eastern side of the River Digdeguash, by Peter Morrison's, towards the Rolling Dam, in Saint Patrick.

The sum of thirty pounds for the road on the western side of the Digdeguash River, by William Wilson's, towards the Rolling Dam, in Saint Patrick.

The sum of forty pounds for the road leading from the Rolling Dam to the eastern line of the Parish of Saint Patrick.

The sum of ten pounds for the road leading from James Kyle's Farm, in the Grove Settlement, on the west side of Bocabec Lake, in Saint Patrick.

The sum of twenty pounds for the road from Cathcart's to the Saint Andrew's line, in the Parish of Saint Patrick.

The sum of ten pounds to be reappropriated on the road from Peter Morrison's towards Clarence Hill, in Saint Patrick.

The sum of nine pounds for the road from Gilmour's to the Main Road on the eastern side of the river, in Saint Patrick.

The sum of fifteen pounds for the road from Hugh Thompson's on the Saint John Road, to John Wilson's new house, in the Parish of Saint Andrews.

The sum of ten pounds to assist in widening the road from the Poor House to John M'Curdy's, in the Parish of Saint Andrews.

The sum of ten pounds for the road from M'Nichol's Mills, to Alexander Dick's, in the Parish of Saint George.

The sum of ten pounds for the road from Alexander Dick's to Millikin's Mill Pond, in the Parish of Saint George.

The sum of ten pounds for the road from Millikin's Mill Pond to the Kirk in Saint George.

The sum of twenty pounds for the road from the late James Stewart's farm to John Dewar's in Saint George.

The sum of twenty pounds for the road from John Dewar's to Prince Baker's, in Saint George. Charlotte County Bye Roads, Continued.

The sum of twenty pounds for the road from Pomroy's Bridge to the Bridge at Lower Trout Brook, in Saint George.

The sum of fifteen pounds for the road from Pomroy's Bridge to Gillman's, on the old Fredericton Road, in Saint George.

The sum of twenty pounds for the road from Pomroy's to John Young's, at the second Falls in Saint George.

The sum of fifteen pounds for the road from the late James Ash's farm to Allanshaw's Mills, in Saint George.

The sum of ten pounds for the road from Kent's Mill to the River Magaguadavic, in Saint George.

The sum of ten pounds for the road from the Red Rock Mills to the upper Falls, in Saint George.

The sum of twenty five pounds for the road from Philo Seylee's to L'Etang, in Saint George.

The sum of fifteen pounds for the road from the Basin to L'Etang River, near Spinney's, in Saint George, to open a new road.

The sum of twenty pounds to assist in repairing the Lower Bridge over the Magaguadavic River, in Saint George.

The sum of twenty pounds to assist in rebuilding a Bridge and repairing the road from Murdoch M'Lean's to Samuel Kelly's, in Saint George.

The sum of twenty pounds for the road from Curry's Mill to the Saint John Road in Pennfield.

The sum of twenty pounds for the road from New River Mills to the Saint John Road near Pembleton's, in Pennfield.

The sum of fifteen pounds for the road from John Tatton's Farm to M'Dowald's, in Pennfield.

The sum of fifteen pounds for the road from John Crickett's landing to Justison's in Pennfield.

The sum of ten pounds for the road from Roger Traynor's to Thompson's Ship Yard, in Pennfield.

The sum of ten pounds for the road from John Boyd's Corner to Malcolm Mealey's, in Pennfield.

The sum of ten pounds for the road from Thomas Ferguson's Corner towards Spinney's, in Pennfield.

The sum of ten pounds for the road from M'Intyre's to the Stien Settlement, in Pennfield.

The sum of ten pounds for the road from M'Intyre's to the M'Vicar Settlement, in Pennfield.

The sum of eleven pounds for the road from James Murphy's to the road leading from Philo Seylee's to the mouth of L'Etang River, in Pennfield.

#### QUEEN'S COUNTY BYE ROADS.

The sum of ten pounds for the road between the Cross Roads near Thomas Keaton's and James Foster's, in the Shannon Settlement. Bye Roads in Queen's County.

The sum of ten pounds for the road between the Forks of the road leading to the west Scotch Settlement and Washademoak, by way of John Shaw's Mill and Main Post Road, near Hugh Smith's.

The sum of ten pounds for the road from County Line between King's and Queen's to Alexander Stewart's Bridge.

The

Queen's County  
Bye Roads,  
Continued.

The sum of ten pounds for the road from John Stewart's Bridge to west Waterloo Settlement at William Woodstock's east line.

The sum of fifteen pounds for the road between the Cross Road near Thomas Keaton's and the County line near William Henderson's.

The sum of twenty pounds for the road between Lewis' Cove and Post Road, by way of John Haggard's.

The sum of ten pounds for the road from Thomas Robertson's to the County line.

The sum of ten pounds for the road from Thomas Robertson's to the Big Brook or road leading to Shaw's Mill.

The sum of ten pounds for the road on south west side of Mill Brook from where the Bridge passes over at the new Post Road to the old Post Road, passing Justin J. Wetmore's Saw Mill.

The sum of twenty pounds for the road between Charles Robinson's Lane and Ephraim Carpenter's south line.

The sum of six pounds for a Bridge across W. Murray's Brook.

The sum of twenty pounds for the road from Benjamin Fairweather's Bars on said road to King's Brook, at Anthony Flower's.

The sum of ten pounds for the road between the Public Landing, north east branch of Lewis' Cove and the Main Post Road, near Reuben Vantassel's, by way of Foster's Mill.

The sum of fifteen pounds for the road from William Morrel's to Thomas Ellison's, round the intervale.

The sum of fifteen pounds for the road between Oak Point and Cross Roads near James Wilson's.

The sum of ten pounds for the road leading from the Washademoak Lake to the back Settlement, (Foster's,) between Grand Lake and Washademoak Lake, on line between John White's and James Mullin's.

The sum of ten pounds for the road from Charles Mastin's lower line to Samuel Nichol's upper line.

The sum of ten pounds for the road from Washademoak Lake to Cox's Mill, Grand Lake.

The sum of ten pounds for the old road leading from Washademoak Lake to Post Road, leading through Salmon Creek Settlement.

The sum of ten pounds for the raised way and Bridge near Vanwart's Mill.

The sum of ten pounds for a road on the line between Robert Golding's and John Murdock's to the Bald Hill Settlement.

The sum of ten pounds for the road leading from Long Creek on Washademoak Lake to Studholm's Mill Stream from Forks on east side of Murray's Mill to John Johnson's.

The sum of twenty pounds for the road from Shanahan Settlement road on south east side of Washademoak Lake to Lewis' Cove.

The sum of twenty pounds for the road leading from Timothy Shaw's to John Vanwart's.

The sum of ten pounds for the road from Newcastle through Hardwood Ridge, to remunerate Joseph M'Namara.

The sum of twenty five pounds for the road leading from Salmon River to the Hardwood Ridge.

The sum of twenty five pounds for two Bridges on Main Road from Fredericton to Saint John, one at G. Vanwart's and the other at John Smith's in the lower district of Hampstead.

The



The sum of fifteen pounds for the road leading through that part of Hampstead crossing the residence of John Smith and Fannen's Farm. Queen's County  
Bye Roads,  
Continued.

The sum of thirty pounds for the road from Yorkshire Road from Inches' Corner to King's County line.

The sum of twenty pounds for the road leading from William Clark's to New Jerusalem Settlement.

The sum of thirty pounds for the road from Scovil Robert's Corner to New Ireland Settlement.

The sum of ten pounds for the road leading from David Spete's on the George Lyon's road through the Hopewell Settlement to Henry Lyon's Bridge.

The sum of ten pounds for the road from Long's Creek to King's County line, English Settlement.

The sum of ten pounds for the road from Long's Creek to the M'Farlane Settlement.

The sum of ten pounds for the road from Murray's Saw Mill to the Johnson Settlement.

The sum of ten pounds for the road from Hutchison's Irish Settlement to Murray's English Settlement.

The sum of ten pounds for the road from Palmer's Creek to Heal's English Settlement.

The sum of ten pounds for the road from Salmon Creek road to Long's Creek.

The sum of ten pounds for the road from the Forks of New Canaan to M'Donald's Mill, on North side of the Stream.

The sum of fifteen pounds for the road between M'Donald's and Humphrey's Mill Brook.

The sum of ten pounds for the road from Hugh Quin's Corner, on Gagetown Road, to King's County line, by way of Polly's Corner.

The sum of fifteen pounds for George Lyon's road from County line to Nerepis Stream.

The sum of thirty pounds for the road from Corner of George Dunn's Lot on Gagetown Road, to the Nerepis Road above Gillan's.

The sum of ten pounds for the new piece of road on west side of Grand Lake, across lands occupied by David Palmer.

The sum of fifteen pounds for the road leading from the Gagetown Road to the line through New Ireland.

The sum of fifteen pounds for the road from Lownsberry's Ferry to the Military Road.

The sum of fifteen pounds for the Bridge and repairs on road leading from Dingie's Mill to Simpson's farm.

The sum of ten pounds for the road from mouth of Long Creek to Obadiah Starkey's.

The sum of ten pounds for the road from James Starkey's to Samuel Coles'.

The sum of ten pounds for the road from John Seacord's to Samuel Coles'.

The sum of ten pounds for the road from John Seacord's to Charles Vincent's.

The sum of twenty pounds for the road from Thomas Hamm's to Patrick M'Lally's.

The sum of thirty pounds for the road from Coles' Island to Donald M'Donald's.

The sum of forty pounds for the Main Road from Alexander Clark's to Newcastle Mills.

The sum of five pounds to Peter Yeamans, to remunerate Michael Dillon for work performed last year on a Hill near William Robertson's.

Queen's County  
Bye Roads,  
Continued.

The sum of fifteen pounds for the road leading from Cox's Point to the Beaver Pond.

The sum of ten pounds for the Bridge over the Slough.

The sum of five pounds for the road from the School House to Cumberland Bay on Richard Barton's lower line.

The sum of ten pounds for the road from Syphers' Pond to Little River.

The sum of ten pounds for the road leading from Newcastle Ferry at Baillie's, to connect it with the road leading from Grand Lake to Newcastle Mills.

The sum of ten pounds for the road leading from Cox's Mill through the back Settlement by Samuel Knight's, intersecting the Great Road leading from Washademoak to Jemseg.

The sum of seventy five pounds for the road from Jemseg to Coal Creek, on the line explored by John Earl, by Cumberland Bay Bridge.

The sum of fifteen pounds for the road in Young's Cove, leading from Wiggins' Mill up Young's Creek.

The sum of fifteen pounds for the road at upper range on south side of Grand Lake from Arthur Branscomb's upper line to Conrad Miller's lower line.

The sum of fifteen pounds for the road from George Burk's to the Ferry at Coal Creek.

The sum of ten pounds for the road from Cumberland Bay Stream.

The sum of ten pounds for the road from the old road at George Earle's Lot to Bald Hill Settlement.

The sum of twenty pounds for the road leading from Cumberland Bay Bridge to Lacky's.

The sum of ten pounds for the road leading from David Elder's, on the George Lyon's road through Jackson Settlement, to the Jerusalem Settlement.

The sum of twenty pounds for the road leading from Parks' Corner to Burgis' Corner on New Jerusalem road, by William Redston's Grist Mill.

The sum of five pounds for the road from New Church to Grand Point, Grand Lake.

The sum of twenty pounds for the road from the Church on the Gagetown road to Gillan's, Nerepis.

The sum of thirty pounds towards a Draw Bridge at Duck Creek.

The sum of ten pounds for completing the Causeway near Samuel Scovil's.

The sum of fifty pounds for the road from Little River to New Ireland.

The sum of twenty pounds for the road from Beaver Dam Bridge, London Settlement, to John Van Wart's.

The sum of ten pounds for the Cross road near Gersham Clark's to the Cross road leading from the Maquapet Lake to the Grand Lake, near Joseph Carle's.

The sum of thirty pounds for improving the road at the Hill near Ocnabog Bridge.

The sum of ten pounds for the road from Gagetown road to the Nerepis road, by way of Gabriel Fowler's.

The sum of ten pounds for the road from John Thompson's to Charles Thorn's Salmon Creek.

The sum of fifteen pounds for the road from Wiggin's Mill, Young Cove, to Washademoak.

The sum of ten pounds for the road from William Perry's to Isaac Worden's.

The sum of thirty pounds for the road from Vail's to Nerepis.

The sum of thirty pounds towards completing the Public Landing below Gagetown, and making the road therefrom.

The

The sum of twenty four pounds for the road leading from the Nerepis road to the Sunbury line, through the Coram and Trafton Settlement.

Queen's County Bye Roads, Continued.

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 Commander in Chief, 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 sum of money is 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 up 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 so to be performed, and also the place, day and hour when and where the same will be let at 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 the said Commissioners to agree with fit and proper persons to perform the same by days labour, provided that in no case shall more than one quarter part of any grant be so expended; and the said Commissioners shall severally keep an exact account of the expenditure of such monies, and shall produce receipts in writing from the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payment, and render an account thereof upon oath, (which oath any of the Justices of the Peace in the several Counties is hereby authorized to administer,) to be transmitted to the Secretary's Office, to be laid before the General Assembly at the next Session.

Money to be expended under the direction of Commissioners appointed by the Governor with advice of Council.

Duty of Commissioners in expending money.

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 payment may be made at the same, by warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, for which warrants no fee or deduction shall be demanded or taken from the persons in whose favour they may issue.

Money to be paid by the Treasurer by Warrant.

IV. And be it enacted, That the said Commissioners intrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble be allowed to retain at and after the rate of five per centum, out of the said sums so intrusted to them respectively, together with a reasonable compensation for actual work and labour performed by them on the said several roads and bridges.

Compensation to Commissioners.

V. And be it enacted, That the said Commissioners shall expend the 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, stumps, trees or other obstructions.

Money to be expended before the first of October.

VI.

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 said roads, unless such alteration shall have been first duly laid out and recorded.

CAP. VI.

9 and 10 G. 4, c. 27.

An Act to continue an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence."

Passed 23d March 1839.

9 and 10 G. 4, c. 27, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth and tenth year of the Reign of His Majesty King George the Fourth, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence," be and the same is 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 five.

CAP. VII.

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

Passed 23d March 1839.

50 G. 3, c. 31.

3 G. 4, c. 7, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fiftieth year of the Reign of His Majesty King George the Third, intituled, "An Act to provide for the erection of Fences with Gates across Highways leading through Intervale lands in Queen's County and the County of Sunbury, where the same may be found necessary;" and also an Act passed in the third year of the Reign of His Majesty King George the Fourth, to extend the provisions of the same to King's County, be and the same are hereby further 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 five.

CAP. VIII.

An Act to continue an Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland.

Passed 23d March 1839.

4 G. 4, c. 21 continued.

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 His Majesty King George the Fourth, intituled "An Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland," be and the same is 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 forty five.

CAP. IX.

An Act to continue an Act, intituled "An Act to authorize the extension of the Gaol Limits in the City and County of Saint John." 8 W. 4, c. 13.

Passed 23d March 1839.

**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 His late Majesty William the Fourth, intituled "An Act to authorize the extension of the Gaol Limits in the City and County of Saint John," be and the same is 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 five. 8 W. 4, c. 13. continued.

CAP. X.

An Act to continue the Act relating to Parish Schools.

Passed 23d March 1839.

**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 His late Majesty King William the Fourth, intituled "An Act to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same," be and the same is hereby continued and declared to be in force for the period of four years. 7 W. 4, c. 8, continued.

CAP. XI.

An Act to repeal the Act establishing the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for the enlarging the times of the Sittings of the said Courts, and for making other and better regulations concerning the same.

*Repealed by 10 Vic  
Cap 47*

Passed 23d March 1839.

**W**HEREAS the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland have been found inconvenient; Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of His Majesty King George the Fourth, intituled "An Act for altering the times of holding the Court of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the times of the Sittings of the said Courts," be and the same is hereby repealed. 2 G. 4, c. 11, repealed.

II. And be it further enacted, That the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of Northumberland, shall be hereafter holden on the second Tuesday in January and the second Tuesday in July in each and every year, instead of the third Tuesday in March and the fourth Tuesday in August, as heretofore established; and that the additional Terms of the Inferior Court of Common Pleas in the said County heretofore holden on the second Tuesday in June and the first Tuesday in November, shall be hereafter holden on the first Tuesday in May and the first Tuesday in October in each and every year, any law, usage or custom to the contrary notwithstanding. Terms altered to the second Tuesdays in January and July;

III. And be it further enacted, That it shall and may be lawful for the said Court Additional Terms to the first Tuesdays in May and October.

Justices may extend the January and July Terms to the next succeeding week.

Causes may be then determined.

No trials to be had at adjourned Sittings.

Teste and Return days to remain in the Terms as formerly.

No process to abate by reason of the alteration.

Court of General Sessions of the Peace and Inferior Court of Common Pleas in the said County, at the Terms so to be holden on the second Tuesday in January and the second Tuesday in July in each and every year, or either of them, if the Justices of the said Courts respectively shall deem the same expedient, to adjourn the Sittings of the said Courts or either of them, to the week next succeeding the said Terms respectively; and that all causes and matters heard and determined on any day during the week next succeeding the said Terms respectively, pursuant to such adjournment, shall have the same and the like force and effect to all intents and purposes as if such causes and matters had been heard and determined at any time during the said Terms respectively, and that all parties concerned shall take due notice of such adjournment from time to time respectively and govern themselves accordingly; provided that no trial of any issues by Jury shall be had at any such adjourned Sittings, any thing herein contained notwithstanding.

IV. Provided also and be it further enacted, That the days of the teste and return of all writs in the said Courts shall be and remain in each respective term as heretofore accustomed and established, any thing in this Act to the contrary thereof in any wise notwithstanding.

V. And be it further enacted, That no process shall abate or other business of what nature or kind soever be discontinued by reason of the said alterations of the said Terms, but shall and may be proceeded upon, heard and determined at the times herein appointed, in the same manner as they might have been proceeded upon had no alteration been made. Provided always, and be it enacted, that this Act shall not go into operation or be in force until after the last day of the next Court of General Sessions and Inferior Court of Common Pleas to be holden for the County of Northumberland on the third Tuesday in March next, any thing in this Act to the contrary in any wise notwithstanding.

## CAP XII.

An Act to continue an Act, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court."

*Passed 23d March 1839.*

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court," be and the same is hereby continued until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

6 W. 4, c. 14, continued.

## CAP XIII.

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

*Passed 23d March 1839.*

**W**HEREAS it is necessary that a Court House and Gaol should be erected in the County of Restigouche:

Justices in Sessions authorized to contract for

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the said County, at any General Sessions of

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 authorised and empowered to make a rate and assessment of a sum not exceeding twelve hundred and fifty 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 proportion and in such manner as any other County rate can or may be assessed, levied, collected and paid, under and by virtue of any Act or Acts in force in this Province, for assessing, levying and collecting rates for public charges.

building Court House and Gaol,

And assess for not exceeding £1,250.

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.

Five Justices may constitute a Special Session for the purposes of this Act.

CAP. XIV.

An Act to amend an Act, intituled "Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company."

Passed 23d March 1839.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the fifth section of an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company," as requires the bonds or other securities given for the payment of the residue of the capital stock of the said Corporation to be renewed at least as often as once in every year, and also so much of the thirty third section of the said recited Act, as requires the bonds or other securities that may be given for the payment of the residue of any additional shares of the capital stock that may at any time hereafter be created by virtue of the provisions of the said recited Act, to be renewed in like manner, at least as often as once in every year, be and the same are hereby repealed; and in lieu thereof

So much of 7 W. 4, c. 54 as requires Bonds for residue of Capital, &c. to be renewed annually, repealed.

II. Be it enacted, That the said bonds and other securities of what nature or kind soever already taken or hereafter to be taken for the payment of the residue of the said capital stock, as well as those which may hereafter be taken for the payment of the residue of the said additional shares, and all and every and any of them shall from time to time be renewed or changed, and such further or other security or securities for the same be given, as the Directors of the said Corporation or a majority of them shall from time to time require; and in case of any refusal or delay to renew or change any such security or securities, and to give and grant other and further security or securities therefor to the satisfaction of the said Directors or a majority thereof, within thirty days after notice thereof given, then and in such case it shall and may be lawful to and for the said Directors or a majority of them to cause such proceedings both in law and equity, or either, as may be deemed requisite, to be taken for the recovery of the amount of such several and respective securities, or it shall and may be lawful to and for the said Directors or a majority of them, if they shall think fit, to declare the shares in the capital stock of the said Corporation, for the amount of the residue of which such security

Bonds for residue of Capital Stock and additional Shares to be renewed or changed as the Directors may require.

In case of refusal or neglect legal proceedings may be had or Shares be forfeited and sold.

security or securities shall have been given, forfeited to the said Corporation, together with all deposits, instalments, interest, profits or dividends thereto belonging or appertaining; and that such stock so forfeited shall be sold by public auction for and on account of the said Corporation, and the purchaser or purchasers thereof shall give such security or securities for the payment of the amount due to the said Corporation, on account of such forfeited shares at the time of such forfeiture, as is herein before provided, and shall likewise be subject to all the provisions of this Act, and of the said recited Act to which this is an amendment, any thing therein contained to the contrary notwithstanding.

7 W. 4, c. 54, sec. 25, 29, 30 and 39, repealed.

III. And be it enacted, That the twenty fifth, twenty ninth, thirtieth and thirty fifth sections of the said recited Act be and the same are hereby repealed.

20 Stockholders, proprietors of 500 Shares, may call general meetings for other purposes than a dissolution.

IV. And be it enacted, That any number of Stockholders not less than twenty, who together shall be proprietors of at least five hundred shares, shall have power at any time by themselves or their proxies to call a general meeting of the Stockholders for any purpose relating to the business of the said Corporation, other than a dissolution thereof, giving at least thirty days notice in two of the newspapers published in this Province, and specifying in such notice the time and place of such meeting, with the objects thereof, and the Directors or any five of them shall have the like powers at any time, upon observing the like formalities, to call a general meeting as aforesaid.

Five Directors to have the like power.

30 Stockholders, Proprietors of 1000 Shares, may call a general meeting to dissolve the Corporation.

V. And be it enacted, That any number of Stockholders not less than thirty, who together shall be proprietors of one thousand shares in the capital stock of the said Corporation, shall have the power at any time by themselves or their proxies to call a general meeting of the Stockholders for the purpose of taking into consideration the propriety of dissolving the said Corporation, giving at least three months previous notice in two or more of the newspapers published in this Province, and specifying in such notice the time and place of such meeting with the objects thereof, and should it be agreed upon at such meeting that the said Corporation should be dissolved, such Stockholders are hereby authorised and empowered to take all legal and necessary ways and means to dissolve the said Corporation, and upon such or any other dissolution of the said Corporation the Directors then in office shall take immediate and effectual measures for closing all the concerns of the said Corporation, and for dividing the capital and profits or loss which may remain among the Stockholders in proportion to their respective interests.

Annual General Meeting to be held on second Monday in July.

VI. And be it enacted, That so much of the seventh and twenty seventh sections of the said Act as appoints the general meeting of the Stockholders and members of the said Corporation to be held on the second Monday in April in each and every year, be and the same is hereby repealed, and in lieu thereof, be it enacted that there shall be a general meeting of the Stockholders and members of the said Corporation held on the second Monday of July in each and every year, for the purposes set forth in the said seventh and twenty seventh sections of said Act.

Limitation.

VII. And be it enacted, That this Act shall continue and be in force for and during the continuance of the said recited Act and no longer.



A. D. 1839.

2<sup>o</sup> VICTORIÆ.

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CAP. XV.

*Repealed by 13 recs 57*

An Act to erect the Eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish.

Passed 23d March 1839.

**W**HEREAS great inconvenience is found to exist in consequence of the 'extended bounds and increased population of the Parish of Portland: 'And whereas it is expedient to erect a separate Parish in the same; Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the said Parish lying to the eastward of a line running due south from the head of Portage Cove, so called, until it meets the northwest branch of the Marsh Creek, thence following the centre of the said Creek, until it comes opposite Black Point, thence at right angles easterly, until it meets the eastern line of the Marsh road, so called, thence southerly, following the eastern line of the said Marsh road and of the road which passes along the front of Walker Tisdale's Stone Cottage and a prolongation of the said last mentioned line, until it strikes the Creek running through the Flats, thence following the said Creek to low water mark, be and the same is hereby erected into a separate and distinct Town or Parish, to be known and distinguished by the name of the Town or Parish of *Simonds*. Parish of Simonds erected from part of Portland.

II. And be it further 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 *Simonds*, in the same manner as for other Towns or Parishes within the said County, and also that the said Justices may, at any Special Session, for that purpose to be holden, have power and authority to appoint such Officers for the present year, 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 Town or Parish Officers within the said County. Parish Officers to be appointed.

CAP. XVI.

An Act to authorise the President and Directors of the Public Grammar School in the City of Saint John, to grant Leases with Covenants for renewal.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the President and Directors of the Public Grammar School in the City of Saint John, and their successors, shall be and they are hereby fully authorized and empowered to make and grant any Lease or Leases of any Land now belonging, or which may hereafter belong to them, in the said City, or any part or parts thereof, for such term or terms of years, and with such covenants for renewing the same at the expiration of the term and granting a further Lease or Leases thereof to the lessees or their assigns, and with such other covenants, conditions and provisos, as to them may appear expedient and for the advantage of the said Corporation; and that every such Lease so to be made and granted by the said President and Directors with covenants for renewal therein inserted, shall be good, valid and effectual in the law, and binding on the said Corporation, their successors and assigns. Saint John Grammar School Corporation authorized to grant leases of their lands with covenants for renewal.

II. Provided always and be it further enacted, That in every such Lease so to be made and granted by the said President and Directors, or their successors, a fair A fair adequate yearly rent payable half-yearly, to be reserved.

fair adequate yearly rent shall be reserved payable by half yearly payments to the said President and Directors and their successors during the continuance of the original term for which such may be granted, and any renewal or extension thereof.

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CAP. XVII.

An Act to authorize the Justices of the Peace in and for the City and County of Saint John to make compensation to the Assessors of Taxes for the City of Saint John for the year one thousand eight hundred and thirty eight.

*Passed 23d March 1839.*

Preamble.

1 Vict., c. 7.

**W**HEREAS by the fourth section of an Act made and passed in the first year of the Reign of our Sovereign Lady the Queen, intituled "An Act to provide for the better Assessment of County and Parish Rates," it is among other things provided, that the Assessors of Rates for the several Towns and Parishes shall within sixty days after receiving the Warrant of Assessment, deliver to the Collectors of Rates within their respective Towns and Parishes, a list containing the names of all the parties rated within their several districts with the several amounts to be collected from every such person; and by the fifth section of an Act made and passed in the seventh year of the Reign of His late Majesty, intituled "An Act to provide for the collection of County and Parish Rates," it is provided, that no Assessors shall be allowed a per centage unless the provisions of the said Act shall have been fully complied with: And whereas during the past year the labours to be performed by the Assessors of Taxes in the City of Saint John were so great as to prevent a strict compliance with the requisites of the said Act, and the Assessors have thereby become deprived of any legal right to remuneration for the arduous duties performed by them; for remedy whereof,

Justices in Sessions authorized to compensate the Assessors of Taxes for the past year.

Not to exceed five per cent. on amount ordered to be assessed.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful to and for the Justices of the Peace, in and for the City and County of Saint John, in General Sessions assembled, to make an order for the payment of due compensation to the Assessors of Taxes in the said City for the past year, out of the monies levied, raised and collected for that purpose, in the same manner as if the said Assessors had in every respect strictly complied with the provisions of the said Acts; provided that no greater rate per cent. on the amount ordered to be assessed shall be allowed them than is provided for in the said Acts.

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CAP. XVIII.

An Act to incorporate the Saint John Mechanics' Institute.

*Passed 23d March 1839.*

Saint John Mechanics' Institute incorporated with privileges incident to Corporations by Act of Assembly.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there shall be established and located in the City of Saint John, an Association by the name of the Mechanics' Institute of Saint John, for the purpose of instructing Mechanics and others in popular and useful science, and that Beverly Robinson, John Duncan, George D. Robinson, M. H. Perley, John G. Sharp, William Jack, Alexander Lawrence, and such other persons as are or may become members of the said Institute, shall be and they are hereby constituted a body corporate for that and no other purpose, by the name aforesaid, with all

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all the general powers and privileges incident to corporations by Act of Assembly in this Province; Provided always that the real estate which the said corporation may at any time hold shall not exceed five thousand pounds.

Real estate to be held limited to £5,000.

CAP. XIX.

*Repealed by 10 vic. cap. 11*

An Act to divide the County of Restigouche into five Towns or Parishes and to define the boundaries thereof.

Passed 23d March 1839.

WHEREAS it is expedient to divide the County of Restigouche into five 'Towns or Parishes;'

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the County of Restigouche shall be and the same is hereby divided into five Towns or Parishes, which Towns or Parishes shall be and hereby are named and bounded in the manner hereinafter mentioned and described, any law to the contrary notwithstanding: The first Town or Parish to be called, known, and distinguished by the name of *Durham*, and to be abutted and bounded as follows, commencing at the point or place where the line which separates the County of Gloucester from the County of Restigouche, strikes the Bay de Chaleur, thence following the course of the said Bay north westerly, until it comes to the mouth of Benjamin River at midchannel, thence on a course due south until it strikes the northern boundary of the County of Gloucester, thence by the boundary of the County of Gloucester to the place of beginning: The second Town or Parish to be called, known and distinguished by the name of *Colborne*, and to be abutted and bounded as follows, commencing at the mouth of Benjamin River, at the western boundary of the Parish of Durham aforesaid, thence following the several courses of the Bay de Chaleur up to the middle of the mouth of Eel River, including Heron Island, and the several Islands in front and situate on the south side of the Bay de Chaleur, thence due south to the rear line of the County of Restigouche, thence easterly by the said rear line until it strikes the western line of the Parish of Durham aforesaid, and thence due north to the place of beginning: The third Town or Parish to be called, known and distinguished by the name of *Dalhousie*, commencing at the western boundary of the said Parish of Colborne at the mouth of Eel River aforesaid, thence following the several courses of the Bay de Chaleur up to the Town of Dalhousie, thence by the several courses of the Restigouche River, up stream to the middle of the mouth of Walker's Brook or Ferguson's Mill Stream, so called, thence by a line drawn due south (through the middle of the mouth of the said stream at the Bridge on the Great Road) until it strikes the rear line of the County of Restigouche, thence easterly by said rear line until it strikes the western line of the Parish of Colborne aforesaid, and thence due north to the mouth of Eel River at the place of beginning; The fourth Town or Parish to be called, known and distinguished by the name of *Addington*, commencing at the middle of Walker's Brook, or Ferguson's Mill Stream, on the western boundary of the Parish of Dalhousie, thence following the several courses of the Restigouche River, up stream, to the middle of the mouth of the Upsalquitche River, thence by a line drawn due south until it strikes the rear line of the County of Restigouche, thence easterly by said rear line until it strikes the western line of the Parish of Dalhousie aforesaid, and thence due north to the middle of Walker's Brook or Ferguson's Mill Stream aforesaid, at the place of beginning: The fifth Town or Parish to be called, known and distinguished by the name of *Eldon*, and

County of Restigouche divided into five Towns or Parishes, named and described as

*Durham.*

*Colborne.*

*Dalhousie.*

*Addington.*

*Eldon.*

to

to be abutted and bounded as follows, commencing at the westerly line of the said Parish of Addington, at the middle of the mouth of the Upsalquitche River aforesaid, thence following the several courses of the Restigouche River, up stream, until it strikes the eastern boundary of the County of Carleton, thence southerly by the said easterly line of the County of Carleton to the rear line of the County of Restigouche, thence following the said rear line easterly until it intersects the western line of the Parish of Addington aforesaid, and thence due north to the middle of the mouth of the Upsalquitche River, at the place of beginning.

Act to come into operation on 7th January, 1840.

II. And be it enacted, That this Act shall not come into operation until the seventh day of January which will be in the year of our Lord one thousand eight hundred and forty.

CAP. XX.

*Repealed by 10 Vic. c. 10*

An Act to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland.

Passed 23d March 1839.

*County of Northumberland  
1839*

Tax imposed on Dogs kept on the front lots in Chatham, between Clark's Cove and Saint Andrews Church.

Rate.

Collector to be appointed by the Justices in Session,

Sworn and liable to penalty for neglect.

Owners to affix Collars with their names on their Dogs.

Penalties.

Tax to be collected on and after the first of June, and

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the first day of May next there be imposed and levied the following tax or duty yearly and every year on all Dogs which shall or may be owned or kept by any person residing on the Front Lots in the Parish of Chatham, which lie between Clark's Cove and Saint Andrews Church, (that is to say,) for one Dog (provided the person keeps but one,) the sum of five shillings; for two Dogs owned or kept by one person, in or about the same house, the sum of fifteen shillings; for three or more Dogs owned or kept by one person, or in or about the same house, the sum of thirty shillings; the said tax or duty to be paid by the person owning or keeping such Dog or Dogs.

II. And be it further enacted, That the Justices of the Peace for the said County of Northumberland at their General Sessions or any Special Sessions to be for that purpose holden, be and they are hereby authorised and required to appoint a fit person to be a Collector of Dog Tax in the said Parish of Chatham, who shall be sworn to the faithful discharge of his duty, and shall be liable to all the pains and penalties for neglect of duty or refusal to serve as any other Town or Parish Officer or Officers are now liable to by the laws now in force.

III. And be it further enacted, That it shall be the duty of all persons residing within the limits prescribed in the first Section of this Act, and who shall own or keep any Dog or Dogs, to affix a Collar on the neck of each and every such Dog with the name of the owner or keeper plainly and legibly marked thereon; and that all Dogs found going at large within the limits aforesaid, and owned or kept by any person or persons residing within the same, after the said first day of May next without such Collar and name as aforesaid, shall be liable to be killed and destroyed by the said Collector of Dog Tax, or by any Constable of the said Parish; provided always that in case the owner or keeper of such Dog or Dogs so found going at large as aforesaid without such Collar and name, contrary to the true intent and meaning of this Act shall be known, that then he or she shall be liable to pay a fine of ten shillings (in addition to the tax) to be recovered and applied as hereinafter mentioned.

IV. And be it further enacted, That the said Collector of the said Dog Tax shall and he is hereby required on the first day of June in each and every year, and

and as often thereafter as may be necessary to proceed to the collection of the tax imposed by this Act; and in case the said tax be not paid to the said Collector within six days after the same shall have been demanded, that then the said Collector shall and he is hereby required in his own name to sue for and recover the same with costs by action of debt, before any one of Her Majesty's Justices of the Peace for the said County of Northumberland; and the said tax, when collected, shall be paid into the hands of the Overseers of the Poor for said Parish, and to be applied by them towards the support of the poor of the said Parish; such Collector retaining for his trouble at and after the rate of twenty per cent. on all such sums actually collected.

on default for six days after demand party liable may be sued.

Application of tax.

Compensation to Collector.

V. And be it further enacted, That the said Collector of the said Tax shall annually render an account to the Justices at the first annual General Sessions of the Peace to be holden in and for the County of Northumberland, of his collections so to be made as aforesaid, which account shall be audited by the said Justices, and the said Collector shall be liable to all the pains and penalties for neglect or refusal to account for or pay over the monies so to be collected by him, as any Collector of duties is made liable to by the laws now in force.

Collector to account annually to the Sessions.

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

Limitation.

CAP. XXI.

*Repealed 19th Mar 1851*

An Act to erect a part of the Parish of Wickham, in Queen's County into a separate and distinct Town or Parish.

Passed 23d March 1839.

**WHEREAS** the Town or Parish of Wickham is so extensive as to render it inconvenient and burthensome to perform the several Parochial duties required by law, and it is expedient that a separate Parish should be erected therein;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part and parcel of the said Parish of Wickham situate, lying and being to the north east of a line as follows: commencing on the south east line of the Parish of Waterborough at the point where the said line is intersected by the north west prolongation of the divisional line between lot number six, granted to Archelaus Carpenter, and lot number seven, granted to Abigail Brigg, thence running along the said prolongation and line south easterly till it strikes the Washademoak Lake, thence across the said Lake in right line to the landing on the south east side of Washademoak Lake at Watson's Ferry, thence following the centre of the Post Road leading to Bellisle until it meets the King's County line, be and the same is hereby erected into a separate Town or Parish, to be called the Parish of *Johnston*.

Parish of *Johnston* erected from part of Wickham.

II. And be it further enacted, That the Justices of the Peace for the said County are hereby authorized and empowered to appoint, annually, from time to time, Officers for the said Town or Parish of *Johnston*, in the same manner as for other Towns or Parishes within the said County; and also that the said Justices may at a Special Sessions for that purpose to be holden, have power and authority to appoint such Officers for the present year; 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.

Parish Officers to be appointed.

Act not to interfere with the recovery of Assessments ordered.

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

CAP. XXII.

An Act to authorize the Justices of the Peace for the County of Charlotte to levy an assessment for the building a new Court House in the said County.

Passed 23d March 1839.

Justices in Sessions or a Committee of Management appointed by them, empowered to contract for building a new Court House.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte or the major part of them, at any General Sessions of the Peace, be and they are hereby authorized and empowered by themselves, or by any Committee of Management to be by them appointed for that purpose, to contract and agree with able and sufficient workmen for erecting, building and finishing a new Court House in the said County, and to agree for such sums of money as to them may seem meet in order to carry this object into effect; provided that the sum for which such contract shall be taken shall not exceed the sum of one thousand two hundred pounds; and the said Justices, or the major part of them, at their General Sessions as aforesaid, are hereby authorized and empowered to make a rate and assessment upon the inhabitants and others of the said County for a sum not exceeding six hundred pounds, towards defraying the expense of such building and erection.

Contract limited to £1,200.

Assessment may be made for £600.

Assessment to be made agreeably to Acts in force.

II. And be it further enacted, That the said sum of six hundred pounds so to be assessed, shall be assessed, collected and paid agreeably to any Act or Acts in force for the assessing, collecting and levying of County Rates, either in the whole or in such parts and portions as to the said Justices shall seem meet.

CAP. XXIII.

to G. 3, c. 13.

An Act to alter and amend an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick."

Passed 23d March 1839.

Preamble.

**WHEREAS** it is thought advisable that the Stockholders of the Bank of New Brunswick should have power and authority to reduce the number of the Directors of the said Bank necessary to form a Board for the transaction of business;

Stockholders authorized to reduce the number of Directors to five.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Stockholders and Members of the said Bank by themselves or their proxies, present at any annual meeting of the same, by majority of votes, be and they are hereby authorized and empowered to reduce the number of Directors of the said Bank necessary to constitute a Board for the transaction of business; provided however that the number of persons composing said Board shall not be less than five.

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CAP. XXIV.

An Act to amend an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank." 6 W. 4, c. 56.

Passed 23d March 1839.

WHEREAS it is deemed expedient that the number of Directors of the said City Bank should be reduced;

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 His late Majesty King William the Fourth, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank," be and the same is hereby repealed.

6 W. 4, c. 56, sec. 5, repealed.

II. And be it further enacted, That there shall be a general meeting of the Stockholders and Members of the Corporation of the said City Bank, to be annually holden on the first Tuesday in May in each and every year at the City of Saint John, at which annual meeting there shall be chosen by a majority of the said Stockholders and Members of the said Corporation, nine Directors, who shall be resident in the City or County of Saint John, and continue in office for one year, or until others are chosen in their stead; in the choice of which Directors the Stockholders and Members of the said Corporation shall vote according to the Rule mentioned in the said Act; and the Directors when chosen shall at their first meeting after their election, choose out of their number a President: Provided always, That three of the Directors in office shall be re-elected at such annual meeting for the next succeeding twelve months, of which the President shall always be one.

Annual General Meeting to be held on the first Tuesday in May.

Nine Directors to be then chosen.

Directors to choose a President.

Three Directors to be re-elected.

CAP. XXV.

An Act in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the City Bank."

6 W. 4. c. 56

Passed 23d March 1839.

WHEREAS it is deemed expedient that the Stockholders of the said City Bank be authorised and empowered to join any other Chartered Bank or Banks of this Province, and also to close the concerns of the said City Bank, and to surrender their charter;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the President, Directors and Company of the said City Bank, shall and may at any time hereafter close the concerns of the said City Bank, and by at least ninety days notice, to be published in any two or more of the public newspapers in the City of Saint John, to declare the said City Bank to have ceased, and that the said Act incorporating the said City Bank shall in such case be deemed, and taken, and adjudged to have been repealed and cancelled by the Provincial Legislature, from and after the expiration of the said ninety days mentioned in such notice.

Corporations empowered to close the concerns of the City Bank.

II. And be it further enacted, That the Stockholders of the said City Bank, shall and may at any time hereafter, if they see fit, join the Capital Stock of the said City Bank to the Capital Stock or Stocks of any other Chartered Bank or Banks of this Province, and that in such case the Capital Stock of the said City Bank shall become part and parcel of the Capital Stock of the Bank into which it shall by such junction so become merged: Provided that the provisions of this Act shall

Stockholders of the City Bank may join its Capital to that of any other Chartered Bank.

Provisions of this Act not to take effect except by the

order of a majority of the Stockholders at a meeting representing at least three-fourths of the Shares.

shall not take effect except by the order of a majority of the Stockholders of the said City Bank, present at a meeting to be held at any time hereafter, agreeably to the terms of the said Act of incorporation, representing at least three-fourths of the shares of the said Stockholders.

CAP. XXVI.

60 G. 3, c. 13.

An Act in addition to an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick."

Passed 23d March 1839.

6 WHEREAS it is considered expedient that an union should take place 'between the Bank of New Brunswick, and the City Bank;'

Capital Stock of the City Bank may be received into the Capital of the Bank of New Brunswick, and when so received, both Banks to be united under the name of the President, Directors and Company of the Bank of New Brunswick, and as such subject to the provisions of the Acts 6 W. 4, c. 18, 5 W. 4, c. 33, 6 W. 4, c. 37.

2 Dec - 1. 23  
3 " c. 35

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the President, Directors and Company of the Bank of New Brunswick, shall and may, at any time hereafter, (if an arrangement for that purpose can be effected,) receive into the Capital Stock of the said Bank of New Brunswick the Capital Stock of the City Bank, in the City of Saint John, which Capital Stock of the said City Bank shall, when so received, become and be part and parcel of the Capital Stock of the said Bank of New Brunswick; and the said Bank of New Brunswick and the said City Bank shall then and from thenceforth be united into one Bank, under the name of the President, Directors and Company of the Bank of New Brunswick, and as such be subject to the provisions of the said Act incorporating the said Bank of New Brunswick, and also to the provisions of an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act relating to Corporations," and also to the provisions of a certain other Act made and passed in the same year of the Reign of His said late Majesty, intituled "An Act to prescribe certain general regulations in respect to Corporations," and also to the provisions of an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the further increase of the Capital Stock of the Bank of New Brunswick, and to amend and continue the Act for incorporating the said Bank," and also to such rules and regulations for the good order and government of the said Bank of New Brunswick as have already been made, or may hereafter be made, agreeably to the said Act incorporating the said Bank of New Brunswick, and to the said Act made in the sixth year of the Reign of King William the Fourth for increasing the Capital Stock of the same Bank: Provided always, that the whole amount of the Capital Stock of the same Bank, when increased under the provisions of this Act, shall not exceed the amount to which the Stockholders of the same Bank, are authorized to increase the Capital Stock thereof, by the provisions of the said last mentioned Act, passed in the sixth year of the Reign of King William the Fourth, that is to say, the sum of one hundred thousand pounds; And provided also, that the increase of the Capital Stock of the same Bank, made under the provisions of this Act, shall be deemed and taken *pro rata*, to be in lieu of any increase of such Capital Stock under the provisions of the said last mentioned Act of the sixth year of the reign of King William the Fourth.

Proviso.

Officers of Bank of New Brunswick to be Officers of the united Banks until annual election.

II. And be it further enacted, That when an union of the said Bank of New Brunswick and the said City Bank shall be effected, agreeably to the first Section of this Act, the persons then in office, as the President and Directors of the said Bank of New Brunswick, shall continue in office as such, and be and act as the President and Directors



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Directors of such united Bank until the next annual election of Officers shall take place agreeably to the said Act incorporating the said Bank of New Brunswick; Provided that the provisions of this Act shall not take effect, except by the order of a majority of the Stockholders of the said Bank of New Brunswick, present at a meeting to be held at any time hereafter, agreeably to the terms of the said Act incorporating the said Bank of New Brunswick, at which meeting shall be represented at least three fourths of the shares of the said Stockholders.

Act not to take effect without the order of the Stockholders.

III. And be it further enacted, That all the Bonds, Bills, Notes or other securities, held by the said City Bank at the time of such union of the said two Banks, shall and may be transferred to and recovered by and in the name of the President, Directors and Company of the said Bank of New Brunswick; and the said President, Directors and Company of the said Bank of New Brunswick, shall be liable to and shall pay and discharge all Bonds, Bills, Notes or other securities given by the said City Bank, and outstanding at the time of such union: And the Stockholders of the said Bank of New Brunswick after the said union, shall be liable for the said last mentioned Bonds, Bills, Notes and other securities, in like manner as for any other debts due from the said Bank of New Brunswick.

The City Bank Securities to be transferred to the Bank of New Brunswick, which is to be liable to pay all Bonds, &c. given by the former.

*Continued to 15<sup>th</sup> 1839  
1<sup>st</sup> May 1855  
Cap? #*

CAP XXVII.

*Amended & ended by 4<sup>th</sup> 1839  
216*

An Act for the relief of old Soldiers of the Revolutionary War and their Widows.

Passed 23<sup>d</sup> March 1839.

**W**HEREAS it is deemed expedient that some provision should be made by law for such and so many of the Soldiers of the Revolutionary War in America as may be residing in this Province, and are in indigent or distressed circumstances, and also for indigent or distressed Widows of Soldiers who may have served in the same war;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the sum of ten pounds per year shall be paid to every old Soldier of such Revolutionary War, and to every Widow of any Soldier of such Revolutionary War, who, at the time of the passing of this Act, may be resident within this Province, and who is in distressed or indigent circumstances: Provided always, That such Widow shall have been married to such Soldier before the time of the passing of this Act, and shall also be a widow at the time of making her application as hereinafter mentioned.

£10 per annum granted to indigent Soldiers of Revolutionary War and their Widows.

II. Provided always, and be it further enacted, That whenever any application shall be made by any old Soldier under the provisions of this Act, in order to entitle himself to the aforesaid sum of ten pounds, he shall take an oath to be set down in writing, and shall subscribe his name or affix his mark thereto, which oath shall be in the form following, that is to say: " I A. B. of \_\_\_\_\_ in the County of \_\_\_\_\_, aged \_\_\_\_\_ years, do swear that I served in the Revolutionary War in America in the \_\_\_\_\_ Regiment (or as the fact may be), that I was attached to a Company commanded by \_\_\_\_\_, that I was lawfully discharged from the service, at \_\_\_\_\_ in the year \_\_\_\_\_, that I now reside at \_\_\_\_\_, in the County of \_\_\_\_\_, and that I did actually reside in this Province at the time of the passing of an Act made in the second year of the reign of Her Majesty Queen Victoria, intituled ' An Act for the relief of old Soldiers of the Revolutionary War and their Widows,' and that I am not directly or indirectly in the receipt of any pension from Her Majesty's Government, and that I am in indigent circumstances, having no sufficient property by or from which I can support or maintain myself, \_\_\_\_\_ and \_\_\_\_\_"

Form of oath to be taken by Soldiers applying under this Act.

“ and that I have not put out of my hands, power or disposal any property in order to secure or provide for my support or maintenance.”

Form of oath to be taken by Widows.

III. Provided also and be it further enacted, That whenever any application shall be made by any Widow of a Soldier of the Revolutionary War for relief under the provisions of this Act, in order to entitle herself to the aforesaid sum of ten pounds, she shall take an oath to be set down in writing, and shall subscribe her name or affix her mark thereto, which oath shall be in the form following, that is to say: “ I A. B. of            in the County of            , aged            years, do swear “ that in the year            at            I was lawfully married to            , who served as a “            in the Revolutionary War in America, that he was attached to the “ Regiment (*or as the fact may be*), that he died (*or was killed*) at            in the “ year            , that I now reside at            , in the County of            , that I did actually “ reside in this Province at the time of the passing of an Act made in the second “ year of the Reign of Her Majesty Queen Victoria, intituled ‘ An Act for the “ relief of old Soldiers of the Revolutionary War and their Widows,’ and that I “ was married to the said            before the passing of the said Act, and that I am “ now and have been for the last twelve months a Widow, and in indigent circum- “ stances, having no sufficient property by or from which I can support or main- “ tain myself, and that I have not put out of my hands, power or disposal any “ property, in order to secure or provide for my support or maintenance.”

Justices required to administer the oath, examine the party, and if satisfied endorse certificate on the affidavit.

IV. And be it further enacted, That any one of Her Majesty’s Justices of the Peace near to the place where the party applicant shall or may reside, is hereby authorized and required to administer the oath hereinbefore mentioned, and shall personally examine the party appearing before him to depose to the same; and if on such examination the said Justice shall be satisfied that the claim is just and fair, according to the true intent and meaning of this Act, he shall and may grant a certificate under his hand to be annexed unto or endorsed upon the said affidavit, setting forth that he has examined the deponent, and that he verily believes the several matters and things set forth in his or her affidavit are true.

Affidavit to be filed with the Clerk of the Peace to be submitted to the Sessions which is to settle all claims and certify to the Secretary’s Office.

V. And be it further enacted, That the said affidavit and certificate shall be filed in the office of the Clerk of the Sessions of the County in which the same shall be made, on or before the first day of the General Sessions of the Peace next ensuing the date thereof, at which term the said Clerk shall exhibit the same to the Justices then and there assembled, and the several Courts of General Sessions of the Peace in the respective Counties are hereby authorized and empowered to settle all claims for relief made under the provisions of this Act, on the affidavit and certificate hereinbefore required, and shall certify in a general schedule all such claims as they shall allow, and shall transmit the same to the office of the Secretary of the Province.

Authority given to draw on the Treasury.

VI. And be it further enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty’s Executive Council, to draw by warrant on the Treasury of the Province the amount of such Schedule in favor of the Clerk of the Peace of the County, to be by him paid and distributed to the respective claimants.

First payment to be for the year ending on the date of the affidavit.

VII. And be it enacted, That the first yearly sum applied for by any Soldier or Widow under the provisions of this Act, shall be for the year ending on the day of the making of the affidavit hereinbefore mentioned.

Proviso as to persons to whom special grants have been made.

VIII. Provided always and be it enacted, That no Soldier or Widow for whom any special grant may be made during the present Session of the General Assembly, shall be entitled to the benefit of the provisions of this Act until after the first day of November next, and then yearly from that period. IX.

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

*Cont<sup>d</sup> to 1845 by 4<sup>th</sup> vic. c. 23*

CAP. XXVIII.

An Act to authorize the Sale of Mortgaged Premises by the Court of Chancery, and directing the application of the proceeds thereof.

*Passed 23d March 1839.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever a Bill shall be filed in the Court of Chancery for the foreclosure or satisfaction of a Mortgage, the Court shall have power to decree a sale of the Mortgaged premises, or such part thereof as may be sufficient to discharge the amount due on the Mortgage and the costs of suit.

*Court may decree a sale of mortgaged premises on the filing of a Bill for foreclosure.*

II. And be it enacted, That all sales of Mortgaged Premises, under the decree of the Court of Chancery, shall be made by a Master under the direction of the said Court, and the conveyances shall be executed by such Master, which shall vest in the purchaser the same estate, and no other or greater, than would have vested in the Mortgagee if the equity of redemption had been foreclosed, and such deed shall be as valid as if the same were executed by the Mortgagor and the Mortgagee, and shall be an entire bar against each of them, and against all parties to the suit in which such decree for sale was made, and against their heirs respectively, and all claiming under their heirs: and every such conveyance having been first duly acknowledged or proved, according to the provisions of the Laws relating to the Registry of Deeds, may be registered in the Registry Office of the County where the lands lie, and such conveyance so registered, or a copy thereof, may be given in evidence in any Court of Law or Equity in this Province, in like manner with and under the same rules and restrictions as any other registered Deed, and when so given in evidence shall be deemed and taken to be evidence that all the proceedings on which such conveyance is founded were rightly had and done.

*Sales and conveyances to be made by a Master under direction of the Court.*

*Conveyances may be registered in the County Register, and when given in evidence to be evidence that all the proceedings were rightly had and done.*

III. And be it enacted, That the proceeds of every sale made under the decree of the Court of Chancery as aforesaid, shall be applied to the discharge of the debts adjudged by such Court to be due and of the costs awarded; and in case there shall be any surplus, it shall be brought into Court for the use of the Mortgagor or of the person who may be entitled thereto, subject to the order of the Court.

*Application of proceeds of Sales.*

IV. And be it enacted, That when any Bill shall be filed for the foreclosure or satisfaction of any Mortgage upon which there shall be due any interest or portion only of the principal, the Bill may be ordered to be dismissed, upon the defendants bringing into Court, at any time before the decree, the principal and interest due, with costs; and in case the same shall be brought into Court after a decree, and before a sale, further proceedings thereupon shall be stayed; but the decree shall stand as a security for such further sums as may thereafter fall due on the Mortgage, and upon any subsequent default of payment thereof, may be enforced by the further order of the Court for the sale of the Mortgaged premises, or of such part thereof as shall be necessary from time to time, until the amount secured by the Mortgage and the costs of the proceedings thereon, shall have been fully paid and satisfied.

*Proceedings on Bills for foreclosure of Mortgages on which there shall be due any interest or portion only of the principal.*

V. And be it enacted, That if in any of the foregoing cases it shall appear to

Court may order the sale of the whole mortgaged premises when considered most beneficial.

In cases of subsequent incumbrances the residue of the proceeds of sale to be subject to the claims of the holders.

All sales to be by public auction after due notice.

to the Court; that the Mortgaged premises are so situated that the sale of the whole will be most beneficial to the parties, the decree shall in the first instance be entered for the sale of the whole premises accordingly; and in such case the proceeds of such sale shall be applied as well to the payment of the amount due and of the costs of suit, as towards the residue of the sum not due at the time of such sale; and if such residue do not bear interest, then the Court may direct the same to be paid with a deduction of the rebate of legal interest, for the time during which such residue shall not be due and payable.

VI. And be it enacted, That in case of subsequent incumbrances affecting any mortgaged premises which may be sold under the decree of the said Court by virtue of this Act, the residue of the proceeds which may remain after the discharge of the first Mortgage thereon shall be subject, under the order and direction of the said Court, to the claims of the holders of such subsequent incumbrances according to their due priority, whether the same be due and payable or otherwise, subject to the like rebate of interest in case of sums not payable, when the same do not bear interest, as is provided in the fifth section of this Act.

VII. And be it enacted, That all sales of any Mortgaged premises made under the authority of this Act, shall be made by public auction, of which not less than three months notice shall be given.

### CAP. XXIX.

An Act relating to the sale and disposition of the real estate of Infants.

*Passed 23d March 1839.*

Chancellor or Master of the Rolls may compel Infants possessed of property by Mortgage or in trust to convey the same.

Court of Chancery may compel the performance by Infant Heirs or others of bargains made by any party dying before performance.

Infants by next friend or guardian may apply for an order for the sale, &c. of real estate.

Court to appoint guardians who are to give security by Bond for performance of trust.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever any infant shall be seized or possessed of any Lands, Tenements or Hereditaments, by way of Mortgage or in trust only for others, the Chancellor or Master of the Rolls, on the Petition of the guardian of such Infant or of any person interested, may enable and compel such infant to convey and assure such Lands, Tenements and Hereditaments to any other person in such manner as the said Court shall order and direct; and every conveyance or assurance made pursuant to such order, shall be as good and effectual in the law as if the same were made by such Infant when of lawful age.

II. And be it enacted, That the Court of Chancery shall have power to decree and compel the specific performance, by any Infant Heir or other person, of any bargain, contract or agreement made by any party who may die before the performance thereof, on petition of the executors or administrators of the estate of the deceased, or of any person or persons interested in such bargain, contract or agreement, and on hearing all parties concerned, and being satisfied that the specific performance of such bargain, contract or agreement, ought to be decreed or compelled.

III. And be it enacted, That any Infant seized of any real estate or entitled to any term for years in any lands may, by his next friend or by his guardian, apply by petition to the Chancellor or the Master of the Rolls for an order for the sale or other disposition of the said property in manner hereinafter mentioned.

IV. And be it enacted, That on such application the said Court may appoint one or more suitable person or persons to be the guardian of such Infant in relation to the proceedings on such application, who shall be required to give security by bond to the Infant, to be filed with the Registrar, in such penalty and with such sureties and in such form as the Court shall direct, conditioned for the faithful performance

performance of the trust reposed, for the paying over, investing and accounting for all monies which shall be received by such guardians, according to the order of the Court, and for the observance of the orders and directions of the said Court, in relation to the said trust; and in case of the forfeiture of such bond, the said Court may order and direct the same to be prosecuted for the benefit of the party injured.

V. And be it enacted, That upon the filing of such Bond by such guardian as aforesaid, the said Court may proceed in a summary way by reference to a Master to inquire into the merits of such application, and in case it shall appear satisfactorily that a disposition of the real estate of such Infant, or any part thereof, or any term of years of which he may be possessed, or in which he may be interested, is necessary or proper, either for the support and maintenance of such Infant or for his education, or that the interest of such Infant requires or will be substantially promoted by such disposition on account of any part of his said property being exposed to waste and dilapidation, or on account of its being wholly unproductive or for any other reasons or circumstances, the Court may order the letting for a term of years, the sale or other disposition of such real estate or interest by such guardian so appointed, in such manner and with such restrictions as shall be deemed expedient: Provided always, that nothing herein contained shall be construed to authorize the ordering of the sale, leasing or other disposition of any real estate or term for years, in any manner contrary to the provisions of any last will, or any conveyance by, through or under which such estate or term was devised or conveyed to such Infant.

On filing Bond Court to proceed in a summary way by reference to a Master, and may order the letting or sale of the property.

Proviso.

VI. And be it enacted, That upon any agreement for the sale, leasing or other disposition of such property made pursuant to such order, the same shall be reported to the Court on the oath of the guardian making the same, and if it be confirmed a conveyance shall be executed under the direction of the Court.

Agreements for such sales, &c. to be reported to the Court and if confirmed conveyance to be executed.

VII. And be it enacted, That all sales, leases, dispositions and conveyances, made in good faith by any guardian in pursuance of any such agreement so confirmed as aforesaid; shall be valid and effectual as if made by such Infant when of full age.

Sales, &c. made by guardians on agreement so confirmed to be valid.

VIII. And be it enacted, That upon any order for the sale of any property being made as aforesaid, the Infant to whom the same shall belong shall be considered, so far as relates to such property, a ward of the Court of Chancery; and the Court shall have power to make such order for the investment, disposition and application of the proceeds of such property, and of the increase and interest arising therefrom, as to secure the same for the benefit of such Infant in such manner as may be deemed most expedient.

Infant to be considered a ward of Chancery so far as relates to property sold.

IX. And be it enacted, That no sale so made as aforesaid shall give to such Infant any other or greater interest or estate in the proceeds of such sale than he had in the estate so sold; but the said proceeds shall be deemed estate of the same nature as the property sold.

Estate of Infant in the proceeds of the sale to be the same as the property sold.

X. And be it enacted, That every conveyance made under the provisions of this Act, having been first duly acknowledged or proved according to the provisions of the laws relating to the Registry of Deeds, may be registered in the Registry Office of the County where the lands lie, and such conveyance so registered, or a copy thereof, may be given in evidence in any Court of law or equity in this Province, in like manner with and under the same rules and restrictions as any other registered Deed, and when so given in evidence shall be deemed and taken to be evidence that all the proceedings on which such conveyance is founded were rightly had and done.

Conveyances under this Act may be registered in the County Register and when given in evidence to be evidence that all proceedings were rightly had and done.

CAP. XXX.

An Act to provide for the government and regulation of the House of Correction for the City and County of Saint John.

Passed 23d March 1839.

*It is the duty of the Governor with advice of Council to appoint Commissioners for the House of Correction.*  
c-16  
c-44  
c-25

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful to and for the Lieutenant Governor or Commander in Chief, by and with the advice of Her Majesty's Executive Council, from time to time, to appoint not less than five, nor more than nine, fit and proper persons to be Commissioners for the House of Correction for the City and County of Saint John, of whom not less than two shall be members of the Court of Sessions of the Peace in and for the said City and County, and one a member of the Common Council of the said City of Saint John, and such Commissioners or any of them to remove, and others in their places from time to time appoint as aforesaid; which said Commissioners shall be sworn to the faithful discharge of their duties, before any Justice of the Peace in and for the said City and County; and the said Commissioners shall meet from time to time at such place or places within the said City and County as may be for that purpose named, and then and there by a majority of votes of those present at any appointed meeting, decide all questions and manage all business touching the said House of Correction, and any three of the said Commissioners shall form a Board for the transaction of business, except as hereinafter provided; and that the first person named as Commissioner shall be Chairman of the Commissioners, and in case of his absence from any meeting, the Commissioners met shall out of their number choose a Chairman for the time being; and that the Chairman, or in case of his sickness or absence, any two of the said Commissioners shall have full power to summon a meeting of the said Commissioners for the transaction of business, by causing a notice to be left at the usual place of abode of each of the said Commissioners of the time and place of such meeting.

*To be sworn.*  
*Commissioners by a majority of votes to decide all questions and manage the business, three constituting a quorum.*

*Commissioners empowered to make regulations for the House, appoint Officers, provide provisions, &c. and enforce their regulations.*

II. And be it enacted, That the said Board of Commissioners shall have full power and authority, at any and at all times to make such rules, orders and regulations for the good government and management of the said House of Correction, and of the several persons from time to time confined therein, as they shall find necessary, and shall and may from time to time nominate and appoint all requisite officers, servants and keepers in and about the same, and them and any of them to remove; and also shall and may provide such provisions, materials and things as they may judge necessary, as well for the support and maintenance as for the setting to work and employing the several persons that may therein be confined and imprisoned; and also shall have full power and authority to enforce the observance of the rules, orders and regulations which they may from time to time make, for the government and management of the prisoners in the said House of Correction, by solitary confinement or other reasonable punishment: Provided always, that at any meeting of the said Commissioners, at which any rule, order or regulation for the government and management of the said House of Correction, or of the prisoners therein being, may be made, or at which any officer, keeper or servant may be appointed or removed, there shall be not less than five Commissioners present; and the said Commissioners shall cause a record of all their proceedings to be kept in a book to be provided for that purpose.

*Proviso.*

*Commissioners to make annual returns before the 1st of March for the information of*

III. And be it enacted, That the said Board of Commissioners shall annually before the first day of March in each and every year, cause a full, complete and perfect statement of the said House of Correction, and all persons therein, and the

the mode in which each has been employed during the year, and also a just and detailed account of all receipts and expenditures for and on account of the said House of Correction, to be filed with the Clerk of the Peace in and for the said City and County, for the information of the General Sessions of the Peace, (which said account shall be audited by a Committee of the said Court of Sessions,) and also shall at the same time submit an estimate of what sum or sums of money will be needful for the maintenance, support and employment of the persons therein and therewith connected, for the year then next ensuing; which sum and sums of money shall be assessed, levied, collected and paid in such proportions and in the same manner as any other County rates for public charges are or may be assessed, levied, collected and paid under and by virtue of any Act or Acts which, at the time of making such assessments, may be in force in the Province, for the assessing, levying and collecting of rates for public charges, and shall be paid by the said Collector or Collectors to the said Commissioners.

the Sessions, and submit estimates for the ensuing year.

Money to be assessed as other County rates.

IV. And be it enacted, That the proceeds arising from any work or labour to be performed in the said House of Correction, under the direction of the said Commissioners, shall be duly accounted for by them, and shall be applied towards the support and maintenance of the said House of Correction.

Proceeds of labor to be accounted for.

V. And be it enacted, That neither of the said Commissioners shall receive any compensation or allowance, directly or indirectly for his services as such, nor shall either of them be capable of holding any office, place or employment in, about, connected with, or arising from the said House of Correction, for or by means of which any salary, fee, emolument, compensation, or perquisite can be derived, nor shall any Commissioner be engaged or interested in any way whatever, either as security or otherwise, in any contract for or on account of the said House of Correction.

Commissioners to receive no compensation nor hold any office connected with the House having emolument attached to it.

VI. And be it enacted, That it shall and may be lawful for the Mayor, Recorder and Aldermen of the said City, and all Justices of the Peace for the said City and County for the time being, or either of them, to take up and arrest, or order to be taken up and arrested, all and any rogues, vagabonds, stragglers, idle, suspicious or disorderly persons, within the said City and County, and to order such rogues, vagabonds, stragglers, idle, suspicious or disorderly persons, to be committed to the said House of Correction, there to remain and be kept to hard labour for any term not exceeding forty days.

Mayor, Recorder and Aldermen, and all Justices of the Peace may arrest rogues, &c., and commit them to the House of Correction.

VII. And be it enacted, That it shall and may be lawful for the said Justices of the Peace, in General or in Special Sessions to be for that purpose held, to cause all prisoners sentenced to imprisonment with hard labour, and all vagrants, rogues, vagabonds, stragglers, and other idle, suspicious and disorderly persons, at such time in confinement in the Common Gaol or Work House of the said City, to be removed to the said House of Correction, there to remain, and be kept to hard labour, until their several and respective terms of imprisonment shall expire.

Justices in Sessions may cause prisoners sentenced to imprisonment with hard labour to be removed to the House of Correction.

CAP. XXXI.

An Act in further amendment of the Criminal Law.

Passed 23d March 1839.

*Repealed by 5<sup>th</sup> Act  
C. 31*

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That where any person shall be charged with and convicted of any of the following offences as misdemeanors, that is to say, of any assault with intent to commit Felony, of any assault upon any Peace Officer, Officer of the Customs or Revenue

Persons guilty of certain misdemeanors may be sentenced to imprisonment with or without hard labour, and be

finned and required to find sureties for keeping the Peace.

Revenue Officer in the due execution of his duty, or upon any person acting in aid of such Officer, of any assault upon any person, with intent to resist or prevent the lawful apprehension or detainure of the party so assaulting, or of any other person, for any offence for which he or they may be liable by law to be apprehended or detained, or of any perjury, in any such case the Court may sentence the offender to be imprisoned, with or without hard labour, in the Common Gaol or House of Correction, for any term not exceeding two years, and may also (if it shall so think fit) fine the Offender, and require him to find sureties for keeping the Peace, and being of good behaviour.

CAP. XXXII.

*Repealed by 13 W. Cap 48*

7 G. 4, c. 14.

An Act in amendment of an Act, intituled "An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled Seamen, not being paupers belonging to this Province."

*Passed 23d March 1839.*

Preamble.

**W**HEREAS the additional duty of one penny imposed upon every Ship or Vessel of the burthen of sixty tons or upwards, arriving at the Harbour of Saint John or Out Bays of the Port of Saint John, has been found to be more than sufficient to meet the objects contemplated by the said Act;

7 G. 4, c. 14, sec. 1, repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the first Section of the said Act, passed in the seventh year of the reign of His Majesty King George the Fourth, intituled "An Act in addition to and in amendment of the several Acts now in force to provide for sick and disabled Seamen, not being paupers belonging to this Province," be and the same is hereby repealed.

*il*  
Vessels of 60 Tons and upwards arriving at the Harbour of St. John and the Out Bays to pay one half penny per ton in addition to the penny per ton imposed by 60 G. 3, c. 15.

II. And be it further enacted; That from and after the passing of this Act, every Ship or Vessel that shall arrive at the said Harbour of Saint John, or the said Out Bays of the Port of Saint John, and shall be of the burthen of sixty tons or upwards, shall pay the sum of one halfpenny per ton in addition to the sum of one penny per ton, imposed by the first Section of an Act of the General Assembly, made and passed in the sixtieth year of the reign of His Majesty King George the Third, intituled "An Act to provide for sick and disabled Seamen, not being Paupers belonging to this Province," making in the whole one penny half penny per ton for every registered ton such Ship or Vessel shall be rated at, the same to be paid, recovered and received in the manner directed in and by the several Acts in force for providing for sick and disabled Seamen, and subject to the rules, regulations and restrictions therein contained.

CAP. XXXIII.

2 W. 4, c. 26.

An Act to explain and amend an Act, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company."

*Passed 23d March 1839.*

Preamble.

2 W. 4, c. 26.

**W**HEREAS by an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate sundry persons by the name of the Saint John Water Company," and by a certain other Act made and passed in the fourth year of the same reign, intituled "An Act to revive and amend an Act to incorporate sundry persons by the name of the Saint John Water Company," authority was given to

4 W. 4, c. 40.



‘ to establish the said Company agreeably to the several provisions of the said Acts, and the same has been established, and is now in full operation, but doubts are entertained whether some of the terms of the said Acts have been strictly complied with, and thereby the permanence of this useful undertaking may be greatly endangered; for remedy whereof,’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the second Section of the said first mentioned Act as declares that the Capital Stock of the said Corporation shall consist of current Gold and Silver Coins of the Province, and as requires the five per cent. thereof to be paid in current Gold and Silver Coins of the Province, be and the same is hereby repealed.

2 W. 4, c. 26, sec. 2, in part repealed.

II. And be it further enacted, That such part of the said Capital Stock as has been actually and *bona fide* paid in, to the satisfaction of the President and Directors of the said Company for the time being, by any Stockholder as a per centage upon, or part payment of his share or shares in the said Capital Stock, whether the same was paid in Gold and Silver Coins or otherwise, shall be deemed and adjudged and is hereby declared to be a good and sufficient payment of such part of such Capital Stock, according to the true intent and meaning of the said Acts.

Capital Stock paid in to the satisfaction of the President and Directors whether paid in Coin or otherwise, to be deemed a sufficient payment under the Acts.

III. And be it further enacted, and it is hereby declared, That no part of the proceedings of any President and Directors of the said Company, or of any meeting of the Stockholders thereof, since the passing of the said Acts, shall be deemed and adjudged as illegal, unauthorized or contrary to the intent and meaning of the said Acts or either of them, by reason of any irregularity that may have arisen in the first General Meeting of the Stockholders of the said Company, or in the election of the first Directors of the said Company, or in the election of the first President of the said Company, or by reason of the said Stockholders not having heretofore made any Bye Laws, Ordinances and Regulations for the good management of the affairs of the said Corporation, or by reason of such part of the Stock that has been paid, not having been paid in Gold and Silver Coins: and that all proceedings heretofore had and done, and all transfers of shares in the said Capital Stock of the said Company under the said Act heretofore made and done in pursuance of and according to any regulations made by any President and Directors of the said Company for the time being, since the first meeting of the Stockholders, and since the election of the first Directors of the said Company, shall be deemed and are hereby declared as good and valid to all intents and purposes, as if the said first meeting of the said Stockholders, and the election of the first Directors and President of the said Company had been in all respects strictly according to the directions of the said Acts, and as if Bye Laws had been made by the Stockholders for the regulation and management of the affairs of the said Corporation, in pursuance of the power vested in them for that purpose.

No part of the proceedings of the Corporation to be deemed illegal by reason of any irregularity in the first general meeting, in the election of the first Directors, or the Stock not being paid in Gold and Silver Coins.

IV. And be it further enacted, That in any case where default has been made before the passing of this Act, in payment of any part of the residue of the Capital Stock of the said Company, which has been heretofore by the President and Directors for the time being of the said Company required to be paid, and which remains still unpaid at the time of passing this Act, every share upon which such default shall have been so made, shall stand and become absolutely forfeited to the said Corporation, unless the amount so required to be paid thereon shall be fully paid and satisfied to the President and Directors of the said Company for the time being, within two months after the passing of this Act, or within such further time as the said President and Directors of the said Company for the time being, or the major part of them may consent to give for the payment thereof: And in

Shares to be forfeited where default in payment of the residue of the Stock may be made.

case of such forfeiture, the said President and Directors of the said Company for the time being, or the major part of them, shall at any time within one month after such forfeiture have full power and authority if they see fit to proceed to sell every such share so forfeited at auction, first giving one months notice, in two or more of the public newspapers in the said Province, of such sale, and the proceeds thereof to be applied to the service and use of the said Company.

At a Special General Meeting or any annual meeting, Bye Laws may be made or amended.

V. And be it further enacted, That it shall and may be lawful for the President and Directors for the time being, or the major part of them from time to time, when they or the major part of them see fit, to call a general meeting of the Stockholders of the said Company, by giving one months notice of the time or place of such meeting in two or more of the public newspapers published in Saint John; and at such general meeting so called, and also at any annual meeting of the said Stockholders held pursuant to the provisions of the said Acts, it shall be lawful for the said Stockholders of the said Company, or the major part of them then present, and they are hereby authorized and empowered to make all such Bye Laws, Ordinances and Regulations for the good management of the affairs of the said Corporation, as they are authorized and empowered to make by the first Section of the said first mentioned Act, and also in like manner from time to time to alter, annul, add to or amend the same: and in such Bye Laws, Ordinances and Regulations, the said Stockholders shall have full power and authority to make such provisions as they or the major part of them then present shall see fit, for securing the payment by the Shareholders and their assignees of the residue of the Capital Stock of the said Company, not heretofore called for by the President and Directors of the said Company, or any part thereof, according as the same may be from time to time hereafter required by the President and Directors for the time being of the said Company, in manner and according to the directions of the said Acts, and also to provide for the forfeiture of the shares in case of default in said payment: and all such Bye Laws, Ordinances and Regulations so to be made, shall be as binding upon the Stockholders and their assignees for the time being, so long as the same remain in force, as if they were enacted by this or any other Act of the General Assembly of this Province.

Bye Laws may contain provisions for securing the residue of the Capital and for the forfeiture of Shares in case of default.

Act not to authorize the Company to call upon any Stockholder for an instalment after notice of abandonment of Stock.

VI. Provided always and be it further enacted, That nothing herein contained shall be construed to authorize the said Company to call upon any Stockholder for any instalment after notice being given to the said Company of the abandonment of any Stock held by such Stockholder.

#### CAP. XXXIV.

An Act to provide for making and maintaining a Canal across Grimross Neck, in Queen's County.

Passed 23d March 1839.

Preamble.

**W**HEREAS the cutting a Canal across Grimross Neck, in Queen's County, 'would greatly facilitate the navigation of the River Saint John, and 'advance the general interests of the Province:

Governor to appoint three Commissioners for opening a Canal across Grimross Neck.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, to appoint three fit and proper persons to be Commissioners for opening, cutting, finishing and maintaining a Canal across Grimross Neck, in Queen's County, and to remove them or either of them at pleasure, and to appoint others in their stead.

II. And be it enacted, That it shall and may be lawful to and for the said Commissioners, their agents, servants, workmen and assistants, and they are hereby authorized and empowered, to design, erect, order, dig, excavate, and build, and to complete, maintain and keep in repair a Canal across the isthmus or neck of land commonly called Grimross Neck, in Queen's County, at such place as they may deem most advisable and fit for such Canal, whether on private property or on a public highway, and to dig and make proper foundations in the River Saint John and Gagetown Creek, and on the lands and grounds lying on each side of said Canal, and to cut and level the banks of the said River and Creek in such manner as may be necessary and proper for making the said Canal, and to cut, remove, take and carry away all and every impediment whatever, which may in any wise tend to hinder or impede the erecting and completing the said Canal, and to execute all other things requisite and necessary, useful or convenient, for erecting, digging, maintaining and supporting the said Canal according to the true intent and meaning of this Act; and further, that they may from time to time enter and go in and upon the lands and grounds adjacent to the said Canal for the purpose of making surveys, examinations, or other necessary arrangements for fixing the site of the said Canal; and further that for the purpose of erecting, digging, building, maintaining, repairing and supporting the said Canal, the Commissioners shall from time to time have full power and authority to land and place on either side of said Canal, within twenty yards of the same, all materials and other things to be used in and about the same, and there to work and use such materials and things according as they the said Commissioners, and the persons to be by them appointed, shall think proper, without any previous agreement with the owner or owners of the land, doing as little damage as may be, and making such satisfaction as hereinafter mentioned to the respective owners and occupiers of all lands and grounds, tenements and hereditaments which shall be used and occupied, altered, damaged, spoiled, taken or made use of by means or for the purposes of this Act.

Power given to make the Canal, enter on and occupy the adjacent ground.

III. And be it enacted, That the said Commissioners shall make, allow and pay reasonable and proper compensation and satisfaction for all lands, tenements and hereditaments taken, used and occupied, altered, damaged or spoiled by means of and for the uses and purposes of this Act, to be agreed upon by the said Commissioners and the respective owners and occupiers of such lands, tenements and hereditaments; and in case of disagreement between them or any of them, then such compensation and satisfaction shall be determined by three arbitrators, one to be chosen by the said Commissioners and one by the owner or owners, occupier or occupiers of the private property in question; which two arbitrators so chosen shall choose the third arbitrator, and in case of their not agreeing in such choice within ten days after their appointment, then and in such case it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, upon application of the said Commissioners to appoint the third arbitrator; the award of the said arbitrators or any two of them shall be final and conclusive in the matters referred to them; and the amount adjudged and awarded to them respectively shall be paid by the said Commissioners within thirty days after such award shall be duly made and delivered; and in case any of the said owners or occupiers of such property shall decline or refuse to make such agreement or appoint such arbitrator, then and in such case it is hereby declared that such person or persons so declining or refusing shall have no other remedy, either at law or in equity against the said Commissioners for any loss or damage which he, she or they may sustain by reason of making, erecting, digging, building, finishing and maintaining such Canal.

Compensation for all land, &c. used for the purposes of this Act to be made.

In case of disagreement, compensation to be settled by arbitrators.

Wilfully destroy-  
ing or damaging  
works adjudged  
felony, and to be  
punished as in 1  
W. 4. c. 14.

IV. And be it enacted, That if any person or persons shall wilfully or maliciously, and to the prejudice of the said undertaking, break, damage, throw down, destroy, injure or remove any of the works to be erected or materials to be used by virtue of this Act, any such person or persons so offending shall be deemed and adjudged guilty of felony, and being lawfully convicted thereof shall be liable and subject to the punishment prescribed for felony in and by an Act made and passed in the first year of the reign of His late Majesty King William the Fourth, intituled "An Act for improving the administration of Justice in Criminal cases."

Legislative grants  
limited to £1,250;  
all further expen-  
ses to be borne by  
individual sub-  
scription.

V. Provided always and be it enacted, That no greater sum shall be granted by the Legislature of this Province for the cutting, making and completing of the said Canal, and for the land through which the same shall be cut, then the sum of one thousand two hundred and fifty pounds, and that all further expence incurred in and about the making and completing of the same, shall be borne by individual subscription.

Commissioners  
not to proceed  
with the Canal  
until a sufficient  
sum be raised  
from subscription.

VI. And be it enacted, That it shall not be lawful for the Commissioners to be appointed under the provisions of this Act, to enter into any Contract for the cutting, making and completing of the said intended Canal until a sufficient sum of money shall be raised and paid from individual subscriptions; which, with the said sum of one thousand two hundred and fifty pounds mentioned in the fifth section of this Act, shall be deemed sufficient to complete the said work, anything in this Act contained to the contrary notwithstanding.

Canal and lands  
to be public prop-  
erty and free  
from any toll.

VII. And be it enacted, That the said Canal and all and singular the lands on either side taken in the manner hereinbefore pointed out, and all roads and paths along the same, and all other the appurtenances to the said lands and Canal belonging, shall be deemed and taken to the public property of the Province, and under the control of the Legislature thereof, and shall be free from any toll or charge.

### CAP. XXXV.

An Act for the improvement of the Practice in the Court of Chancery.

*Passed 23d March 1839.*

Preamble.

**W**HEREAS the Practice of the Court of Chancery is in many respects 'dilatatory and expensive, and ill adapted to the state of the Province, and requires extensive alterations and amendments;

Chancellor with  
the advice of Mas-  
ter of the Rolls to  
direct the forms of  
process and pres-  
cribe the practice.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Chancellor, by and with the advice and consent of the Master of the Rolls, shall have full power and authority from time to time to direct and declare the forms of process, and to prescribe, modify, alter and amend the practice and proceedings to be observed in all matters of which the said Court now has or hereafter may have cognizance and jurisdiction.

Terms of the  
Court.

II. And be it enacted, That there shall be three Terms of the said Court in each year, that is to say: Hilary Term, to commence on the last Tuesday in January and to end on the Saturday then next ensuing; Trinity Term, to commence on the first Tuesday in June and to end on the Saturday then next ensuing; and Michaelmas Term, to commence on the first Tuesday in October and to end on the Saturday then next ensuing; and that causes and other matters to be heard in the said Court may be brought to hearing and heard and determined in vacation as well as in term, under such regulations as may be established in that behalf by the rules and orders of the said Court.

Causes may be  
determined in va-  
cation.

III. And be it enacted, That the common Gaol of the County of York shall be the prison of the said Court; provided always, That in case it shall be expedient and the ends of justice be thereby answered, any prisoner of the Court may be committed to the common gaol of any County within which he may have been arrested, in case the Court shall so order and direct.

York County Gaol to be the prison of the Court.

Exception.

IV. And be it enacted, That it shall be the duty of the Sheriffs in the several Counties to serve any writs of subpcena, or execute any process of this Court within their respective Counties that may be sent to them for that purpose, and they shall be entitled to the following fees and emoluments in respect of the same, that is to say: for the service of every subpcena to appear and answer, two shillings and six pence; for every arrest under a writ of attachment or other process, five shillings; and also the same allowance for travel and poundage as in case of process issuing out of Courts of Common Law: Provided always, That no charge for poundage shall be allowed except in case of monies actually received and paid over under process of this Court, and the amount of such poundage shall in such cases be levied and received in addition to the sum directed to be paid or levied by such process.

Sheriffs of the several Counties to serve writs, &c.

Fees.

V. And be it enacted, That all Sheriffs, Deputy Sheriffs, Gaolers, Constables and other Officers shall be aiding, assisting and obeying the said Court in the exercise of its jurisdiction whenever required so to do.

Sheriffs, &c. to be aiding the Court.

VI. And be it enacted, That in case the Plaintiff, in any suit commenced or to be commenced in the said Court, shall neglect to proceed in the same in due time, according to the practice of the said Court, the Bill may be ordered to be dismissed, and in case the Defendant shall neglect to appear in due time after service of process, or shall neglect to put in his answer, or to take any other necessary step in the cause, within the time in that behalf limited by the practice of the said Court, the Bill may be ordered to be taken against him as confessed, subject nevertheless to such regulations and restrictions as may be established and provided in that behalf by the rules and orders of the said Court.

If Plaintiff do not proceed in due time, Bill to be dismissed.

If Defendant do not appear and answer, Bill to be taken as confessed.

VII. And be it enacted, That the several Masters in ordinary in this Court now appointed, or hereafter to be appointed, shall have power to act as examiners in the said Court; and in any case where, from the remoteness of residence of any examiner from the place of residence of the witness, or other circumstance, it may be deemed expedient, the Chancellor or Master of the Rolls shall have full power and authority, by order of the said Court, specially to appoint some other person or persons *pro hac vice*, who shall have power to administer the oath to the witnesses and take the examination in such cause: Provided always, That no examination be taken by any examiner, until such examiner shall have been first duly sworn according to the rules and regulations of the said Court to be established in that behalf.

Masters in ordinary to act as Examiners.

Court may in certain cases appoint other persons.

Examiners to be sworn.

VIII. And be it enacted, That the examination of witnesses in matters pending in the said Court to such extent and subject to such rules and regulations as may in that behalf be prescribed and established, may be conducted on questions suggested and proposed at the time of examination, and be attended by the parties, their Solicitors and Counsel.

Examination of witnesses, how conducted.

IX. And be it enacted, That all monies that shall become subject to the control and distribution of this Court, shall be paid into the hands of such person or body corporate or politic as the Master of the Rolls shall from time to time direct, or be vested in such securities as the Master of the Rolls shall approve, and all interest or increase accruing thereon shall be added to the principal and distributed therewith to the person entitled to the same, subject to such rules and regulations as may be established in that behalf.

Money subject to the control of the Court to be vested as the Master of the Rolls shall approve.

X.

Abatement of suits by death of parties.

X. And be it enacted, That where in any suits pending in the said Court the cause of action shall survive, such suit shall not abate by reason of the death of one or more of the Plaintiffs or Defendants, but upon suggestion of such death to the Court the suit shall be allowed to proceed in favor of or against the surviving party as the case may be; and in case of the death of one or more Plaintiffs or Defendants in any suit where the cause of action shall not survive, it shall only abate as to the person or persons so dying and not otherwise.

Revival of suits.

XI. And be it enacted, That in all cases where it shall be necessary to revive a suit against the representatives of a deceased Defendant, no bill of revivor shall be necessary, but the Court may by order direct that the same stand revived, upon the petition of the Plaintiff, subject to such rules and regulations as may be made in that behalf.

Court may enforce its decrees by execution against the body, chattels or lands.

XII. And be it enacted, That the said Court shall have power to enforce performance of any decree, or obedience thereto, by execution against the body of the party against whom such decree is made, or against the goods and chattels, and in default thereof the lands and tenements of such; which execution so issued shall have the like effect as executions issuing out of the Supreme Court of the said Province; and every person so imprisoned under any execution issuing out of the said Court of Chancery shall be entitled to the like benefit of any statute made for the relief of insolvent debtors, as if arrested under process of the said Supreme Court.

Practice of the High Court of Chancery in England to obtain, when not otherwise provided for.

XIII. And be it enacted, That in all matters relating to the practice of this Court, not otherwise particularly provided for by Legislative enactment or the rules and orders of this Court, the rules of practice of the High Court of Chancery in England, as now established, shall be in force, subject nevertheless to the like exceptions, limitations, restrictions and rules of construction in the application of the same as the practice of the said High Court of Chancery prevailing and in force at the time of the erection of this Province have heretofore been, and subject to be altered, modified and restricted by such rules of practice as may be hereafter from time to time introduced and established in the Court of Chancery of this Province by any Act or Acts of the General Assembly, or the orders of the said Court.

Chancellor with the consent of the Master of the Rolls may prepare a table of fees for the Court.

XIV. And be it enacted, That from and after the passing of this Act it shall and may be lawful for the Chancellor, by and with the consent of the Master of the Rolls, to prepare and make a proper table of fees for the Court of Chancery in this Province, in lieu of the table of fees at present established in that Court, which table of fees so to be made and established as aforesaid shall be in full force and effect from the time notice thereof shall be given by the Master of the Rolls in the Royal Gazette, until altered by any Legislative enactment in this Province.

### CAP. XXXVI.

An Act relating to the partition of lands, tenements and hereditaments, held in coparcenary, joint tenancy and tenancy in common.

*Passed 23d March 1839.*

**W**HEREAS the present mode of proceeding for the partition of lands, tenements, and hereditaments, held in coparcenary, joint tenancy and tenancy in common, has been found inconvenient;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the partition of lands, tenements, and

Partition of Lands, &c. held in coparcenary to

and hereditaments, held in coparcenary, joint tenancy or tenancy in common, shall be effected by the Court of Chancery according to the practice and proceedings established or to be established in that Court.

be effected by the Court of Chancery according to the practice of that Court.

II. And be it enacted, That in case any of the parties to any proceeding in the said Court of Chancery for a partition, shall be infants under the age of twenty one years, it shall and may be lawful for the said Court to appoint a guardian or guardians *ad litem* for such infant, in like manner as such guardians may be appointed in any other suit in the said Court.

Court may appoint guardians *ad litem* when any of the parties are under age.

III. And be it enacted, That the decree of the said Court, whereby any part or portion of lands, tenements or hereditaments, held in coparcenary, joint tenancy or tenancy in common shall be decreed to any coparcener, joint tenant, or tenant in common, in severalty, shall operate and be effectual to convey and transfer to such coparcener, joint tenant, or tenant in common all and singular the right, title, interest, property, claim and demand of all and every other of the coparceners, joint tenants, or tenants in common, as such interested therein, as well infants and feme coverts as others, being parties to such proceeding, in as full and ample a manner as if the same had been conveyed and transferred by deed or conveyance, duly signed, sealed and delivered by such other coparceners, joint tenants and tenants in common, and duly proved or acknowledged, and registered in the County where such part or portion of the lands may lie, and in the case of infants in like manner as if such infants were at the time of full age; Provided always, That such decree shall have been first duly signed and enrolled, and registered in the Office of Register of Deeds of the County where the lands may lie, according to the provisions hereinafter contained.

Decree of the Court signed, sealed, and registered to convey the lands, &c. decreed to any coparcener as effectually as a conveyance from the other coparceners.

IV. And be it enacted, That any decree of the said Court of Chancery, having been first duly signed and enrolled, may be registered in the Office of the Register of Deeds for any County in like manner and order, as any deed or conveyance, upon production to the Register of Deeds of a copy thereof, with a certificate indorsed thereupon, of the Registrar of the Court of Chancery, under the seal of the said Court, that the same is a true copy of a decree of the said Court, and that the same has been duly signed and enrolled; and the Register of Deeds shall indorse upon such copy a certificate of such registry in like manner as is required by law, in respect of any deed or conveyance duly registered, and for his services in that behalf shall be entitled to the like fees and emoluments as are provided in the case of the registry of deeds and conveyances; and such copy of such decree with such certificates thereon shall be evidence in all Courts of Law and Equity in this Province, of such decree and of such registering thereof, and a copy from the County Registry of such decree, duly certified by the Register of Deeds shall be admitted in evidence in such cases and under such rules and restrictions as a copy of a registered deed taken from such County Register would be so admitted.

Decree may be registered in the County Registry.

Dec 1<sup>st</sup> vic. c  
8 20<sup>th</sup> Dec  
by the Master of the  
Rolls page 213  
Ordnance by 14<sup>th</sup>  
see cap 26  
Account of Decree  
Copy from the Registry to be admitted in evidence.  
10.1.8

CAP. XXXVII.

An Act in amendment of the Act relating to the appointment of a Master of the Rolls in the Court of Chancery.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the right and power of appointment to the office of the Master of the Rolls, pursuant to an Act of the Assembly passed in the first year of Her present

Right of appointment of the Master of the Rolls vested in the Queen's Majesty.

present Majesty's Reign, intituled "An Act to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such officer," and subject to the provisions and limitations therein contained, shall and is hereby declared to be vested in the Queen's Majesty and Her successors, any thing in the said recited Act to the contrary notwithstanding.

Act not to authorize the cancelling of the appointment already made.

II. Provided always and be it enacted, That nothing in this Act contained shall extend or be construed to cancel, vacate or annul, or to authorize the cancelling, vacating or annulling of the appointment already made by His Excellency the Lieutenant Governor to the said Office by virtue of the power and authority in him vested, by and in due conformity with the said recited Act; but the present Master of the Rolls shall continue to hold and enjoy the said office, with all the rights, privileges and advantages thereunto appertaining, according to the provisions of the said recited Act: Provided also, that nothing in this Act contained shall extend or be construed to prevent a provisional appointment being made to the said office in case of vacancy, by the Lieutenant Governor or Commander in Chief for the time being, in like manner as in the case of other judicial appointments.

Proviso for provisional appointment in case of vacancy.

Usual place of residence of the Master to be where the Court sits.

III. ' And whereas it is deemed necessary for the convenience of suitors and the despatch of business, that the Master of the Rolls should reside where the Court of Chancery sits; Be it therefore enacted, That from and after the first day of October next, the usual place of residence of the Master of the Rolls shall be in the place where the Court of Chancery sits, and not elsewhere.

### CAP. XXXVIII.

An Act to authorize Her Majesty's Justices of the Peace for the Counties of Gloucester and Restigouche to assess the said Counties.

*Passed 23d March 1839.*

Preamble.

' **W**HEREAS the tract of country formerly established as the County of Gloucester, hath recently been set off into two distinct and separate Counties, denominated the County of Gloucester and the County of Restigouche: ' And whereas at the time of the division of the County of Gloucester, the same ' was liable and subject to a certain debt of one hundred and fifty pounds, which ' it is reasonable and just to assess and levy on the said Counties of Gloucester ' and Restigouche, in a fair rate and proportion, in order that the same may be ' discharged;'

Justices of Gloucester authorized to assess the County for £100, and of Restigouche for £50.

I. Be it therefore 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 said Counties of Gloucester and Restigouche respectively, and they are hereby required, at their General Sessions of the Peace respectively next succeeding the passing of this Act, to assess their respective Counties in the rate following, that is to say, the sum of one hundred pounds upon the County of Gloucester, and the sum of fifty pounds upon the said County of Restigouche.

Money to be assessed &c. as other County rates.

II. And be it further enacted, That the said sums so to be assessed as aforesaid, shall be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force, for the assessing, collecting and levying of County Rates.



CAP. XXXIX.

An Act in addition to an Act, intituled "An Act to prevent Desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters."

Repealed by 3<sup>o</sup> Act c. 67

Passed 23d March 1839.

I. **B**Eit enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, if any Licenced Tavernkeepers or Retailer within this Province shall, under the provisions of any existing law, be convicted of directly or indirectly persuading or seducing any Soldier to desert from Her Majesty's service, or assisting any Deserter from Her Majesty's service, knowing him to be such, in deserting or in concealing himself from such service, or of buying, exchanging or detaining, or otherwise receiving, from any Soldier or Deserter upon any account whatever; any arms, clothing, caps or other furniture belonging to the Queen, or any such articles belonging to any Soldier or Deserter as are generally deemed regimental necessaries, according to the custom of the army, or shall exchange, buy or receive from any Soldier any provisions, unless by consent of the officer commanding the regiment or detachment to which such Soldier shall belong, it shall and may be lawful for His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to annul, abrogate and make void the Licence of such Tavernkeeper or Retailer.

Governor with advice of Council may annul the licence of any Tavern Keeper or Retailer convicted of seducing or assisting Soldiers to desert, purchasing or receiving Regimental necessaries, &c..

II. And be it further enacted, That immediately on receiving notice of the annulment of such Licence, the said Tavernkeeper or Retailer shall thenceforth be deemed and taken to be an unlicenced person, to all intents and purposes, and shall further be disqualified from holding a Tavern or Retail Licence for the space of one year from the time of such annulment, any law or usage to the contrary thereof in any wise notwithstanding.

Tavern Keeper or Retailer on notice of annulment to be considered an unlicenced person and disqualified from holding licence for one year.

III. And be it enacted, That this Act shall be publicly read by the Clerk at the opening of every Court of General Sessions of the Peace in the several Counties of this Province, at the time any other Acts relating to Tavernkeepers and Retailers may be so read.

Act to be read at opening of Sessions.

IV. And be it further 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 forty four, and no longer.

Limitation.

CAP. XL.

An Act to empower the Commissioners of the Marine Hospital at Saint Andrews, in the County of Charlotte, to purchase a lot of land for the benefit of the said Hospital.

Passed 23d March 1839.

**W**HEREAS the enlarging the grounds of the Marine Hospital at Saint Andrews, in the County of Charlotte, would much conduce to the health and comfort of its inmates;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Commissioners of the said Marine Hospital are hereby authorized and empowered to purchase a lot of land, situate on the Town plat of Saint Andrews, in the County of Charlotte, commonly called the Rectory Lot, adjoining the one on which the said Hospital is now erected, and to make such improvements thereon as may by them be deemed necessary for the health and comfort of the inmates of the said Hospital.

Commissioners empowered to purchase a specified lot of land and make improvements for the use of the Hospital.

Title to be in the Commissioners and their successors.

Lot not to be alienated, &c. without the authority of an Act of Assembly.

II. And be it further enacted, That the said lot of land when so purchased, shall be conveyed to the said Commissioners of the said Marine Hospital, to hold to them and their successors in office for ever for the purposes aforesaid.

III. And be it further enacted, That the said lot of land or any part thereof, shall not in any way or by any means whatever be alienated or granted or disposed of by the said Commissioners or their successors in office for any other purpose whatever than as hereinbefore stated, without an Act of the General Assembly authorizing the same.

CAP. XLI.

4 W. 4, c. 33.

An Act to continue an Act, intituled "An Act to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes."

Passed 23d March 1839.

4 W. 4, c. 33, continued.

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 His late Majesty King William the Fourth, intituled "An Act more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes," be and the same is 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 five.

CAP. XLII.

An Act to amend the Law relating to Bastardy.

Passed 23d March 1839.

I. BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the third Section of an Act made and passed in the thirty second year of the Reign of King George the Third, intituled "An Act to provide for the maintenance of Bastard Children," be and the same is hereby repealed.

32 G. 3, c. 3, sec. 3, repealed.

Orders of affiliation or maintenance to be made by the Justices in Sessions.

II. And be it enacted, That all orders of affiliation or maintenance to be made in pursuance of the said recited Act, shall be made by the Justices of the Peace in General Sessions.

Court on oath of the Mother may adjudge person charged the reputed father.

III. And be it enacted, That in case any person appearing before such Court of General Sessions, charged with being the reputed father of a bastard child, likely to become chargeable to any Parish, shall traverse or deny the charge, such Court on the oath of the mother of such child, or such other testimony as may be offered to their satisfaction, may adjudge such person the reputed father as aforesaid.

Court may postpone the order of affiliation or maintenance in certain cases, and thereupon person charged to enter into recognizance for appearance.

IV. And be it enacted, That when the child with which the woman may be pregnant likely to be chargeable as aforesaid, may not be born at the time of any person appearing before such Court charged with being the reputed father of such child, or in any case where the said Court, either for the purpose of procuring further testimony or for other reasons, shall consider it necessary to put off the consideration of the charge, or the making of an order of affiliation or maintenance until the next Court of General Sessions to be held for such County, such Court shall be at liberty so to order and direct; and thereupon the persons so charged shall forthwith enter into recognizance with one or more sufficient sureties to the satisfaction of such Court for his appearance at the next General Sessions.

Mother's Assent  
4 W. 4, c. 28

Repeat 13th W. 4, c. 33

Sessions of the Peace to be held for said County to answer the said charge, and further to be dealt with according to law; and on neglect or refusal to give such recognizance may be committed by such Court to the Common Gaol of said County.

V. And be it enacted, That when the said Court adjudge such person the reputed father of such child, they shall thereupon make their order of affiliation in which shall be specified the expenses already incurred, as well for the lying in expenses as for the apprehension and conviction of such reputed father, and also for the support of such child up to the time of making such order, and also such weekly sum as shall thereafter be paid by such reputed father for the future support of such child while chargeable on any Parish.

Order of affiliation to specify expenses incurred and weekly sum to be thereafter paid.

VI. And be it enacted, That on notice of any such order such reputed father shall thereupon forthwith pay into the hands of the Clerk of the Peace for the use of the Overseers of the Poor of the Parish where such child is chargeable, such sums as shall be so ordered for expenses so already incurred as aforesaid, and shall also enter into recognizance conditioned that such person, his executors and administrators, shall pay to the Overseers of the Poor of such Parish such weekly sum as shall be so ordered for the future support of such child.

On notice of order reputed father to pay expenses incurred and enter into recognizance for the weekly sum for future support.

VII. And be it enacted, That if any such reputed father shall refuse or neglect to perform such order, or to give such recognizance, such Court may thereupon forthwith commit such reputed father to the common gaol of the County, there to remain until he enter into such recognizance or be otherwise discharged by law: Provided always, that when such reputed father is wholly unable to perform such order or to find such sureties, the said Court may in their discretion at any time order such father to be discharged.

On neglect to perform the order or give recognizance reputed father may be committed to gaol.

Proviso.

VIII. And be it enacted, That any recognizances required by this Act shall be jointly and severally acknowledged by the said reputed father and one or more sufficient sureties to the satisfaction of such Court, or in case the said reputed father be under the age of twenty one years, then, by two sufficient sureties as aforesaid and payable to Her Majesty, Her Heirs and Successors, in a penal sum not exceeding fifty pounds, in the form given by the Schedule to this Act annexed, or in words to the like effect.

Recognizances to be acknowledged by the reputed father and sureties to the satisfaction of the Court.

Recognizance by Minors.

IX. And be it enacted, That when any such recognizance or any recognizance taken by virtue of the said recited Act, whether taken before such Court or a single Justice of the Peace, may become forfeited by reason of the non-performance of the condition thereof, proceedings may be had at the instance of the Overseers of the Poor of the Parish interested, in the said Court of Sessions in the nature of *Scire Facias*, (issuable either in term or vacation,) for the recovery of the penalty of the said recognizance; and upon the return of such *Scire Facias* duly served at least fourteen days before the return thereof, the said Court may proceed in a summary manner to hear and determine the question whether the party appear or make default, and in case the said Court thereupon adjudge the said recognizance forfeited by reason of the non-performance of the condition thereof, may award execution directed to the Sheriff of such County, agreeably to the form hereinafter provided for, and the amount thereof when paid or levied shall be paid into the hands of the Clerk of said Court for the purpose of being applied under the direction of the said Court to the support of the Poor of the Parish interested: Provided always, that such Court may from time to time in their discretion make such order and give such relief, either for the stay of proceedings or the whole or partial discharge of such recognizance, and on such terms and conditions as such Court may think reasonable and proper.

Overseers of Poor of Parish interested may institute proceedings on recognizances forfeited.

Sheriff to execute *Scire Facias* or execution in the same manner as other writs and be entitled to the same fees.

X. And be it enacted, That it shall be the duty of the Sheriff to whom any such *Scire Facias* or execution may be directed to serve and execute the same within his bailiwick in the same manner as other writs of *Scire Facias* or execution are served, and to make due return thereof, for which he shall be entitled to the same fees as in other like cases, to be allowed and paid by the said Court as a part of the contingent expenses of the County, unless in the case of an execution levied by or paid to him, in which case such Sheriff may levy or receive his fees for service of such execution and poundage thereon from the party against whom such execution may be issued.

Certified copy of proceedings to be received in all Courts as evidence thereof.

XI. And be it enacted, That a certified copy signed by the Clerk and under the seal of the said Court, of any such proceedings, shall be received in all Courts of Law or Equity in this Province as evidence thereof in the same manner as if the original were produced.

Form of *Scire Facias*, Judgment and Execution.

XII. And be it enacted, That the said *Scire Facias*, Judgment and Execution in such proceedings, may be in the form given by the Schedule to this Act annexed, or in words to the like effect.

Commissioners of Alms or Poor House to be deemed Overseers of the Poor for the purposes of this Act.

XIII. And be it enacted, That in any Parish within this Province, wherein Commissioners of Alms or Poor Houses are established, such Commissioners shall, in all respects, be deemed and considered the Overseers of the Poor of such Parishes for all the purposes of the said recited Act or this Act.

SCHEDULE.

*Form of Recognizance taken before a single Justice, for appearance at Sessions, &c.*

Form of Recognizance taken before a single Justice for appearance at Sessions, &c.

ss. Be it remembered that on the \_\_\_\_\_ day of \_\_\_\_\_, in the \_\_\_\_\_ year of the Reign of our Sovereign Lady Victoria, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, A. B. of \_\_\_\_\_ in said County and C. D. of \_\_\_\_\_ in said County, personally came and appeared before me \_\_\_\_\_ Esquire, one of Her Majesty's Justices of the Peace, in and for the said County, and acknowledged themselves to be jointly and severally indebted to our said Sovereign Lady the Queen, in the sum of \_\_\_\_\_ pounds, of lawful money of New Brunswick, upon condition, that if the said A. B. [or in case the person charged be under age, that E. F.] shall personally appear at the next General Sessions of the Peace to be holden at \_\_\_\_\_, in and for the said County, then and there to answer to a charge made against him as being the reputed father of a Bastard Child, likely to be chargeable to some Parish in said County, and not to depart without leave of the said Court.

Taken and acknowledged before me, the same day and year aforesaid.

A. L. J. P.

*Form of Recognizance taken in open Court to appear or to perform Order, &c.*

Form of Recognizance taken in open Court, to appear or to perform Order, &c.

ss. Be it remembered, that at the General Sessions of the Peace, held at \_\_\_\_\_, in and for the County aforesaid, on the \_\_\_\_\_ Tuesday \_\_\_\_\_ in the \_\_\_\_\_ year of the Reign of our Sovereign Lady Victoria, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, before [naming the senior Justice actually presiding at the time of taking such recognizance], and others, Justices of our said Lady the Queen, assigned to keep the Peace of our said Lady the Queen, in and for said County, and also to hear and determine divers felonies, trespasses and other misdemeanours committed in the said County, personally appeared A. B. of \_\_\_\_\_, in said County, and C. D. of \_\_\_\_\_, in said County, and acknowledged themselves jointly and severally

severally indebted to our said Sovereign Lady the Queen, Her Heirs and Successors, in the sum of \_\_\_\_\_ pounds of lawful money of New Brunswick, upon condition that if the said A. B. [*or in case such reputed father be under age, that if E. F.*] shall personally appear at the next General Sessions of the Peace to be holden at \_\_\_\_\_ in and for said County, then and there to answer to a charge against him as being the reputed father of a Bastard Child, likely to be chargeable to some Parish within the said County, and not to depart without leave of the said Court, then this recognizance to be void, otherwise in full force.

Taken and acknowledged in open Court,

L. M. Clerk Peace.

[*Or in case the condition of such recognizance be to perform any order of maintenance made or to be made by such Court for the support of any such child:*] upon condition that if said A. B. [*or in case such father be under age, that if E. F.*] shall well and truly at all times obey and perform all or any orders of such Court, made or to be made, touching the support or maintenance of a Bastard Child, while chargeable on any Parish in said County, and of which child the said \_\_\_\_\_ has been by such Court adjudged the reputed father, then this recognizance to be void, otherwise in full force.

Taken and acknowledged in open Court,

L. M. Clerk Peace.

*Form of Scire Facias.*

ss. Victoria by the Grace of God, &c.

To the Sheriff of the County of \_\_\_\_\_

Greeting:

*Form of Scire Facias.*

Whereas A. B. and C. D., lately in and before the Court of General Sessions of the Peace held at \_\_\_\_\_, in and for said County, on the \_\_\_\_\_ Tuesday \_\_\_\_\_, in the year \_\_\_\_\_, acknowledged themselves indebted to our Sovereign Lady Queen Victoria, in the sum of \_\_\_\_\_ of lawful money of New Brunswick, upon condition that A. B. should personally appear at the next General Sessions of the Peace, to be held in and for said County, to answer a certain charge made against the said A. B. as being the reputed father of a Bastard Child, as by said recognizance will appear, [*or in case such recognizance be for the performance of any order of said Court for maintenance of such Child, say upon condition, here recite condition according to the fact.*] And whereas the said Court is given to understand that the said A. B. hath failed to perform the condition of the said recognizance whereby the same hath become forfeited; These are therefore to command you that you make known to the said \_\_\_\_\_ that they appear before the next Court of General Sessions of the Peace to be holden at \_\_\_\_\_, in and for said County, on the \_\_\_\_\_ Tuesday in \_\_\_\_\_ next, to show cause, if any they have or know, why execution should not issue against them according to the effect of such recognizance. Witness [*Senior Justice*] at \_\_\_\_\_ the [*last day of previous Session*] in the \_\_\_\_\_ year of our reign.

A. B. Clerk.

[*Or in case such recognizance shall have been taken before a single Justice for appearance at such Court, the Scire Facias to be in like form as near as may be, reciting as follows:*] Whereas A. B. lately before A. C. one of Her Majesty's Justices of the Peace, in and for the said County, personally appeared and acknowledged himself indebted, upon condition [*as before, &c.*]

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*Form of Minute and Entry of Judgment.*

Form of Minute and Entry of Judgment.

At a Court of General Sessions of the Peace, held at \_\_\_\_\_, in and for the County of \_\_\_\_\_, on the \_\_\_\_\_ Tuesday of \_\_\_\_\_, 18 \_\_\_\_\_, before \_\_\_\_\_ and other Justices of said Court.

It appearing to this Court that A. B. hath not performed the condition of a certain recognizance lately entered into by him relating to a charge of Bastardy, and the said A. B. having been duly served with a *Scire Facias* thereon returnable at this present Term, and not appearing thereto, [*or if appearing* not shewing sufficient cause]; It is considered and adjudged by the Court that such recognizance is forfeited, and that Execution do issue against the said A. B. according to the form and effect of such recognizance.

*Form of Execution.*

Form of Execution.

General Sessions, ss. Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c.

To the Sheriff of \_\_\_\_\_

Greeting:

Whereas at a Court of General Sessions of the Peace held at \_\_\_\_\_, in and for the said County, on the \_\_\_\_\_ Tuesday in \_\_\_\_\_, It was adjudged that a certain recognizance entered into by \_\_\_\_\_, in the penal sum of \_\_\_\_\_, with a condition relating to a case of Bastardy, had become forfeited by reason of the condition thereof not being performed, of which execution remains to be done; We therefore command you that of the good and chattels of the said \_\_\_\_\_ in your Bailiwick you cause to be made the said sum of \_\_\_\_\_ and have that money before us at the next Court of General Sessions of the Peace to be held at \_\_\_\_\_ on \_\_\_\_\_, to be paid and applied according to law, and for want of goods and chattels whereon to levy you will take the body of the said \_\_\_\_\_ and him safely keep in the common gaol of your County until he pay the said sum of \_\_\_\_\_ or be otherwise discharged, and make return hereof. Witness \_\_\_\_\_, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ in the \_\_\_\_\_ year of our reign.

A. L. Clerk.

*Approved by the Act. c. 43*

CAP. XLIII.

An Act to declare the priority of Registered Deeds, and other incumbrances upon Land.

*Passed 23d March 1839.*

Deeds, Wills, Judgments and Recognizances to have priority according to the time of Registry.

I. **B**E it declared and enacted by the Lieutenant Governor, Legislative Council and Assembly, That every Deed, Conveyance, Will and Devise duly registered, and every judgment and recognizance whereof a memorial may be duly registered in the office of Register of Deeds of the County where the lands affected by any such conveyance or incumbrance may lie, under the provisions of any Act of Assembly in this Province, shall have effect both in law and equity according to the priority of time of such registry.

*+ This Act has in force till 19th March 1841*

CAP. XLIV.

An Act to provide for the prompt payment of all demands upon the Provincial Treasury.

Passed 23d March 1839.

*Continued for 5 years from 1<sup>st</sup> April 1850*  
*12<sup>th</sup> Dec 20*

**WHEREAS** it is deemed advisable to empower the Treasurer for the time being of this Province, to enter into agreement with one of the Banks or Banking Companies, or any Branch thereof, now established in the City of Saint John, for advancing to him the said Treasurer, upon the credit of the Province, such sum or sums of money as may be required from time to time for the public service;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Treasurer for the time being, and he is hereby authorized and required to receive Tenders from any such Bank, Banking Company, or Branch thereof, in the said City of Saint John, as may be willing to advance such sum or sums of money as aforesaid; and it shall be the duty of the said Treasurer, within thirty days after the passing of this Act, to give public notice by advertisement in at least two of the Newspapers published in the said City, that such Tenders will be received by him at any time or times on or before the first day of June next.

Treasurer to receive Tenders from any Bank or Branch in the City of Saint John willing to advance money for the public service.

II. And be it further enacted, That it shall be the duty of the said Treasurer forthwith after the said first day of June next, to submit such Tenders as shall have been received by him, to His Excellency the Lieutenant Governor or Commander in Chief for the time being, who shall and may, by and with the advice and consent of Her Majesty's Executive Council, signify to the said Treasurer his approval of such Tender as may be deemed most beneficial for the public interest; and the said Treasurer shall thereupon forthwith accept the said Tender and enter into the agreement accordingly, and such agreement shall contain such stipulations for carrying into effect the object thereof according to the true intent and meaning of this Act as the said Lieutenant Governor or Commander in Chief for the time being, with the advice and consent of the said Executive Council, shall direct, and shall be expressed to be made with the Queen's Majesty, Her Heirs and Successors.

Treasurer to submit Tenders to the Lieutenant Governor for approval, and enter into agreement with the party making the tender approved of.

III. And be it further enacted, That as soon as any such agreement shall be entered into for the purposes aforesaid, it shall be the duty of the said Treasurer to deposit with the said Bank or Banking Company, or Branch thereof so contracting, all the public monies which from time to time shall come into his possession or control; and the said Bank, Banking Company or Branch thereof, shall not at any time be in advance to the said Treasurer in a sum exceeding thirty thousand pounds.

After agreement entered into, Treasurer to lodge all public monies with the contracting Bank or Branch.

IV. And be it further enacted, That no contract or agreement as aforesaid shall be entered into by which a higher or greater rate of interest than five per centum per annum shall be agreed to be paid or allowed for any sum or sums of money to be advanced to the said Treasurer under the provisions of this Act.

Rate of Interest limited to five per cent.

V. And be it further enacted, That the said Treasurer for the time being shall not be charged or chargeable for any failure or default in performance on the part of the said Bank, Banking Company or Branch thereof, of any agreement or contract so to be entered into, nor for any loss or damage that may arise from any act, matter or thing, lawfully done or suffered by him under the provisions and according to the true intent and meaning of this Act: Provided always, that for any thing done or suffered by him not authorized by this Act the said Treasurer shall be liable to all intents and purposes in the same manner as if this Act had not been made.

Treasurer absolved from liability for loss suffered under this Act.

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and to 1865 by 6 mi. c. 6  
copy 1850 by 7 mi. c. 30  
copy 1852

C. 45, 46, 47.

2° VICTORIÆ.

A. D. 1839.

Limitation.

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

CAP. XLV.

7 W. 4, c. 11

An Act to repeal An Act, intituled "An Act for the more effectual prevention of Fires, within the City of Saint John."

Passed 23d March 1839.

7 W. 4, c. 11, repealed.

**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 His late Majesty King William the Fourth, intituled "An Act for the more effectual prevention of Fires within the City of Saint John," be and the same is hereby repealed:

Court may proceed to conviction of persons indicted under the repealed Act.

II. Provided always, and be it enacted, That when any person before the passing of this Act shall have been indicted or convicted for any offence deemed a common nuisance, under the provisions of the said recited Act, the Court in which such offence may be prosecuted, may still proceed to the conviction and punishment of such offender in like manner as if the said recited Act had not been hereby repealed: Provided always, That no judgment shall be given to abate any such nuisance, and that in no case shall a greater fine be imposed than fifty pounds and the costs of prosecution.

Proviso.

CAP. XLVI.

and to 1850  
5 W. 4, c. 31  
revived and continued

5 W. 4, c. 31.

An Act to revive and continue "An Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its branches."

Passed 23d March 1839.

5 W. 4, c. 31, revived and continued.

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to regulate the driving of Timber and Saw Logs down the River Magaguadavic and its branches," is hereby revived and continued in full force until the first day of April in the year of our Lord one thousand eight hundred and forty five.

CAP. XLVII.

An Act relating to Circuit Courts in the Counties of Gloucester, Restigouche and King's.

Passed 23d March 1839.

Provisions of 8 W. 4, c. 4. extended to the County of Restigouche.

**WHEREAS** it is expedient that a Circuit Court be established in the County of Restigouche, and that certain alterations should be made in the time of holding the Courts in the County of Gloucester and King's County;  
I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the several provisions of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to establish Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts," be and the same is hereby extended to the County of Restigouche in as full and ample manner, as if the several Sections of the said Act were respectively set forth in this Act.  
II.



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II. And be it enacted, That the period of commencement and holding the Circuit Court in the said County of Restigouche, shall be on the last Tuesday in August in each and every year.

Circuit Court for Restigouche to commence on last Tuesday in August.

III. And be it enacted, That an Act made and passed in the first year of the Reign of Her present Majesty Queen Victoria, intituled, "An Act to alter the times for holding the Circuit Courts in the Counties of Gloucester and Queen's," so far as the same relates to the County of Gloucester be and the same is hereby repealed.

1 Vict. c. 14, so far as relates to Gloucester repealed.

IV. And be it enacted, That from and after the passing of this Act, the time for commencing and holding the Circuit Court in the County of Gloucester shall be on the first Tuesday in September in each and every year, instead of the time heretofore established.

Circuit Court for Gloucester to commence on the first Tuesday in September.

V. And be it enacted, That in the year one thousand eight hundred and forty, and each and every year afterwards, the time for commencing and holding the Circuit Court in King's County shall be on the second Tuesday in July, instead of the time now by law established.

Circuit Court for King's County to commence on last Tuesday in July.

VI. And be it enacted, That this Act shall continue and be in force during the continuance of the said recited Act, passed in the eighth year of the Reign of His late Majesty King William the Fourth, and no longer.

Limitation.

*Amended by 13th title  
Cap 35*

CAP. XLVIII.

*Contd to Wiley 1<sup>st</sup> 1850 by  
S. M. e. 46*

An Act to provide for the summary punishment of persons committing trespasses upon square Timber and other Lumber.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, if any person or persons, shall possess himself or themselves of any squared timber, logs or sawed lumber that may be found adrift, or in any other situation, or shall injure, cut up or destroy any such timber, logs or lumber, or shall cut away or cast adrift any boom for preserving the same, or any raft of timber, logs or lumber as aforesaid, or shall hew out the mark or marks of the owner or owners thereof, or otherwise deface or obliterate the same, with intent and design to defraud the owner or owners thereof, he or they shall, for each and every offence, forfeit and pay a sum not exceeding ten pounds, to be recovered before any two of Her Majesty's Justices of the Peace in and for the County where such offence shall be committed, with costs of prosecution, upon the oath or oaths of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offender's goods and chattels, one half of the said fine to be paid to the Overseers of the Poor of the Town or Parish where the said offence shall have been committed, for the use of the Poor of the said Town or Parish, and the other half to the person who shall sue for the same, and in case the said offender or offenders so tried and convicted as aforesaid shall not have any goods or chattels whereon to levy the said fine, then it shall and may be lawful for the said Justices, under their hands and seals, to commit the said offender or offenders to the common gaol of the County where the said offence shall have been committed, there to remain without bail or mainprize for a space not exceeding twenty days, as the said Justices shall in their discretion think fit.

Persons guilty of certain offences with respect to Timber, Logs, Lumber or Booms to forfeit £10.

Recovery.

[Application.]

II. And be it enacted, That whenever complaint shall be made on oath before such Justices or either of them, by any person claiming to be owner of

On complaint that any person hath possessed himself

of any Timber, &c. with intent to defraud the owner, Justices to issue a Warrant. To seize and keep the property for the benefit of the owner. Proceedings in relation to the delivery of the Timber, &c. upon conviction or after trial without conviction.

of any square timber, logs or sawed lumber, or by his lawful agent, that any person hath possessed himself of any such timber, logs or lumber, with the intent and design aforesaid, it shall be lawful for the said Justices, or either of them, to issue a warrant directed to any Constable of the Parish where the said property may be, requiring him to seize and take into his possession the said property and the same safely to keep for the benefit of the owner thereof; and upon conviction of the said person so offending, or upon his absconding or keeping out of the way so as to avoid being brought to justice, or after trial of the said offender without a conviction, if in any such case the said Justices shall be satisfied the said property shall belong to the said person so claiming as aforesaid, such Justices shall forthwith order the same to be delivered to the said person so claiming to be the owner thereof, or his lawful agent as aforesaid, upon payment of such reasonable charge for keeping the same as the said Justices shall in the said order direct, not exceeding the sum of twenty shillings; and if the said Justices shall not be satisfied that the said property belongs to the said person so claiming to be the owner thereof, they shall order the same to be delivered to any person who may appear to them to be the owner thereof, or his lawful agent, or on refusal of such last mentioned person to take the same, or on failure of satisfactory proof of ownership in any other person, then the said Justices shall order the delivery of the said property to the person from whose possession the same may have been taken by the said Constable by virtue of the said warrant, upon payment of the like charge as in the case of delivery to the person claiming to be the owner thereof and prosecuting as aforesaid: Provided always, that no adjudication or proceeding under this Act shall be evidence in any Court of law or equity of the right of property in any such timber, logs or lumber.

Proof of cutting out marks to be deemed prima facie evidence of fraud.

III. And be it further enacted, That proof of the fact of cutting out, defacing, or otherwise obliterating the mark or marks of the owner or owners of any squared timber, logs or sawed lumber, shall be deemed and taken to be *prima facie* evidence of fraud in all prosecutions to be had under the provisions of this Act.

Limitation.

7th  
4th  
E 1845  
4th c. 8

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

CAP. XLIX.

W. 4, c. 7.

An Act to alter and amend an Act, intituled "An Act to provide for the greater safety of Passengers on board Steamboats."

Passed 23d March 1839.

W. 4, c. 7, sec. 1 and 2, repealed.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the first and second Sections of an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to provide for the greater safety of Passengers on board Steamboats," be and the same are hereby repealed; and in lieu thereof,

No British Steam Vessel to leave any Port in this Province without three Boats (and Tackle) sufficient to carry 50 passengers exclusive of the crew.

II. Be it enacted, That no British Boat or Vessel, propelled by Steam, shall be permitted by the Captain or Owner to depart from any Port or place within this Province to any other Port or place either within or without the Province, by sea, with passengers on board, without having on board or attached in a convenient manner at least three good and efficient Boats, with a sufficient quantity of good Oars and other tackle necessary therefor, of sufficient capacity in all to carry

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carry sixty adult passengers exclusively of the crew ; and no such vessel shall be permitted by the Captain or Owner to navigate in any of the Rivers or inland waters of this Province with passengers on board, without having on board or attached in a convenient manner as aforesaid, at least two good and efficient Boats, properly equipped with oars and other tackle as aforesaid, of sufficient capacity to convey in the whole at least thirty adult passengers, exclusive of the crew.

Steam Vessels navigating Rivers to have two Boats (and Tackle) sufficient to carry 30 Passengers.

III. And be it further enacted, That if any Master or Owner shall permit any such Vessel to depart from any Port or place within this Province, or to navigate in any of the Rivers or inland waters of this Province as aforesaid, without having on board or attached such good and efficient boats, properly equipped with oars and other tackle as aforesaid, they or either of them shall forfeit the sum of fifty pounds for each and every time such Vessel may so depart or navigate without being so provided, to be recovered, levied and applied as is directed in and by the third Section of the Act to which this is an amendment.

Leaving Port or navigating the Rivers without Boats.

Penalty.

IV. And be it further 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, to appoint one Commissioner, residing at each of the following places, that is to say, in the City of Saint John and Towns of Saint Andrews and Newcastle, Miramichi ; which Commissioners so to be appointed shall be empowered, and they are hereby required and directed respectively to go on board, so often as need be, any such Steam Vessel, and in the event of any such Steam Vessel departing or navigating without being equipped as is prescribed by the second Section of this Act, it shall be the duty of such Commissioners respectively to report the same to the Lieutenant Governor or Commander in Chief for the time being, in order that the party or parties so offending may be proceeded against in the manner prescribed by the said third Section of the Act to which this is an amendment.

Governor to appoint Commissioners with power to board Steam Vessels and report deficiencies in respect of Boats and Tackle.

V. And be it further enacted, That in all cases when any damage or injury shall be sustained by any person being a passenger on board any Vessel propelled by steam, by the exploding, collapsing, blowing up, or giving way of any part of the machinery of such vessel, the fact of such exploding, collapsing, blowing up or giving way shall in all actions to be prosecuted against the master or owner of such vessel, by the person so sustaining injury, be taken to be, and be *prima facie* evidence of carelessness and negligence in such master or owner.

Fact of exploding, collapsing, &c. of any Steam Vessel to be *prima facie* evidence of carelessness.

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

Limitation.

CAP. L.

An Act in further amendment of the Law relating to Tavernkeepers and Retailers.

Passed 23d March 1839.

WHEREAS in and by an Act made and passed in the first year of the 'Reign of Her present Majesty Queen Victoria, intituled "An Act in addition to and in amendment of an Act, intituled 'An Act to regulate Tavernkeepers and Retailers,' " power and authority is given to Her Majesty's Justices of the Peace of this Province in their respective Courts of General Sessions, to enforce the observance of such rules and regulations as they had made or should thereafter make in and for their respective Counties, under such penalty

Preamble. 1 Vict. c. 33.

Repealed by 3<sup>rd</sup> vic c. 47

‘ or penalties as to them in their respective General Sessions might seem meet, to  
 ‘ be in no case less than ten shillings nor more than five pounds for each and  
 ‘ every breach of such rules and regulations, such penalty or penalties to be re-  
 ‘ covered before Her Majesty’s Justices of the Peace in General Sessions, or any  
 ‘ two of the Justices of the Peace of the County in which the offence had been  
 ‘ committed : And whereas doubts have arisen whether the said Courts of General  
 ‘ Sessions of the Peace, or the said two Justices of the Peace, have any power or  
 ‘ authority to compel the attendance of witnesses to give evidence before them  
 ‘ respectively, on prosecutions under the provisions of the said in part recited  
 ‘ Act or the Act to which the same is an addition and amendment; for remedy,’

Justices in Sessi-  
 ons of any two  
 Justices of the  
 Peace may compel  
 witnesses to give  
 evidence in pro-  
 ceedings for  
 breach of rules,  
 &c. under Acts 1  
 Vict. c. 33, or 5  
 W. 4, c. 3.

Power to issue  
 subpoenas.

Form.

Authority given to  
 the witnesses for  
 non-attendance.

Recovery and ap-  
 plication.

5 W. 4. c. 45.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, Her Majesty’s Justices of the Peace in General Sessions in the several and respective Counties, or any two of Her Majesty’s Justices of the peace, shall have full power and authority to compel the attendance of witnesses to give evidence on any proceedings had before them respectively, against any person or persons for a breach of any rule or regulation made, or for the recovery of any penalty imposed under the authority of the said above in any part recited Act, or the Act to which it is an amendment; for which purpose the Clerk of the Peace for the County in which the said offence shall have been committed and in which such proceeding is had, or one of the Justices of the Peace before whom the cause is to be tried, shall have full power and authority to issue subpoenas; and the subpoenas issuing out of the General Sessions of the Peace shall be in such form as the Court of Sessions shall from time to time prescribe, which subpoenas shall be tested in the name of any Justice of the said Court of General Sessions and returnable at the next ensuing term of the Court of General Sessions; and the subpoena to be issued by any such Justice shall be according to the form in the schedule to this Act, which subpoenas shall be served as other subpoenas issuing out of the Court of General Sessions.

II. And be it enacted, That the Justices of the Peace in General Sessions, or the said two Justices, shall have full power and authority to impose such penalty for the non-attendance of witnesses duly subpoenaed to attend before such General Sessions or the said Justices respectively, such penalty not to exceed two pounds for each contempt of non-attendance, provided it be made to appear, to the satisfaction of such General Sessions or the said two Justices respectively, that the said witness or witnesses have been legally served with the said subpoena, requiring the attendance of such witness, and that no sufficient cause prevented his or her attendance in obedience to such subpoena; such penalties to be levied, collected, appropriated and applied in all respects agreeably to the provision of an Act of General Assembly made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled “An Act to facilitate summary proceedings before Justices of the Peace, and the execution of warrants by Constables.”

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

SCHEDULE.

*Subpoena to be issued by the Justice before whom the cause is pending.*

Form of subpoena.

To A. B. C. You and every of you are required to appear before me  
 , at my , in the Parish of , on the  
 day of , at the hour of in the noon, to give evidence on  
 the

A. D. 1839.

2<sup>o</sup> VICTORIÆ.

C. 50.

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the part of our Sovereign Lady the Queen against for the alleged  
breach of and then and there to be tried; and take notice that in  
case you or either of you neglect to appear and testify, you will be liable to a  
penalty of not exceeding forty shillings, according to the form of the Act of  
Assembly lately made and provided. Dated the day of 18 .

N. M., J. P.



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# Anno Primo VICTORIÆ Reginae.

## CAP. XLII.

An Act to amend the Laws relating to the solemnizing of Marriage.

*Passed 9th March 1838.*

**W**HEREAS it is expedient to amend the Laws relating to the solemnizing of Marriage in the following manner:

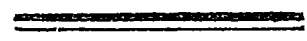
I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That any ordained person, Minister or Teacher, duly authorized or licenced to solemnize Marriage either under an Act past in the thirty first year of the Reign of King George the Third, intituled "An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery and Fornication," or under an Act passed in the fourth year of the Reign of King William the Fourth, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province," may solemnize marriage between any persons, whether or not such persons be of the communion or denomination of the ordained person, Minister or Teacher solemnizing the marriage, any thing in either of the said recited Acts to the contrary notwithstanding, subject nevertheless, in all other respects to the respective regulations and provisions of the said recited Acts.

Any ordained person duly authorized under the Act 31 G. 3, c. 5, or 4 W. 4, c. 46, may solemnize Marriage, whether or not the persons be of the same communion or denomination with the person solemnizing.

II. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto first had and declared.

Act suspended till Her Majesty's approbation be had.

*[This Act was specially confirmed, ratified, and finally enacted by an order of the Queen in Council, dated the 5th day of November, 1838, and published and declared in the Province on the 9th day of January, 1839.]*



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