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**A C T S**  
- OF THE  
**GENERAL ASSEMBLY**  
OF  
HIS MAJESTY'S PROVINCE  
OF  
**NEW-BRUNSWICK,**  
PASSED IN THE YEAR  
**1827.**



FREDERICTON:  
PRINTED BY GEO. K. LUGRIN,  
*Printer to the King's Most Excellent Majesty.*  
—•—  
1827.

MAR 9 1909

ANNO REGNI  
**GEORGIIV.**

BRITANNIARUM REGIS, OCTAVO.

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**A**T the General Assembly of the Province of New-Brunswick, begun and holden at FREDERICTON, on the eighth day of February, Anno Domini one thousand eight hundred and twenty-seven, in the Eighth Year of the Reign of our said Sovereign Lord GEORGE the FOURTH, by the Grace of God, of the United Kingdom of GREAT-BRITAIN and IRELAND, KING, Defender of the Faith, &c. &c. &c. being the Seventh Session of the Eighth General Assembly, convened in the said Province.



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## TITLES OF THE ACTS.

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PAGE.

- I. **AN ACT** to continue an Act intituled "An Act to authorize the Justices of the County of Northumberland to regulate the grazing and depasturing of certain Tracts of land within that County." 1
- II. An ACT to prevent unnecessary delay and expense in proceedings against persons having privileges of the General Assembly. 2
- III. An ACT further to continue an Act intituled "An Act for granting further aid in support of the Grammar School in the Town of Saint Andrews." 3
- IV. An ACT for the more easy assessment of damages in actions on Bonds payable by Instalments, and other similar Instruments, and for the more convenient service of Writs of Scire Facias. *ib.*
- V. An ACT to continue and amend "An Act for regulating the Inspection of Fish, to be consumed within this Province." 6
- VI. An ACT to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, to convey a certain piece of the Glebe Land of the said Parish, in exchange for other Land. 7

TITLES TO THE ACTS.

- VII. An ACT in further amendment of an Act intituled "An Act subjecting Real Estates in the Province of New-Brunswick to the payment of Debts, and directing the Sheriff in his proceedings thereon." 10
- VIII. An ACT to provide for the Registering of Judgments and Recognizances which are intended to bind or affect Real Estates. 13
- IX. An ACT further to alter and amend an Act intituled, "An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery, and Fornication." 17
- X. An ACT to alter and amend the laws now in force relating to the establishment, regulation and improvement of the Great Roads throughout the Province; and to make more effectual provision for the same. 18
- XI. An ACT to regulate the Herring Fishery in the Parishes of Grand Manan, West Isles, Campo-Bello, Pennfield, and Saint George, in the County of Charlotte, and to provide for the inspection of Smoked Herrings in the said Parishes. 21
- XII. An ACT for erecting the North-western part of the Town or Parish of Waterborough, in Queens County, into a separate Town or Parish. 26
- XIII. An ACT to erect the North-eastern part of the County of Westmoreland into a distinct Town or Parish, and also to authorize the appointment of Parish Officers at the November General Sessions in each year. 28
- XIV. An ACT to regulate the Bass Fishery in the River Richibucto and its branches. 30
- XV. An ACT to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, and Digdeguash, and their branches. 31
- XVI. An ACT to make further provision for sick and disabled Seamen, not being Paupers, belonging to this Province. 34
- XVII. An ACT in amendment of the Act for the Regulation of the Militia so far as respects the City of Saint John. 35

TITLES TO THE ACTS.

- XVIII. An ACT to repeal an Act intituled "An Act to prevent  
"the destruction of Sheep by Dogs," and to make other  
and more effectual provision for the prevention thereof. 40
- XIX. An ACT to ratify the purchase made of a House and Lot  
for a Marine Hospital for the City and Port of Saint  
John, and for vesting the title thereto in the Mayor, Alder-  
men and Commonalty of the City of St. John, for the purpose  
aforesaid. 42
- XX. An ACT to provide for the erection of a new Court House  
and Gaol in the County of Northumberland. 44
- XXI. An ACT to make more effectual provision for preventing  
the importation or spreading of Infectious Distempers within  
the Towns or Settlements on the River Miramichi. 46
- XXII. An ACT to continue until the first day of May, in the  
year one thousand eight hundred and twenty-nine, an Act  
made and passed in the second year of His present Majesty's  
Reign intituled "An Act for the better extinguishing Fires  
"which may happen in the Towns of Fredericton and  
"Saint Andrews," so far as relates to the said Town of  
Saint Andrews. 52
- XXIII. An Act to establish and regulate Public Landing Places in  
Fredericton. 58
- XXIV. An ACT to repeal certain Enactments relative to the Revenue  
of this Province, and also to make provision for the better  
security of the said Revenue. . . . . 56
- XXV. An ACT to continue and amend an Act intituled "An Act  
"for raising a Revenue in this Province." 58
- XXVI. An ACT to appropriate a part of the Public Revenue to pro-  
vide for the ordinary services of the Province. 64
- XXVII. An ACT to appropriate a part of the Public Revenue for the  
services therein mentioned. 70
- XXVIII. An ACT to provide for opening and repairing Roads and  
erecting Bridges throughout the Province. 81

ANNO REGNI  
**GEORGIIV.**

BRITANNIARUM REGIS, SEPTIMO.

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---

TITLE OF ACT.

	PAGE.
An ACT for the division of the County of Northumberland into three Counties, and to provide for the Government and Representation of the two new Counties.	97



THE  
**A C T S**  
OF THE  
**GENERAL ASSEMBLY,**  
&c.

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CAP. I.

An Act to continue an Act intituled "An Act to authorize the  
"Justices of the County of Northumberland to regulate the  
"grazing and depasturing of certain Tracts of land with-  
"in that County."

*Passed the 19th March, 1827.*

**B**E it enacted by the Lieutenant-Governor,  
Council and Assembly, That an Act  
passed in the seventh year of the Reign of His  
Majesty King George the Fourth, intituled,  
an

7 Geo 4. c. 10.  
continued for one  
year.

“ An Act to authorize the Justices of the County of Northumberland, to regulate the grazing and depasturing of certain tracts of Land within that County,” be, and the same is hereby continued and declared to be in full force for one year.

CAP. II.

An Act to prevent unnecessary delay and expence in proceedings against persons having privilege of the General Assembly...

Passed the 19th March, 1827.

WHEREAS the mode of proceeding against persons having privilege of the General Assembly, by Distringas, is extremely dilatory and expensive.

Prosmile.

I. Be it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the passing of this Act, when any Summons shall be sued out against any Member of His Majesty's Council, a Member of the House of Assembly, or other persons having privilege of the General Assembly, if the defendant or defendants shall not appear at the return of the Summons, or within twenty days after such return, in every such case, it shall and may be lawful to, and for the Plaintiff or Plaintiffs, upon affidavit being made and filed in the proper Court, of the personal service of such Summons, to enter an appearance or appearances for the Defendant or Defendants, and to proceed thereon as if such Defendant or Defendants had entered his or their appearance.

Persons having privilege of General Assembly not entering appearance within 20 days.

Plaintiff to proceed as if appearance had been entered.

II. Provided nevertheless, and be it further enacted, That nothing in this Act contained shall extend or be construed to subject any person whatsoever, entitled to privilege of the General Assembly, to be arrested, restrained or imprisoned,

Not to subject any Member to arrest or imprisonment.

ed, during the term of such privilege; but that every such person shall continue to be exempt therefrom, in like manner as if this Act had not been made.

CAP. III.

An Act further to continue an Act intituled An Act for granting  
 "further aid in support of the Grammar School in the  
 "Town of Saint Andrews."

*Passed the 19th March, 1827.*

**BE** it enacted by the Lieutenant-Governor,  
 Council, and Assembly, That an Act made  
 and passed in the sixtieth year of the Reign of His  
 late Majesty King George the Third, for granting  
 further aid in support of the Grammar School in  
 the Town of Saint Andrews, be, and the same is  
 hereby continued and declared to be in full force  
 for two years.

60 Geo: 3 c. 2  
 continued for two  
 years.

CAP. IV.

An Act for the more easy assessment of damages in actions on  
 Bonds payable by Instalments, and other similar Instru-  
 ments, and for the more convenient service of Writs of Scire  
 Facias.

*Passed the 19th March, 1827.*

**W**HEREAS much inconvenience and ex-  
 pense are incurred in actions brought  
 upon Bonds or on Penalties for the non-  
 performance of Covenants and Agreements con-  
 tained in any Indentures, Deeds or other Writings  
 in consequence of the Laws now in force requir-  
 ing the Damages on breaches assigned or sug-  
 gested on the Record in all cases to be assessed  
 after Judgments upon Demurrer, or by Confes-  
 sion or default by Juries for that purpose, to be  
 summoned:

Preamble

summoned : *And whereas* it is considered that in many of the said Cases the Damages may be assessed by the Court in which such actions are brought, which will much lessen the expence and inconvenience of such proceedings.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act in all actions in any of His Majesty's Courts of Record in this Province, upon any Bond or Bonds conditioned for the payment of money by instalments, or for the performance of Agreements or Awards, where such Agreements or Awards are expressed only for the payment of any sum or sums of Money : And in all Actions for any penal sums for non-performance of any Covenants or Agreements in any Indenture, Deed or Writing contained, where such Covenants or Agreements are only for the payment of Monies in which Judgment shall be given for the Plaintiff or Plaintiffs, upon Demurrer, or by Confession or Nihil dicit; the truth of all breaches assigned or suggested on the Record may be inquired of, and the Damages thereupon assessed by the Court without the intervention of a Jury ; the costs and charges of such proceeding to be borne by the Defendant or Defendants; which inquiry and assessment shall be entered upon the Record ; and Execution may thereupon be taken out for the Damages so assessed, together with Costs of Suit, in like manner as if such Damages had been assessed by a Jury in the manner heretofore accustomed.

In actions upon Bonds payable by Instalments.

Penalties for non performance of agreements.

The damages to be assessed by the Court without intervention of a Jury.

II. *Provided always and be it further enacted,* That in each case such Judgment shall, as now accustomed, remain, continue, and be as a further security to answer to the Plaintiff or Plaintiffs, and his or their Executors or Administrators, such Damages as shall or may be sustained for further breach of any Condition or Covenant in  
the

the said Bond, Indenture, Deed or Writing contained, upon which the Plaintiff, or Plaintiffs may have a Scire Facias upon the said Judgment against the Defendant or against his Heir terretenants, or his Executors or Administrators suggesting such other breach or breaches, and to summon him or them respectively to show cause why Execution shall not be had or awarded upon the said Judgment; and if no appearance be entered by the Defendant or Defendants, upon such Scire Facias, the Courts in which such Actions have been brought, are respectively authorized and empowered to assess such further damages, and to award Execution for such damages, together with the costs and charges of such proceeding, in manner as herein-before directed: And so in case of any further breaches a further assignment or suggestion may be made, and the like proceedings may be had as herein-before directed.

Defendant being served with a Scire Facias, not entering appearance.

The Courts to assess and award Execution for further damages and costs.

III. *Provided nevertheless, and be it further enacted,* That nothing in this Act contained shall extend or be construed to prevent the Defendant or Defendants from having a Jury summoned to assess the Damages upon the breaches assigned in the manner heretofore accustomed; Provided he, she, or they give Notice to the Plaintiff or Plaintiffs of such wish or intention, within ten days after Judgment is signed in the action or such Scire Facias served. *And provided also,* that the Court in which such Action is brought, shall have full power to order and direct the Damages to be assessed by a Jury in any case where the same may appear proper or expedient; and to award Execution thereupon in the manner in and by this Act directed.

Not to prevent a Jury being summoned by Defendant.

On notice given within 10 days after Judgment.

IV. *And whereas* it is expedient to provide for the more easy and effectual service of Writs of Scire Facias. *Be it further enacted* that the  
the

Personal service of  
Scire Facias to be  
considered good

If affidavit be filed  
of such Service

May be served in  
any part of the  
Province though  
directed to the  
Sheriff of any par-  
ticular County.

personal services of a Copy of a Writ of Scire Facias shall in all cases be taken and considered as good service of such Writ, and as tantamount to a return of Scire Faci by the Sheriff, provided an affidavit be duly made and filed of such personal service; and that such writ may be directed to the Sheriff of any County within the Province, wherein the Person or Persons to be served therewith, may be found, whether it be the same or a different County from that in which the Court sits, or in which the venue is laid; And also that such Writ of Scire Facias may be so personally served in any County of this Province, notwithstanding it may be directed to the Sheriff of any other County within the same.

### CAP. V.

Refer to 4 Geo. 4  
c. 9.

An Act to continue and amend "An Act for regulating the inspection of Fish, to be consumed within this Province."

*Passed the 19th March, 1827.*

Preamble.

**W**HEREAS the Provisions of an Act entitled "An Act for regulating the Inspection of Fish to be consumed within the Province," passed in the fourth year of His Majesty's Reign, apply to Pickled Herrings only.

4 Geo. 4 c. 9 to  
extend to all sorts  
of pickled fish.

*I. Be it enacted by the Lieutenant-Governor, Council and Assembly, That after the passing of this Act, that each and every provision contained in the aforesaid Act shall equally extend to all other sorts and kinds of Pickled fish whatsoever.*

Limitation.

*II. And be it further enacted, That this Act, together with the Act of which it is an amendment, shall continue and be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and twenty nine.*

CAP. VI.

## CAP. VI.

An Act to authorize the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, to convey a certain piece of the Glebe Land of the said Parish, in exchange for other Land.

*Passed the 19th March, 1827.*

**W**HEREAS the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, have, by and with the consent of the Venerable Archdeacon George Best, the present Rector, or Minister, of the said Parish, and Ecclesiastical Commissary for the Province; and with the approbation of the Right Reverend the Lord Bishop of Nova Scotia, agreed with Thomas Baillie, of Fredericton aforesaid Esquire, a Member of His Majesty's Council for the Province of New-Brunswick, for the conveyance and assurance to him the said Thomas Baillie, of a certain piece or tract of land in the said Parish of Fredericton; being part of a lot or tract of land heretofore granted by Letters Patent under the Great Seal of this Province, to the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, as a Glebe for the use, benefit and behoof, of the Rector, Parson or Minister of the said Parish, for the time being; which piece or tract of Land is bounded and described as follows; to wit:

Preamble

Beginning at a Dry Hemlock Stump marked C. T., standing on or near the Southwesterly bank or shore of the River Saint John, about forty-nine rods above the mouth of Phillis' Creek, at the lower or Southeasterly corner of lot number One, formerly granted to Cornelius Thompson, in the Grant of Block number Two, or second Battalion of New Jersey Volunteers, thence

Description of lot to be conveyed by the Rector, Church Wardens and Vestry of Christ Church to Thos. Baillie, Esquire.

thence running by the Magnetic Needle (of 1799) South thirty-two degrees West, ninety-two chains, of four Poles each, along the line of blazed trees marked A. R., being the lower or Southeasterly line of the said lot number One, thence South sixty-six degrees East, ten chains to a dead Hemlock blazed and notched, standing on the Western angle of Land granted to Isaac Hedden, Esquire, thence along the Northwesterly line of the said last mentioned Grant, North forty-four degrees, East eighty-one chains, or until it meets the main branch of Phillis' Creek aforesaid, thence along the said branch of the said Creek, following its several courses down Stream along the middle thereof to its discharge in the River Saint John, thence along the Southwesterly bank or shore of the said River following its several courses up Stream until it meets the bounds first mentioned, or a line running North thirty-two degrees East therefrom, containing in the whole one hundred and fifty acres, more or less, with the usual allowance of ten per cent for roads and waste.—In exchange for a certain other piece or parcel of Land situate, lying and being, in the Parish of Kingsclear in the County of York, and bounded and described as follows, to wit:—

Beginning at a stake and stones on or near the Southwesterly bank or shore of the River Saint John at the lower or Southeasterly corner of lot number Two in the Grant of Block number Two or second Battalion of New Jersey Volunteers, thence running by the Magnetic Needle (of 1799) South thirty-one degrees West, twenty five chains of four Poles each, along the lower or Southeasterly line of the said lot number Two, to the King's Highway, thence Southeasterly along the Northside of the said Highway eleven chains and fifty links or to the Northwesterly line of land owned by Frederick Wentworth Winslow, thence along the said line North

thirty

Description of lot  
to be conveyed to  
the Corporation.



thirty-one degrees and thirty minutes East, twenty-six chains, or to the bank or shore of the River Saint John aforesaid, and thence along the Southwesterly bank or shore of the said River following its several courses up Stream to the first mentioned bounds, containing thirty acres, more or less, together with all Houses, Buildings and other improvements and appurtenances thereunto belonging; which said last mentioned piece or parcel of land, Tenements and Premises, the said Thomas Baillie hath agreed to convey and assure to them the said Rector, Church Wardens and Vestry, and their successors in perpetuity, to the use, benefit, and behoof of the Rector, Parson or Minister of the said Church and his Successors forever, in lieu of the said herein before described piece or tract of the said Glebe, of the said Parish of Fredericton, so agreed to be conveyed to the said Thomas Baillie as aforesaid.

*And whereas* it is expedient, and will be for the benefit of the said Church, that the said agreement should be carried into effect, for the perfecting of which said agreement, and for carrying the same into full force and effect,

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That upon the receipt of a good and sufficient Title, conveyance and assurance from the said Thomas Baillie, of the said last herein before described piece or parcel of Land, Tenements and Premises so agreed to be conveyed by the said Thomas Baillie to them the said Rector, Church Wardens and Vestry of the said Church, and their Successors, to the use, benefit and behoof of the Rector, Parson or Minister of the said Church, and his Successors forever, they the said Rector, Church Wardens and Vestry of Christ Church in the Parish of Fredericton, be and they are hereby authorized and empowered by a good

Rector, Church Wardens and Vestry, of Christ Church, authorized upon receiving a good Title to a certain piece of land described in the Preamble, to convey to Mr. Baillie another piece, also described in the Preamble.

good and sufficient deed, to convey to the said Thomas Baillie, his heirs and assigns the said hereinbefore described piece or tract of Land being part of the said Glebe of the said Parish of Fredericton as aforesaid; To hold the same to him the said Thomas Baillie, his heirs and assigns forever; saving nevertheless the Right and Title of the King's Majesty, his Heirs and Successors, and of every other person or persons body-politic and corporate, excepting the said Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, and the Parson and Minister of the said Church, and the said Thomas Baillie, and any person or persons claiming by, from or under them, or any of them.

This to be deemed a Public Act.

II. *And be it further enacted*, That this act shall be deemed and taken to be a Public Act, any thing to the contrary thereof in anywise notwithstanding.

## CAP. VII.

An Act in further amendment of an Act, intituled "An Act subjecting Real Estates in the Province of New-Brunswick to the payment of Debts, and directing the Sheriff in his proceedings thereon."

Refer to 26 Geo. 3, c. 12.

*Passed the 19th March, 1827.*

**W**HEREAS the entering at full length the Records of all Judgments before Executions can issue thereupon against Real Estate, and also the said Executions, in a Book kept in the Office of the Clerk of the Supreme Court, is attended with great inconvenience and expence; and it is considered that the advantages which such a regulation was intended to effect, may be obtained to the full extent by keeping and entering a Docket, or Memorandum, of all Judgments of the said Court, accessible to all persons at proper times.

Preamble.

I.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the first day of May next, all that part of an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act subjecting Real Estate in the Province of New-Brunswick, to the payment of debts, and directing the Sheriff in his proceedings thereon," which requires the Process against real Estates, and the Record of the Judgments to be inspected and certified, and the said Judgment and Process with such Certificate. to be recorded in a Book, by the Clerk of the Supreme Court, to be kept for that purpose, shall be and the same is hereby repealed; *Provided always,* that nothing herein contained shall extend, or be construed in anywise to cause the reversal of any Judgment or Process for Error to operate against any bona fide purchaser under a Process against Real Estate although such Judgment or Process be not certified and recorded in the manner mentioned in the said Act.

Part of the 26 Geo.  
5, c. 12, repealed.

Not to cause reversal of Judgment to operate against any bona fide purchaser.

II. *And be it further enacted,* That from and after the said first day of May next, the Clerk of the Pleas in the Supreme Court, shall make or cause to be made and put into an alphabetical Docket by the Defendant's names, a particular of all Judgments entered in the said Court, which shall contain the name and names of the Plaintiff or Plaintiffs, the name and names of the Defendant or Defendants, and the Debt, Damages, and Costs recovered thereby, and in what County, or City and County, the respective Actions were laid, the time of signing the Judgment, and the number of the Roll; and that the said Docket shall be fairly put into and kept in a Book in the Office of the said Clerk, to be searched and viewed, by all persons at all reasonable times, paying the legal and accustomed fees for a search in the said

Clerk of Supreme Court to make an alphabetical docket by Defendants name of all Judgments entered in the Court

To contain the names of Plaintiffs and Defendants, amount of debt, damages and costs place where the action was laid, date of signing Judgment, and number of the roll.

To be open for search at all reasonable times on payment of fees.

said office : and that in order to the making such Docket, every Attorney of the said Court; on taking in the Judgment Roll, shall deliver, or cause to be delivered to the said Clerk, a Docket paper or entry containing all the particulars aforesaid, except the time of signing the Judgment, and the number of the Roll.

Attornies to deliver a Docket paper containing the above particulars,

No Execution to issue and Real Estate not to be affected by any Judgment not docketed and entered as mentioned before.

III. *And be it further enacted,* That no Judgment not docketted and entered in the manner mentioned in the last foregoing Section of this Act, shall in any manner whatever affect or bind any Lands, Tenements, or Real Estates, nor shall any Execution, or other Process, issue on any Judgment not so docketted and entered.

The copy of a docket certified by the Clerk or his Deputy to be admitted as evidence in all Courts

IV. *And be it further enacted,* That a Copy of the Docket of every such Judgment taken from the said Book of Dockets, and certified under the hand of the said Clerk of the Pleas, or his Deputy, shall be evidence of the docketting of such Judgment in all Courts whatever.

Fees payable to the Clerk for services under this Act.

V. *And be it further enacted,* That the following fees shall be paid to the said Clerk of the Pleas in the Supreme Court, for filling up the date and number in the Docket, and entering the particulars of Judgment's in manner hereinbefore directed, that is to say, for every Judgment where the amount recovered does not exceed Twenty-five Pounds, one Shilling ; for every Judgment where the amount recovered is over Twenty-five Pounds, and does not exceed Two Hundred Pounds, One Shilling and Six pence. For every Judgment where the amount recovered is over Two Hundred Pounds, and does not exceed One Thousand Pounds, Two Shillings. For every Judgment, where the amount recovered is over One Thousand Pounds, Three Shillings ; and for each certified copy of the entry of a Judgment taken from the Book, One Shilling.

VI.

VI. *And be it further enacted*, That one of the places of advertising the time and place of any Sale, to be made by the Sheriff of any Lands, Houses, Real Estate or Hereditaments as required by the said recited Act, shall in those Counties where no Newspaper is published, be within the office of the Register of Deeds of the said Counties respectively; and such Registers are hereby required to allow the same to be made in their respective offices.

The Register of deeds, in Counties where no Newspaper is published, required to allow the advertisement of the sale of real estate to be made in his office.

## CAP. VIII.

An Act to provide for the Registering of Judgments and Recognizances which are intended to bind or affect Real Estates.

*Refer to 26.69.*  
L. 6.

*Passed the 19th March, 1827.*

I. **BE** it enacted by the Lieutenant-Governor, Council and Assembly, That no Judgment or Recognizance, (other than such as shall be entered into in the name and upon the proper account of His Majesty, His Heirs and Successors) which shall be obtained or entered into after the first day of May next, shall affect or bind any Lands, Tenements, or Hereditaments, situate, lying and being in any County, or City and County, within the Province, against any subsequent purchaser or mortgagee for valuable consideration, but only after the time that a memorial of such Judgment or Recognizance shall be entered at the Register's Office of such County, or City and County, expressing and containing, in case of such Judgment, the names of the Plaintiffs and Defendants, the sums thereby recovered and the time of the signing thereof; and in case of Recognizances, expressing and containing the date of such Recognizance, the names and additions of the Cognizors and Cognizees therein, and for what sums and before whom the

Judgments and recognizances not to affect lands &c. until a memorial thereof properly attested and containing all necessary particulars be entered at the Register's office in the County or City and County where the lands &c. are situate except in Crown cases.

same

The party desiring an entry to be made to leave with the Register to be filed in his office a memorial of the Judgment or recognizance

same were acknowledged; and that in order to the making an entry of such memorials of Judgments and Recognizances as aforesaid, the Party or Parties desiring the same shall produce to and leave with the Register, to be filed in the Register Office, a memorial of such Judgment or Recognizance, signed by the proper Officer, or his Deputy, together with an affidavit sworn before one of the Judges of the Supreme Court, or any Commissioner appointed to take affidavits to be read in the Supreme Court (other than the Attorney in the suit) that such memorial was duly signed by the Officer whose name shall appear to be thereunto set; which memorial such officer is hereby required to give such Plaintiff or Plaintiffs, Defendant or Defendants, Cognizee or Cognizees, his, her or their Executors, or Administrators, or Attorney or any of them, he, she or they, paying for the same the sum of One Shilling and no more.

The Register to give certificates of the entry of memorials and these to be admitted as evidence of such entry in all courts.

II. *And be it further enacted,* That the said Register shall make an entry, and likewise (if required) shall give a certificate in writing under his hand of every such memorial of any Judgment or Recognizance brought to him to be so Registered as aforesaid, and therein mention the certain day on which such memorial is so entered or registered, expressing also in what book, page and number the same is entered; and that the fee to such Register for each entry shall be One Shilling, and for each certificate One Shilling, and that such certificate shall be taken and allowed as evidence of the Registry of such memorial in all Courts whatsoever.

Fees one Shilling.

On production of a certificate duly attested and sworn to that the monies due upon any Judgment have been paid the

III. *And be it further enacted,* That in case of Judgments or Recognizances whereof memorials shall be entered in the Register Office of any County, or City and County, pursuant to this Act, if at any time afterwards, a certificate shall

shall be brought to the Register signed by the Plaintiff or Plaintiffs in such Judgment, Defendant or Defendants in case the Judgment be for such Defendant or Defendants, and Cognizee or Cognizees in such Recognizance, his, her, or their lawful Attorney, Executors or Administrators, and attested by two witnesses, whereby it shall appear, that the monies due upon or by virtue of such Judgment or Recognizance have been paid and satisfied in discharge thereof; which witnesses, or one of them, shall upon oath before one of the Judges of the Supreme Court, or any of the Commissioners as aforesaid, or the said Register, prove that the said Plaintiff or Plaintiffs, Defendant or Defendants, Cognizee or Cognizees, or his, her, or their lawful Attorney, Executors or Administrators, signed such certificate and acknowledged such payment or satisfaction; or if a certificate is produced to the Register signed by the proper officer or his deputy, and duly proved in the manner directed by the first Section of this Act, that satisfaction of such Judgment or Recognizance has been duly entered up of Record; or that an execution issued upon such Judgment has been returned duly satisfied, that then and in every such case the said Register shall make an entry in the margin of the said Registry Book against the Registry of the memorial of such Judgment or Recognizance, that the same was satisfied and discharged, according to such certificate, to which the same entry shall refer, and shall after file such certificate to remain upon Record in the said Register Office; and that the fee to the Register for such entry, shall be One Shilling and no more, and to the Officer for such certificate shall be One Shilling and no more.

Register to make an entry opposite to the Registry of the memorial of the satisfaction of the same.

And file such certificate to remain on record.

Fees of Register and Officer.

IV. *And be it further enacted*, That no Judgment or Recognizance (except as before excepted

Six months after the passing of this Act, lands, &c. to be affected by

ed

Judgment only from the date of the entry of the memorial except in Crown cases.

ed) already recovered or entered into, or which may be recovered or entered into, on or before the said first day of May next, shall after the expiration of six months from the passing of this Act, affect or bind any Lands, Tenements or Hereditaments, against any subsequent Purchaser or Mortgagee for valuable consideration, unless a memorial thereof, duly signed and proved as before directed, shall be entered in the Register Office of the County, or City and County, wherein such Lands, Tenements or Hereditaments are situate, within six months from the passing of this Act, except only from the time of entering such memorial.

Not to affect the priority given in and by 26 Geo. 3, c. 13.

V. *Provided always, and be it further enacted,* That nothing in this Act contained, shall extend or be construed to affect the priority given in and by an Act made and passed in the twenty-sixth year of His late Majesty's Reign intituled "An Act subjecting Real Estates in the Province of New-Brunswick, to the payment of debts, and directing the Sheriff in his proceedings thereon," to Executions which may be taken out and executed upon Real Estates within the Province.

Judgments of or Recognizances in any Inferior Court not to affect Lands &c. except in Crown cases.

VI. *Provided also, and be it further enacted and declared,* That no Judgment of any Inferior Court or Recognizance entered into before any Inferior Court or Judge thereof (other than such as shall be entered into in the name of His Majesty, His Heirs and Successors) shall affect or bind any Lands, Tenements or Hereditaments within this Province, any Law, usage or custom to the contrary notwithstanding.

VII. *And whereas* it has been customary in several of the Counties of this Province, to keep separate books of Record of different sorts of Instruments affecting Lands, which may lead to serious



serious difficulties from Deeds of the same date affecting the same lands being entered in different books at the same time. *Be it further enacted*, that from and after the said first day of May next, only one book of Records shall be kept in each County, and all Deeds, Instruments or Memorials entered therein, shall be numbered in the order in which they are entered.

Only one Book of Record to be kept in each County and all Deeds, &c. to be numbered in the order as entered.

## CAP. IX.

An Act further to alter and amend an Act intituled, "An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery, and Fornication."

Refer to 3<sup>rd</sup> Geo. Geo. 3, c. 5.

*Passed the 19th March, 1827.*

**W**HEREAS it is expedient to limit the number of Magistrates authorised to solemnize matrimony within this Province,

Preamble.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly*, That from and after the first day of July next, no Justice of the Peace or Quorum shall solemnize or celebrate Marriage between any persons whatsoever within this Province, unless such Justice shall be especially authorized and commissioned to perform such Ceremony by Warrant or Commission from the Lieutenant-Governor or Commander-in-Chief of the Province, and then only when there shall be no Parson, Vicar, Curate, or other person in Holy Orders of the Church of England resident and officiating in the said Parish.

No Justice of the Peace or Quorum to celebrate marriage without a commission from the Governor,

And then only when no Clergyman of the Church of England resides and officiates in the Parish.

II. *And be it further enacted*, That such and so many Justices of the Peace being of the Quorum shall be appointed by the Lieutenant-Governor, or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council, and commissioned under the

Governor with the advice of Council to commission Justices to celebrate marriage.

the hand and seal of such Governor or Commander-in-Chief during pleasure, to solemnize or celebrate Marriages in such Counties or Parishes as may be deemed expedient and necessary; and that such Commissions or Warrants shall be made out and delivered to such Justices free, of any expence to them; and the names of such Justices so authorised shall be published in the Royal Gazette.

Commissions to be delivered free of expence, and the names to be published in the Royal Gazette.

Justices not of the Quorum may be appointed to celebrate marriage in the County of St. John.

III. *Provided always, and be it further enacted,* That Justices of the Peace, not of the Quorum, may be appointed to solemnize Marriages within the County of St. John.

Justices without commissions celebrating marriage after 1st July next subject to penalties as per 3 sec. 21 Geo. 3 c. 5.

IV. *And be it further enacted,* That if any Justice of the Peace or Quorum shall after the said first day of July next, presume to solemnize Marriage without being thereto duly authorised as aforesaid, he shall be subject to the like pains, penalties, and forfeitures, as other persons so offending are by the third Section of the said recited Act made subject and liable to.

Not to prevent the Governor commissioning magistrates in the sickness or absence of the Clergyman.

*Provided* that nothing herein contained shall extend or be construed to prevent the Lieutenant-Governor or Commander-in-Chief authorising Magistrates to solemnize Marriage, in the sickness or absence of the resident Parson, Vicar or Curate.

## CAP. X.

An Act to alter and amend the laws now in force relating to the establishment, regulation and improvement of the Great Roads throughout the Province, and to make more effectual provision for the same.

*Passed the 19th March, 1827.*

**W**HEREAS by an Act made and passed in the third year of His present Majesty's reign, intituled

intituled "An Act to repeal all the Laws now  
 " in force relating to the Establishment, Regula-  
 " tion and Improvement of the Great Roads of  
 " communication through the Province, and to  
 " make more effectual provision for the same,"  
 it is provided that the Lieutenant-Governor and  
 Commander-in-Chief for the time being, by and  
 with the advice of His Majesty's Council, is  
 thereby authorised and empowered to appoint,  
 by Warrant under his Hand and Seal, one fit and  
 discreet person to be Supervisor of the Great  
 Road from Fredericton to the Finger Board at  
 Knox's Farm, and also of the Great Road from  
 the Fork of the Road on the Marsh near the City  
 of Saint John, by way of Gondola Point, to the  
 head of the Belisle: one other fit and discreet  
 Person to be Supervisor of the Great Road from  
 Fredericton to Saint Andrews: one other fit and  
 discreet Person to be Supervisor of the Great  
 Road from Fredericton to the Canada Line: one  
 other fit and discreet Person, to be Supervisor  
 of the Great Road from Fredericton to the River  
 Restigouche: one other fit and discreet Person  
 to be Supervisor of the Great Road from Saint  
 John to Saint Andrews: and one other fit and  
 discreet Person to be Supervisor of the Great  
 Road from Chediac to Chatham Village in the  
 County of Northumberland. *And whereas* it  
 has been considered that the appointment of a  
 greater number of Supervisors on the Great  
 Roads would be attended with great benefit to  
 the Public,

Preamble.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act it shall and may be lawful for the Lieutenant-Governor or Commander-in-Chief for the time being, by and with the advice of His Majesty's Council, to appoint one or more Supervisors for each and every of the aforesaid

The Lieutenant-Governor with the advice of the Council may appoint Supervisors.

Who shall have all the power and be subject to all the Provisions of the several Acts regulating the Great Roads.

aforesaid Roads, to superintend the expenditure of all such sums of money as may be granted towards the improvement of the Great Roads in this Province; which said Supervisors shall have all the powers and be subject to all the Provisions of the several Acts made for the Establishment, Improvement and Regulation of the Great Roads of communication throughout the Province.

ad sec. of 6 Geo. 4. c 30, repealed.

II. *And be it further enacted*, That the second Section of an Act passed in the sixth year of His Majesty's Reign, intituled "An Act to alter and amend the Laws now in force, for the Establishment, Regulation and Improvement of the Great Roads of communication through the Province," be and the same is hereby repealed.

Road from Fredericton to Saint John via Nerepis, established as one of the Great Roads of communication.

III. *And be it further enacted*, That the Road leading from Fredericton to Saint John by way of the Nerepis, be appointed and established as one of the Great Roads of Communication in this Province, that is to say, from the Market House in Fredericton, by the present route to the mouth of the Oromocto River; thence across the said River, and through the field of John Hazen, Esquire, in nearly a direct line to the Great Road in rear of the said field, thence by the present line as surveyed in the month of October last, and described on a plan prepared by order of His Majesty's Surveyor General of this Province, and exhibited to the House of Assembly, to Vaughan's Point, thence across the Inlet at the Head of South Bay to the point where the said Great Road divides into two Branches, one of which leads to John Harding's on the Manawagonis Road, and from thence by the present route to the Carleton Ferry, and the other to Lovett's Point opposite to Indian Town.

## CAP. XI.

An Act to regulate the Herring Fishery in the Parishes of Grand Manan, West Isles, Campo-Bello, Pennfield, and Saint George, in the County of Charlotte, and to provide for the inspection of Smoked Herrings in the said Parishes.

*W. J. Smith*  
*1 W 4 2 8*  
*4 W 4 2 15*

*Passed the 19th March, 1827.*

**W**HEREAS great injury has been done to the Herring Fishery within the County of Charlotte, by the erection of Wears, Fish-garths and other obstructions, and the placing and setting of Seines and Nets across the several Havens, Rivers, Creeks, and Harbours therein,

Preamble.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That no Seine or Seines, Net or Nets, shall be set across the mouth of any Haven, River, Creek or Harbour, within the Parishes of Grand Manan, West Isles, Campo-Bello, Pennfield; and Saint George, in the County of Charlotte; and that no Seine or Net shall be set in any of the said Havens, Rivers, Creeks, or Harbours, which shall extend more than one third of the distance across the same, or be within forty fathoms of each other; or which shall be set within twenty fathoms of the shore at low water mark of the same; and any person or persons who shall set a Seine or Seines, Net or Nets, contrary to the provisions of this Act, shall forfeit and pay the sum of *five pounds*, upon due conviction thereof, by the oath of one or more credible witness or witnesses, or confession of the party, before any one of His Majesty's Justices of the Peace for the said County, to be levied by Warrant of distress and sale of the offender's Goods, rendering the overplus, (if any,) after deducting Costs and Charges, to such offender; and *ten pounds* for the second offence.

No seine or nets to be set across or in the mouth of any Haven, &c. in these several Parishes mentioned, so as to extend more than one third across, or be within 40 fathoms of each other, or within 20 fathoms of the shore.

Under the penalty of £5 for the first offence, to be recovered before a Justice.

£10 for the 2d  
to be recovered in  
any Court of Re-  
cord.

£25 for the 3d,  
recoverable in  
like manner.

Application of  
these Penalties.

All wears &c. to  
have a space of 40  
feet left open in  
the centre, except  
when a competent  
person shall attend  
prepared to cure  
or take care of the  
Fish then caught.

Persons erecting  
any wear, &c.  
contrary to this  
Act to forfeit £10  
to be recovered  
before two Justices.

The Justices to ap-  
point fit Persons  
to be Overseers of  
the Fisheries.

offence, to be recovered with Costs by action of Debt, Bill, Plaint, or Information, in any Court of Record in this Province; and *twenty-five pounds* for the third and every subsequent offence, to be recovered with Costs in the manner last mentioned; one half of which penalties shall be paid to the Overseers of the Poor of the Town or Parish where such offence shall be committed, to be applied to the use of such Poor, and the other half to the Person who shall inform and sue for the same.

II. *And be it further enacted*, That all Wears, or Fish-garths, now built or placed, or which shall at any time hereafter be built or placed in any of the Havens, Rivers, Creeks, or Harbours before mentioned, shall have a space of forty feet wide left open in the centre, or where the water is deepest for the ingress and egress of the Fish, except at such time or times, as the owner or occupier, or some other competent Person shall attend at the said Wear, or Fish-garth, when it shall and may be lawful to stop the said space with a Net for the purpose of taking such Fish as the Owner, Occupier, or other Person attending the same may be prepared to cure, use for bait, or take care of in any other way; and any person erecting, owning or occupying any such Wear or Fish-garth contrary to this Act, shall forfeit and pay the sum of *ten pounds*, to be recovered before any two of His Majesty's Justices of the Peace for the said County, and applied as specified in the first Section of this Act.

III. *And be it further enacted*, That the Justices of the Peace for the said County, in their General Sessions, may and are hereby required, to appoint two or more fit persons in each of the before mentioned Parishes, to be Overseers of the Fisheries, who shall be sworn to the faithful discharge of their duty, and shall have power to  
remove

remove any Net, Hedge, Wear, Fish-garth, Seine, or other obstructions which shall be found in any Haven, River, Creek or Harbour in their respective Parishes, contrary to the Provisions of this Act.

IV. *And be it further enacted*, That if any Net, Hedge, Wear, Fish-garth, Seine or other obstructions, shall be found in any of the Havens, Rivers, Creeks or Harbours before mentioned, set, erected, or placed contrary to the provisions of this Act, it shall and may be lawful for such Overseers of the Fisheries, and they, and each of them, are hereby required respectively, forthwith to seize the same; and if no owner shall appear to claim the same in five days, such Net, Seine or Fish-garth, shall, together with the Fish, if any found therein, be forfeited, and publicly sold by the said Overseer; such Overseer having first advertised the time and place of such Sale in some Public place in the Town or Parish where the Seizure may have been made, at least five days, and the proceeds thereof after deducting the Costs and Charges of such Seizure and Sale, be applied to satisfy the respective penalties by this Act imposed, and the overplus (if any,) paid to the Overseers of the Poor for the use of the Poor of the Town or Parish where such offence shall be committed.

Nets &c erected contrary to this Act to be seized, and if not claimed in five days to be publicly sold by the Overseers

Time and place of sale to be advertised.

And the proceeds to be applied to satisfy the Penalties, &c.

V. *And be it further enacted*, That the said Overseers of the Fisheries shall be intitled to demand and receive *two shillings and six pence*, and no more for each Net to be set in the Districts for which they shall be respectively appointed, from the proprietor of such Nets as a compensation for their trouble.

Overseers to receive as 6d. for each net, payable by the Proprietor.

VI. *And be it further enacted*, That if any such Overseer of the Fisheries shall at any time wilfully and knowingly delay, neglect or refuse

Overseers neglecting or refusing to perform the duties imposed,

to

to be sworn forthwith to the faithful discharge of his duty, or after being so sworn, shall neglect or refuse to perform the duty in and by this Act enjoined, such offender shall forfeit and pay for every offence the sum of *five pounds*, to be sued for, recovered and applied in the same manner as the penalty of *five pounds* herein-before mentioned, can or may be sued for, recovered and applied.

To forfeit £5, to be recovered and applied as before mentioned.

Constables to act when Overseers shall neglect or refuse,

VII. *And be it further enacted*, That if any Overseer shall so neglect to perform the duty in and by this Act enjoined, it shall and may be lawful for any person or persons to apply to any Constable of the Parish, who is hereby authorized and required to take up and remove any such obstructions or incumbrances forthwith, and to proceed thereupon in the same manner, as such Overseer is directed by the Fourth Section of this Act; which Constable shall in such case be intitled to the moiety of the penalty by this Act imposed.

And be entitled to the moiety of the penalties.

VIII. *And be it further enacted*, That from and after the first day of July next, all Smoked Herrings packed within the said Parishes, for exportation or home consumption, shall be well cured and smoked, and not less than six inches in length, and shall be put up in Boxes, the dimensions of which in the inside shall not be less than the following, namely, eighteen inches long, nine inches wide, and seven inches deep; and that all such Boxes of Smoked Herrings before being exported or offered or exposed for Sale, shall be inspected by an Inspector, two or more of whom shall be appointed for that purpose, for each and every of the said Parishes by the Justices at any General Sessions of the Peace for the said County; and that every such Inspector shall mark every Box of Smoked Herrings which he shall inspect, and find Merchantable, and of the proper

Length of smoked Herrings and dimensions of packing boxes ascertained,

Inspector appointed by the Justices

To mark every box of merchantable smoked Herrings with a brand



proper dimensions, with a brand consisting of the Initial letters of such Inspector's name; and that no Box of Herrings shall be offered or exposed for sale, exported or shipped for exportation unless duly inspected and marked in the manner directed by this Act, upon pain of forfeiture thereof; and if any Boxes of Herrings are offered or exposed for sale or shipped for exportation contrary to the provisions of this Act, it shall be the duty of the said Inspectors or any of them to seize and secure the same; and after advertising the same, together with the time and place of such intended Sale, in some Public place in the Town or Parish where the seizure shall be made, for at least ten days, to sell the same by Public Auction to the highest Bidder, and the proceeds thereof, after deducting the necessary expenses of making such seizure and sale, shall be paid, one half to the said Inspector who shall seize the same, and the other half to the Overseers of the Poor of the said Parish for the use of the Poor thereof.

having the initials of his name.

Herrings not so inspected to be forfeited,

And after advertisement for 10 days sold by public Auction.

Proceeds how applied.

IX. *And be it further enacted*, That the said Inspectors shall be intitled to receive one penny for each and every Box of Smoked Herrings which shall be inspected and branded by him; and also at the rate of five shillings per day during the time they are employed in attending to the said Inspection, the same to be paid by the person or persons requiring such inspection.

Payment of Inspectors for services under this act.

X. *And be it further enacted*, That if any Smoked Herrings, shipped contrary to the provisions of this Act, shall be carried or removed from the County aforesaid, so that the same cannot be seized as before directed, that then the person or persons removing or carrying away such Smoked Herrings, shall forfeit and pay the sum of *One Shilling and Six pence* for every Box of Smoked Herrings so shipped or sold contrary

Persons removing Herrings so that they cannot be seized to forfeit 1s 6d. for every box upon conviction

to

tion before a Justice,

To be levied by warrant of distress and sale,

And applied, one half to the Person prosecuting, and the other for the benefit of the poor.

to the provisions of this Act, upon due conviction thereof, before any one of His Majesty's Justice of the Peace in and for the said County, upon the Oath of one or more credible witness or witnesses, or confession of the Party, to be levied by warrant of distress and sale of the offender's Goods and Chattles, and such penalty when recovered to be applied in the following manner, that is to say:—one half thereof to be paid to the person who shall inform and prosecute for the same, and the other half to be paid to the Overseers of the Poor in and for the Parish where such offence shall be committed, for the use of the Poor of such Parish.

Inspectors to forfeit £5, for neglect or wilful default.

XI. *And be it further enacted*, That if any Inspector to be appointed in pursuance of this Act, shall be guilty of any neglect or wilful default in the performance of his duty, he shall forfeit and pay the sum of *Five Pounds*, to be recovered, levied and applied in the manner directed in and by the sixth Section of this Act.

Limitation.

XII. *And be it further enacted*, That this Act shall continue and be in force until the first day of April one thousand eight hundred and thirty-two.

## CAP. XII.

An Act for erecting the North-western part of the Town or Parish of Waterborough, in Queens County, into a separate Town or Parish.

*Passed the 19th March, 1827.*

Preamble.

**W**HEREAS the Town or Parish of Waterborough is so extensive as to render it inconvenient to perform the several Parochial Duties in the manner as required by Law; and it is therefore expedient that the same be divided into two Towns or Parishes,

I.

Combined by 2 & 10  
 h. ch. 3 for 2 years -  
 3 by 2 W. 2 18  
 1827

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That all the Northwestern part of the said Town or Parish to be separated from the other part thereof by the division line between the Lots number sixteen and seventeen on the tongue of Intervale so called and its prolongation to the middle of the water of that part of the Grand Lake, and a continuation of a line through the middle of the said Lake, until it meets the Southeastern boundary line of a Tract of Land granted to David Spher, near to the mouth of Coal Creek, at its junction with the said Lake, thence by a continuation of the same line, to the rear of the said tract, and thence by a line Northeast by the Magnet to the line of the Parish of Brunswick, be and the same is hereby erected into a separate Town or Parish to be called and known by the name of Canning.

North western part of the Town or Parish of Waterborough erected into a separate Town or Parish,

To be known by the name of Canning.

II. *And be it further enacted,* That the Justices of the Peace for the said County, shall at their first General Session in each and every year, appoint Parish officers for the said new Town or Parish of Canning in like manner as for the other Towns or Parishes in the said County; and that until the next January Session the Officers lately appointed for the said Town or Parish of Waterborough, shall continue to perform the duties of their several offices in and throughout both of the said Parishes, as if this Act had not been made.

Parish Officers to be appointed.

The Parochial duties of both Parishes to be executed by the Officers of Waterborough till next January Sessions.

## CAP. XIII.

An Act to erect the North-eastern part of the County of Westmorland into a distinct Town or Parish, and also to authorize the appointment of Parish Officers at the November General Sessions in each year.

*Passed the 19th March, 1827.*

I. **BE** it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the Fifteenth day of November next, all that tract of Land at present situate in the Parishes of Sackville and Dorchester, in the County of Westmorland, and bounded and described as follows, that is to say, commencing at a point on the Sea Shore at the extremity of the boundary line between the said County of Westmorland and the County of Northumberland, thence Westerly following the said boundary-line until it meets a line drawn North twenty degrees West, from the Northwestern corner of a lot granted to Collon Connor, which lot is situate on the Portage leading from Shediack to Peticudiack River, and running from the said County line along the line last mentioned, to the said Northwestern corner of Collon Connor's lot, thence following the Western bound of the said lot, and the extension thereof, until it meets a line drawn due East from the mouth of Fox Creek, thence following the said east line until it reaches the side line of the Parish of Botsford, thence following the said side line to the Sea Shore, and thence following the Sea Shore to the place of beginning, comprehending and including Shediack Island, be a distinct Town or Parish, distinguished by the name of the Town or Parish of Shediack.

Part of the Parishes of Sackville and Dorchester in the County of Westmorland, erected into a distinct Town or Parish

To be called Shediack.

II. *And whereas* the appointment of Town or Parish Officers in the said County of Westmorland has for several years past been made by the Justices

Justices at the General Sessions of the Peace, holden in and for the said County, on the third Tuesday in November, instead of the first General Session in the year, as directed by an Act made and passed in the twenty-sixth year of the reign of his late Majesty, intituled "An Act for the appointment of Town or Parish officers in the several Counties in this Province:" And whereas such alteration has been found convenient and advantageous: *Be it therefore further enacted*, That the Justices of the Peace of the said County shall, and they are hereby authorized and empowered, annually, at the said General Sessions of the Peace, holden on the third Tuesday in November, to appoint such Town or Parish Officers as are directed in and by the said recited Act; and that so much of the said recited Act as directs the appointment to be made at the first General Sessions annually, so far as regards the said County of Westmorland, shall, and the same is hereby declared to be repealed.

Parish Officers to be appointed at the General Sessions on the 3d Tuesday in November.

Part of the 1st sec. 26 Geo 3, c. 23. Repealed.

III. *And be it further enacted*, That all appointments which have been so made at the said November General Sessions, in any year, shall, and they are hereby declared to be good, valid and effectual, and all Acts done by such Parish Officers in the due exercise of their respective offices, shall be, and they are hereby declared as valid and lawful, as if such Officers had been appointed at the first General Sessions in the year, and the Officers appointed at the last November Sessions shall continue and remain in the discharge of their several Offices until others are appointed in their stead in November next.

Appointment of Officers, and acts done by them in discharge of their offices confirmed.

To continue in office till others are appointed.

IV. *And be it further enacted*, That all such Officers so appointed as aforesaid, shall be indemnified and are hereby freed and discharged against and from all Suits, Actions, Prosecutions, or Informations whatsoever, that may be had, moved,

Officers freed from suits &c. and

Made liable to same penalties, &c. as if appointed at the first annual Sessions.

moved, or prosecuted against them, or any of them; for or by reason, or on account of any acts by them or any of them done, in the due discharge of their several and respective offices, and that they be and remain subject to the like penalties and forfeitures, for neglect or misbehaviour in the execution of the duty of their respective offices, as if they had been appointed at the first annual Sessions.

## CAP. XIV.

An Act to regulate the Bass Fishery in the River Richibucto and its branches.

*Passed the 19th March, 1827.*

Preamble.

**W**HEREAS the valuable Bass Fishery in the River Richibucto and its Branches is going into decay by the use of Scoop or Dip Nets with small Meshes, by means of which the young Fish are taken and destroyed, for remedy whereof,

No net to be used for taking Bass unless the meshes be over five inches square, under a penalty of £5, recoverable before a Justice,

To be levied with costs by distress, and for want of goods, offender to be imprisoned for 10 days.

*I. Be it enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act, it shall not be lawful for any person to use any Net for the purpose of taking Bass in the said River Richibucto, or any of its Branches, unless the Meshes of such Net shall be over five inches square, under the penalty of *Five pounds* for each and every offence, to be recovered before any Justice of the Peace for the County wherein such River or Branches shall be situate, upon the oath of one or more credible witness, or witnesses, and to be levied, together with the costs of such conviction, by warrant of distress upon the goods and chattles of such offender, and for want of such goods and chattles the offender to be committed to the County Gaol, by warrant

warrant under the hand and seal of such Justice, for the term of ten days, unless such fine and costs shall be sooner paid; all which penalties, when recovered to be paid to the Overseers of the Poor, for the Parish where the offence shall be committed, for the support of the Poor thereof.

Penalties applied.

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

Limitation.

## CAP. XV.

An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, and Digdeguash, and their branches.

*Passed the 19th March, 1827.*

**W**HEREAS much injury has been sustained by many persons lumbering on the Rivers Saint Croix, Magaguadavic, and Digdeguash, and the several branches thereof, in the County of Charlotte, in consequence of the neglect of some of the owners of Timber and Saw Logs (from time to time got out, and intended to be floated down the same) to attend, when there was a sufficiency of water to enable them to float and drive the same down the said Rivers and Branches to the places of rafting or sawing: *And whereas* it would greatly tend to the advantage of the lumbering and mercantile interests of that part of the Province, if suitable regulations were made to remedy the evil,

Preamble.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly*, That the Justices Peace in and for the said County of Charlotte, of the shall and may have full power and authority, at any

Justices of the Peace empowered to make rules for driving Timber and Saw Logs, and

any General Sessions of the Peace, hereafter to be holden, from time to time to make such Rules and Regulations respecting the mode of driving or floating Timber and Saw Logs down the said Rivers and the several Branches thereof, as they shall think expedient and necessary for the more careful and beneficial management thereof; and the same Rules and Regulations so from time to time made, shall and may at any time thereafter, amend, alter or abrogate, as may by experience be found most advantageous to the said lumbering and mercantile interests.

To amend the same as they shall deem proper.

Commissioners to be appointed by the Justices of the Peace,

And furnished by the Clerk with a Copy of all rules and alterations thereof having an endorsement certifying the appointment of the Commissioners.

Copy of which always to have ready for inspection,

Commissioners not to be superseded, without an opportunity of justification, and being found guilty

II. *And be it further enacted*, That the said Justices at their General Sessions of the Peace, shall and may have full power and authority to appoint two or more suitable persons, in each and every Parish of the said County, to be Commissioners to carry into execution the said Rules and Regulations; and the said Commissioners so appointed, shall and may have full power and authority to carry the same into execution within their separate Parishes and Districts; and the Clerk of the Peace for the said County, shall immediately after the making of, amending, altering or abrogating such Rules and Regulations as aforesaid, furnish the said Commissioners, and each of them, with a true copy thereof, under his hand, as Clerk, on which copies shall be endorsed, a Certificate of the said Clerk, that the said Commissioners are duly appointed and continue such; and at least one copy of which the said Commissioners for the several Parishes shall always have ready upon putting into execution any such Rules and Regulations, and shall shew the same to any person requiring it: And the said Commissioners are not to be superseded in their office, without notice to attend and answer any complaint which may be made against them, and be found guilty of wilful neglect of duty, or other improper conduct.

III.



III. *And be it further enacted*, That the said Commissioners shall make regular returns to the Justices at any General Session of the Peace, or Special Session for that purpose to be holden, of the quantity of Timber and Saw Logs floated down in their respective Parishes or Districts, under their direction, and of the proprietor thereof; specifying particularly the number of Logs and Sticks of Timber belonging to each proprietor, which return shall be attested to by the said Commissioners respectively, and shall be also examined and certified by the Boom Masters of the respective Booms, to which such Logs and Timber shall be brought; and the said Justices shall and may have power to determine and settle such sum or sums of money to be paid to such Commissioners respectively, as they in their discretion may see fit, as a compensation for the services of such Commissioners; and the said Justices shall thereupon make or cause to be made, a rate or Assessment upon the several Proprietors of Saw Logs and Timber for the payment of such sum or sums to such Commissioners, proportionably to the interest of the said Proprietors respectively; and if such Proprietors, or any of them, shall neglect or refuse to pay his or their proportion of such Assessment, and the same shall be and remain unpaid six days after the same shall be demanded, the said Commissioners may proceed for the recovery of the same, with costs of suit in any Court, or before any Justice having competent jurisdiction in the premises: *Provided always*, that no Special Session of the Peace shall be holden for the above purpose, until after twenty days notice of the time and place of holding such Session, shall be published in the St. Andrew's Herald; and that there shall be present at such Session, at least, six disinterested Justices: *And provided also*, That nothing herein contained shall

Commissioners to make returns of the quantity of Timber and Saw Logs, and the particular proprietors.

To be attested by them, and certified by Boom Masters.

Justices to determine the pay of Commissioners.

To assess proprietors of Saw Logs and Timber for the same.

On refusal to pay Commissioners to sue.

so days notice to be given in the Saint Andrew's Herald of any Special Session and be attended by at least six disinterested Justice.

Not to prevent the Commissioners and proprietors agreeing among themselves as to pay of Commissioners.

shall prevent, or be construed to prevent the said Commissioners and Proprietors respectively agreeing among themselves, as to the compensation and payment of such Commissioners with the consent of all concerned,

IV. *And be it further enacted*, That this Act shall continue, and be in force until the first day of May, in the year of our Lord one thousand eight hundred and twenty-nine.

Limitation.

*Contd. to 1 April 1833. by Geo. 4. c. 16. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.*

CAP. XVI.

An Act to make further provision for sick and disabled Seamen, not being Paupers, belonging to this Province.

*Passed the 19th March, 1827.*

I. **BE** it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the first day of April next, every Ship or Vessel that shall arrive at the Ports of Saint Andrews and Miramichi, and shall be of the burthen of sixty tons or upwards, shall pay an additional sum of one penny per ton, making in the whole two pence per 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 and Regulations and Restrictions therein contained.

Vessels of 60 tons and upwards arriving at St Andrews and Miramichi to pay an additional duty of one Penny per ton.

To be recovered and received as directed by 60 Geo. 3. c. 15. a Geo 4. c. 10.

II. *And be it further enacted*, That the surplus money (if any) raised in the Port of Saint Andrews, shall be applied to the payment of any debt now incurred for the support of sick and disabled Seamen there, or to the erection of a suitable Building as a Hospital for such Seamen, if considered necessary, and that the surplus money, (if any,) raised in the Port of Miramichi, shall

Surplus money at Saint Andrews to be applied in payment of debts or erection of an Hospital.

Surplus at Miramichi to pay debts or erect an Hospital.

shall be applied to the payment of any debt now incurred, for the support of sick and disabled seamen there, or to the erection of a suitable Building as a Hospital for such Seamen, if considered necessary; *Provided always*, that the Commissioners shall not proceed to the erection of any Building without licence or authority shall be first obtained for that purpose, from the Lieutenant-Governor or Commander-in-Chief of the Province, by and with the advice or consent of His Majesty's Council.

These buildings not to be erected without licence from the Governor with advice of Council.

## CAP. XVII.

An Act in amendment of the Act for the Regulation of the Militia so far as respects the City of Saint John.

Refer to 6 Geo. 4. c. 18.

*Passed the 19th March, 1827.*

**W**HEREAS the Provisions of the Act made and passed in the sixth year of His Majesty's Reign intituled "An Act to repeal all the Laws now in force for the organization and regulation of the Militia and to make further provision for the same," directing the Companies to be taken from certain districts, have been found very inconvenient in the City of Saint John.

Preamble

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly*, That so much of the said recited Act as requires the appointment of Company Districts shall not extend or be construed to extend to that part of the City of Saint John lying on the Eastern side of the Harbour Saint John, or the Militia belonging to that part of the said City, any thing in the said recited Act to the contrary notwithstanding.

Part of 6 Geo. 4. c. 18, not to extend to the Militia belonging to the Eastern side of St. John Harbour.

II. *And be it further enacted*, That there be appointed some fit Person as Regimental Enrolling

A regimental enrolling Officer to be appointed,

To keep a general Muster Roll of all Persons liable to serve in the Militia.

Times for taking enrolments to be published.

Persons neglecting to enroll themselves to be fined 20s and 10s per diem for every day absent from duty.

Recoverable with costs at the suit of the Enrolling officer and applied as per 18 sec. 6 Geo. 4. c. 18.

rolling Officer for the said City who shall be allowed for his service such suitable yearly sum as the Lieutenant-Colonel commanding the Regiment with the consent and approbation of the Majors of both Battalions may direct to be paid out of the fines and other contingent monies of the said Battalions, each Battalion paying an equal proportion thereof, and that it shall be the duty of such Officer to keep a general Muster Roll, containing the names of all persons liable to do duty in the said City Militia; and in order to the obtaining the same, the several Captains of Companies in the Regiment of City Militia shall forthwith furnish the said Enrolling Officer with lists of the Persons belonging to such Companies at the time of the last General Inspection, and the said Enrolling Officer shall with the approbation of the Commanding Officer of the said City Militia appoint a time for taking such Enrolment, and shall also put up notices in the most public places in the City, and advertise in the Newspapers at least ten days before the time appointed, requiring all Persons so liable to Militia duty, and not yet enrolled in any Company, to come forward and enroll themselves, or send a written notification of their names and places of abode; and all Persons so liable to do Militia duty, and not yet enrolled in any Company, who shall neglect to enroll themselves or send such written notification to the Enrolling Officer after such Notices and Advertisements as aforesaid, shall be liable to a fine of *twenty shillings*, and also *ten shillings* per diem for each and every day he may be absent from Militia duty, to be recovered with costs in the Clerk's Court of the said City at the suit of the said Enrolling Officer; the said Fines to be applied as directed in and by the Eighteenth Section of the said recited Act.

III. *And be it further enacted*, That the Persons contained in the said lists to be furnished by the said Captains, shall, to the extent allowed by Law, compose the Companies of such Captains respectively; and if any Companies contain more than the proper number, the Captains thereof shall select such as they please thereout to compose their respective Companies; and the remainder shall be considered as unattached but still belonging to the Battalion to which the said Companies may be attached; and when the Companies are thus properly formed, no person belonging to them shall be allowed to change from one Company to another in the same Battalion, without the consent of the Major Commanding such Battalion; or from one Battalion to another without the consent of the Majors Commanding both Battalions, or Officers commanding both the said Battalions,

Companies to be composed of the Persons in the lists furnished by the Captains.

In Companies containing more than the proper number the Captains to select and the remainder to be considered as unattached.

The Companies being properly formed no exchanges to be made without the consent of Officers

IV. *And be it further enacted*, That all Persons liable as aforesaid, and who have not yet enrolled themselves; or who may hereafter become liable, resident in King's Ward and Duke's Ward, shall be considered as belonging to the first Battalion; and those resident in Queen's Ward and Sidney Ward in the second Battalion; and the several unattached persons belonging to each Battalion shall be appointed to such Companies as the Enrolling Officer with the approbation of the Commanding Officer of the Battalion may direct: and the remainder shall be formed into one or more Divisions or Companies, and shall be under command of such Officers as the Officer commanding the Battalion may select for the purpose of taking charge of drilling and exercising such persons; and that the Officer appointed to the command of any such Division or Company shall have the same power with respect to the imposing or adjudging fines and forfeitures

Unenrolled residents in King's Ward and Duke's Ward, to belong to the 1st Battalion.

Those in Queen's Ward and Sidney Ward to the 2d.

Unattached persons to be appointed to such Companies as the Enrolling Officer with consent may direct and the remainder formed into divisions or companies.

Officers appointed to take charge of these companies to have full powers.

feitures as any Captain of a Company now by Law possesses, with respect to his Company; *Provided always*, that nothing herein contained shall be considered as in any manner preventing a General order to be issued for forming such unattached persons or any of them into regular Companies, whenever it may be considered proper to appoint additional Companies to the said Battalions or either of them.

A General order may be issued to form such unattached persons into regular companies.

Companies deficient in number to be completed from the unattached list.

Unattached persons may enroll themselves in such Companies by consent.

Commanding officer to determine the company any man belongs to and his decision to be final.

V. *And be it further enacted*, That any of the present Companies that are or shall hereafter become deficient in their proper complement of men, may, by and with the approbation and consent of the Major or other Officer commanding the Battalion, complete their Companies out of the unattached List of such Battalion; and any person so unattached may with the consent of the Captain or other officer Commanding, enroll themselves in any Company so deficient in number, until the same is complete.

VI. *And be it further enacted*, That in case any difference or dispute should arise as to what Company any man belongs, the Major or other Officer commanding the Battalion shall have the sole power of determining, and his decision shall be final.

Any person may attach himself to a uniform company the consent of officers being first obtained and notice given to the enrolling officer.

VII. *Provided always, and be it further enacted*, That for the encouragement of Companies putting themselves in uniform, any person may, with the approbation of the Captain of any uniform Company in the Battalion to which he belongs, and of the Major or Officer commanding such Battalion, attach himself to such uniform Company, first however giving due notice to the Enrolling Officer, and also to the Captain of the Company he is desirous of leaving (if belonging to any) of his wish and intention; and also providing himself with the proper uniform of the company.

Company to which he is desirous of attaching himself; provided that no man shall change from one uniform Company to another, without the consent of the Officers commanding both Companies, and the Officer commanding the Battalion.

No exchange from one uniform company to another without consent.

VIII. *And be it further enacted*, That any person now belonging, or who may hereafter be attached, to a uniform Company, neglecting or refusing to appear in the uniform of such Company when turned out to Drill or Inspection, may, by order of the Commanding Officer, of the Battalion, be removed from such Company and placed on the unattached list, or attached to any other Company in the Battalion the said Commanding Officer may appoint.

Persons not appearing in uniform to be removed.

IX. *And be it further enacted*, That the Quarter Masters of the Battalions shall furnish lists of Exempts and Aliens now resident, or who may hereafter become resident, within the respective districts of such Battalions, to the said Enrolling Officer, who shall enter the names and places of abode of such Exempts and Aliens in a book for that purpose to be kept; and that it shall be the duty of such Enrolling Officer on or before the first day of June in each year, to transmit to the said Quarter Masters a roll of the Exempts and Aliens within the limits of their respective Battalions, in order that such Quarter Masters may proceed to the collection of the fines from such Exempts and Aliens.

Quarter Masters to furnish lists of Exempts &c. and enrolling officer to enter these in a Book, and

Previous to first June yearly to transmit a List of these that the Quarter Masters may collect the fines &c.

X. *And be it further enacted*, That the said recited Act shall remain and continue in full force except as herein expressly altered; and that none of the provisions of this Act shall extend or be construed to extend to any other of the Militia Forces of this Province excepting those of the Eastern part of the City of Saint John only.

§ Geo. 4, c 18, to continue in force except as herein altered.

## CAP. XVIII.

Refer to 32 Geo. 3. c. 6. An Act to repeal an Act intituled "An Act to prevent the destruction of Sheep by Dogs," and to make other and more effectual provision for the prevention thereof.

*Passed the 19th March, 1827.*

Preamble.

**W**HEREAS an Act made and passed in the thirty-second year of the Reign, of His late Majesty King George the Third, intituled "An Act to prevent the destruction of Sheep by Dogs" has been found ineffectual for the object intended.

32 Geo. 3. c. 6. repealed.

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

Upon conviction the owner of any dog having destroyed a Sheep or Lamb to cause it to be killed.

And pay the owner of the Sheep or Lamb the value.

II. *And be it further enacted,* That henceforth, if any Dog or Dogs shall kill any one or more Sheep or Lambs, the Owner or Owners of such Dog or Dogs upon complaint and conviction thereof before any one Justice of the Peace in the County where such offence shall be committed, or in which such Owner or Owners of such Dog or Dogs shall reside, shall cause the Dog or Dogs to be immediately killed, and shall be liable to pay to the Owner of such Sheep or Lambs, the full value thereof to be recovered with Costs in manner as hereinafter mentioned.

The owner of any dog convicted not killing the same to pay a fine of 20s for each time the dog shall be found running at large.

Fines for the use of the Poor.

III. *And be it further enacted,* That the Owner of any Dog so convicted, who shall neglect to kill such Dog, after notice given to him for that purpose, shall be liable to pay a fine of *twenty shillings* for each and every time such Dog shall be found running at large, for the use of the Poor of the Parish where the offence shall be committed; such fine to be recovered with Costs before a Justice of the Peace in the County where



where such offence shall be committed, or in which such Owner or Owners shall reside, and levied by Warrant of Distress and sale of the Goods of the Person so convicted, rendering the overplus, if any, after deducting the costs and charges of such Distress and Sale, to the offender; and for want of Goods whereon to levy the same, the offender to be imprisoned by warrant of such Justice, before whom such conviction shall be made for a period not exceeding four days; and such Justice shall also by his warrant directed to a Constable, require him to cause such Dog to be forthwith killed.

To be recovered with Costs before a Justice and levied by warrant of distress and sale

For want of goods offender to be imprisoned for not more than 4 days and dog to be killed.

IV. *And be it further enacted*, That the damage which may be sustained by the loss of any Sheep or Lambs killed or maimed in manner as aforesaid, may be recovered before a Justice of the Peace, in manner as small debts are by Law recoverable, unless such damage shall exceed the value of *five pounds*, and if exceeding that value, then before any court of competent Jurisdiction to try the same.

Damages to be recovered before a Justice where they do not amount to £5, otherwise in any competent Court.

V. *And be it further enacted*, That all and every person or persons shall be fully authorized and justified in destroying any Dog which may be found running at large after having killed any Sheep or Lamb; and in case of any action of Trespass, or other action brought against any person or persons for so destroying any Dog or Dogs which may have so killed any Sheep or Lamb, the Defendant or Defendants in such Action shall be allowed to plead this Act in justification, and if the Plaintiff shall become nonsuited, or shall discontinue the Action, or if upon verdict or demurrer Judgment shall be given against the Plaintiff, the Defendant shall recover double Costs of Suit, and have such remedy for the same as any Defendant can have in other cases where costs are given by Law.

Persons justified in destroying any dog after having killed a Sheep.

Plaintiffs being nonsuited or judgment given for Defendants shall recover double costs of suit.

## CAP. XIX.

An Act to ratify the purchase made of a House and Lot for a Marine Hospital for the City and Port of Saint John, and for vesting the title thereto in the Mayor, Aldermen and Commonalty of the City of St. John, for the purpose aforesaid.

*Passed the 19th March, 1827.*

Preamble

**W**HEREAS the Commissioners appointed under and by virtue of an Act made and passed in the third year of His present Majesty's Reign, intituled "An Act to alter an Act to provide for sick and disabled Seamen not being Paupers belonging to the Province, and to provide Buildings for the accommodation of the same," deemed it expedient to purchase a House and Lot of Land for a Marine Hospital, for the Port and City of Saint John, instead of erecting a Building for that purpose on some part of the Public lands of the Corporation of the said City, as contemplated by the fourth and fifth sections of the said in part recited Act; and accordingly did make such purchase with the consent and approbation of the then President and Commander-in-Chief of the Province, of a House and Lot of Land, situate in Sidney Ward of the said City, being the Lot known and described in the Royal Grant of that part of the said City formerly called Parr Town, by the number eleven hundred and sixty-seven, fronting on the South side of Stormont Street, being forty feet in width and extending back one hundred feet more or less: and the same were conveyed by John C. M'Pherson, the proprietor thereof, to the Honorable William Black, one of the said Commissioners, in whom the title thereto now rests: And whereas doubts are entertained as to the power and authority of the said Commissioners to make the said purchase; for the removal whereof, and in order to vest the property

property and title of the said House and Lot of Land, and other the Premises in the Deed of conveyance, to the said William Black, expressed and described in the Mayor, Aldermen, and Commonalty of the City of Saint John, for the use intended.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the said purchase so made by the said Commissioners, be and the same is hereby ratified and confirmed, and that the said William Black, be, and he is hereby authorized and required to grant, assign and convey, the said described Lot of Land, and the Buildings thereon, to the Mayor, Aldermen and Commonalty of the City of Saint John: To have and to hold the same to the said Mayor, Aldermen and Commonalty and their Successors forever; in trust for the use and purpose of such Marine Hospital as aforesaid: and that the said House and Land and other the premises in the said Deed of conveyance described and expressed, shall for ever hereafter remain and be appropriated solely for the use of a Marine Hospital for the said Port and City of Saint John, and be under the exclusive controul and management of the said Commissioners, for the time being, in the same manner to all intents and purposes, as if the said Building had been erected on a part of the Public lands of the said Corporation of the said City, laid out and set apart for that purpose, by the said Corporation, as is provided by the said fifth Section of the same Act, saving nevertheless the rights of all persons other than the said John C. M'Pherson and William Black and their respective Heirs, Executors and Administrators, to the same land and premises.

The purchase by commissioners ratified and William Black required to convey the Lot described in the Preamble, to the Mayor, Aldermen and Commonalty of Saint John.

To hold the same in trust for the purpose of a Marine Hospital.

To be under the exclusive controul of commissioners.

II. *And be it further enacted,* That the said Lot of Land and the Buildings thereon, or any part thereof, shall not in any way, or by any means

The premises not to be disposed of without an Act of the General Assembly

means whatever, be alienated or granted or disposed of by the said Mayor, Aldermen, and Commonalty, or their Successors, or the said Commissioners, for any other purpose whatever, than herein before stated, without an Act of the General Assembly authorizing the same.

III. *And whereas* it may be expedient to purchase a Lot or Lots adjoining the said Marine Hospital, for the purpose of such Hospital:—*Be it further enacted*, that if the Commissioners should agree for the purchase of such other Lot or Lots and such purchase should be approved of and sanctioned by the Lieutenant-Governor or Commander-in-Chief of the Province for the time being, the same shall be conveyed to the said Mayor, Aldermen and Commonalty, to hold to them and their Successors forever for the purposes aforesaid, in the same manner as the premises above mentioned, and subject to all the Rules, Regulations, and Restrictions, as to the use and assignment of the same as are hereinbefore expressed and contained.

Should the Commissioners agree for the purchase of any other Lot, the same to be conveyed to the Mayor, Aldermen, and Commonalty, and be subject as in the said section of this Act,

## CAP. XX.

An Act to provide for the erection of a new Court House and Gaol in the County of Northumberland.

*Passed the 19th March, 1827.*

**W**HEREAS the Court House and Gaol in and for the County of Northumberland were destroyed in the great conflagration in October, one thousand eight hundred and twenty-five; and it is necessary that other Buildings should be erected in the Shire Town of that County, not only to supply the places of those so destroyed, but that the Building for a Gaol should be so constructed as to answer the purpose also of a House of Correction.

Preamble.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the Justices of the Peace, for the said County, at any General Session of the Peace, to be hereafter holden, or at any Special Session for that purpose expressly convened and holden, or the major part of them so assembled, be, and they are hereby authorized and empowered, to take the necessary steps for the erection of two Buildings on the Public lot in Newcastle, one of which to be suitable and convenient in their judgment, for a Court House for the said County, and the other suitable and convenient for the double purpose of a Gaol and House of Correction: and to cause all necessary and proper measures to be pursued and taken at such Session, or any adjourned or General Session, by themselves or by one or more Committees of management, for that purpose to be appointed, to contract with able and sufficient workmen for erecting and finishing such Buildings, for such sum or sums of money, and in such manner and form as shall be approved of by the said Justices.

The Justices of Peace to take steps for erecting two Buildings in Newcastle,

One for a County Court House and the other to answer as Gaol and House of Correction,

By themselves or Committees to contract with workmen, &c.

II. *And be it further enacted,* That towards the erection and completion of such Buildings, the said Justices are hereby fully empowered at any such General Session, to order and appoint, to be raised by assessment upon the said County, such sum or sums of money as they shall from time to time, think fit and proper, according to the circumstances of the County, not exceeding in the whole one thousand pounds, which sum or sums shall be assessed, levied, collected and paid, and accounted for in such manner, and by such and the like ways and means, and under and subject to the like pains and penalties, as by law are provided for the assessing, levying and collecting of, and accounting for any County or Parish Rates in this Province.

Justices empowered to raise a sum not exceeding £1000 by assessment,

To be levied and accounted for as by Law directed,

III.

The money to be equally expended on the two Buildings,

III. *And be it further enacted*, That all monies so collected and paid from time to time, shall be applied in equal portions towards the erection and finishing of the said two Buildings.

This Act suspended till the Royal Will as to dividing Northumberland into three Counties be ascertained.

IV. *Provided always nevertheless, and be it further enacted*, That this Act shall not go into operation, until it shall be duly ascertained, whether the Royal Assent has been given to an Act made and passed in the last Session of the General Assembly, for dividing the said County into three Counties: and if the said Act shall receive the Royal Assent, and the same shall be announced by Proclamation of the Lieutenant-Governor or Commander-in-Chief; then this Act shall not extend or be construed to extend beyond the limits of the said County of Northumberland, as described in the same Act, any thing herein contained to the contrary notwithstanding.

If assent be given this Act not to extend beyond the County of Northumberland as described in the Act dividing the same,

## CAP. XXI.

An Act to make more effectual provision for preventing the importation or spreading of Infectious Distempers within the Towns or Settlements on the River Miramichi.

*Passed the 19th March, 1827.*

**W**HEREAS from the great augmentation of the Population of the Towns of Newcastle and Chatham, and other Towns at and near the entrance of the Miramichi River, in the County of Northumberland, it has become expedient for the safety of the Inhabitants, to make more effectual regulations for preventing the importation of Infectious Distempers in that District, than are already by law provided.

Pressable.

Vessels having on board or coming from any place infected with the

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly*, That no Vessel having on board the Yellow Fever, Putrid Bilious Fever,

*Verd. 21/3  
S. 4. 6. 20.  
Repealed by  
1. h. 1. 6. 40.*

Fever, or any other pestilential or contagious Distemper whatsoever, or coming from any place infected with any such Distempers, shall come or or proceed, or be navigated further from the Sea into the River Miramichi, than Terrill's Point, below Middle Island, until such Vessel shall, after her arrival, have anchored at or below the same place; and there have remained at anchor for three days; or until such Vessel shall have been duly inspected and examined, and shall have obtained a Licence for that purpose, from two of His Majesty's Justices of the Peace, which Licence shall in no case be granted in less than three days after anchorage as aforesaid:—And in case such Licence shall be denied, and it shall be judged expedient by the Justices of the Peace for the said County, or any two of them, that the said Vessel with its cargo and all persons on board the said Vessel should ride or perform Quarantine; then the Master or Commander, or other person having charge of the said Vessel, for the time being, shall cause the said Vessel with all the persons and goods and cargo on board to anchor in such place, and for such length of time (not exceeding forty days) as the said Justices, or any two of them shall direct and appoint: and any Master or any Person having charge as aforesaid, who shall disobey or contravene any such direction or appointment, or neglect to execute and perform the same, or who shall without Licence for that purpose, first had and obtained from the said Justices, or any two of them, go on Shore, or put on Shore, or unlade, or assist in putting on Shore or unlading any person or goods from any such Vessel as aforesaid, before the said Quarantine, or time of anchoring, so limited, directed and appointed shall be fully completed and expired, shall for each and every offence forfeit and pay the sum of two hundred pounds.

Yellow Fever &c,  
not to proceed  
further from the  
sea than Terrill's  
Point until after  
threedays anchor-  
age, and

Obtaining a Li-  
cence from two  
Justices,

Licence being de-  
nied Justices to  
appoint the place;  
and vessels &c,  
there to perform  
Quarantine for  
not more than  
40 days.

Master or Person  
in charge disobey-  
ing such order to  
pay a penalty of  
£200 for each  
offence,

Signals to be made  
in said Vessels on  
arrival: at or with-  
in Fox Island, and

II. *And be it further enacted,* That the Master or Commander of every Vessel having on board the Yellow Fever, Putrid Bilious Fever, or any other pestilential or contagious Distemper, or coming from any place, infected with any such distempers, shall immediately after her arrival at, or within Fox Island in the Bay of Miramichi, hoist such vessel's ensign with the union down, or if there be no Ensign on board, then he shall hoist such other colours as shall be on board, half Mast, and continue the said signal so hoisted until a Licence be had to remove the same, from the said Justices, or any two of them, which Licence shall in no case be granted in less than three days after first anchoring as aforesaid, under the penalty of *twenty pounds* for each and every offence.

To be continued  
till Licence be ob-  
tained,

Under penalty of  
£20.

The Justices to  
appoint visiting  
Physicians with  
power to make all  
necessary enqui-  
ries as to said Dis-  
tempers,

III. *And be it further enacted,* That the Justices of the Peace for the said County, in General or Special Session convened, or the major part of them, be and they are hereby authorized and required to nominate and appoint by warrant, under their hands and seals, one or more Physician or Physicians, who shall have power and authority to go on board, visit and inspect all Vessels arriving as aforesaid, which may be suspected of having on board the said Yellow Fever, Putrid Bilious Fever, or other pestilential or contagious Distemper, and who are required at the instance of the said Justices, or any one of them, to go on board such suspected Vessel or Vessels, and make full inquiry and examination into the state of the health of all persons on board, or who have been on board during any part of the voyage, and whether the said Vessel or Vessels came from, or touched at any place, infected with any of the Distempers aforesaid, and into and concerning all circumstances and matters in any wise touching and concerning the prevalence  
of



of any of the said Distempers at any place where the said Vessel or Vessels may have touched, or from which the said Vessel or Vessels may have sailed; and the said Physician or Physicians performing such duty, shall make report in writing to the said Justices or any one of them, so requesting him or them, to go on board and make examination as aforesaid, of the result of such examination and inquiry, with his or their opinion and advice thereon; and shall for each and every visit so made, be entitled to demand and receive from the Master or Owner of such Vessel so visited the sum of Thirty Shillings, to be sued for and recovered in any Court competent to take cognizance of the same.

Physicians to give in their Report and advice in writing.

And receive from the Master of vessel so visited the sum of 30s. recoverable in any competent Court.

IV. *And be it further enacted*, That the Master or Commander of every Vessel arriving and coming from any such infected place as aforesaid, or having on board any person or persons infected, or who during the voyage shall have been infected with any of the Fevers or Distempers aforesaid; or on board of which Vessel any person shall have died of any such Fever or Distemper, or being infected therewith shall have landed or quitted the Vessel during the said Voyage, shall permit such Physician or Physicians at all reasonable times to come on board and make the inquiry and examination aforesaid, and make and give to him a true and full discovery and relation of all the matters, things and circumstances aforesaid; and if any such Master or Commander shall refuse or neglect to make such full and true discovery and relation as aforesaid, or shall suppress, conceal or deny the truth in any particular relating thereunto, he shall forfeit and pay for each and every offence the sum of two hundred pounds.

Masters of vessels to allow the Physician to go on board, and to answer all relevant queries

Under a penalty of £200.

V. *And be it further enacted*, That no Person or persons whatsoever, other than a Physician appointed

No Person other than Physician appointed

go on board after  
signal being noised  
ed nor before li-  
cence being grant-  
ed

pointed as aforesaid shall go on board any Vessel so arriving and coming from any place so infected as aforesaid; or which shall have on board any person or persons infected as aforesaid with any of the Fevers, or Distempers aforesaid, after her having therein hoisted such signal as aforesaid, before the granting of such Licence as aforesaid, for the Vessel to proceed into the River or Harbour, nor before the expiration of three days from and after the time of her first coming to anchor as aforesaid, at or below Terrill's Point aforesaid, under the penalty and forfeiture of twenty pounds for each and every offence.

Under penalty of  
£20.

VI. *And be it further enacted*, That if any person or persons other than a Physician appointed as aforesaid, shall go on board any such vessel so coming from any infected place as aforesaid, or having any person on board so infected as aforesaid, after such signal therein hoisted as aforesaid, and before the granting of such Licence for the vessel to proceed as aforesaid, and the expiration of the said three days anchoring as aforesaid, contrary to the true intent and meaning of the next preceding section, that then and in such case, the Master or Commander of such vessel for the time being, be, and he is hereby authorised and required to keep and detain such person or persons on board the said vessel, until such licence as aforesaid, for the vessel to proceed, be duly granted, and until the expiration of such time as shall be directed and appointed by the said justices, or any two of them, for the said vessel to ride Quarantine, or to anchor in case such licence shall be denied; and if any Master or Commander shall permit any person or persons, other than the Physician aforesaid, to come on board as aforesaid, contrary to the prohibitions and provisions aforesaid, and the true intent and meaning of this Act, he shall forfeit and pay the sum

Masters of vessels  
to detain on board  
till licence be  
granted or qua-  
rantine performed  
all persons going  
on board.

Masters permit-  
ting them to go on  
board to forfeit  
£20.

sum of twenty pounds for each and every offence; and if any such person or persons so having unlawfully gone on board any such vessel as aforesaid, contrary to the prohibitions and provisions aforesaid, and the true intent and meaning of this Act, shall go on shore or depart from the said vessel, before such licence as aforesaid, shall be granted; or if a licence shall be denied before the expiration of the time appointed as aforesaid for the said vessel to anchor, and perform Quarantine as aforesaid; then and in such case every person or persons so offending as aforesaid, and going on shore or departing from the said vessel as aforesaid; and the Master or Commander of any such vessel so permitting the same person or persons to go on shore or to depart from the said vessel, and every other person or persons aiding or assisting therein, shall for each and every offence, severally, forfeit and pay the sum of fifty pounds.

Any person going on board and returning before licence, master and all offending to be severally liable in a penalty of £50.

Mode of recovering penalties,

VII. *And be it further enacted*, That all the Penalties and Forfeitures in the said Act mentioned, may be prosecuted, sued for, and recovered in the Supreme Court by Action of debt, bill, plaint or information, or in the Inferior Court of Common Pleas, for the said County by any Person who shall prosecute for the same, within twenty days after the commission of the offence, and when recovered shall be paid, one Moiety to the person so suing and prosecuting, and the other Moiety to be paid into the Treasury of the Province, for the use and support of the Government thereof; and if no person shall so sue and prosecute within twenty days, then that the same Penalties and forfeitures shall be sued for and recovered by information of His Majesty's Attorney General in the said Supreme Court, and when recovered to be paid, after deducting the costs and charges of prosecution, into the said Treasury for the use as aforesaid.

To be prosecuted for by private individuals within 20 days after the offence.

Application.

Attorney General to prosecute, if no other person does so, within 20 days after the penalties to be paid into the Treasury, deducting costs of prosecution.

35 Geo. 3. c. 8.  
repealed so far as  
it relates to the  
river Miramichi.

VIII. *And be it further enacted*, That an Act made and passed in the thirty-ninth year of His late Majesty's Reign, intituled "an Act to prevent the importation or spreading of Infectious Distempers within this Province" so far as the same extends to the said River Miramichi, be, and the same is hereby repealed.

## CAP. XXII.

Refer to a Geo.  
4 c. 2.

An Act to continue until the first day of May, in the year one thousand eight hundred and twenty nine, an Act made and passed in the second year of His present Majesty's Reign intituled "An Act for the better extinguishing Fires which may happen in the Towns of Fredericton and Saint Andrews," so far as relates to the said Town of Saint Andrews.

*Passed the 19th March, 1827.*

3 Geo. 4 c. 2.

4 Geo. 4 c. 2.

Continued so far  
as they relate to  
Saint Andrews,  
until 1st May,  
1829.

I. *BE it enacted by the Lieutenant-Governor, Council and Assembly*, That an Act made and passed in the second year of the Reign of His present Majesty intituled "an Act for the better extinguishing Fires which may happen in the Towns of Fredericton and St. Andrews," and an Act which passed in the fourth year of the Reign of His present Majesty intituled "an Act to amend an Act, intituled an Act for the better extinguishing Fires which may happen in the Towns of Fredericton and Saint Andrews," be continued in full force, so far as the said recited Acts relate to the Town of Saint Andrews, until the first day of May which will be in the year of our Lord one thousand eight hundred and twenty-nine.

CAP. XXIII.

An Act to establish and regulate Public Landing Places in  
Fredericton.

Passed the 19th March, 1827.

**W**HEREAS great inconvenience and delays  
in the lading and unlading of vessels have  
arisen for the want of regular and unobstructed  
Landing places in the Town of Fredericton,—  
For remedy whereof,

Preamble.

*I. Be it enacted by the Lieutenant-Governor,  
Council and Assembly,* That there shall be eleven  
Public Landing Places in the said Town of Fre-  
dericton in the County of York, for Vessels and  
Boats to lade and unlade their cargoes, that is to  
say, the first or lower, commonly called, Avery's  
Landing, opposite to the Inn, called the Golden  
Ball, to measure two hundred feet in length, on  
the margin of the River : the second Landing  
to be a continuation of Sunbury-street, and to  
extend on the margin of the River up Stream  
from the lower line of the said Street two hun-  
dred feet : that the third Landing be a continua-  
tion of Church-street, to measure also two hun-  
dred feet in length on the margin of the River :  
the fourth landing to be a continuation of Saint  
John's-street to measure also two hundred feet in  
length on the margin of the River : the fifth  
Landing to be bounded by a continuation of the  
side lines of the Lot granted to the Justices of  
the Peace of the County of York for a Market: the  
sixth, commonly called the Steam Boat Landing,  
at the junction of Regent-street with the River,  
to measure from the lower line of the said Street,  
three hundred feet in length, on the margin of the  
said River up Stream, and at the continuation of  
the five following Streets, namely Carleton-street,  
York-street, Westmorland-street, Northumber-  
land-

Eleven Public  
Landing Places  
constituted and  
described.

1st Landing.

2d Landing.

3d Landing.

4th, 5th, 6th,  
Landing.

7th to 11th Land-  
ing.

land-street, and Smyth-street, there shall be similar Landing Places, each measuring two hundred feet on the margin of the River: which said Landing places shall be considered to extend to the top of the bank, and shall be surveyed and distinctly marked out by posts or other sufficient marks by such person as the Governor or Commander-in-Chief for the time being shall appoint, and a return and plat thereof, and of the avenues leading thereto, made and returned into the Surveyor General's Office.

To extend to the top of the Bank and be marked by posts.

And plat thereof filed at the Surveyor General's Office.

The avenues to these Landings to be deemed Public Highways, to be protected in same manner.

Persons incumbering the landing so as to prevent the easy access of Boats, &c.

Liable to a penalty of 40s recoverable before a Justice of the Peace,

and levied with costs by warrant of distress and sale.

For want of goods to suffer imprisonment 3 days.

Penalties for the

II. *And be it further enacted*, That the said avenues leading to the said several Landing Places shall be deemed Public Highways, and persons obstructing the same, liable to the same penalties, as for obstructing any other Highways in the said Town, and incumbrances thereon may be removed and disposed of agreeably to the provisions of the laws for regulating Highways.

III. *And be it further enacted*, That any Person incumbering or obstructing either of the said Landing Places, by laying on the shore, or leaving in the water, any logs, wood or timber, or any other means, so as to prevent the easy and convenient access of Vessels and Boats to the same, and discharging their cargoes; shall for every such offence incur the penalty of forty shillings, to be recovered upon conviction before any one of His Majesty's Justices of the Peace, upon the oath of a credible witness, or view of the Justice, and levied with full costs by warrant of distress and sale of the goods of the offender, rendering the overplus, if any, after deducting charges to the owner; and for want of such goods the offender to be committed to Gaol by warrant from such Justice; there to remain for eight days, unless the penalty and costs and charges shall be sooner paid—which penalties when recovered shall be paid to the Commission-

ers of the Alms House in Fredericton for the use of the poor thereof.

Benefit of the poor.

IV. *And be it further enacted,* That the lower one hundred feet of the said Steam Boat Landing shall be reserved exclusively for the accommodation of the present or any other Steam Boats which may come to the place; and any person in any way incumbering the same, or any bridge or wharf thereon, so as to obstruct the approach of any Steam Boat to the same, or incommode such Boat in the landing of Passengers or discharging of Goods, or Freight, or Baggage, or shall remove the said bridge, shall incur the penalty of forty shillings for each and every offence, to be recovered and applied in manner as aforesaid.

The lower 100 feet of landing No 6. reserved exclusively for Steam Boats.

Persons incumbering it or any Bridge, &c. on it

liable to a Penalty of 40s.

V. *And be it further enacted,* That in order to secure the safe and convenient landing of Passengers, it shall and may be lawful for the Proprietors of any Steam Boat, at their own expense, to retain any one or more of the constables of Fredericton to attend at the bridge to which any such Steam Boat is expected to come, to prevent persons from crowding the same upon the arrival of any such Boat—and that such Constable (having his staff of office in his hand) shall have power to prevent persons, at his pleasure, from going or remaining on any such bridge, at the time of the arrival of any such Boat: and in so doing he shall, at all times, be considered to be in the due execution of his office as Constable.

Proprietors of Steam Boats empowered to retain Constables to prevent crowding or annoying of Passengers.

Constables to have their staffs.

And to be considered in the execution of their duty.

## CAP. XXIV.

An Act to repeal certain Enactments relative to the Revenue of this Province; and also to make provision for the better security of the said Revenue.

*Passed the 19th March, 1827.*

I. **BE** it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the passing of this Act, an Act made and passed in the seventh year of the Reign of His present Majesty intituled "An Act to continue and revise the Revenue Laws of the Province," also an Act made and passed in the sixth year of the Reign of His present Majesty intituled "An Act to continue and amend the Acts for raising a Revenue in this Province," also an Act made and passed in the fifth year of the Reign of His present Majesty intituled "an Act to continue and amend an Act intituled an Act for raising a Revenue in this Province," and also the first and second Sections of an Act made and passed in the third year of the Reign of His present Majesty, intituled "an Act for raising a Revenue in this Province," and also so much of the eleventh Section of the said last mentioned Act as allows the production of certificates of two Merchants to prove the exportation of any dutiable articles to the United States; and also so much of the fourteenth and fifteenth Sections of the said last mentioned Act as relates to drawbacks on Wine, Brandy, Geneva and Cordials, be and the same are hereby repealed, saving nevertheless, the right of recovery of any of the duties, penalties and forfeitures imposed, inflicted, or incurred under and by virtue of the provisions of any of the said Acts or Sections hereby repealed.

7 Geo, 4, c, 27.  
8 Geo, 4, c, 21.  
3 Geo, 4, c, 17.  
First and second sec, of 3 Geo, 4, c, 1.  
Part of sec, 11,  
Part of sec, 14 & 15.  
Repealed saving the right of recovery of duties, penalties and forfeitures incurred under them.

II. *And be it further enacted*, That it shall be the duty of the Province Treasurer, and also

Provincia and De- of



of the several Deputy Treasurers, throughout the Province to make regular returns quarterly to the office of the Provincial Secretary, of the bonds by them respectively taken and then remaining uncanceled for duties imposed by any of the Revenue Laws of this Province, such returns to state particularly the names of the obligors in such bonds, the amounts thereby secured, the times of payment and dates of such bonds, and the payments, if any, made thereon, and the dates of such payments, and such other remarks and explanations as they may deem proper; which returns, or copies thereof, shall be laid before the General Assembly, at or shortly after the commencement of the Session in each year.

Deputy Treasurers to make Quarterly Returns of the bonds taken and remaining uncanceled.

Returns to state names of obligors, the amount, terms of payment, duties of such bonds, dates of payments if any and all requisite remarks,

to be laid before the General Assembly.

III. *And whereas*, the increase of the Revenue collected at the several out ports in this Province, requires that the persons appointed to collect the same should give security to a larger amount than heretofore accustomed, and it is expedient to regulate that amount by Law: *Be it further enacted*, that from and after the first day of July next, the Deputy Treasurer at Miramichi and Saint Andrews shall respectively give security to an amount not less than four thousand pounds; That the Deputy Treasurer at Richibucto shall give security to an amount not less than two thousand pounds, and that the other Deputy Treasurers now appointed or who may hereafter be appointed at any other of the out ports or places in this Province, shall severally give security to an amount not less than five hundred pounds, such security to be in all cases the bond of the party together with two or more good and sufficient persons as sureties to be approved of by the Treasurer of the Province, such bonds to be taken in the name of His Majesty, His Heirs and Successors as directed in and by the sixth Section of the said recited Act passed in the third year of His Majesty's Reign.

Deputy Treasurers at Miramichi and St Andrews, to give security to the amount of £4000 each.

Deputy at Richibucto to the amount of £2000.

All other Deputy Treasurers to the amount of at least £500.

Security to be the bond of the party and two or more good sureties.

Bonds to be taken in His Majesty's name, as directed in § Geo 4. c. 24. sec. 6.

Treasurer or Deputies neglecting to make their returns for more than two months after the expiration of each quarter to forfeit £50 recoverable as in 3 Geo. 4. c. 9. sec. 80

IV. *And be it further enacted*, That if any Treasurer, or Deputy Treasurer, shall neglect or refuse to make and transmit such returns as are required in and by the second Section of this Act, for a longer period than two months after the expiration of each quarter, he shall for each and every neglect, forfeit and pay the sum of fifty pounds to be recovered and applied in the manner directed by the twentieth Section of the said Act last recited.

CAP. XXV.

An Act to continue and amend an Act intituled "An Act for raising a Revenue in this Province."

*Passed the 19th March, 1827.*

I. **BE** it enacted by the Lieutenant-Governor, Council and Assembly, That an Act made and passed in the third year of His Majesty's Reign intituled "an Act for raising a Revenue in this Province," be, and the same is hereby continued and declared to be in force until the first day of April, in the year one thousand eight hundred and twenty-eight, except so much of the same, as is repealed in and by an Act of the present Session, intituled "an Act to repeal certain enactments relative to the Revenue of this Province, and also to make provision for the better security of the said Revenue.

Revenue Act continued for one year,

S. 4. c. 9

Except as altered by this Act.

Duties granted on

II. *And be it further enacted*, That from and after the passing of this Act, there be, and are hereby granted to the King's Most Excellent Majesty, His Heirs and Successors, for the use of this Province, and for the support of the Government thereof, the several rates and duties on the articles herein after mentioned, which shall be imported into this Province, that is to say,  
For

For every gallon of Rum or Whiskey, ten pence, where two thirds of such Rum or Whiskey have been purchased with the produce of this Province, and imported in a vessel or vessels, part of which is owned therein; and an additional duty of two pence per gallon upon all Rum and Whiskey otherwise imported.

Rum and Whiskey,

For every gallon of Shrub, Santa, and Cordials of any kind, three pence, where two thirds of such Shrub, Santa, or Cordials have been purchased with the produce of this Province, and imported in a vessel or vessels, part of which is owned therein; and an additional duty of one penny per gallon, upon all Shrub, Santa, and Cordials otherwise imported.

Shrub, Santa, and Cordials.

For every gallon of Molasses, one penny.

Molasses,

For every pound of Coffee, one penny.

Coffee,

For every gross hundred weight of brown or Muscovado Sugar, on the amount of the original invoice, allowing twenty-five per cent for tare and wastage, two shillings and sixpence, where two thirds of such Sugar have been purchased with the produce of this Province, and imported in a vessel or vessels, part of which is owned therein; and four shillings per hundred weight for all sugar otherwise imported: *Provided always*, That the short duty only shall be demanded and taken in all cases where the dutiable articles have been wholly purchased with the produce of this Province, and imported into the Province in the same vessel in which such produce was exported therefrom, although no part of such vessel may be owned therein.—And in addition to the rates and duties already imposed by the means and power of any Act or Acts of the Imperial Parliament, or under and by virtue of this Act, the following rates and duties shall be granted as aforesaid, that is to say:

Brown Sugar.

Short duty only demandable where articles have been wholly purchased with the produce of the Province and imported in the same vessel in which the produce was exported

For every Gallon of Brandy, six pence;

Brandy,

For every Gallon of Holland or Geneva, six pence;

Holland or Geneva.

For

Wine.

For every Gallon of Wine not in bottles, twelve pence.

Duties granted on

III. *And be it further enacted*, That the following duties be granted as aforesaid, in addition to the rates and duties already imposed by the means and powers of any Act or Acts of the Imperial Parliament, or under and by virtue of this Act, upon the following articles not being of the manufacture of the United Kingdom, or of any other British possession, imported into this Province, that is to say:

Chairs and Household Furniture.

For Chairs of all descriptions, twenty five pounds for every hundred pounds of the real value thereof; and for all other articles of Household Furniture, ten pounds for every hundred pounds of the real value thereof.

Tobacco and manufactured articles not enumerated.

For manufactured Tobacco, fifteen pounds for every one hundred pounds of the real value thereof; and for all manufactured articles not being enumerated or described, or otherwise charged with duty by this Act, and not being of the manufacture of the United Kingdom, or any other British possession, five pounds for every hundred pounds of the real value thereof: excepting nevertheless, Food and Liquors of all sorts, Lumber of every description, and Books: *Provided always*, that none of the duties granted by this section of the Act shall be imposed, levied or received, when the articles herein mentioned are imported direct from the United Kingdom.

Except Food, Liquors, Lumber, and Books.

Value of articles imported to be ascertained by the oath of the importer or his Agent.

IV. *And be it further enacted*, That in cases where the duties imposed by this Act are upon the real value of the articles imported, such value shall be ascertained by the oath of the importer of such articles, or his known agent, in the manner and form following, that is to say:

Form of Oath,

‘ I A. B. do swear that the articles mentioned in this entry, and contained in the Packages (here

‘(here specifying the several Packages, and describing the several marks and numbers as the case may be) are of the value of to the best of my knowledge and belief; and that the same were valued at the same sum in the entry made at the Custom-House,’ (Signed) ‘A. B.’ which oath the Treasurer or his Deputy, or any of his Deputies, as the case may be, are hereby authorised and required to administer.

Treasurer or Deputies authorised to administer it.

V. *And be it further enacted*, That there also be granted to the King’s Most Excellent Majesty, his Heirs, and Successors, for the use of this Province, and the support of the Government thereof, the sum of five pounds upon each and every Horse, imported or brought into this Province from any foreign country, to be paid by the person or persons importing or bringing the same; and that the said duty or so much thereof as may remain to be collected, after the duty imposed thereon by the Act of the Imperial Parliament of the United Kingdom is paid to, or secured by the officers of His Majesty’s Custom-House pursuant to the said Act of Parliament, shall be paid, levied, recovered or secured in the manner hereinafter directed.

Duties granted on Horses.

VI. *And be it further enacted*, That the importer or consignee of any such goods as are subject to duties under or by virtue of any Act or Acts of the Imperial Parliament of the United Kingdom, shall deliver to the Treasurer or Deputy Treasurer a bill of the entry thereof, containing the name of the importer; and of the ship, master and place from which bound; and the particulars of the quality and quantity of the goods and the packages containing the same; and the marks and numbers on such packages, and the value thereof, similar to the entry now required to be made at the Custom-House; and no such goods shall be unladen from any vessel, until such entry is made; and if any such goods shall

Goods forfeited if landed before the Treasurer be furnished a Bill of Entry.

shall be unladen before such entry, the same shall be forfeited.

Duties payable at the time of importation when under £50.

Bonds to be taken with security when the duties amount to £50 & not to £50.

Payable in three months,

£50 to £100,

Payable at three and six months.

£100 to £200;

Payable at four, eight and twelve months

VII. *And be it further enacted*, That the rates and duties imposed by this Act shall be paid at the time of importation of such articles as are liable to the same, into the City and County and City of Saint John, to the Treasurer of the Province, or his Deputy there, and to his Deputies at all other ports or places where the same shall be imported, unless such rates and duties, on any one cargo or importation shall amount to upwards of twenty-five pounds, in which case where the same shall not amount to fifty pounds, it shall be lawful for the Treasurer, or his Deputy, or Deputies, respectively, to take a Bond, duly executed by the owner or importer of such dutiable articles, with at least one good and sufficient surety, in double the amount of the rates and duties payable upon the articles specified in the report of such cargo or importation, for the payment of the same in three months; and where the rates and duties arising on any one cargo or importation, (as specified in the report of such cargo or importation,) shall amount to fifty pounds and not exceed one hundred pounds, then it shall be lawful for the said Treasurer, or his Deputy or Deputies, respectively to take a Bond duly executed in like manner for the payment of the same; one half in three months, and the remaining half in six months; and where the rates and duties arising on any one cargo or importation shall exceed one hundred pounds and not amount to two hundred pounds, then it shall be lawful for the said Treasurer, or his Deputy or Deputies, respectively, to take a Bond duly executed in like manner for the payment of the same; one third in four months, one third in eight months, and the remaining third in twelve months; and where the rates and duties arising on any one cargo or importation

portation (as specified in the report of such cargo or importation) shall exceed two hundred pounds, then it shall be lawful for the said Treasurer, or his Deputy or Deputies, respectively to take a Bond executed in like manner for the payment of the same; one third in six months, one third in twelve months, and the other third in eighteen months; all which Bonds shall be taken in the name of the King's Majesty, and payable to his said Majesty, his Heirs and Successors, and conditioned for the payment of the amount of the said rates and duties respectively, at the time or times specified therein, either to the Treasurer for the time being, or his Deputy, if taken at Saint John, or to the Deputy Treasurer for the time being at the port or place where the same may be taken.

Exceeding £500,

Payable in six, twelve and eighteen months.

VIII. *Provided always, and be it further enacted,* That in cases where, by the provisions of this Act, the importer or importers are entitled to have credit for payment of any duties upon giving Bonds as aforesaid, the Treasurer, or any of his Deputies, shall be, and they are hereby authorized to receive payment at the time of entry, if required, and to allow a discount or abatement thereupon, at and after the rate of six per centum per annum, proportionably to the credit which the said importer or importers may be so intitled to have.

Importers allowed a discount at the rate of 6 per cent for prompt pay.

IX. *And be it further enacted,* That the several rates and duties imposed under and by virtue of this Act, shall be paid, levied, recovered or secured, and drawbacks thereon allowed in the manner as directed in and by the provisions of the said recited Act, made and passed in the third year of His Majesty's Reign, intituled, "An Act for raising a Revenue in this Province," excepting so far as the said Act is altered, amended or repealed, by this or any other

Duties to be collected as directed by 3 Geo. 4, c. 9.

Except as altered by any Act passed this Session.

Act

Penalties &c. in-  
sistered as in 3 Geo  
4 c. 2

Act passed in the present Session; and the several articles hereby made subject to duties, shall be liable to be seized, forfeited and disposed of; and the like pains, penalties and forfeitures are hereby inflicted and imposed, for the non entry or false entry, landing or relanding thereof, and shall and may be sued for, prosecuted and recovered, and disposed of in such manner and by such ways, means and methods as are directed in and by the provisions of the said recited Act, (except as aforesaid,) and the several provisions of that Act hereby continued in force, shall extend and apply and be taken and construed to extend and apply to the several dutiable articles; duties and penalties imposed by this Act in the same manner as if the said provisions were herein repeated.

Limitation.

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

### CAP. XXVI.

An Act to appropriate a part of the Public Revenue to provide for the ordinary services of the Province.

*Passed the 19th March, 1827.*

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

Chaplain.

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

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

Clerk of the  
Council.

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

To



To the Clerk of the Council, the sum of twenty-five pounds for defraying the expences of an assistant during the present Session.

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

Clerk of the House of Assembly.

To the Clerk Assistant of the House of Assembly, the sum of Twenty shillings per day during the present Session.

Clerk Assistant.

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

Sergeants at Arms.

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

To the Door Keepers and Messengers attending the Council and Assembly, the sum of twelve shillings and six pence per diem, each, during the present Session.

Door Keepers & Messengers.

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

John Chaloner.

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

Provincial contingencies.

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

Province Treasurer.

To the Speaker of the House of Assembly, the sum of one hundred and fifty pounds; and to the Members of the said House of Assembly, the sum of forty pounds each, for defraying their expences

Speaker and Members.

expences of attendance during the present session, and twenty shillings per diem travelling charges, reckoning twenty miles for each day's travel, to be certified by the Speaker agreeably to a law of this Province.

John Chaloner.

To John Chaloner, for Gauging and Weighing in the year one thousand eight hundred and twenty-six, the sum of one hundred and twenty-two pounds and nine shillings.

Treasurer for contingencies.

To the Treasurer of the Province to defray the expences incurred by him for Stationary, Blanks, Advertising and Postages, the sum of twenty-six pounds two shillings and one penny.

Richard Winter.

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

Tide Waiter in St. John.

To His Excellency the Lieutenant-Governor for the purpose of enabling the Treasurer to pay a Tide Waiter in the City of Saint John, for his services from the 28th day of March, 1826, to the 28th March, one thousand eight hundred and twenty-seven, the sum of ninety-two pounds.

Grammar School Westmorland.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seventy-five pounds, for the support of the Master of the Grammar School, in the County of Westmorland, for the year one thousand eight hundred and twenty-seven, agreeably to the two Acts of the General Assembly.

Saint John.

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

King's County.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seventy-five pounds, for the support of the Master of the Grammar School in King's County, for the year one thousand

sand eight hundred and twenty-seven, agreeably to the two Acts of the General Assembly.

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

Saint Andrews.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seventy-five pounds, for the support of the Master of the Grammar School in Queen's County, for the year one thousand eight hundred and twenty-seven, agreeably to the two Acts of the General Assembly.

Queen's County.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seventy-five pounds, for the support of the Master of the Grammar School in the County of Sunbury, for the year one thousand eight hundred and twenty-seven, agreeably to the two Acts of the General Assembly.

Sunbury.

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

Parish Schools.

To the Keeper of the Light House on Part-ridge Island, the sum of one hundred and fifty pounds for his services for the year one thousand eight hundred and twenty-seven.

Keeper of the Light House.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seventy-five pounds, for the support of a Master for the Grammar School in the County of Northumberland, for the year one thousand eight hundred and twenty-seven, agreeably to two Acts of the General Assembly.

Grammar School Northumberland.

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

College of New-Brunswick.

To

To the Governor and Trustees of the College of New-Brunswick, for the present year, the sum of seventy-five pounds, in further aid and support of the Grammar School in Fredericton.

*Province Agents.* To John Bainbridge and Henry Bliss, Esqrs. such sum as will procure Bills of Exchange on England, for two hundred pounds, for their services as Agents for the Province, for the year one thousand eight hundred and twenty-six.

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

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

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

*Fisheries.* To the Lieutenant-Governor, or Commander-in-Chief, the sum of four thousand pounds, to be paid for the encouragement of the Fisheries of this Province for the year one thousand eight hundred and twenty-seven.

*Grain on New Land.* To the Lieutenant-Governor and Commander-in-Chief, a sum not exceeding three thousand pounds, to be paid for the encouragement of raising grain on new land agreeably to a law of this Province.

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

*Doctor Boyd.* To John Boyd, Inoculating Surgeon for the Vaccine

Vaccine Institution, the sum of forty pounds for services performed in the year one thousand eight hundred and twenty-six.

To the Adjutants of the Militia of the different Counties of this Province, a sum not exceeding two hundred and twenty-five pounds, for the year one thousand eight hundred and twenty-seven.

Adjutants of Militia.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of four hundred pounds, as provision for two Officers to inspect and instruct the several Regiments and Battalions of Militia in this Province, for the year one thousand eight hundred and twenty-seven.

Staff Officers.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, a sum not exceeding one hundred and twenty-five pounds to pay the Sergeant Majors of Militia, of this Province for the time being, who are actually employed, provided that each Sergeant Major who shall appear by a certificate from his commanding Officer to have faithfully performed his duty, shall receive the sum not exceeding seven pounds and ten shillings in each year.

Sergeant Majors.

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

Adjutant-General.

To David W. Jack, Tide Surveyor at the port of Saint Andrews for his services from the first day of April, one thousand eight hundred and twenty-six, to the first day of April, one thousand eight hundred and twenty-seven, the sum of one hundred and eighty-two pounds, ten shillings.

David W. Jack.

To James Bennett, Tide Surveyor at the Port of Saint John, for his services from the first day of February, one thousand eight hundred and twenty-six, to the first day of February, one thousand eight hundred and twenty-seven, the sum of one

James Bennett.

one hundred and eighty-two pounds, ten shillings.

Wm Abrams and  
Wm. Ball.

To William Abrams and William Ball, the sum of ninety-one pounds, five shillings, each, for their services as Tide Waiters at the Port of Saint John from the first day of February, one thousand eight hundred and twenty-six, to the first day of February one thousand eight hundred and twenty-seven.

To be paid by  
Warrant.

II. *And be it further enacted*, That all the before mentioned sums 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 and consent of His Majesty's Council, out of the monies now in the Treasury, or as payments may be made at the same.

## CAP. XXVII.

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

*Passed the 19th March, 1827.*

***BE*** it enacted by the Lieutenant-Governor, Council and Assembly, That there be allowed, and paid out of the Treasury of this Province the following sums :

Thomas Wood.

To Thomas Wood, the sum of fifteen pounds, for teaching a School in the Parish of Botsford, in the County of Westmoreland, from September, one thousand eight hundred and twenty-one, to September, one thousand eight hundred and twenty-two.

John M'Ewen.

To John M'Ewen, the sum of thirty pounds, to remunerate him for expences incurred in building a Bridge over Mill Brook in Northumberland, which Bridge was destroyed in the great conflagration

Conflagration of the 7th of October, one thousand eight hundred and twenty-five.

To John Kinnear, of the City of Saint John, the sum of seventy pounds to remunerate him for the duties twice paid on fifteen puncheons of rum.

John Kinnear.

To Elizabeth Tilton, a Widow very aged and infirm, the sum of twenty pounds to relieve her from her distressed situation, having been reduced to extreme want in consequence of the death of her husband, who was killed while apprehending Deserters from his Majesty's Service.

Elizabeth Tilton.

To Patrick Donally, a Licenced School Master, the sum of fifteen pounds for teaching a School in the Parish of Kingsclear, from the first of August, one thousand eight hundred and twenty-two, to July one thousand eight hundred and twenty-three.

Patrick Donally,

To James Morris, the sum of twenty-five pounds, as a premium for erecting a Flour and Hulling Mill at Lake George, in the County of York.

James Morris.

To His Excellency the Lieutenant-Governor, a sum not exceeding two hundred pounds, for the purpose of having the proper lines surveyed and marked out between the County of Saint John and King's County, and also between King's County and the County of Westmoreland, and also between King's County and Queen's County.

Surveying and marking County Boundaries.

To George Pitfield, Junior, the sum of ten pounds being the balance due him for building a Bridge on the great Road of communication in the Parish of Sussex in King's County, under the late Benjamin Wilson, Esquire, Supervisor of that Road out of the monies granted on the Road the present Session.

Geo. Pitfield, jun.

To William Carr the sum of twenty pounds to remunerate him for building a Bridge over Brisley Stream and clearing windfalls between Mrs. Smith's and Sealey's.

William Carr.

To

Wm. M'Lean.

To William M'Lean the sum of thirteen pounds, seventeen shillings, and six pence, being the amount of drawbacks on three puncheons of Rum shipped to Nova Scotia, in the year one thousand eight hundred and twenty-three, it having appeared to this House that from unavoidable circumstances the said William M'Lean could not sooner provide the necessary vouchers.

John Wilson and  
Benj. B. Church.

To John Wilson and Benjamin B. Church, Proprietors of a Paper Mill at Chamcook, in the Parish of Saint Andrews, the sum of one hundred and fifty pounds as a bounty for their public spirit and meritorious exertions in erecting an Establishment for the manufacture of Paper, which put them to very considerable expence, and which will be of great benefit to the Province, it being considered highly proper and expedient that some remuneration should be granted therefore out of the public funds.

Samuel Buchanan.

To Samuel Buchanan, late door-keeper of His Majesty's Council, the sum of twenty-five pounds for the year 1827, in consideration of his advanced age and infirmity.

Arch. M'Laughlan.

To Archibald M'Laughlan, a settler on the Great Road between Saint John and Saint Andrews, the sum of twenty pounds to enable him to continue an establishment on said Road.

Darby Gillon.

To His Excellency the Lieutenant-Governor the sum of twenty pounds, for the purpose of enabling His Excellency to assist Darby Gillon in building an addition to his establishment on the Nerepis Road for the accommodation of travellers.

Richard Bradley.

To Richard Bradley the sum of twenty-five pounds, to repay him for the expence of working a portion of the Saint Andrews Road under the direction of T. Wyer, Esq. as the work proved of greater extent than Bradley or the Supervisor supposed when the contract for this portion of the Road was entered into: the above sum to be



be taken from the money granted at this Session for the improvement of said Road.

To Patrick O'Brian the sum of twenty pounds as a compensation to him for working a portion of the Saint Andrews Road under the direction of T. Wyer, Esquire; it appearing by the certificate of Mr. Wyer, that the distance worked was greater than he or O'Brian supposed when the Contract for this portion of the Road was made, the above sum to be taken from the Grant made for the improvement of this Road in the present Session.

Patrick O'Brian.

To George Matthews and Peter Duffus the sum of thirty-nine pounds and ten shillings to remunerate them for expences actually incurred by them on the Road from Saint John to Black River; the same to be taken from the Grant for that Road made in the present Session.

George Matthews  
and Peter Duffus.

To Allan M'Lean the sum of five pounds, five shillings, and seven pence half-penny, being a balance due him as Supervisor on the Great Road from Fredericton to Restigouche, as audited and allowed in the year one thousand eight hundred and twenty-five.

Allan M'Lean.

To William Payne the sum of twenty-five pounds for his services as Provincial Tide Waiter at Fredericton, for the year one thousand eight hundred and twenty-six.

William Payne.

To George M'Kenzie, of the Parish of Saint James in the County of Charlotte the sum of twenty pounds, being the Provincial allowance for teaching a School at the Basswood settlement in the said Parish from the twentieth of March, one thousand eight hundred and twenty-five, to the twenty-first of March following.

Geo. M'Kenzie.

To the Justices of the Peace for the County of Northumberland, the sum of one thousand pounds to assist in erecting a Court-House and Gaol in that County.

Justice of North-  
umberland.

To Commissioners to be appointed by His  
Excellency

Courier between  
Newcastle and  
Bathurst.

Excellency the Lieutenant-Governor for defraying the expence of a Courier between Newcastle and Bathurst in the County of Northumberland, for the year one thousand eight hundred and twenty-seven, the sum of forty pounds.

Courier between  
Bathurst and Restigouche.

To the Commissioners to be appointed by His Excellency the Lieutenant-Governor, for defraying the expences of a Courier between Bathurst and the River Restigouche, for the year one thousand eight hundred and twenty-seven, the sum of fifty pounds.

Lloyd Johnston.

To Lloyd Johnston, the sum of fifteen pounds, for making plans and estimates for Government House.

For laying out  
land for Settlers.

To His Excellency the Lieutenant-Governor, the sum of two hundred pounds for the purpose of raising a fund for enabling the Surveyor-General to lay out portions of land for settlers in more regular order than heretofore; such sum to be apportioned on the several lots so laid out, and the expence of the Survey to be added to the Grant Fees and repaid to the said Fund: it being considered that such an arrangement will not only cause a material improvement in the laying out of the Country, but will also afford great facility to settlers and much lessen the expence now incurred in surveys.

Exploring road  
from Gage Town  
to the Nerepis.

The sum of one hundred pounds in addition to the sum already appropriated for exploring and opening a Road from Gage-Town to the Nerepis, provided the like sum of one hundred pounds from the casual Revenue be applied to the same purpose.

Wm. Kennedy.

To William Kennedy of Saint Stephens in the County of Charlotte, the sum of twenty pounds to assist him in the support of himself and family: the said William Kennedy having served his Country faithfully during the Revolutionary war with the United States; and upwards of twenty five years as Lieutenant and Captain in the Charlotte

lotte County Militia; and not being able to earn his livelihood by reason of his having lost the use of his right hand, and being without any means of support, and otherwise very aged and infirm.

To Alexander Wedderburn, Esq. Secretary of the Saint John Agricultural and Emigrant Society for the last year the sum of one hundred pounds in consideration of his meritorious services in receiving Emigrants on their arrival, and settling them in various parts of the Province.

Alexander Wedderburn.

To the New-Brunswick Agricultural and Emigrant Society the sum of seven hundred pounds for the promotion of Agriculture throughout the Province.

Agricultural and Emigrant Society.

The sum of one hundred pounds for rebuilding the Bridge over the Burnt Land Brook on the Great Road from Fredericton to the Restigouche in the place of one carried away by a sudden and extraordinary rise of water in November last.

Bridge over Burnt Land Brook.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of one hundred pounds for the gravelling and improvement of the great Road over the great Marsh in Sackville, provided the Proprietors of the said Marsh contribute in labour or monies one fourth of that sum towards the improvement of the said Road.

Great Road over Marsh in Sackville.

Provided Proprietors contribute one Fourth.

To William Segee the sum of forty pounds being a balance due him for work done on the Mill Creek Bridge in the Parish of Fredericton, in the year one thousand eight hundred and nineteen.

Wm. Segee.

To the widow of the late Flood, living in the wilderness part of the Shepody Road, in the Emigrant District, the sum of twenty-five pounds to enable her to continue the establishment of her late husband on that Road for the accommodation of Travellers.

Widow of Flood.

To Commissioners to be appointed by His Excellency

Road from Back  
Creek Settlement  
to the Nerepis  
Road.

cency the Lieutenant-Governor, the sum of fifty pounds in aid of individual subscription to open a Road from the Back Creek Settlement on the South Branch of the Oromocto to the Nerepis Road: not to be paid until the amount of subscription is paid into the hands of the Commissioners.

For removing  
Windfalls from  
Fredericton to St.  
Andrews.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, for the purpose of employing a suitable person to remove windfalls out of the great Road leading from Fredericton to Saint Andrews, the sum twenty pounds, no money being granted for the improvement of that Road this Session.

Flora M'Crea.

To Flora M'Crea, widow of the late Captain Alexander M'Crea, of His Majesty's late Royal North Carolina Highlanders, the sum of twenty-five pounds to relieve her in her present indigent circumstances.

Robert Reid, Esq.

To Robert Reid, Esquire, an infirm and indigent, but respectable old man, who in his youth had served his Country faithfully, the sum of twenty-five pounds.

Settler on Road  
from Fredericton  
to the Canada line  
between Restook  
River and the  
Great Falls.

To His Excellency the Lieutenant-Governor, the sum of fifty pounds for the encouragement of a settler on that part of the great Road of communication leading from Fredericton to the Canada Line, which lies between the Restook River and the Great Falls, and the further sum of thirty pounds per annum for three years, for the encouragement of such settler, the said first mentioned sum to be paid to the said settler on his becoming bound to His Majesty with two sureties to be approved of by the Justices of the Peace for the County of York in General or Special Sessions assembled: That he will clear five acres of Land that may be appropriated to him, and will also build and reside thereon for a term of five years from the period of his entering on said land under the direction of the Supervisor.

To

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

Cranberry Island  
Light House.

To the Governor and Trustees of the Madras School in New-Brunswick, for the year one thousand eight hundred and twenty-seven, the sum of seven hundred pounds towards the support of that Institution throughout the Province; such part of the said sum as may be necessary for that purpose to be appropriated to the support of a School for Children of Colour in the city of Saint John; and a sum not exceeding one hundred pounds, part of the said sum to be appropriated for a similar School in Fredericton.

Madras Schools in  
New-Brunswick.

To the Commissioners of the Revenue Cutter Elizabeth, the sum of seventeen hundred and sixty pounds, nineteen shillings, and seven pence half penny, being a balance due them for supplies of that vessel during the year one thousand eight hundred and twenty-six.

Revenue Cutter  
Elizabeth.

To the Commissioners of Light Houses for this Province, the sum of twenty-seven pounds, eight shillings, and two pence half penny to remunerate them for expences incurred in examining the Southeast coast of Grand Manan for a site for a Light House in the year one thousand eight hundred and twenty-five.

Commissioners of  
Light Houses.

To William F. Odell, Esquire, Secretary of the Province, the sum of one hundred and forty-seven pounds, ten shillings, for his services in issuing five hundred and ninety warrants on the Treasury during the last year.

Secretary for iss-  
uing Warrants.

To the Justices of the Peace for the City and County of Saint John the sum of fifty three pounds, eleven shillings, to repay the Parish of Portland, for expences actually incurred in the year one thousand eight hundred and twenty-six

Parish of Portland  
for support of  
Black refugees.

for

for the support of black Refugees located in that Parish agreeably to the prayer of their Petition.

Henry Bliss, Esq.

To Henry Bliss, Esquire, such sum as will procure a Bill of Exchange on London, for the sum of fifty pounds and nine shillings sterling, being the amount of his account for Robes, Wigs, &c. &c. for the Speaker and Clerk of the House of Assembly.

Geo. K. Lugin.

To George K. Lugin, the sum of one hundred and seventeen pounds, twelve shillings and nine pence, being the balance due to him for printing the laws of the Province, the Journals of the House of Assembly, &c. &c.

Fitting up Council Chamber.

To His Excellency the Lieutenant-Governor, the sum of one hundred and twenty-seven pounds, seven shillings and one penny, to pay sundry expences incurred in fitting up the Council Chamber.

Thos. Nisbet.

To Thomas Nisbet the sum of one hundred and fifty seven pounds, fifteen shillings, and eleven pence, being a balance due to him for furnishing Government House.

Aged and distressed Indians.

To His Excellency the Lieutenant-Governor a sum not exceeding two hundred pounds, for the purpose of assisting aged and distressed Indians in the different Counties in this Province.

For building or repairing Bridges and removing windfalls.

And that if any accident shall happen to any of the Bridges on the Great Roads in this Province, or unforeseen obstructions to travelling shall arise from the fall of trees or otherwise, it shall and may be lawful for His Excellency the Lieutenant-Governor, or Commander-in-Chief for the time being, to order a Supervisor or Supervisors to repair or rebuild such bridges, or to remove such obstructions; and it shall and may be lawful for the Lieutenant-Governor, or Commander-in-Chief for the time being, to draw warrants on account and in favour of such Supervisor or Supervisors, provided the same shall not exceed the sum of five hundred pounds.

To His Excellency the Lieutenant-Governor, the sum of six hundred pounds, in order to enable His Excellency to defray expences which have been incurred in various parts of the Province during the last year in the relief and support of sick and indigent emigrants who are not properly chargeable on any of the Parochial Funds in this Province.

Expences in support of Sick and Indigent Emigrants.

And that a like sum of six hundred pounds be granted to His Excellency the Lieutenant-Governor to be applied to the same purpose during the ensuing year.

To the Honourable S. D. Street, the sum of twelve pounds, eighteen shillings, and sixpence for Stationary, Postage of Public Letters, and for sums paid by him for the printing of official notices.

Hon. S D Street, for Stationary, &c.

To His Excellency the Lieutenant-Governor for the time being, the sum of thirty pounds, in aid of individual subscription to pay a Courier to run between Hopewell in the County of Westmoreland to the Bend of the Petticodiac River, a distance of fifty miles.

Courier between Hopewell and Bend of Petticodiac.

To His Excellency the Lieutenant-Governor the sum of one hundred pounds for gravelling the great Marsh in Sackville.

Gravelling great Marsh in Sackville.

To His Excellency the Lieutenant-Governor, the sum of two thousand five hundred pounds towards the erection of the College of New-Brunswick, the same to be expended if necessary in the present year.

College of New-Brunswick.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief, the sum of one hundred pounds as a further provision for two Officers to inspect the several Militia Regiments and Battalions of Militia in the Province, for the year one thousand eight hundred and twenty-seven.

Staff Officers.

To His Excellency the Lieutenant-Governor, a sum not exceeding one thousand pounds, for defraying

Protection of the Revenue.

defraying the expence which may be incurred in the protection of the Revenue during the ensuing year.

Settler on Road from Fredericton to Restigouche between Miramichi and Bathurst.

To His Excellency the Lieutenant-Governor, the sum of fifty pounds for the encouragement of a Settler on that part of the great Road from Fredericton to Restigouche, which lies between the river Miramichi and Bathurst, and the additional sum of thirty pound per annum for three years, for the further encouragement of such settler: the said first mentioned sum to be paid to the said Settler on his becoming bound to His Majesty with two sureties to be approved of by the Justices of the Peace for the County of Northumberland in General or Special Sessions assembled; that he will clear five acres of land that may be allotted him, and will also build and reside thereon for the space of five years from the period of entering on the said land.

Courier between Newcastle and Bathurst,

To Commissioners to be appointed by His Excellency the Lieutenant-Governor for defraying the expences of a Courier employed between Newcastle and the Town of Bathurst in the County of Northumberland, in the year one thousand eight hundred and twenty-seven, the sum of thirty pounds to be paid out of the great Road money from Newcastle to Restigouche, in addition to the vote of the fourteenth instant of forty pounds.

To be paid out of the Road Money from Newcastle to Restigouche.

Committee of Correspondence.

To the Committee of Correspondence the sum of ten pounds to defray the expence of Postage, &c.

Francis Flinn.

To Francis Flinn, the sum of twenty-five pounds to compensate him for work done on the Great Road between Newcastle and Nipisiquit, to be deducted from the sum appropriated for that great Road this year.

William Roberts

To William Roberts, the sum of sixty-nine pounds, six shillings and ninepence, to compensate him for articles furnished the late Government House.

To



To Commissioners appointed to superintend the repairs of Government House, the sum of ninety seven pounds, ten shillings and tenpence, being the amount of expences incurred by them in the year one thousand eight hundred and twenty-six.

Commissioners of  
Government  
House.

To the Clerk of the House of Assembly the sum of four hundred and forty pounds, fifteen shillings and eight pence, to enable him to pay the contingent expences of the present Session.

Contingencies of  
the Session.

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

To be paid by  
warrant.

### CAP. XXVIII.

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

*Passed the 19th March, 1827.*

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

The sum of six hundred and fifty pounds, for the Great Road from Fredericton to the Canada line; that four hundred pounds of the said sum be expended on the Great Road from Fredericton

Great Road.

Fredericton to the  
Canada Line.

ton to the Ferry at Wolverton's, and the remaining sum of two hundred and fifty pounds be expended in improving the Great Road from thence to the Presque Isle, leading to the Canada Line.

Fredericton to Restigouche. The sum of seven hundred and fifty pounds for the Great Road from Fredericton to Restigouche; three hundred and fifty pounds of this sum to be laid out on that part of the said Great Road which lies between the River Miramichi and Bathurst, and the amount due to Robert Deak to be paid out of the balance.

Fredericton to the Finger Board. The sum of two hundred pounds for the Great Road from Fredericton to the Finger Board.

Saint John to Saint Andrews. The sum of six hundred pounds for the Great Road from St. John to St. Andrews.

Dorchester to Chediac. The sum of one hundred pounds for the Great Road from Dorchester to Chediac; forty-six pounds, seventeen shillings and six pence of the said sum to be paid to Benjamin Charters for completing the Bridge on the Great Road over Memramcook River.

Saint John to the head of the Belisle. The sum of two hundred pounds for the Great Road from Saint John to the head of the Belisle.

Bend of Peticodiac to Chediac. The sum of one hundred pounds for the Great Road from the bend of the Peticodiac to Chediac.

Fredericton to Saint Andrews. The sum of two hundred pounds for the Great Road from Fredericton to Saint Andrews; one hundred and fifty pounds of the said sum to build a Bridge over Stewart's Creek, and to repair the road from Bradford's to Connick's, and the remainder for exploring a new line of Road.

Fredericton to Saint John via the Nerepis. The sum of one thousand pounds for the Great Road from Fredericton to St. John, by the way of the Nerepis.

Chediac to Chatham. The sum of six hundred pounds, for the Great Road from Chediac to Chatham; two hundred pounds of this sum to be expended between Richibucto and Chediac, and one hundred pounds

to be expended in repairing the Bridge over Chediac River.

The sum of six hundred pounds for the Great Road from Saint John to the River Missequash. Saint John to the Missequash.

The sum of five hundred pounds for the Great Road from Fredericton to Saint John, by the way of the Nerepis, in addition to the sum already appropriated on that road; provided the like sum of five hundred pounds from the Casual Revenue be applied to the same purpose. Fredericton to Saint John.

The sum of thirty-five pounds for the Road from Pickett's Mill to the Kennebeckasis. Eye Roads. Pickett's Mill to the Kennebeckasis.

The sum of thirty pounds for the Road from near Mabee's to the Kennebeckasis. Mabee's to the Kennebeckasis.

The sum of fifteen pounds for the new Road from Nicholas Roache's to the north branch of the Hammond River. Nicholas Roache's to the north branch of Hammond River.

The sum of fifteen pounds for the road from Benjamin Parlee's to the head of the settlement on Front Creek. Benjamin Parlee's to settlement on Front Creek.

The sum of thirty pounds for the Road from John Henigar's to Hammond River. John Henigar's to Hammond River.

The sum of twenty-pounds for the Road from Henry Reubert's to the late William Spence's Farm. Henry Reubert's to late William Spence's Farm.

The sum of ten pounds for the Road from Salmon River near Hallett's to Joseph Darling's. Salmon river near Hallett's to Joseph Darling's.

The sum of twenty pounds for the Road from Snider's to Kierstead's Mill Stream on the Kennebeckasis. Snider's to Kierstead's Mill Stream.

The sum of fifteen pounds for the Road from Nelson Nelson's to Isaac Perry's. Nelson Nelson's to Isaac Perry's.

The sum of fifteen pounds for the Road from Barnes' to the Road near Smith's saw Mill. Barnes' to Road near Smith's saw Mill.

The sum of ten pounds for the Road from Holder's to William Long's upper line. Holder's to Wm. Long's.

The sum of fifteen pounds for the Road from near James Campbell's on the north branch to the Kennebeckasis. James Campbell's to the Kennebeckasis.

The sum of ten pounds for the Road from Henry Stockton's to Beache's. The Henry Stockton's to Beache's.

Britain's Mill  
stream to Nerepis  
Vale.

The sum of fifteen pounds for the Road from Britain's Mill Stream to the Nerepis Vale.

Head of Belisle to  
Guthries.

The sum of fifteen pounds for the Road from the head of Belisle to Guthries.

Lake on the  
branch to Ham-  
mond River.

The sum of fifteen pounds for the Road from the Lake on the north branch to the north stream on Hammond River.

Widow Shaw's to  
main Road near  
Worden's Ferry.

The sum of fifteen pounds for the Road from the Widow Shaw's to the main road near Worden's Ferry.

Nathaniel John-  
ston's to Joseph  
Darling's.

The sum of ten pounds for the Road from Nathaniel Johnston's to Joseph Darling's.

Bridge on Salmon  
River near Cou-  
gles.

The sum of ten pounds to assist in completing the Bridge over Salmon River near Peter Cogle's.

James Parker's to  
old Cumberland  
Road.

The sum of ten pounds for the Road from James Parker's to the old Cumberland road.

David Hayward's  
to Currey's.

The sum of ten pounds for the Road from David Hayward's to Currey's.

Elias Snider's to  
settlement on Sal-  
mon River.

The sum of ten pounds for the Road from Elias Snider's to the Head of the settlement on Salmon River.

Widow Flewell-  
ing's to Robert  
Conley's.

The sum of twenty pounds for the Road from Widow Flewelling's to Robert Conley's.

James Ryan's to  
James Nowland's.

The sum of ten pounds for the Road from James Ryan's to James Nowland's.

Gondola Point to  
John Wright's.

The sum of ten pounds for the Road from Gondola Point to John Wright's.

Salt Springs to  
Charles Robinson

The sum of fifteen pounds for the Road from the north stream near the Salt Springs to Charles Robinson's.

Henry Bulyea's to  
settlements of Wm.  
M'Leod and  
others.

The sum of ten pounds for the Road from near Henry Bulyea's to the settlement of William M'Leod, Esquire, and others.

Bridge over Dun-  
ham's mill stream

The sum of ten pounds to assist in building the bridge over Dunham's Mill Stream, on the southeast side of the Long Reach.

Goram's Bluff to  
main Road near  
Bates's.

The sum of twenty pounds for the Road from Goram's Bluff to the main road near Bates's.

Forks of Ham-  
mond river to  
settlement of Da-  
vid Sherward &c.

The sum of ten pounds for the Road from the Forks of Hammond River to the settlement of David Sherward and others. The

The sum of ten pounds for the Road from Joseph Barne's to James Love's on the south east side of Hammond River.

Joseph Barne to James Love's.

The sum of twenty pounds for the Road from Alexander Burnet's to the main road near Seth Foster's.

Alexander Burnet's to main road near Seth Foster's.

The sum of ten pounds for the Road from the English settlement to the road near Good's Mill.

English settlement to road near Good's mill.

The sum of ten pounds for the Road from David Park's to Fairweather's Mill.

David Park's to Fairweather's mill.

The sum of ten pounds for the road from James E. Davis to Fairweather's Mill stream.

James E. Davis to Fairweather's mill stream

The sum of fifteen pounds for the road from near the old Church in Springfield to the Scotch settlement.

Church in Springfield to Scotch settlement.

The sum of fifteen pounds for the road from the Mill stream road by the way of Henry Parlee's to Dibble's Mill.

Mill stream road to Dibble's mill.

The sum of ten pounds for the road from Sealey's Point to the Long Reach.

Sealey's Point to the Long Reach.

The sum of ten pounds for the road from the Bridge over Smith's Creek near James Sproule's to the road leading from Smith's by the way of Jacob Snider's.

James Sproule's to road from Smith's Creek.

The sum of ten pounds for the road from Elias Snider's Mill to the main road near John Davison's.

Elias Snider's mill to John Davison's

The sum of fifteen pounds for the road and bridge near Andrew Sherwood's, senior, in Hampton.

Road and Bridge near Andrew Sherwood, sen.

The sum of ten pounds for the road from the bridge over the Kenebec Brook to the Bridge over the Mill Stream near Henry Sharp's.

Kenebec Brook to Henry Sharp's.

The sum of ten pounds for the cross road from the great road above Lewis Pickett's to the Kennebeckasis.

Lewis Pickett's to the Kennebeckasis.

The sum of fifteen pounds for the road from the upper line of Daniel Pugsley's on the north-east side of Salmon River to Robert Colpitt's, and from thence to the main road.

Daniel Pugsley's by R Colpitt's to main road.

The

Richard Currie's  
to Indian Point.

The sum of twenty pounds for the road from Richard Currie's, Junior, to the high land upon Indian Point.

Washademoak  
Lake to the Scotch  
settlement.

The sum of twenty-five pounds for the road from the Washademoak Lake near Salmon Creek to the Scotch Settlement.

William Slip's to  
the Jerusalem  
settlement  
New Canaan to  
Studholm's mill  
stream

The sum of thirty pounds for the road from William Slip's to the Jerusalem settlement.

The sum of forty pounds for the road from New Canaan to Studholm's Mill Stream.

Young's Cove to  
Grand Lake

The sum of forty pounds for the road from Young's Cove to the head of the Grand Lake.

William Robert-  
son's to Yeaman's  
Mill.

The sum of fifteen pounds for the road from William Robertson's to Yeaman's Mill.

Maquapit Lake to  
Newcastle.

The sum of sixty pounds for the road from the north side of the Maquapit Lake to Newcastle at the head of the Grand Lake.

Shaw's to Kings  
County Line.

The sum of fifteen pounds for the road from Shaw's to King's County line.

Onabog to Kings  
County.

The sum of fifty pounds for the road from the Onabog leading to King's County.

Bridge over Duck  
Creek.

The sum of fifteen pounds to complete a bridge across Duck Creek.

Bridge in rear of  
John Earle.

The sum of ten pounds to complete a bridge across a Creek in the rear of John Earle.

Bridge across  
Sands' Creek.

The sum of fifteen pounds for the bridge across Sands' Creek on the south side of the Grand Lake.

Newcastle to road  
between grand  
and Maquapit  
Lakes.

The sum of fifteen pounds for the road leading from Newcastle to the road between the Grand and Maquapit Lakes.

Cootte Hill to rear  
of Kembie's ma-  
nor.

The sum of thirty pounds for the road from Cootte Hill to the settlement back of Kembie's manor.

Cain's to the  
Shannon settle-  
ment.

The sum of thirty pounds for the road from Cain's to the Shannon Settlement.

Settlement in rear  
of Dinge's mill.

The sum of fifteen pounds for opening and improving a road leading to a settlement in the rear of Dinge's Mill.

Gage Town to the  
Nerepis.

The sum of seventy-five pounds for exploring and opening a road from Gage-Town to the Nerepis. The

The sum of thirty pounds granted for the road from the head of Lewis' Cove to the Shannon settlement, in the year one thousand eight hundred and twenty-five, be re-appropriated and laid out on the road from Shannon settlement to Fairweather's Mill.

Shannon settlement to Fairweather's Mill.

The sum of thirty pounds in aid of statute labour for the new road from Daniel Brown's to the Ledge.

Daniel Brown's to the Ledge.

The sum of fifty pounds in aid of statute labour for the road between Josiah Hitchens' and the burnt land in St. James', a sufficient part of which sum to be applied in altering the road at Kendrick's Hill.

Josiah Hitchens' to Burnt Land in St. James.

The sum of thirty pounds for the road from the Scotch settlement upon the main River ridge to communicate with the main road at Stewart's Mill.

Main River Ridge to Stewart's Mill.

The sum of twenty-five pounds for the road from Chiputnecticut settlement to the Basswood Ridge.

Chiputnecticut to Basswood Ridge.

The sum of twenty-five pounds for the road from Robert Spence's to the main River.

Robert Spence's to the main River.

The sum of twenty-five pounds for aiding the inhabitants upon the Chiputnecticut Ridge to open a road to Stewart's Mill.

Road to Stewart's mill.

The sum of thirty pounds for repairing the bridge and cause-way upon the road between Saint David's and Saint Stephen, damaged by the Freshet.

Saint David's to Saint Stephen.

The sum of thirty-five pounds for the road from Tower Hill to Oak Bay.

Tower Hill to Oak Bay.

The sum of fifteen pounds for the road from Sherman's to Smith's.

Sherman's to Smith's.

The sum of twenty-five pounds for the road between Sullivan's and Connick's.

Sullivan's to Connick's.

The sum of seventy-five pounds for re-building a bridge across the Digdeguash river near M'Donald's.

Bridge across the Digdeguash.

The sum of twenty-five pounds for improving the

the

- Digdegashbridge to the salt water. the road from the said bridge through the wilderness to the Salt water.
- Pleasant bridge to M<sup>r</sup>Farlane's mill. The sum of twenty-five pounds to assist the Inhabitants upon the Fredericton road near Pleasant Ridge to open a road from thence to M<sup>r</sup>Farlane's Mill.
- John Dick's or Neil M<sup>r</sup>Nichols. The sum of forty pounds for improving the road through the wilderness from John Dick's farm to Neil M<sup>r</sup>Nichols.
- Charles Bullock's to Samuel Wallace. The sum of twenty pounds for repairing the road from Charles Bullock's farm lot to the north line of Samuel Wallace's.
- Ashes Farm to Daniel Lees lot. The sum of twenty-five pounds for removing rocks and cutting down a steep hill upon the road between Ashe's farm and Daniel Lee's lot upon the western side of the Magaguadavic river.
- Bridge across Milliken's brook. The sum of fifty pounds for erecting a bridge across Milliken's brook, carried away by the late Freshet, and causewaying a deep slough contiguous thereto, upon the road leading from the second Falls of the Magaguadavick river to the New settlement upon the Fredericton road.
- New River to Saint John and Saint Andrew's road. The sum of twenty-five pounds for the road from the new settlement at the mouth of the new river in the Parish of Penfield to communicate with the Great Road leading from Saint John to Saint Andrews.
- Swallow Tail to Church at Grand Manan. The sum of fifty pounds for the road from Swallow-tail to the Church at Grand Harbour on Grand Manan.
- Bridge over Caul's Cove. The sum of eighty pounds towards finishing a bridge over Caul's Cove.
- Bridge near middle Island. The sum of eighty pounds for building a bridge over the lower Mill Cove, nearly opposite middle Island in the place of the one destroyed by Fire.
- Turner's Cove to Barnaby's river. The sum of eighty pounds for the road from Turner's Cove to Barnaby's River.
- North W. branch of Miramichi river to Williamstown settlement. The sum of twenty-seven pounds for opening a road from the North West Branch of Miramichi to the Williamstown settlement.



The sum of twenty pounds towards building a Bridge over Black Brook. Bridge over Black Brook.

The sum of eighty pounds for the road from Bartibogue to Tabusentac. Bartibogue and Tabusentac.

The sum of seventy-three pounds for the Roads on the North and South side of the River Richibucto, in the Parish of Carleton. Roads on N. and S. side of the Richibucto.

The sum of thirty pounds to improve the line of road from Jacob Tague's Farm up to Bass River in the Parish of Saumarez. Jacob Tague's farm to Bass river.

The sum of thirty pounds to erect a Bridge over the Pabineau Stream on the line of road leading up the West side of Big River to Nipisiquit. Bridges over Pabineau Stream.

The sum of thirteen pounds to improve the road and M'Donald's bridge in Younghal Cove in the Port of Saint Peter's. Road and M'Donald's bridge in Younghal Cove.

The sum of twenty pounds to continue the improvement of the new road in the rear of the Mill tract northward of Negadow Stream at little Nipisiquit, in the Parish of Beresford. Rear of the Mill tract of Negadow Stream.

The sum of twenty-two pounds and ten shillings to extend the said line of road up the north side of the Mill Stream to enable new settlers to reach the third concession. Road up north side of said stream.

The sum of twenty pounds to improve the line of road on the south side above the Mill tract in continuation of the grant of last Session. Road on south side of said stream.

The sum of thirteen pounds to open and improve the line of road from the rear of Charles Commeau's improvements to the new cross road, in the second concession in the rear of the Mill tract Nepisiquit. Charles Commeau's to the new cross road.

The sum of twenty-five pounds for the road from Smith's at the head of the first Lake to M'Adam's Farm. Head of First Lake to M'Adam's farm.

The sum of one hundred pounds for the road from Frog Pond to the Bridge at Loch Lomond. Frog Pond to bridge at Loch Lomond.

The sum of twenty-five pounds for the road from the Bridge at Loch Lomond to Smith's Farm, at the head of the first Lake. Bridge at Loch Lomond to Smith's farm.

The

Mr. Wilmot's farm on Quaco Road into the settlement.

The sum of one hundred pounds for the road from Mr. Wilmot's farm on the Quaco road into the Settlement.

Loch Lomond & Gardner's Creek to the Quaco road

The sum of sixty pounds for the road from Loch Lomond through the Black settlement to Gardner's Creek, and then to the Quaco road.

Head of Loch Lomond to Barns' Mill.

The sum of forty pounds for the road from the head of the upper Loch Lomond to Barns' Mill.

Blakesley's farm to Little River.

The sum of fifty pounds for the road from Blakesley's Farm to Little River and across the Marsh near Little River Bridge.

Little River to Loch Lomond.

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

Westmorland road to Godsaw's farm.

The sum of twenty-five pounds for the road from the Westmorland road through the Golden Grove settlement to Godsaw's Farm.

Bridge over the Mispick River.

The sum of twenty-five pounds for building a bridge over the Mispick river near the settlement.

Musquash Harbour to the Great Road.

The sum of forty pounds for the road from the entrance of Musquash Harbour to the Great road.

Little River to Black River.

The sum of seventy-five pounds for the road from Little River to Black River.

Quaco road to the Milliken settlement.

The sum of thirty-five pounds for the road from the Quaco Road to the Milliken settlement.

Stephen Ward's to Bay Verte.

The sum of sixty pounds for the road from Stephen Ward's to the Bay Verte.

Bay Verte to Tignish River.

The sum of fifteen pounds for the road from the Bay Verte to the Tignish river.

Bay Verte to Chemogue.

The sum of fifty pounds for the road from Bay Verte to Chemogue.

Chemogue Road to Wm. Peacock.

The sum of forty pounds for the road from where it turns from the Chemogue road to William Peacock's.

Chemogue to Teedish River.

The sum of twenty pounds for the road from Chemogue to Teedish river.

Jolicour to Wm. Read's.

The sum of ten pounds for the road from Jolicour to William Read's.

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

Westcock to Cape Maranguin.

The sum of twenty pounds for the road from Sackville to the settlement back of the Mill Pond, five pounds of the said sum to be laid out on the road leading to John L. Smith's.

Sackville to back of Mill Pond.

The sum of twenty pounds for the road from Henry Ogden's to Beech Hill.

Henry Ogden's to Beech Hill.

The sum of thirty pounds for the road from George L. Kinnear's to Fairfield's.

Geo. L. Kinnear's to Fairfield's

The sum of twenty pounds for the road from the main road to Westcock Hill.

Main road to Westcock hill.

The sum of ten pounds for the road from Point Midgick to the Great road on Sackville great marsh.

Point Midgick to Sackville Great Marsh.

The sum of twenty pounds for the road from Israel Stiles' in Dorchester to the Fish Wear.

Israel Stiles to the Fish Wear.

The sum of thirteen pounds to assist in building a bridge over the Kouchibouguack river in Sackville.

Bridge over the Kouchibouguack.

The sum of ten pounds for the road from Job Steve's to the back settlement.

Job Steve's to the back settlement.

The sum of fifteen pounds for the road from the lower mountain settlement in Monckton to the Great Road.

Lower Mountain settlement to the Great Road.

The sum of ten pounds for the road from Lewis Steve's on Turtle Creek to the main road in Hillsborough.

Lewis Steve's to Road in Hillsborough.

The sum of forty pounds for the road from George Colpitt's to Weldon's Creek.

George Colpitt's to Weldon's creek.

The sum of twenty pounds for the road from Robert Scott's to Benjamin Lounsberry's.

Robert Scott's to Benjamin Lounsberry's

The sum of fifteen pounds for Turtle Creek Bridge.

Turtle Creek Bridge.

The sum of twenty pounds for the road from John Gildart's, junior, to Thomas Colpitt's.

John Gildart's jr. to Thos. Colpitt's.

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

Geo. Colpitt's mill to Rob. Mitton's.

The sum of fifteen pounds on the new Road by David Oliver's to Cape Enragé settlement.

David Oliver to Cape Enragé.

The

New Horton to  
Cape Enragé

The sum of ten pounds for the road from  
New Horton to Cape Enragé.

Calhoon's to  
Steve's Mill  
stream.

The sum of fifteen pounds for the road from  
John Calhoon's to Steve's mill stream.

Weldon's Creek  
to Milton settle-  
ment.

The sum of fifteen pounds from Weldon's  
Creek to the Milton settlement.

Widow Hamil-  
ton's to road on  
Petticodiac.

The sum of fifteen pounds from Widow Ha-  
milton's to the main road on Petticodiac by the  
Woodworth settlement.

George Rodgers  
to Saw mill creek  
settlement.

The sum of fifteen pounds for the road from  
George Rodger's to the settlement on Saw mill  
Creek.

Road on W side  
Thomas' Peck's  
Mill Stream.

The sum of fifteen pounds for the road esta-  
blished by Commissioners in one thousand eight  
hundred and twenty-six, on the west side of Tho-  
mas Peck's mill Stream.

Henry Steve's to  
Sinton's Creek.

The sum of forty pounds for the road from  
Henry Steve's to Sinton's Creek.

Daniel to William  
Tingley's.

The sum of ten pounds for the road from  
Daniel Tingley's, junior, to William Tingley's.

William Tingley's  
to Thos Dixon's.

The sum of ten pounds for the road from Wil-  
liam Tingley's to Thomas Dixon's.

Bridge over the  
Keswick.

The sum of twenty pounds towards complet-  
ing the bridge over the Keswick near Israel  
Easty's in the Parish of Douglas.

Road to the  
mouth of Kes-  
wick.

The sum of twenty-five pounds towards im-  
proving the road leading to the mouth of the Kis-  
wick and to commence where the last grant of  
seventy-five pounds left off.

Jacob M'Kean's  
to Jewitt's mill.

The sum of ten pounds to improve the road  
from Jacob M'Kean's to Jewitt's Mill in the Pa-  
rish of Douglas.

Jewitt's mill to  
the new settle-  
ment.

The sum of twenty pounds for the road from  
Jewitt's mill through the new Settlement in the  
Parish of Douglas.

Through the Car-  
digan settlement.

The sum of twenty pounds for improving the  
road through the Cardigan settlement in the  
Parish of Douglas.

Charles King's to  
the Nashwack-  
sis.

The sum of fifteen pounds for improving the  
road from Charles King's to the Nashwacksis in  
the Parish of Douglas.

The

The sum of twenty pounds towards opening the new road from the Cardigan settlement to the south west branch of the Miramichi River.

Cardigan settlement in the C. W. h. such of the Miramichi.

The sum of thirty pounds towards erecting a bridge over the Peneack stream.

Bridge over the Peneack.

The sum of twenty-five pounds to improve the road from Captain Miles to the mouth of the Nashwack.

Captain Miles to mouth of the Nashwack.

The sum of twenty-five pounds to open a road from Charles Hazelton's in the Parish of Queensbury to a new settlement in the rear.

Charles Hazelton's settlement in Queensbury.

The sum of twenty pounds for improving the road at Currie's Creek in the Parish of Kingsclear.

Currie's Creek in Kingsclear.

The sum of ten pounds towards completing the bridge over the Scodawabscook-Creek.

Bridge over the Scodawabscook.

The sum of ten pounds to open a road from William Sterret's to James Scott's in the Parish of Kingsclear.

William Sterret's to James Scott's.

The sum of thirty-five pounds to improve the road from Cullington's to Parlee's in the Parish of Prince William.

Cullington's to Parlee's.

The sum of twenty-five pounds towards opening a new road to the Poquiock settlement.

Road to Poquiock settlement.

The sum of fifty pounds towards improving the road from where the improvements left off last year to the Poquiock in the Parish of Prince William.

Road to the Poquiock.

The sum of twenty-five pounds to improve the road from the Poquiock to Ingraham's mill.

Poquiock to Ingraham's mill.

The sum of forty pounds towards erecting a bridge over the Shogamuck stream.

Bridge over Shogamuck stream.

The sum of thirty pounds to improve the road from Ingraham's mill to Eel River.

Ingraham's mill to Eel river.

The sum of thirty pounds to improve the road from Eel river to the bridge at Captain Bull's.

Eel River to Captain Bull's.

The sum of twenty pounds towards completing the road from the Church in the Parish of Woodstock to a new settlement in the rear.

Church in Woodstock to new settlement.

The sum of twenty pounds to improve the road from William Kirk's to George Hillman's in the Parish of Woodstock.

William Kirk's to Geo. Hillman's.

The

Jackson settle-  
ment to Forks of  
Meduxnackick

The sum of twenty-five pounds towards opening a Road from the Jackson settlement to the Forks of Meduxnackick.

Bowyer's to settle-  
ment in Wake-  
field.

The sum of twenty pounds to improve the road from Charles Bowyer's on the river Saint John to a settlement in the rear, in the Parish of Wakefield.

James Page's to  
Martin Trecartin's

The sum of twenty pounds to improve the road between James Pages and Martin Trecartin's in the Parish of Wakefield.

Leonard Wood-  
worth's to Eben-  
Easty's.

The sum of fifteen pounds to improve the road between Leonard Woodworth's and Ebenezer Easty's in the Parish of Wakefield.

Jesse Shaw's to  
James M'Gee's.

The sum of thirty pounds to improve the road from Jesse Shaw's to James M'Gee's in the Parish of Wakefield.

James M'Gee's to  
Tamberlane  
Campbell's.

The sum of twenty-five pounds to improve the road from James M'Gee's to Tamberlane Campbell's in the Parish of Wakefield.

Charles Loyd's to  
Amos Hartley's.

The sum of twenty-five pounds to improve the Road from Charles Loyd's to Amos Hartley's in the Parish of Wakefield.

River St. John to  
Coldstream.

The sum of twenty pounds to improve the Road from the river Saint John to Coldstream a new settlement in the Parish of Wakefield.

Bridge over Blind  
thoroughfare, &c.

The sum of seventy-five pounds to finish the bridge over the Blind thoroughfare and improve the road from the County line to Samuel Upton's.

Burpee's mill to  
Thomas Gowan's

The sum of twenty pounds to improve the road from Burpee's mill to Thomas Gowan's through the Greenfield settlement.

Kimball's farm to  
Burpee's mill.

The sum of twenty pounds to improve the road through the new settlement in the rear of Burton, commencing at the lower line of Kimball's Farm and ending at Burpee's Mill.

Mrs. Smith's to  
Sealey's.

The sum of thirty-two pounds from Mrs. Smith's to Sealey's and to pay for a certain bridge that hath been built.

Saint Andrews  
road to French  
Lake.

The sum of ten pounds to improve the road from the Saint Andrews Road to the landing at the French Lake. The

The sum of forty-five pounds to improve the road from Partelow's landing to Stephen Keney's.

Partelow's landing to Stephen Keney's.

The sum of forty pounds to improve the road from Ezekiel Sealey's to Lawrence Merse-reau's.

E. Sealey's to L. Merse-reau's.

The sum of seventy pounds to improve the road and pay for Bridges that have been built between Hart's mill and Solomon Tracey's.

Bridges, Hart's mill to S. Tracey's

The sum of eighty pounds in addition to the sum of twenty pounds for the road from Cardigan to the upper settlement on the south west branch of the Miramichi river.

Cardigan to upper settlement.

The sum of one hundred pounds to complete the bridge over the mill cove below Moorfield's.

Bridge over mill cove Moorfield's.

The sum of thirty pounds to enable the Inhabitants of the Butternut Ridge to open a road from that settlement to Studholn's mill stream.

Butternut ridge settlement to Studholn's mill stream.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, for the time being, the sum of four hundred pounds, for the purpose of enabling a Supervisor of the Great Road from the City of Saint John to the Province line, to widen the said road leading through the marsh near the said City.

Marsh near Saint John.

To Commissioners to be appointed by His Excellency the Lieutenant-Governor the sum of one hundred pounds for improving the new Shepody Road so called, laid out for settling Emigrants from the head of Hammond River to Hopewell.

Shepody Road.

II. *And be it further enacted*, That the said several and respective sums of money and every part thereof, shall be paid to the several and respective persons who shall actually work and labour, in making, completing and repairing the said several Roads and Bridges, or in furnishing materials therefor at the most reasonable rates that such labour and materials can be provided, and the several and respective persons who shall be intrusted with the expenditure of the said several

Money to be paid to the persons who labour.

Commissioners to  
account.

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

Commissioners to  
retain Five per  
cent with a rea-  
sonable compen-  
sation for actual  
labour.

III. *And be it further enacted,* That the said Commissioners or Persons entrusted 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 entrusted to them respectively together with a reasonable compensation for actual work and labour performed by them on the said several roads and and bridges.

Monies to be paid  
warrant.

IV. *And be it further enacted,* That all the before mentioned several and respective sums of money shall be paid by the Treasurer by warrant of His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council out of the monies now in the Treasury, or as payments may be made at the same, and not otherwise.



ANNO REGNI  
**GEORGIIV.**

BRITANNIARUM REGIS, SEPTIMMO

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CAP.

An Act for the division of the County of Northumberland into three Counties, and to provide for the Government and Representation of the two new Counties.

*Passed the 7th March, 1826.*

**W**HEREAS from the great extent of the present County of Northumberland, it is necessary and expedient that the same be divided into three Counties. Preamble.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That all that part of the said County which now forms the Parishes of Carleton and Wellington, and also that part which lies in the rear thereof and not included in the Parishes of Ludlow, Nelson, or Chatham, be, and the same is hereby erected into a County separate and distinct from the said County Boundaries of the Counties described.

County

County of Kent,

Gloucester.

Northumberland.

County of Northumberland, to be called and known by the name of the County of Kent, and that all that other part of the said County of Northumberland which now forms the Parishes of Saumarez, and Beresford, be, and the same is hereby erected into another County separate and distinct from the said County of Northumberland, to be called and known by the name of the County of Gloucester, and that the residue of the said County of Northumberland continue to form the same County.

The like Courts of Justice, the like Officers with like Powers as at present is Northumberland to be in the new Counties.

II. *And be it further enacted*, That the like Courts of Justice shall be erected and established, and the like Justices and other officers constituted and appointed in the said two new Counties respectively, as are now erected and established, constituted and appointed in the said County of Northumberland, and with the like powers and authorities.

*vid. 9.*  
*1. 4. 1.*  
*12.*  
Courts of Sessions and Common Pleas to be held in Kent.

3d Tuesdays in January and June,

*vid. 9. 9.*  
*1. 6. 18.*  
In Gloucester 2d Tuesdays in January and June.

Additional terms of Common Pleas,

In Kent 1st Tuesdays in April and September.

*vid. 9. 9.*  
*1. 6. 18.*  
Gloucester and Tuesdays in April and October.

III. *And be it further enacted*, That the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas, shall be holden in the respective Shire Towns, of the said two new Counties, twice in every year at the times following, that is to say; for the said County of Kent, on the third Tuesdays in January and June, and for the said County of Gloucester, on the second Tuesdays in January and June, and continue until the business shall be finished, not exceeding five days: and that the two additional terms of the said inferior Courts of Common Pleas for the said two new Counties, shall be holden as follows, that is to say; for the said County of Kent, on the first Tuesdays in April and September, and for the said County of Gloucester, on the second Tuesdays in April and October, and continue until the business shall be finished, not exceeding five days, at which additional terms no Jury shall be summoned.

IV.

IV. *And be it further enacted,* That the said two new Counties shall be, and the same are hereby respectively subdivided into towns or Parishes follows, to wit: The said County called the County of Kent shall be divided into six Towns or Parishes, the first to retain the name of Carleton to be formed of the northwesterly part of the present Parish of Carleton, and to be divided from the other part, by a line to be drawn through the middle of the River and lake Aldouane, and to comprehend the Islands lying in front thereof. The second Town or Parish to be called and known by the name of Liverpool, and to be bounded Northwesterly by the said River and Lake Aldouane, and southeasterly by a line running through the middle of the River Chockpish, to comprehend the Islands in front. The third Town or Parish to retain the name of Wellington, to be bounded Northwesterly by the said Parish of Liverpool, and Southeasterly by a line running through the middle of the River Mahalawodiack, comprehending the Islands in front. The fourth Town or Parish to be called and known by the name of Dundas, to be formed of the residue of the present Parish of Wellington, comprehending the Islands in front. The fifth Town or Parish to be called and known by the name of Huskisson, to comprehend all that part of the residue of the said County of Kent which lies to the northwest of the River Richibucto: and the sixth Town or Parish to be called and known by the name of Harcourt, to be formed of the residue of the same County. The said County of Gloucester shall be divided into five Towns or Parishes as follows, to wit: The first Town or Parish to be formed of the Easterly part of the present Parish of Saumarez, to retain that name, and to be divided from the other part thereof by a line to be drawn through the middle of a small stream called

Counties subdivided into Parishes,

Six in Kent.

Carleton.

Liverpool.

Wellington.

Dundas.

Huskisson

Harcourt.

Five in Gloucester.

Saumarez.

*See 2<sup>d</sup> 12 10*  
*Vol. 9. 5. 4. 2*  
*Vol. 10 11. 2. 10*

Bathurst.

Beresford.

Addington.

Eldon.

ed Teague's Brook, about eight miles Eastward of Nipisiguit Bay, from its mouth to its source; and thence south by the Magnet. The second Town or Parish to be called and known by the name of Bathurst, and to be formed of the residue of the said Parish of Saumarez. The third Town or Parish to retain the name of Beresford, to be formed of that part of the present Parish of Beresford which lies to the Eastward of a line drawn through the middle of Benjamin River: The fourth Town or Parish to be called and known by the name of Addington, and to be formed of that part of the present Parish of Beresford, lying between Benjamin River, and a line to be drawn through the middle of the river Upsalquitch, including Heron Island, and other Islands in front; and the fifth Town or Parish to be called and known by the name of Eldon, and to comprehend the residue of the said present Parish of Beresford,

The town on the Southern side of Restigouche to be called Dalhousie

V. *And be it further enacted*, That the Town now forming on the Southern side of the entrance of the River Restigouche within the said County of Gloucester shall be called and known by the name of Dalhousie.

Liverpool in the County of Kent and Bathurst in the County of Gloucester to be the Shire Towns

Court Houses and Gaols to be erected in the Shire-towns at such places as the Governor shall direct

VI. *And be it further enacted*, That the said Town of Liverpool in the said County of Kent, and the said Town of Bathurst in the said County of Gloucester, shall be forever hereafter the Shire Towns, of the said Counties respectively, and that a Court House and a Gaol shall be erected in each of the said Shire Towns in like manner, and by such and the like ways and means as such buildings have been or may be erected in other Counties in the Province, and in such places within the said Shire Towns respectively as the Lieutenant-Governor shall direct; and that all the Public Offices in the said two new Counties

Counties shall be kept at the places so to be directed and determined upon by the Lieutenant-Governor.

VII. *And be it further enacted,* That in each of the said Shire Towns shall be erected and established a Registry of Deeds, Conveyances and Wills, for the said Counties respectively; each to be managed and executed by a Register to be constituted in like manner, and under and subject in all respects, to the like Laws, Rules, and Regulations, as any other Registry in any other County of the Province; and that all Deeds, Conveyances and Wills, which may affect any Lands, Tenements or Hereditaments, in the said two new Counties respectively, shall be entered and registered at full length in the respective Registries: provided the same Deeds have not been before Registered in the said County of Northumberland.

Registry of Deeds to be established in the new Counties.

Deeds and conveyances to be registered.

VIII. *And be it further enacted,* That the Town or Parish Officers to be hereafter annually appointed for the said two new Counties respectively, shall in all respects possess the same powers as the like Officers in any other County. *Provided always,* that the powers and authorities of the present or any other Officers appointed or to be appointed by the Court of General Sessions of the Peace for the said County of Northumberland, shall continue until after the first General Session of the Peace shall be holden in and for the said two new Counties respectively.

Town and Parish Officers to be annually appointed.

Powers of the present officers to continue until after the first Session in the new Counties.

IX. *And be it further enacted,* That all actions now depending, or which may hereafter be brought in the Inferior Court of Common Pleas, for the said County of Northumberland, before this Act shall go into operation, shall be there proceeded in and finally determined, although the

Actions brought in the Common Pleas of Northumberland before this Act shall go into operation to be their proceeded in and determined.

Rates and assessments already made or to be made before this Act shall go into operation to be proceeded on and collected.

No assessment to be made on the Inhabitants of the new Counties for a Public Building in Northumberland, and no assessment already made for those purposes to be levied.

Each of the new Counties to send one Member to serve in the General Assembly

Freeholders whose titles are Registered in Northumberland may vote.

No writs of election to issue till a General Election.

the parties may reside or the causes of action may have arisen in either of the said two new Counties: And that all Rates and Assessments, which have been or which may hereafter be made on the Inhabitants of those parts of the said County of Northumberland, hereby erected into separate Counties before the commencement of the operation of this Act, shall be proceeded on and collected and paid, and the accounts finally settled as if this Act had not been made, any thing herein contained to the contrary notwithstanding. *Provided always*, that no assessment shall be made upon the Inhabitants of the said two new Counties, for the purpose of erecting a Court-House, Gaol, or other public building or buildings within the said County of Northumberland, and that no assessment already made for those purposes shall be levied or proceeded on so far as relates to the Inhabitants of the said new Counties.

X. *And be it further enacted*, That each of the said two new Counties shall be entitled to send one Member to serve in the General Assembly of this Province, to be elected by the Freeholders in like manner and subject to the like Laws, Rules and Regulations, under which other Members are elected in any other County: and that all such Freeholders whose Title Deeds may have been registered in the County of Northumberland before this Act shall go into operation, shall be entitled to vote without having their Deeds registered anew in the said new Counties respectively: *Provided always*, that no Writs shall issue for the election of such Members until there shall be a General Election for the Province.

XI. *And be it further enacted*, That the said two new Counties shall not be deemed to be erected and established, until the Com-  
missioners

missions shall be issued for erecting the said Courts of Justice, and appointing the several Justices and other Officers for the said two new Counties, and the same shall be notified by Proclamation of the Governor or Commander-in-Chief for the time being. *Provided always*, that this act shall not be in force until His Majesty's Royal approbation be thereunto had and declared.

The new Counties not to be considered as established until commissions be issued for erecting Courts of Justice and appointing Officers.

Act suspended until His Majesty's approbation declared.

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N. B.—This Act was “confirmed, finally enacted and ratified,” by an order of His Majesty in Council, dated at the Court at Brighton, the 5th day of February, 1827.

2 A. B. P.  
3/9/09