

Oct 23

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ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. I.

AN ACT to make provision for the Disposal and Sale of ungranted and unoccupied Crown Lands within the Island of Newfoundland and its Dependencies, and for other purposes.

[Passed 29th April, 1844.]

WHEREAS it is expedient to make provision for the disposal and sale of ungranted and unoccupied Crown Lands within this Colony and its Dependencies, and also to make provision for the appropriation of the Revenues derived from the Sale thereof, and also the Revenues derived from the Rents of Crown Lands within the said Colony and its Dependencies. Preamble.

I.—*Be it therefore enacted*, by the Governor, Council and Assembly of Newfoundland, in General Assembly convened, and by the authority of the same, That from and after the passing of this Act, no grant shall be made of any of the said Lands to any Person not being a natural-born Subject of Her Majesty, or a Denizen, or a naturalized Subject of Her Majesty, Her Heirs and Successors. To whom grants may be made.

II.—*And be it further enacted*, That no ungranted or unoccupied Crown Land shall be disposed of otherwise than by Sale of the same; and that immediately upon such Sale and payment of the Purchase Price, or so soon thereafter as conveniently may be, a Grant of such Land in Fee-simple shall be issued under Letters Patent made and passed under the Great Seal of this Island, in customary form, to the Purchaser or Purchasers, his, her, or their Assigns and Heirs. Sale of lands—how made.

III.—*And be it further enacted*, That from and after the passing of this Act, the Disposal and Sale of all such ungranted and unoccupied Crown Lands as aforesaid shall be effected by Public Auction of the same, at which such Lands shall be set up at a Price to be fixed and appointed by the Governor or Person for the time being administering the Government: By public auction.

Provided that such Upset Price shall in no case be at a lower rate than Two Shillings per Acre.

Sales made—
Where and how.

IV.—*And be it further enacted*, That all such Sales by Auction shall be made at the Office of the Surveyor General at St. John's, or at the Office of the Deputy Surveyor of the District wherein the Lands to be Sold shall be situate, after due and reasonable notice of the same shall have been published in the Royal Gazette, and also in the principal locations of the District wherein such Lands may be situate; and such notice shall set forth the Quantity of such Land intended to be Sold, and the Situation and Boundaries of the same, together with the Upset Price thereof; and all such Sales shall be made at such times as the Governor, or Person Administering the Government, shall direct and appoint.

Payment of
deposit and for-
feiture.

V.—*And be it further enacted*, That all Purchasers of such Land so sold by Auction as aforesaid, shall, at the place and time of such Sale, immediately pay into the hands of the Surveyor General, or the Deputy Surveyor respectively selling such Lands, a Sum or Deposit, after the rate of One Shilling per Acre, upon the whole quantity of Land so Sold and Purchased; and for such Deposit-money the Surveyor General or Deputy Surveyor shall deliver to the Purchaser a Receipt in Writing, specifying the amount or sum paid and date of the day of such payment; and the remainder of such Purchase Price as may be due and payable thereon, shall be paid by the Purchaser into the Office of the Colonial Secretary within Four Months next after the day of such Sale made at Auction; and in failure of the full payment of such whole Purchase Price, at the same time and manner as aforesaid, the Deposit-money shall become forfeit, and the Purchase and Sale of such Land shall thereupon become null and void.

How land sold
when no bid at
auction.

VI.—*And be it further enacted*, that when and so often as it shall happen that any such Lands as aforesaid shall have been more times than once on different days after such Public Notice as aforesaid exposed to Sale by Public Auction at an Upset Price, without effecting a Sale of the same, it shall be lawful for the Governor, or Person administering the Government for the time being, to Sell and Dispose of the same, without further Public Competition, at the last Upset Price at which such Lands shall have been offered by Public Sale.

Governor may
appropriate waste
lands for certain
purposes.

VII.—*And be it further enacted*, That it shall and may be lawful for the Governor, or Person administering the Government, from time to time, to reserve, set apart, and appropriate such parts or portions of any unoccupied Land in any of the Districts of this Island, or places within its Government, as he may, by and with the advice and consent of the Council, deem proper and expedient to appropriate, for the purpose of erecting Court Houses, Market Places, Churches, Chapels, or other Places of Public Worship, or for the erection of School-Houses, or for any other Public use or purpose; and also such portions of unappropriated Ships' Room, Beaches and Shores, as may be deemed necessary or convenient to set apart for the General and Public Uses of the Inhabitants within any of the Districts or Places aforesaid.

Land to be reser-
ved for manure,
fuel and the pur-
poses of the Fish-
ery.

VIII.—*And be it further enacted*, That it shall and may be lawful for the Governor or Person administering the Government, by and with the consent of the Council, to order the reservation of such and such portion of bogs as may be deemed necessary for the supply of manure or fuel to the Public, and such and such portion of forest as may be necessary for the uses of the Fishery.

And to use of Of-
ficers of Army
and Navy.

IX.—*And be it further enacted*, that the Governor or Person administering the Government for the time being, may and shall make and issue Grants of Crown Lands to Officers of the Army and Navy, under

such regulations as may from time to time be established or prescribed by Her Majesty, and signified to the Governor or Person administering the Government of this Island, by Her Majesty's Secretary of State for the Colonies.

X.—*And be it further enacted,* That it shall be lawful for the Governor or Person administering the Government, by and with the advice and consent of the Council, from time to time to order and direct Surveys to be made of any portions of Crown Lands that may be open to the selection of Purchasers, and to pay out of such disposable monies as may be in the hands of the Colonial Treasurer, and have been appropriated by the Legislature to such service, such sum or sums of money as may from time to time be requisite and necessary to pay and defray the charges and expenses of such surveys and the costs incurred in the construction of such maps or plans as may be required therein; and such surveys, maps and plans, shall be deposited in the Office of the Surveyor General, and be open at all reasonable hours to the free inspection of any person requiring to view the same, and Public Notice thereof shall be duly given by the Surveyor General.

Surveys to be made and left open to inspection,

XI.—*And be it further enacted,* That when and so often as any person shall be desirous to obtain a grant of such unoccupied Lands he shall deliver into the office of the Surveyor General of Crown Lands at St. John's a petition or application for the same, either in writing or printed, addressed to the Governor or Person administering the Government, and signed by the applicant with his or her name or on his or her behalf by his or her authorized Agent, and such Petition shall contain and set forth all such particulars and be in such form as the Governor or Person administering the Government for the time being, by and with the advice and consent of the Council, shall direct and appoint; and the Surveyor General shall immediately, on receipt by him of every such Petition, endorse thereon the date of the day whereon he shall receive the same, and also record, in a book to be kept for such purpose, the particulars of such Petition in due and regular order, according to the time when such Petition shall have been received by him, and such Book shall be kept in all particulars as the Governor or Person administering the Government shall direct and appoint, and shall be free to the inspection of any person who may require to view the same, on application to the Surveyor General, at his Office, at all reasonable hours; and all such Petitions so received by the Surveyor General shall, without delay, be laid before the Governor or Person administering the Government for the time being, who is hereby authorized, if he shall deem fit and proper, to direct the Surveyor General to set up at Public Competition such Lands, or any portion thereof, for Sale in manner hereinbefore provided.

Mode of proceeding by applicant for land.

XII.—*And be it further enacted,* That for the greater convenience of persons who may be desirous to obtain Grants of Land, printed forms of Petitions for the same shall be supplied to the Offices of the Surveyor General and his Deputies, for the use of such Persons, who on application at the said Offices at all reasonable hours shall be entitled to have and receive the same.

Blanks to be supplied at Offices of Surveyors.

XIII.—*And be it further enacted,* That in any case wherein any person or persons shall, since the first day of January in the Year One Thousand Eight Hundred and Forty, and before the passing of this Act, have intruded upon or taken possession of any Crown Land without lawful authority for so doing, it shall and may be lawful for the Governor or Person administering the Government for the time being, upon the Petition of the Person or Persons so intruding as aforesaid, and upon pay-

Disposal of Land occupied by intruders since 1840

ment by him or them of such Purchase price per Acre for the said Land so intruded upon as may be the upset price at which other like Land in the same District shall be offered for Sale by public competition, to issue a Grant in usual form to him or them in Fee-Simple of the said Land or such portion thereof as the Governor or Person administering the Government for the time being may, according to the circumstances of the case, deem just and expedient ; and if such person or persons shall not apply by Petition as aforesaid within the period of Twelve Months next after the passing of this Act, or having so petitioned shall not accede to, and comply with, such terms as are herein prescribed, such Land so intruded upon shall, after Twelve Months' notice from the Surveyor General or his Deputy to the party in possession of the same, be deemed to be unoccupied Land and be subject and liable to be sold and granted to any person or persons desirous to purchase the same, under the general provisions of this Act. Provided nevertheless that in particular cases wherein such Persons so intruding as aforesaid shall, since their intrusion, have made considerable and meritorious improvements upon such Land, it shall be lawful for the Governor or Person administering the Government, by and with the advice and consent of the Council, to impose any lower rate or price per Acre in payment for the said Land than the price above mentioned, or to give a Free Grant thereof, according to the circumstances and merits of the case.

Disposal of Lands occupied previous to 1840.

XIV.—*And be it further enacted,* That all persons who previous to the 1st January 1840, had been by themselves or their Tenants and since then and until the passing of this Act shall have continued to be in the *bona fide* occupation of any ungranted Land—and who shall have made improvements thereon, and who shall, within the period of Four years from and after the time of the passing of this Act, apply to have the same surveyed by the proper Officer appointed by the Government for that purpose, shall be entitled to hold the same, and they are hereby confirmed in the possession thereof, and shall upon application be further entitled to receive a Grant for the same, subject only to the charge named in the 16th Section of this Act: Provided always that the Quantity of Land so to be given as aforesaid, shall not in the case of any one Person be permitted to exceed Twenty Acres, unless the same shall have been brought into a state of Cultivation: Provided that nothing herein contained shall affect the interest of parties disputing the right to the possession of any such Land as aforesaid; and provided further, that unless the parties occupying such Land as aforesaid, shall within the period of Eight years from the passing of this Act, apply for and take up such Grant as aforesaid, it shall be lawful for the Crown to resume possession of the said Land, upon giving to the Occupant or Person claiming possession thereof, Twelve months' notice in writing of the intention to resume such possession.

Copy of Act to be kept in Office of Surveyor General

XV.—*And be it further enacted,* that a Copy of this Act, and of all further Rules and Regulations established under its provisions, shall be deposited in the Office of the Surveyor General, and also in the respective Offices of his Deputy Surveyors, and that the same shall be open at all reasonable hours to the free inspection of the Public.

Annual Return to be made by Surveyor General.

XVI.—*And be it further enacted,* that in all cases where, in accordance with the thirteenth and fourteenth Sections of this Act, Grants of Land are directed to be issued and the necessary Surveys shall be made to perfect the same, the parties for whom such Surveys shall be

made, shall pay towards defraying the expense attending the same, the sum of Five Shillings for every Grant of any quantity of Land not exceeding Five Acres; and for every Grant of Land exceeding Five Acres in quantity, the sum of One Shilling per Acre.

Expense of Grants and Surveys provided for in certain cases.

XVII.—And be it further enacted, That the Surveyor General shall, every year, furnish to the Governor or Person administering the Government for the time being, for the purpose of being laid before the General Assembly, a detailed Return of all Lands Sold or Granted within the year ending on the first day of October then last past—of the sums received for the same—the names of the parties to whom sold or granted—the date of Sale—and all expenses attendant upon the transfer of the said Land.

Annual Return to be made by Surveyor General

XVIII.—And be it further enacted, That the said Surveyor General shall have and receive, as the Salary of his Office, the Sum of Five Hundred Pounds per annum, in lieu of all Fees of Office, to be paid to him Quarterly; and that there shall be allowed and paid to the Chairman employed or to be employed by the said Surveyor General, the sum of Forty Pounds per annum in lieu of all Fees of Office, to be paid to him quarterly; and that the sum of Fifty Pounds per annum be paid to the Colonial Secretary, in lieu of all Fees of Office payable to him upon Grants of Land hereafter to be issued: and the said Sums shall severally be paid out of the General Revenues of the Colony, by Warrant of the Governor, made in usual form, upon the Colonial Treasurer.

Salary of Surveyor General, &c.

XIX.—And be it further enacted, That from and after the passing of this Act, the whole of the general and casual Revenues that are now derived, or that may hereafter be derived, from and out of the Sale and Rentals of all Crown Lands and Ships' Rooms within this Colony or its Dependencies, together with the surplus or balance remaining in the hands of the Receiver thereof, shall, deducting thereout a sum not exceeding Five Pounds for every One Hundred Pounds, towards defraying all customary charges, expenses, and allowances, incident to the collection and receipt of the same, be annually accounted for and paid over by the Receiver of the said Revenues into the hands of the Colonial Treasurer, to be appropriated and applied to the general uses and purposes of the Colony.

Proceeds of Sales to be paid over to Treasurer.

XX—And whereas the Revenues derived from the Crown Lands of this Colony have been heretofore made chargeable with divers annual payments and sums of money, which, after the passing of this Act, will become chargeable upon the General Revenues of the Colony, and it is requisite and necessary to make provision for the future due payment of such annual charges:

Certain charges provided for from Colonial funds.

Be it further enacted, that from and after the passing of this Act, the following subjects of charge and expense shall be borne and annually paid by and out of the General Revenues of this Colony; that is to say:—

All charges and expenses that may be incurred for the requisite repair and due maintenance of Government House and the Buildings, Offices, and Fences enclosing the same; Provided that all such charges and expenses as aforesaid, shall be incurred under the direction and superintendance of a Committee of Four Persons to be appointed by the Governor for that purpose, which Com-

mittee shall be composed of Two Members of the Legislative Council and Two Members of the Assembly of the Colony, and that such Committee be appointed annually.

The cost and charges for Printing and Stationery for the Surveyor General's Office, and Fuel and Light for the same.

The payment of the Salary of Fifty Pounds to the Superintendent of Colonial Buildings.

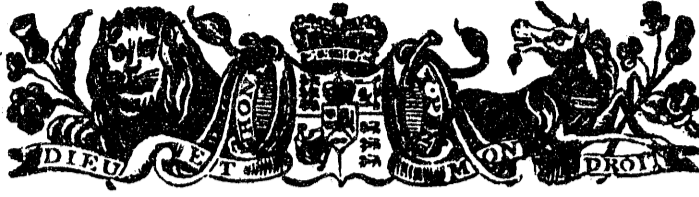
The payment of the annual Pension of Thirty Pounds to Mrs. Westcott, payable in England.

All which Sums of Money, charges and expenses, the Governor or Person administering the Government is hereby authorized and empowered to pay and defray at the times and in manner accustomed, by his Warrant, in usual form, made upon the Colonial Treasurer.

Lots offered for Sale not to exceed 100 acres, and 5 per cent. on all grants to be cultivated within a certain period.

XXI.—*And be it further enacted*, that no Lot of Land, offered for Sale under this Act, shall exceed in quantity One Hundred Acres : and that every Grant issued under this Act shall be conditioned for the cultivation, within the period of Five Years from the date thereof, of a proportion of Five per Cent. on the whole amount of Land contained in such Grant.





ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. II.

AN ACT to amend an Act passed in the Fourth Year of His Late Majesty's Reign, entitled "An Act for the Relief of Insolvent Debtors taken in Execution."

[Passed 29th April, 1844]

WHEREAS an Act was passed in the Fourth Year of the Reign of His late Majesty, entitled "An Act for the Relief of Insolvent Debtors taken in Execution;" and whereas it is expedient and necessary that the said Act should be in certain respects amended: Preamble.

I.—*Be it therefore enacted*, by the Governor, Council, and Assembly, in Legislative Session convened, that in all cases where any application shall be made to the Supreme Court, or to the Chief Justice, or other Judges thereof, by any person or persons to be discharged from Gaol, as an Insolvent Debtor or as Insolvent Debtors, pursuant to the provisions of the said Act, and where it shall appear to the said Court, or the said Chief Justice, or other Judges, that such Debtor or Debtors have fraudulently, with intent to conceal the state of his or their affairs, or to defeat the purposes of this and the said Act, destroyed or otherwise wilfully prevented or purposely withheld the production of, any books, papers, or writings, relating to such of his or their affairs as are subject to investigation under this and the said Act; or kept or caused to be kept false books, or made false entries in, or withheld entries from, or wilfully altered or falsified any such books, papers and writings,—or that such Debtor or Debtors have fraudulently, with intent of diminishing the sum to be divided among his or their Creditors or of giving an undue preference to any of his or their Creditors, discharged or concealed any debt due to or from the said Debtor or Debtors, or made away with, assigned, conveyed, charged, mortgaged or concealed, any part of his or their property, or what kind soever, either before or after the commencement of his or their imprisonment, or have been guilty of any other act or acts of fraud that might have prevented the discharge of such Debtor or Debtors under the aforesaid Act,—then it shall be lawful for the said Court or the Punishment of Insolvents in certain cases by imprisonment not exceeding three years.

said Chief Justice or other Judges, to declare such Debtor or Debtors Insolvent, and to appoint Trustees for the collecting, selling and realizing the Debts, Estates and Effects of such Debtor or Debtors, and distributing the produce thereof amongst the Creditors of such Debtor or Debtors, and to adjudge that such Debtor or Debtors shall be discharged and entitled to the benefit of the provisions of the said Act, so soon as he or they shall have been in custody at the suit of some one or more persons as to whose debts and claims such discharge is so adjudicated, for such period or periods, not exceeding Three Years in the whole, as the said Court or the said Chief Justice, or other Judges, shall direct,—to be computed from the time of such adjudication.

Punishment in other cases not exceeding two years imprisonment.

II.—*And be it further enacted*, that in case it shall appear to the Court, or the said Chief Justice or other Judges, that such Debtor or Debtors shall have contracted any of his or their debts fraudulently or by means of a breach of trust, or by means of false pretences, or without having had any reasonable or probable expectation at the time when contracted of paying the same,—or shall have fraudulently or by means of false pretences obtained the forbearance of any of his or their debts by any of his or their creditors,—or shall have put any of his or their creditors to any unnecessary expense by any vexatious or frivolous defence or delay to any suit for recovering any debt or sum of money,—or shall be indebted for damages recovered in any action for a malicious prosecution, or for a libel, or for slander, or for criminal conversation with the wife, or for seducing the daughter or servant, of the Plaintiff in such action,—or for damages recovered in any action for a malicious injury, or in any action of Tort or Trespass to the person or property of the Plaintiff therein, where it shall appear that the injury complained of was malicious; then it shall be lawful for the said Court or the said Chief Justice or other Judges to declare such Debtor or Debtors Insolvent, and to appoint Trustees for the collecting, selling, and realizing the Debts, Estates, and Effects, of such Debtor or Debtors, and distributing the produce thereof amongst the Creditors of such Debtor or Debtors, and to adjudge that such Debtor or Debtors shall be so discharged and so entitled as aforesaid forthwith,—except as to such debt or debts, sum or sums of money, or damages, as abovementioned; and as to such debt or debts, sum or sums of money, or damages, to adjudge that such Debtor or Debtors shall be so discharged and so entitled as aforesaid so soon as he shall have been in custody at the suit of such person or persons who shall be a Creditor or Creditors for the same, respectively, for a period or periods not exceeding two years in the whole, as the said Court or the said Chief Justice or other Judges shall direct, to be computed as aforesaid.

Court &c. may make a Contingent order in certain cases.

III.—*And be it further enacted*, That where it shall appear to the said Court or the said Chief Justice or other Judges that certain matters or things ought to be performed by or on behalf of such Debtor or Debtors before he or they are to be actually discharged from custody, but that nevertheless it is expedient not to adjourn the hearing of the case absolutely to some future occasion without the opportunity of such discharge being had sooner by doing such things as aforesaid, it shall be lawful for the said Court, or the said Chief Justice or other Judges, to adjudge that such Debtor or Debtors shall be so discharged and so entitled on the performance of such matters or things as aforesaid,—and that on the non-performance thereof the hearing of such case shall stand adjourned according to the direction made in that behalf:—*Provided* always, and be it enacted, That in all cases where it shall have been adjudged that any such Debtor or Debtors shall be so discharged and so entitled as aforesaid, at some future period, such Debtor or Debtors shall be subject and liable to be detained in prison and to be arrested and charged in custody at the suit of any one or more of his or their creditors, with respect to

whom it shall have been so adjudged at any time before such period shall arrive, in the same manner as he would have been subject and liable thereto if this Act had not passed. Provided nevertheless, that when such period shall have arrived, such Debtor or Debtors shall be entitled to the benefit of the said Act, notwithstanding that he or they may have been out of actual custody during all or any part of the time subsequent to such adjudication, by reason of such Debtor or Debtors not having been arrested or detained during such time or any part thereof.

IV.—*And be it further enacted,* That in all cases where such Debtor or Debtors shall, upon such adjudication as aforesaid, be liable to any further imprisonment at the suit of his or their Creditor or Creditors, it shall be lawful at any time for the said Court, or the said Chief Justice or other Judges, upon the application of such Debtor or Debtors, to order the Creditor or Creditors at whose suit he or they shall be so imprisoned, to pay to such Debtor or Debtors such sum or sums of money, not exceeding the rate of *Four Shillings* by the week in the whole, at such times and in such manner as the said Court or the said Chief Justice or other Judges shall direct,—and that on failure of payment thereof, the said Court or the said Chief Justice or other Judges shall order such Debtor or Debtors to be forthwith discharged from Custody at the suit of the Creditor or Creditors so failing to pay the same.

Court &c. may order maintenance to Insolvent remanded.

V.—*And be it further enacted,* That whenever any Creditor or Creditors opposing the discharge of such Debtor or Debtors shall prove to the satisfaction of the said Court or the said Chief Justice or other Judges, that such Debtor or Debtors have done or committed any act for which, upon such adjudication as aforesaid, he or they may be liable to remain in such custody as aforesaid, for a period not exceeding three years, to be computed as aforesaid, the said Court or the said Chief Justice or other Judges shall adjudge the taxed costs of such opposition to be paid to such opposing Creditor or Creditors out of the Estate and Effects of such Debtor or Debtors before any dividend made thereof; and in all other cases of opposition to a Debtor or Debtors' discharge being substantiated or effectual, it shall be lawful for the said Court, or the said Chief Justice or other Judges, to adjudge in like manner, if it shall seem fit; and that in case it shall appear to the said Court, or the said Chief Justice or other Judges that the opposition of any Creditor to the discharge of any such Debtor or Debtors was frivolous and vexatious, it shall be lawful for the said Court or the said Chief Justice or other Judges, to award such costs to such Debtor or Debtors as shall appear to be just and reasonable, to be paid by the Creditor or Creditors making such opposition.

And may make order as to costs in certain cases.

VI.—*And be it further enacted,* That the discharge of any such Debtor or Debtors shall extend to all Process issuing out of any Court for contempt for the non-payment of any money or of any costs or expenses, in any Court, and to all costs which such Debtor or Debtors would be liable to pay in consequence or by reason of such contempt or on purging the same.

Discharge of Insolvent to extend to certain cases of contempt.

VII.—*And be it further enacted,* That it shall be lawful and competent for any Debtor or Debtors who may be declared Insolvent by virtue of the provisions of this or the aforesaid Act, to obtain and be allowed his or their Certificate of discharge in like manner and to the like effect as though such Debtor or Debtors had been declared Insolvent at the return of the writ, and had obtained the like consent of Creditors as is prescribed by the provisions of the Act of the Imperial Parliament 5 Geo. 4, chap. 67, entitled "An Act for the better administration of justice in Newfoundland and for other purposes."

Insolvents may obtain certificates under this Act.

Provisions of this Act extended to parties now in custody having been remanded on former application.

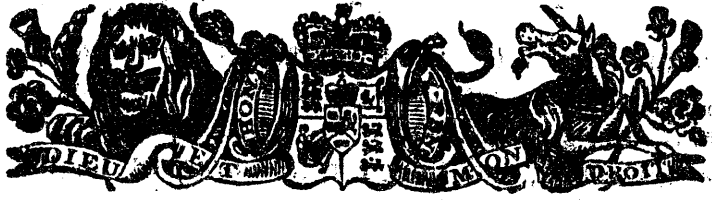
VIII.—*And be it further enacted,* That it shall and may be lawful for any Debtor or Debtors who, having applied to be discharged as Insolvent and having been remanded for non-compliance with or in consequence of the provisions of the said Act for the relief of Insolvent Debtors taken in execution, shall be confined in Gaol in this Colony and charged in execution at the time of the passing of this Act, to apply by Petition to the Court or Judges by whom such Debtor or Debtors may have been so remanded, and thereupon it shall be lawful for such Court or Judges, as the case may be, to order such Debtor or Debtors to be brought before the said Court, or before such Judges, on a day certain (reasonable notice thereof being served on such of the Creditors of such Debtor or Debtors as may reside in this Colony), then and there to be examined touching the matter of his or their Petition, and thereon to extend and apply to such Debtor or Debtors the provisions of this and of the aforesaid Act.

Circuit Court in term time, or any Judge of Supreme Court in vacation, may determine matters provided by this Act.

IX.—*Provided always, and be it further enacted,* That it shall be lawful for any of the Circuit Courts of this Island, in term time, or for any one Judge of the Supreme Court in vacation, to hear and determine all matters provided by this Act or by the aforesaid Act for the relief of Insolvent Debtors taken in execution, as fully and amply as the said Supreme Court or the said Chief Justice is by the said last mentioned Act empowered to hear and determine the same.

Penalty on Insolvent Debtors refusing to deliver up Property &c. to Trustees

X.—*And be it further enacted,* That in case any Debtor who shall be brought up for examination and discharge before any Court or Judge as aforesaid, shall wilfully refuse to deliver up to his Trustees, any money, property, deeds, accounts, books or other documents, pursuant to any order of such Court or Judge, it shall be lawful for such Court or Judge to remand to Prison such Debtor from time to time, until he shall conform to such order of the said Court or Judge.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. III.

AN ACT to provide for the Establishment of an Academy at St. John's.

[Passed 29th April, 1844.]

WHEREAS it is desirable that an Academy should be established at St. John's for the instruction of Youth in the several branches of Scientific and Classical Learning: Preamble.

I.—*Be it therefore enacted*, by the Governor, Council and Assembly, £3000 granted for the purposes of this Act. that from and out of such monies as shall from time to time remain in the hands of the Treasurer, unappropriated, there be granted to Her Majesty, Her Heirs, and Successors, the sum of *Three Thousand Pounds*, to be appropriated in the erection and establishment of an Academy at St. John's, and in furnishing and providing the same with a suitable Library and Philosophical and Mathematical Apparatus.

II.—*And be it further enacted*, that it shall and may be lawful for the Governor or Administrator of the Government for the time being, by warrant under his hand and seal, to nominate and appoint Nine fit and proper persons, of whom Five shall be a quorum, to be and act as a Board of Directors for the said Academy; and that whenever a vacancy shall occur in the number of the said Board, by the death, resignation, or absence from the Colony for twelve months, of any member thereof, it shall and may be lawful for the Governor, or Administrator of the Government for the time being, to supply such vacancy, by the appointment thereto, in manner aforesaid, of some other fit and proper person, and either temporarily or permanently, as may be deemed most expedient. Board of directors to be appointed.

III.—*And be it further enacted*, that the said Board of Directors shall be a body corporate and politic, by the name and style of "The Directors of the St. John's Academy," and shall have a common seal, with power to make, alter, and change the same, and shall have perpetual succession, and full power to sue and be sued, implead, and be impleaded, Board to be a body corporate

answer, and be answered unto, in all Courts of Judicature, and in all suits, actions, and causes whatsoever; and to take, hold, and convey all lands, monies, and chattels, and to do, perform, and execute all such other acts, deeds, matters, and things whatsoever, as to them as such body corporate and politic, shall appertain to do and execute.

Governor to appoint Masters.

IV.—*And be it further enacted*, that the Governor or Administrator of the Government for the time being, shall have full power from time to time to appoint one competent person to be the Senior Master, and one other competent person to be the Junior Master of the said Academy: Provided always, that no Minister of Religion, having any fixed pastoral charge, shall be eligible to be either of such Masters aforesaid.

Powers & duties of Directors.

Proviso.

V.—*And be it further enacted*, that the said Board of Directors shall have full power to prescribe the various branches of learning to be taught by the said Masters respectively,—to appoint the terms and vacations to be kept and observed in the said Academy,—to fix the rates of Fees to be paid by the Students attending the same, and to appropriate such Fees, if they shall think fit, towards the increase of the Salaries of the said Masters, and towards the defrayal of the incidental expenses of the said Academy,—and to make such bye-laws and rules, for regulating their own proceedings, and for the efficient conduct, governance, and management of the said Academy, as may from time to time be necessary: Provided always, that no regulation, rule or bye-law of the said Board of Directors shall be of any force or effect until the same shall have received the approval of the Governor or Administrator of the Government, for the time being, and Her Majesty's Council.

Salaries of Masters.

VI.—*And be it further enacted*, that from and out of such monies as shall from time to time remain in the hands of the Treasurer, unappropriated, there be granted to Her Majesty, her heirs and successors, annually, the sum of *Three Hundred Pounds* towards defraying the salary of the Senior Master, and the sum of *Two Hundred and Fifty Pounds* towards defraying the salary of the Junior Master of the said Academy; which salaries shall be paid quarterly, and shall, together with all monies hereinbefore granted, be payable by warrant of the Governor, or Administrator of the Government, on the Colonial Treasurer.

Annual report of Board.

VII.—*And be it further enacted*, that the said Board of Directors shall, on or before the tenth day of January in each year, transmit to the Governor, or Administrator of the Government for the time being, a statement and report of the state, progress and condition of the said Academy.

Visitor appointed.

VIII.—*And be it further enacted*, that the Governor or Administrator of the Government for the time being, shall be the Visitor of the said Academy.

Treasurer to raise a loan for purposes of the Act

IX.—*And be it further enacted*, that the Treasurer of the Colony shall be, and is hereby authorized and empowered to raise, by loan, from such parties as will advance the same, a sum not exceeding *Three Thousand Pounds*, to be applied towards the purposes of this Act; which sum shall be chargeable upon, and shall be repaid, together with interest thereon, at the rate of six pounds per cent. per annum, out of the funds of the Colony, at the time and in the manner specified in the Schedule to this Act.

X.—*And be it further enacted,* that the said Treasurer shall be, and is hereby authorised and empowered to issue to the parties respectively advancing such monies as aforesaid, one or more Debentures, in the form prescribed in the Schedule hereunto annexed; which Debentures shall be issued for sums of not less than One Hundred Pounds respectively, and shall be numbered in succession from one upwards, and shall be signed by the Treasurer and countersigned by the Colonial Secretary, and shall be assignable and transferable by indorsement thereof.

Debentures to be issued to parties advancing such loan.

XI.—*And be it further enacted,* that nothing in this Act contained shall be of any force or effect until Her Majesty's pleasure thereon shall be made known.

Suspending Clause.

SCHEDULE.

Form of Debenture.

No.

By virtue of an Act passed in the seventh year of the reign of Her Majesty Queen Victoria, entitled 'An Act to provide for the establishment of an Academy at St. John's,' I, the Treasurer of the Island of Newfoundland, do hereby certify and declare, that by virtue of the power and authority in me by the said Act vested, I have borrowed and received, by way of loan, from (name and description of lender) the sum of _____ pounds sterling, bearing interest from the date hereof, at the rate of six pounds per cent. per annum, payable half yearly. And I further certify that the said principal money, and all interest due thereon, will be payable to the said (lender's name) his assigns or indorsee, on the production of this debenture at my office in St. John's, on the expiration of seven years from the date hereof.

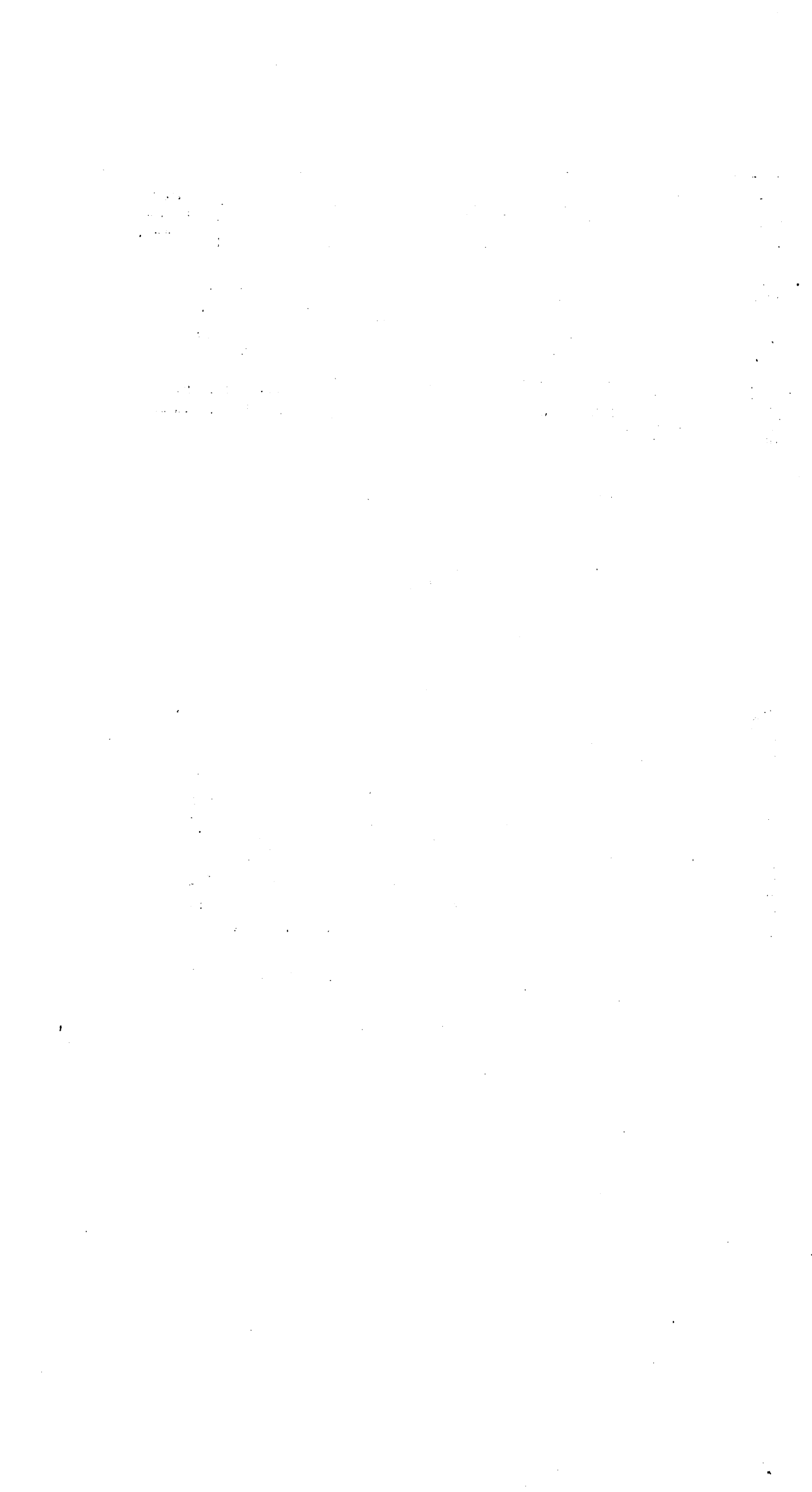
Schedule.

Given under my hand at St. John's aforesaid, this

day of

thousand eight hundred and

Anno Domini one





ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. IV.

AN ACT to prevent the importation and circulation of Spurious Copper Coin within this Colony and its Dependencies, and to make provision for a good and sufficient Copper Coinage therein.

[Passed 29th April, 1844.]

WHEREAS large quantities of spurious Copper Coins have been imported into and are now in circulation within this Colony and its Dependencies to the great injury of Merchants and others, and it is expedient to make provision for a good and sufficient Copper Coinage to be substituted within the said Colony and its Dependencies for such spurious Coins aforesaid.

Preamble.

I.—*Be it therefore enacted* by the Governor, Council and Assembly, in Legislative Session convened, that there be granted to Her Majesty, her Heirs and Successors, a sum not exceeding One Thousand Pounds; to be appropriated, from time to time, in procuring for circulation and use in payment, within this Colony and its Dependencies, a good and sufficient Copper Coinage of Pence and Half-pence, each of which Pence and Half-pence shall respectively pass current at the value of one fourteenth and one twenty-eighth part of a Shilling Sterling.

1000*l.* granted for purposes of the Act.

Value of Coins to be procured;

II.—*And be it further enacted*, that from and after the passing of this Act it shall not be lawful for any Person or Persons whomsoever to import into this Colony or any of its Dependencies, for circulation and use in payment, as Pence, or as any parts of a Penny, any Coin whatsoever other than such Copper Coin as may and do legally pass current in Great Britain or Ireland, or other than such Copper Coin as may hereafter be issued by the Government of this Colony by virtue of the provisions of this Act; and that if any Person or Persons shall from and after the time aforesaid import into this Colony or any of its Dependencies, for the purpose aforesaid, any Coin whatsoever other than such as are hereinbefore enumerated, such Person or Persons shall, for every such offence, forfeit a sum not exceeding Fifty Pounds.

Importation of certain Coins prohibited.

Penalty.

Officers of the Customs may seize coins imported contrary to this Act.

III.—*And be it further enacted*, that it shall and may be lawful for any Officer of Her Majesty's Customs to seize and secure any Coin which may hereafter be imported into this Colony or any of its Dependencies, for circulation and use in payment as aforesaid, contrary to the provisions of this Act; and all such Coin shall, upon Oath, in writing, of the fact of such seizure, being made before any Justice of the Peace, be by him declared to be forfeited and shall be delivered by such Officer to the Collector of Her Majesty's Customs, to be by him destroyed or appropriated to the use of the Colony, as the Governor or Administrator of the Government may direct and appoint.

After a time to be fixed by proclamation, certain coins prohibited to be circulated.

IV.—*And be it further enacted*, that from and after such time as may by Proclamation of the Governor or Administrator of the Government be hereafter limited and appointed, it shall not be lawful for any Person or Persons whomsoever to vend, circulate, use, offer, or receive in payment, as a Penny or as Pence, or as any part or parts of a Penny, within this Colony or any of its Dependencies, any Coin whatsoever other than such Copper Coin as may and do legally pass current in Great Britain or Ireland, or other than such Copper Coin as may hereafter be issued by the Government of this Colony by virtue of the provisions of this Act; and that if any Person or Persons shall, after the time to be limited and appointed as aforesaid, vend, circulate, use, offer, or receive in payment, as a Penny, or as Pence, or as any part or parts of a Penny, within this Colony or any of its Dependencies, any Copper Coin whatsoever other than such Copper Coin as in this section are before enumerated, such Person or Persons shall forfeit a sum not exceeding Five Shillings for every such offence.

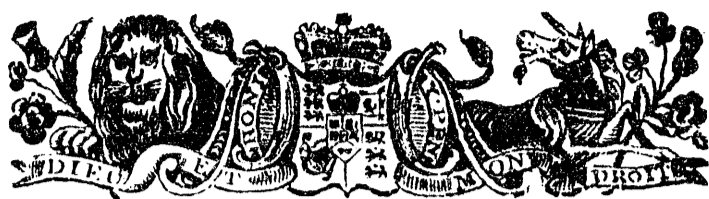
Penalty.

Mode of recovery
—and application
of penalties.

V.—*And be it further enacted*, that all penalties imposed by this Act may be recovered, with costs of suit, by action of debt to be brought in any of Her Majesty's Courts of Record, or in a summary manner before any two or more of Her Majesty's Justices of the Peace, and shall be levied by distress and sale of the Offender's Goods and Chattels, and shall be paid one half to the Prosecutor, and one half to the Treasurer for the uses of the Colony; and that in any case where sufficient Goods or Chattels of such Offender or Offenders shall not be found to answer the judgment in any such action or suit aforesaid, such Offender or Offenders shall, if convicted under the second section of this Act, be subject to imprisonment for any period not exceeding thirty days; and if convicted under the fourth section of this Act, be subject to imprisonment for any period not exceeding five days.

Punishment in default of payment.

VI.—*And be it further enacted*, that nothing in this Act contained shall be of any force or effect until Her Majesty's pleasure therein shall be made known.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. V.

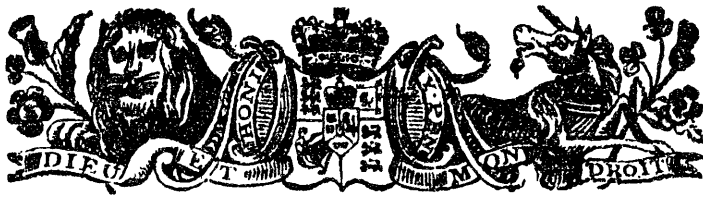
AN ACT for the maintenance of a Light House on Cape Pine.

[Passed 29th April, 1844.]

WHEREAS in answer to an application made to Her Majesty's Government, and in reply to a despatch from His Excellency the late Governor Preamble, PRESCOTT on the subject of the erection by Her Majesty's Government of a Light House on Cape Pine, Her Majesty's Principal Secretary of State for the Colonies has acquainted His Excellency Sir JOHN HARVEY that the Lords Commissioners of Her Majesty's Treasury are prepared to recommend to Parliament such grant as may be requisite for constructing a Light House on Cape Pine—subject to the condition that provision shall be made by the Legislature of this Colony, either separately or with aid from the other North American Provinces interested in the establishment of such Light House, for the future maintenance of the Light ;—And Whereas the erection of a Light House on Cape Pine will tend greatly to the advantage as well of the trade of this Colony as of the trade of the other North American Provinces ; and it is therefore expedient that the condition imposed by Her Majesty's Government in relation thereto should be fulfilled by provision being made for the efficient maintenance and support of such Light House, when the same shall have been erected.

1.—*Be it therefore enacted*, by the Governor, Council and Assembly, in Legislative Session convened, that when and so soon as a Light House shall have been erected by Her Majesty's Government on Cape Pine, or on such other part of the coast near thereto as may be deemed expedient, there be granted to Her Majesty, her heirs and successors, the sum of Five Hundred Pounds annually, to be appropriated towards the discharge of all such expenses as may be necessary for the efficient maintenance, support and keeping of the said Light House. £500 per annum granted to Her Majesty, for support of Light House on Cape Pine.

2.—*And be it further enacted*, that the said Light House, when erected, shall be under and subject to the control, superintendance and management of the Commissioners of Light Houses appointed or to be appointed under and by virtue of an Act passed in the third year of the reign of Her present Majesty, entitled " An Act to amend several Acts now in force respecting Light Houses, and to make further provision for the said Light Houses, and to consolidate the laws respecting the same ;" and such Commissioners shall have the like power and authority, and shall perform the like duties, and shall be subject to the like approval and control, with respect to the said Light House, as in and by the said recited Act are declared and provided with respect to the Light Houses therein enumerated. Light House to be under the direction of Light House Commissioners.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. VI.

AN ACT to continue an Act made in the third year of the Reign of Her present Majesty, entitled "An Act to amend several Acts now in force respecting Light Houses, and to make further provision for the said Light Houses, and to consolidate the Laws respecting the same."

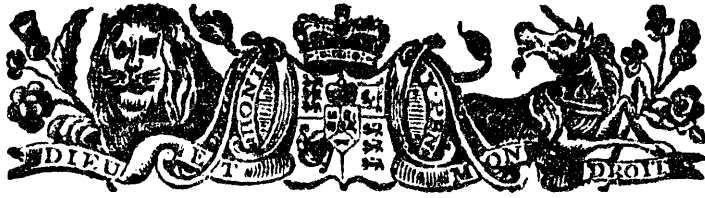
[Passed 29th April, 1844.]

WHEREAS an Act was passed in the third year of the Reign of Her present Majesty, entitled "An Act to amend several Acts now in force respecting Light Houses, and to make further provision for the said Light Houses, and to consolidate the Laws respecting the same," which, as was therein provided, was to continue in force for the period of Three Years, and thence to the end of the next Session of the General Assembly: And whereas by an Act passed in the Sixth Year of the Reign of her said Majesty, entitled "An Act to continue an Act made in the Third Year of the Reign of Her present Majesty, entitled 'An Act to amend several Acts now in force respecting Light Houses, and to make further provision for the said Light Houses, and to consolidate the Laws respecting the same,'" the said first mentioned Act was continued for the period of One Year, and thence to the end of the then next Session of the Legislature: And whereas it is expedient to continue the said first recited Act for a further period.

I.—Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, that the said first recited Act shall be and the same is hereby continued for the period of One Year from the passing of this Act, and from thence to the end of the then next Session of the Legislature.

Preamble,

Recited Act continued for one year and until the end of the next Session of the Legislature.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. VII.

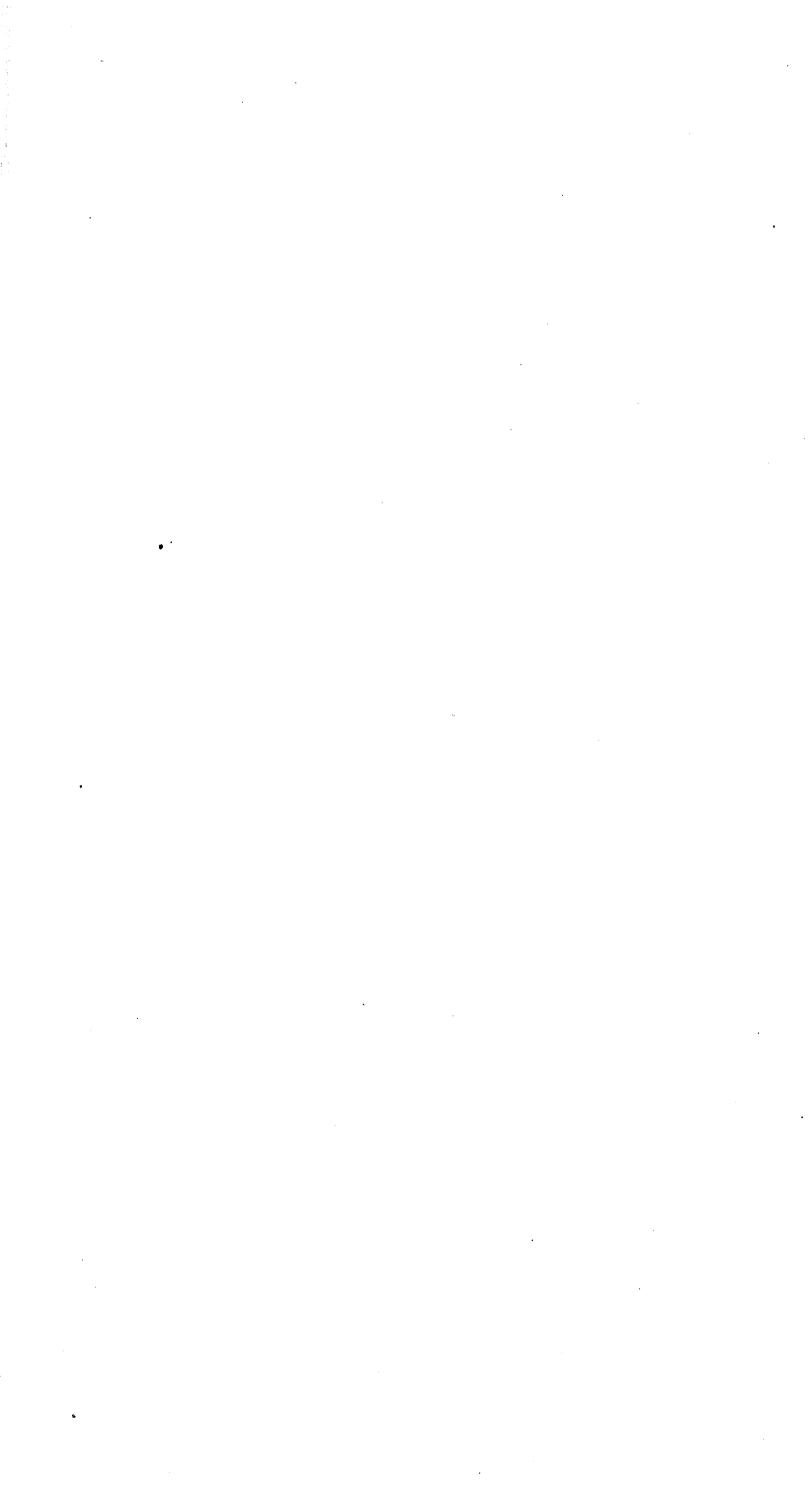
An ACT to amend and continue an Act passed in the second year of the Reign of Her present Majesty, entitled "An Act for the Regulation of Pilots and the Pilotage of Vessels at the Port of St. John's."

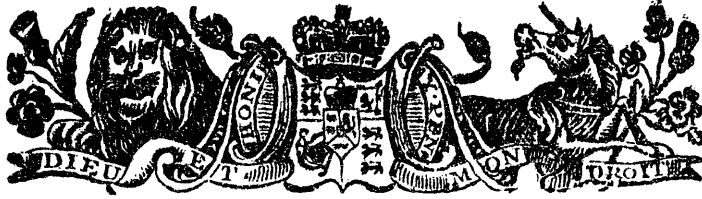
[Passed 29th April, 1844.]

WHEREAS an Act was passed in the second year of the Reign of Her present Majesty, entitled "An Act for the regulation of Pilots and the Pilotage of Vessels at the Port of Saint John's," which, as was therein declared, was to continue in force for two years, and from thence to the end of the then next ensuing Session of the Legislature : Preamble.
And whereas the said Act has by subsequent Acts of the Legislature been from time to time continued, but will shortly expire, and it is expedient that the said Act should be continued for a further period :

I.—*Be it therefore enacted*, by the Governor, Council, and Assembly, in Legislative Session convened, that the said first recited Act shall be and the same is, hereby continued for the period of One Year from the passing of this Act, and thence to the end of the then next session of the Legislature. Recited Act continued for one year and until the end of the next Session of the Legislature.

II.—*And be it further enacted*, that the Master Pilot of each Boat shall deliver monthly, to the Commissioners of Pilots, an account of the full amount of Pilotage and other Fees received by him and his Boat's Crew, under the authority of this Act. Monthly returns to be delivered by the Master Pilots.





ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. VIII.

AN ACT to amend an Act passed in the Sixth Year of the Reign of His late Majesty, entitled "An Act to authorise the erection of a Colonial House in the Town of St. John's, and the raising by loan of a sum of Money for that purpose."

[Passed 29th April, 1844.]

WHEREAS by an Act passed in the Sixth Year of the Reign of His late Majesty, entitled "An Act to authorise the erection of a Colonial House in the town of St. John's, and the raising by loan of a Sum of Money for that purpose," it was enacted that it should be lawful for certain Commissioners, to be appointed under and for the purposes of the said Act, to raise by loan a sum of money, not exceeding in the whole the sum of Fifteen Thousand Pounds, to be applied and appropriated by the said Commissioners towards the carrying into effect the provisions of the said Act: And whereas no time was appointed by the said Act for the repayment, to the Lenders thereof, of any sum or sums of Money that might be raised on loan by the said Commissioners for the purposes aforesaid, and it is expedient that the said Act should, in such respect, be amended:

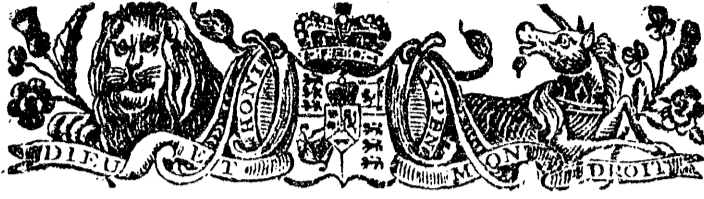
Preamble.

I.—*Be it therefore enacted*, by the Governor, Council, and Assembly, in Legislative Session convened, that all Sums of Money which have been, or which shall hereafter be raised on Loan by the said Commissioners, by virtue of the provisions and for the purposes of the said Act, shall be repaid, with all interest due thereon, out of the funds of the Colony, on the expiration of Ten Years (if then required) from the date of the debentures which shall have been issued for such Sums respectively; and if such Sums of Money respectively, shall not then be required, then on the expiration of Six Months' notice, to be given by the parties entitled to receive the same, to the Colonial Treasurer.

Monies borrowed for purposes of the Act to be repaid at certain periods.

II.—*And be it further enacted*, That the Commissioners appointed or to be appointed under the said Act, shall have full power and authority to procure such plans and elevations for the said intended Building, as they may find expedient, and to make choice of such of them as they may approve for that purpose, any thing in the said Act to the contrary notwithstanding.

Commissioners empowered to procure plans &c.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. IX.

An Act for granting to Her Majesty a Sum of Money for constructing and repairing Roads, Streets, and Bridges, within this Colony and its Dependencies, and for other purposes.

[Passed 29th April, 1844.]

WHEREAS it is expedient that provision be made for the internal improvement of this Colony, by constructing, repairing, and improving, Roads, Streets, and Bridges, therein:— Preamble.

1.—*Be it therefore enacted*, by the Governor, Council and Assembly, in Legislative Session convened, that from and out of such monies as shall from time to time remain in the hands of the Treasurer, and unappropriated, there be granted to Her Majesty, Her Heirs, and Successors, the sum of *Eight Thousand Pounds*, to be appropriated as follows, that is to say— £8,000.

Towards constructing, repairing and improving Roads, Streets, and Bridges, in the District of Saint John's, the sum of Two Thousand and Thirty Pounds, to be expended as follows, that is to say:— District of St. John's, £2,030

Towards finishing the Torbay Road, Three Hundred and Fifty Pounds.

On the Road from Torbay Bridge to Pouch Cove, One Hundred Pounds.

On the Road from Goff's Bridge to the Public Wharf, Portugal Cove, Fifteen Pounds.

Towards completing the Petty Harbor Road, One Hundred and Fifty Pounds.

Towards completing the Road from Brine's Bridge to the Portugal Cove Road, Eighty Pounds.

St. John's district
continued...

- To complete the Road from Major Green's, by William Irvin's, to Rennie's Mill Road, Sixty Pounds.
- To complete the Outer Cove Road, One Hundred Pounds.
- To finish the Safety Wall, at Pitts's Ground, Thirty Pounds.
- Towards finishing the Road from Ryan's Room, Logy Bay, to the School House, Thirty Pounds.
- Towards finishing the Road from Martin's, White Hills, to Edward Byrne's Farm, Thirty Pounds.
- Towards finishing the Road from J. Fergus's, by Dreeleen's Well Road, towards Monday's Pond, Seventy-five Pounds.
- For a Road from Dennis Nowlan's farm along the North Side of Monday's Pond, Thirty Pounds.
- Towards finishing the Circular Road, Fifty Pounds.
- To repair the Road from the Queen's Bridge to meet the Torbay and Outer Cove Road, Twenty Pounds.
- To repair the Road leading from the Outer Cove Road to meet the Branch Road leading to Dyer's and Ryan's Room, Thirty Pounds.
- To build a Bridge over the South River on the Road through Pearl's Town, Fifty Pounds.
- To build a Bridge over the South River on the Old Placentia Road, Thirty Pounds.
- Towards making the Road from Middle Cove to St. John's, as far as Savage's Bridge, by the Old Road, Thirty Pounds.
- Towards repairing Mahon's Lane, Thirty Pounds.
- Towards making a Drain from the lane West of the House of Charles Simms, Esq. across Buckworth Street, Thirty Pounds.
- Bridge across the Stream leading to the Well at Gill's Shute, Five Pounds.
- Towards opening and making a Road from the Meeting-House Hill Road into Tarahan's Town, Thirty Pounds.
- Towards making the Road from Ryan's Bridge towards Cadigan's Room, Fifty Pounds.
- Towards repairing Buchanan Street, Thirty Pounds.
- Towards repairing Road from Portugal Cove Road towards Friendly Hall, Twenty Five Pounds.
- Towards repairing Road from Portugal Cove Road to One Island Pond, Fifty Pounds.
- Towards repairing Road leading to Edghill's Farm, Thirty-five Pounds.
- Towards completing the Road from King's Bridge to the Old Portugal Cove Road at West's Hill, Twenty-five Pounds.
- Towards erecting a Bridge on the Oxenden Pond Road over the River running into Long Pond, Thirty Pounds.
- Towards completing the Road from the Torbay Road to Middle Cove, Thirty Pounds.
- Towards making a Road from the Topsail Road, near Kean's, to the Black Marsh at the George's Pond Road. Forty Pounds.
- Towards completing Quidividi Road, beginning at Quidividi Pond Bridge, Eighty Pounds.
- Towards erecting Bridge over the Stream at Torbay Beach, Thirty Pounds.
- Towards building Bridge on the Road from Torbay to Middle Cove, Thirty Pounds.
- Towards finishing Pennywell Path Road, Forty Pounds.
- Towards finishing Cockpit Road, Fifty Pounds.
- Towards repairing Road from Rennie's Mill to Upper Long-Pond Bridge, Sixty Pounds.
- To be placed at the disposal of the Board of Commissioners towards repairing Roads within the District not herein provided for, Seventy Pounds.

Towards constructing, repairing, and improving, Roads, Streets, and Bridges, within the District of Conception Bay, the sum of Two Thousand Five Hundred Pounds, to be expended as follows, that is to say:—

District of Con-
ception Bay,
£2,500.

- On the Main Road from Holyrood Southern Brook to Salmon Cove Brook, One Hundred and Twenty Pounds.
 Street, North and South Holyrood, Fifty Five Pounds.
 Harbor Main Street, Twenty-five Pounds.
 Bacon's Cove to Cat's Cove, Forty Five Pounds.
 James' Cove to Southern Cove (Colliers), Forty Five Pounds.
 O'Keefe Road, Hearn's, Colliers, to Wade's, Cat's Cove, Twenty Five Pounds.
 Bull Cove to English Cove, Twenty Five Pounds.
 Delaney's, Brigus, to N. A. School House, Twenty Five Pounds.
 Main Road, towards Goose Pond, Fifty Pounds.
 Juniper Stump Road, Fifteen Pounds.
 Burn Point to Cupids, Forty Pounds.
 Cupids Street, Twenty Pounds.
 Salmon Cove Bridge to Brigus, Sixty Pounds.
 Hibbs' Hole to Main Road, Seventy Five Pounds.
 Bay Roberts to Spaniards Bay Bridge, Forty Pounds.
 Cold East Point Road, Twenty Five Pounds.
 Heart's Content Road, One Hundred and Twenty Pounds.
 Hard Path Road to New Harbor Road, One Hundred and Fifty Pounds.
 Main Road, Bay de Verds, to Grate's Cove, Seventy Five Pounds.
 Valley Road, Seventy Pounds.
 Bunkers Hill Road, Forty Pounds.
 Jones' Road, Thirty Pounds.
 Hiscock Hill Road towards Beaver Pond, Fifty Pounds.
 English Hill Road, Thirty Pounds.
 Main Beach Bridge, Twenty Pounds.
 Middle Street and Drain, Thirty Five Pounds.
 London Road, Twenty Pounds.
 Blow-me-down Road, Thirty Pounds.
 Towards repairing the Road from Crockers Cove to Spout Cove, One Hundred and Thirty Pounds; Fifty Pounds of which is to be expended in building a Bridge over Salmon Cove River.
 Bennett Hill Road, Thirty Pounds.
 Battery Road, Twenty Pounds.
 Spout Cove to Lower Island Cove, Twenty Pounds.
 Western Bay, thro' Bradley's Cove to Adams Cove, Thirty Pounds.
 Mulley's Cove Road to Broad Cove, Fifteen Pounds.
 Job's Cove Street towards Redland, Fifteen Pounds.
 Lower Island Cove Main Brook to Bay de Verds, One Hundred and Thirty Pounds.
 Broderick's to Canvas Town, Lower Island Cove, Twenty Pounds.
 Low Point to Main Road, Twenty Five Pounds.
 Small Point to Main Road, Thirteen Pounds.
 Harbour Grace South Side Road, Fifty Pounds.
 Cooper Corner and Hard Path Roads, Twenty Pounds.
 Dungarven Road, Twenty Pounds.
 Cork Road and St. Mark's Road, Forty Pounds.
 Newtown Road and Scotland Road, Forty Pounds.
 Devonshire Road, Fifteen Pounds.
 Sullivan Hill Road, Twenty Pounds.
 Native Road, Twenty Five Pounds.
 Cottage Road, Twenty-five Pounds.
 Crowdy Road, Forty Pounds.
 From Robert Lee's to Harriet Lodge, Twenty Five Pounds.
 Holbrook Road, Five Pounds.

Conception Bay
District—con-
tinued.

Woodville Road, Thirty Pounds.
Prendergast Lane, Twenty Pounds.
Forbes' Road, Twenty Pounds.
From River Head of Harbour Grace to Island Cove, Thirty Pounds.
Bryan's Cove North Side to Spaniard's Bay Road, Fifty Pounds.
Bryan's Cove to Charles Robinson's, Fifteen Pounds.
Spaniards Bay to Island Cove, Twenty Pounds.
Musquitto Valley Road, Thirty Five Pounds.
For expenses incurred by Harbour Grace District Board of Road
Commissioners, Seventeen Pounds.
Main Street to Episcopal Church, Brigus, Seventy Five Pounds.

District of Trinity
£740.

Towards constructing, improving, and repairing, Roads, Streets, and
Bridges, in the District of Trinity, the sum of Seven Hundred and
Forty Pounds, to be expended as follows, that is to say :—

Towards completing the Road and erecting a Bridge from Heart's
Content to Carbonear, Fifty Pounds.
Towards completing the Road from New Harbor to Conception
Bay, Fifty Pounds.
Towards completing the Road from Seal Cove to Grates' Cove,
Fifty Pounds.
Towards completing the Road from Seal Cove to Silly Cove, pas-
sing through Hauts Harbour, Fifty Pounds.
Towards repairing Roads in the Town of Trinity, Fifty Pounds.
Towards making a Road from Bird Island Cove to the Main Road
from Catalina to Bonavista, Fifty Pounds.
Towards making a Road and constructing two Bridges from Cata-
lina to Little Catalina, Sixty Pounds.
Towards repairing Roads and making Bridges in the Town of
Catalina, Fifty Five Pounds.
Towards making a Road from the Grate's Cove to Bay de Verds,
Fifty Pounds.
Towards completing the Road from Bonaventure to Trinity,
Seventy Five Pounds.
Towards completing the Road from Trinity to Catalina, Fifty
Pounds.
Towards completing the Road from Catalina to Bonavista, One
Hundred and Twenty Five Pounds.
To open a Road from Ragged Rock Cove to Bonaventure, Twenty
Five Pounds.

District of Bona-
vista 550/.

Towards constructing, repairing, and improving Roads, Streets, and
Bridges, in the District of Bonavista, the sum of Five Hundred and
Thirty Pounds, to be expended as follows, that is to say :—

Main Line of Road from Bonavista to Catalina, One Hundred and
Twenty Five Pounds.
Main Line of Road from Bonavista towards Plate Cove or Open
Hall and Red Cliff, One Hundred Pounds.
Road through Tickle Cove and towards the Main Line from King's
Cove to Open Hall, &c., Forty Pounds.
Streets and Bridges in King's Cove, Forty Five Pounds.
Streets, &c. in Greenspond, Ninety Five Pounds.
Streets, &c. in Fair Island, Fifteen Pounds.
Streets, &c. in Gooseberry Island, Fifteen Pounds.
Streets, &c. in Bonavista, Fifty Pounds.
New Line of Road from Lance Cove towards Bayley's Cove,
Twenty Pounds.
Line from Lance Cove towards the Bird Island Cove Road, Ten
Pounds.
Towards repairing Roads and Bridges in Keels, Fifteen Pounds.

Towards constructing, repairing, and improving Roads, Streets, and Bridges, in the District of Twillingate and Fogo, the sum of Five Hundred and Ten Pounds, to be expended as follows, that is to say :— District of Twillingate £510.

For making and repairing Roads in Moreton's Harbour, Fifty Pounds.

For opening a Road from Tizzard's Harbour to Moreton's Harbour, Fifty Pounds.

For making and repairing Roads in the Harbour of Exploits Burnt Island, Seventy Pounds.

For making and repairing Roads in the Island of Fogo. One Hundred and Forty Pounds.

For making and repairing Roads in the Island of Twillingate, Two Hundred Pounds.

Towards constructing, repairing, and improving, Roads, Streets, and Bridges, in the District of Fortune Bay, the sum of Three Hundred and Thirty Pounds, to be expended as follows, that is to say :— District of Fortune Bay £330.

Road from Harbor Britain to the West Side of Connaigre Bay, and from the South Side of Connaigre Bay to Hermitage Cove, One Hundred Pounds.

Road from Bellorem to St. Jacques, Fifty Pounds.

To be placed at the disposal of the Governor, to be distributed within the said District, upon Roads and Bridges not herein-before specified, One Hundred and Eighty Pounds.

Towards constructing, repairing, and improving Roads, Streets, and Bridges, in the District of Ferryland, the sum of Five Hundred and Thirty Pounds, to be expended as follows, that is to say :— District of Ferryland £530.

Towards erecting a Bridge over Cully's River, Bay Bulls, Fifty Pounds.

Towards erecting a Bridge near Landrigan's House, Witless Bay, Twenty Pounds.

On the Road through the Harbour of Mobile, Thirty Pounds.

On the Road in Fermeuse, to meet the Main Road, Thirty Pounds.

For the Main Line of Road, Four Hundred Pounds.

N. B.—The Board of Road Commissioners in the Bay Bulls part of the District, and the Board of Road Commissioners in the Ferryland part of the District, to have the appropriating of Two Hundred Pounds each, to be spent expressly on the Main Line of Road.

Towards constructing, repairing and improving Roads, Streets and Bridges in the District of Burin the sum of Three Hundred and Thirty Pounds, to be expended as follows, that is to say :— District of Burin, 330l.

To continue the Road from Burin to Grand Bank, in Fortune Bay, Eighty Pounds

For a Road in Lameline, Thirty Five Pounds.

For a Road in Lawn, Twenty Five Pounds.

To complete the Road from Great St. Lawrence to Little St. Lawrence, Twenty Five Pounds.

To complete Bull's Cove and Port au Bras Road, Twenty Pounds.

To continue the Road from Port au Bras to Mortier Bay, Forty Pounds.

To make a Road to School House at Rock Harbour, Thirty Pounds.

To make a Road from John de Bay to Spanish Room, Twenty Pounds.

To make a Road from Beau Bois to Little Bay, to the School House, Forty Pounds.

To continue a Road from Olive Point to Great Burin, Fifteen Pounds.

Towards constructing, repairing, and improving, Roads, Streets, and Bridges, in the District of St. Mary's and Placentia, the sum of Five Hundred Pounds, to be expended as follows, that is to say ;— District of Placentia & St. Mary's 500l.

District of Placentia and St. Mary's
—continued.

Towards opening a Road from St. Mary's to Salmonier, Eighty Six Pounds.

For opening a Road through Harbour Buffett and Muscle Harbour, Long Island, Placentia, Eleven Pounds.

In Harbour Buffett, Placentia Bay, for approaches to a School, Forty Seven Pounds.

For Roads and Streets, Great Placentia Harbour, Forty Seven Pounds.

For a Road to unite the Road at the Beach of Great Merasheen, with the Road in Little Merasheen, Thirty Three Pounds.

For Roads and Streets in Little Placentia, Sixty Five Pounds.

For a Road from Placentia to Distress Cove, Thirty Eight Pounds.

For a Road to Meadow and Muddy Hole, Lavline, Six Pounds.

For a Road connecting North Harbour with the Bays of St. Mary's and Placentia, Forty Six Pounds.

For a Road at Point Mall, near Little Placentia, Twenty Four Pounds.

For a Road to the North East Arm of Great Placentia, Thirty Seven Pounds.

For Roads, Streets, and Bridges within the Isle of Valen, Thirty Pounds.

For Roads and Streets in Trepassey, Thirty Pounds.

Monies before appropriated to be expended under provisions of last Road Act.

II.—*And be it further enacted*, That the sums of money herein before appropriated shall be applied and expended for the purposes aforesaid by the respective Boards of Road Commissioners appointed or to be appointed under the Road Act passed in the last Session of the Legislature, under and subject to the like rules, regulations, and enactments, in all respects, as are declared and contained in the said Act.

Governor may authorize certain expenditures on Roads otherwise than by contract.

III.—*And be it further enacted*, That it shall and may be lawful for the Governor, or Administrator of the Government for the time being, to authorize any Board of Commissioners of Roads in this Island, upon just cause to him shewn, to expend or cause to be expended upon any Road or Bridge to be made or erected under the provisions of this Act, any sum not exceeding Five Pounds per centum upon the total amount granted for such work, in the employment of Labourers or Artisans for the performance of the same : And whereas the several sums of money herein before granted may require to be appropriated to the services aforesaid at a time when in consequence of the application of previous appropriations the whole sum of Eight Thousand pounds aforesaid may not be remaining in the hands of the Colonial Treasurer and unappropriated, and it is therefore expedient to provide against any inconvenience that might be occasioned to the public service by the happening of such contingency :

Governor may issue Treasury Notes or Debentures.

IV.—*Be it therefore further enacted*, That it shall and may be lawful for the Governor or Administrator of the Government for the time being, when and as soon as he may deem necessary, to appoint three fit and proper persons as Commissioners to issue Treasury Notes to the amount of Eight Thousand Pounds Sterling, as follows ; Forty Treasury Notes of One Hundred Pounds each ;—Forty Treasury Notes of Fifty Pounds each ; Eighty Treasury Notes of Twenty-five Pounds each ;—which Treasury Notes shall bear interest at a rate not exceeding Six per cent per annum, from the day they shall be issued in payment from the Treasury, and shall be indented and impressed with the word “Newfoundland,” signed by the Treasurer of the Colony, and countersigned by the said Commissioners, and contain the following figures and words :—No. Colony of Newfoundland, £ Treasurer's Office.—By a Law of this Colony, the Bearer

of this Note is entitled to receive at the Treasury the sum of £ Form of Deben-
ture.
with interest at the rate of Six per cent per annum from the day it was
issued by the Treasurer. Dated at St. John's, Newfoundland, the
day of _____ in the year of our Lord 184

All which Notes shall be of the same date, and when so completed and signed shall be delivered to the Treasurer by the persons appointed to countersign the same; and the Treasurer shall be accountable for all such Notes so delivered to him.

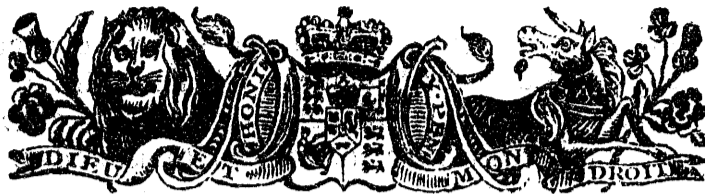
V.—*And be it further enacted*, That when and so often as money shall become due and payable by virtue of any Act or Acts already passed or that may be passed by the General Assembly of this Colony, and warrants for the same are produced for payment to the Treasurer of the Colony, he shall pay the amount of such Warrants, on demand, in Silver or in the said Notes, to the person or persons entitled to receive the same, at his or their election, which Notes shall be again received at the Treasury in this Colony, at their specified value, equal to the like value in silver, when and as often as the same are presented and offered in payment of Duties raised by virtue of any Act passed within this Colony, and the interest, from the day of their being issued in payment, computed and allowed. Debentures pay-
able in discharge
of warrants, and
to be received at
the Treasury in
payment of duties.

VI.—*And be it further enacted*, that the Treasurer of this Colony shall on the day and before he issues any of the Notes in payment, as aforesaid, write on the same the day of the Month and Year they are so issued, and sign his name thereto, and from the time so written by him in the said Notes so issued, they shall bear the interest aforesaid. Date of issue &c.
to be marked on
Debentures by
Treasurer &c.

VII.—*And be it further enacted*, that when the said Notes, or any of them, shall be received by the Collector or Sub-Collectors of Customs of this Colony, in payment for Duties, the said Collector or Sub-Collectors shall write on the said Notes the day of the month and year the same was so received; and the person or persons delivering them in payment, shall sign his or their name thereto: and the said Notes, when received by the Treasurer of the Colony, from the said Collector or Sub-Collectors, shall not again be issued from the Treasury, but shall be cancelled in such manner as the Governor or Administrator of the Government for the time being, shall deem expedient. Date of receipt of
Debentures in
payment of duties
to be marked by
the Collectors &c.

VIII.—*And be it further enacted*, that if any person or persons whomsoever shall counterfeit any of the Notes aforesaid, issued by virtue of this Act, or alter any of the same so that they shall appear of greater value than when originally issued, or shall knowingly pass or give in payment any of the Notes aforesaid so counterfeited or altered, every person convicted thereof shall be transported for the period of his or their natural lives, or be imprisoned or kept to hard labour for such period as the Court before which such party or parties shall be so convicted, shall determine. Penalty for coun-
terfeiting or alter-
ing Deben-
ture.

IX.—*And be it further enacted*, that so soon as the Treasurer of the Colony shall, by advertisement in the Royal Gazette, appoint a time at which he will receive such Notes, and pay the amount thereof, together with the Interest due thereon, in Gold or Silver, giving Sixty Days' notice of such redemption, and mentioning the number so required to be produced for payment, and in failure of such Notes being produced at the time limited, all further Interest on the same shall cease; and no other or greater amount of Interest shall be paid on such Notes so called in, than was due and payable at the date the same were required to be presented to the Treasurer as aforesaid. Deben-
ture to be
returned to
Treasurer and in-
terest to cease
thereon at a time
to be appointed.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. X.

*AN ACT to amend the Laws now in force for the
Registering of Deeds in this Colony.*

[Passed 29th April, 1844.]

WHEREAS by an Act passed in the first year of the Reign of Her present Majesty, entitled “ An Act to repeal part of an Act passed in the Parliament of Great Britain, in the fifth year of the Reign of His Majesty King George the Fourth, intituled ‘ An Act for the better Administration of Justice in Newfoundland, and for other purposes,’ and to make further provision for the Registration of Deeds in this Colony,”—it was enacted that from and after the passing of the said Act, in all cases where Deeds, Conveyances, and other Assurances, of what nature or kind soever, whereby any Lands or Tenements situate in the said Colony or the Dependencies thereof had been or might be thereafter granted, conveyed, mortgaged, charged, or otherwise affected, or intended so to be, should not have been left at the proper Office for the Registration thereof, within the times prescribed by the said in-part-recited Act of the fifth year of King George the Fourth, or where the execution thereof should not have been acknowledged before the Registrar by the party or parties from whom any interest might pass, or their Attorney duly appointed, it should and might be lawful for the Registrar of Deeds for the District wherein the Lands affected by the said Deed, Conveyance or other Assurance, should be situated, and he was thereby required, to register the same upon Affidavit being made by one of the subscribing Witnesses of the due execution thereof by the parties thereto, which Affidavit might be taken before the Registrar of each of the said Districts, or before any Commissioner duly authorised to take Affidavits in the Supreme Court, or before any Justice of the Peace of this Island,—whereupon the said Deed, Conveyance, or other Assurance, should be deemed and taken to be duly Registered : And whereas it has been doubted whether by the said Act of Her Majesty the Registrars of Deeds are authorised to register Deeds upon Affidavits made by subscribing Witnesses unless in cases where such Deed shall not have been left for Registration within the time prescribed by Law, or where the execution thereof shall not have been acknowledged before the Registrar by the party or parties from whom any interest may pass, or their Attorney duly appointed ; and it is expedient that in all cases the Registry of Deeds

should be allowed either upon the Affidavit of the subscribing Witness, or upon the acknowledgment of one of the parties from whom the interest may pass.

All deeds, conveyances, &c. may be registered on affidavit of subscribing witnesses,

I.—*Be it declared and enacted*, by the Governor, Council and Assembly, in Legislative Session convened, that all Deeds, Conveyances and Assurances, whereby any Lands or Tenements situate in this Colony or its Dependencies have been or may be hereafter granted, conveyed, mortgaged, charged or otherwise affected, may be Registered upon the Affidavit of one of the subscribing Witnesses, taken in the manner required by the said recited Act of Her present Majesty, or under the provisions of this Act.

Such affidavits in case of deeds executed out of the Colony to be taken before whom and verified how,

II.—*And be it enacted*, that the Affidavit of any such subscribing Witness to any such Deed, Conveyance, or other Assurance, residing out of this Colony, may be taken before any Judge of a Superior Court of Judicature, or before any Master-in-Chancery, or before the Chief Magistrate of any town or place in or near to which such Witness may reside: Provided that no Affidavit to be taken elsewhere than in this Colony shall be deemed valid, unless the signature of such Judge, Master-in-Chancery, or Chief Magistrate, be verified by the Certificate of some Notary Public of or near to the town or place where the same shall be sworn, or by the Corporate or other Public Seal of such town or place.

Registry of deeds on acknowledgment by an Attorney appointed not under seal, confirmed in certain cases.

III.—*And Whereas* certain Deeds, Conveyances, or other Assurances aforesaid, executed out of this Colony, have been from time to time Registered therein on the acknowledgment by persons appointed for that purpose as the Attornies of the parties executing such Deeds, Conveyances, or other Assurances, by Instruments not under Seal: *And whereas* doubts have been raised respecting the validity of such appointments: *Be it therefore declared and enacted*, that all Deeds, Conveyances and other Assurances, aforesaid, which have been so *bona fide* registered, shall be deemed and taken, as far as regards the validity of such appointments, to have been duly registered: *Provided always, and be it further enacted*, that no appointment which shall be hereafter made for the purpose of acknowledging any such Deed, Conveyance, or other Assurance aforesaid, executed out of this Colony, shall be deemed valid or effectual for the Registering of any such Deed, Conveyance or other Assurance aforesaid, in any District of this Colony, unless such appointment shall be under the Hand and Seal of the party or parties executing the same.

Proviso.

Deeds that might be registered on Affidavits of subscribing witnesses may also be registered on acknowledgment of parties.

IV.—*And be it enacted*, that at any time when by the provisions of this Act, or of the said Act passed in the first year of Her Majesty's Reign, such Deed, Conveyance, or other Assurance, may be Registered upon the Affidavit of one of the subscribing Witnesses, such Deed, Conveyance, or other Assurance, may be Registered by acknowledgment of the party or parties from whom the Interest may pass.

Time of such registry taking effect.

V.—*And be it enacted*, That every such Deed, Conveyance, or other Assurance, shall be deemed and taken to be a Registered Deed, Conveyance, or Assurance, from the time when the execution thereof shall be duly acknowledged before the proper Registrar, or from the time when such Deed, Conveyance, or other Assurance, accompanied by the proper Affidavit of the subscribing Witness, shall be left with such Registrar for registration.

VI.—*And be it enacted*, that all Deeds, Conveyances and other Assurances aforesaid, which have been or which hereafter shall be registered on the acknowledgment of a party executing the same

after the expiration of Six Months or Twelve Months respectively from the time of such execution, shall be deemed to be duly registered in like manner as if such Deeds, Conveyances or other Assurances had been or were registered on the Affidavits of subscribing witnesses under the provisions of the herein before in part recited Act; and all Deeds, Conveyances or other Assurances aforesaid which have been or which hereafter shall be required on the Affidavits of subscribing witnesses thereto within the period of Six or Twelve Months respectively from the execution thereof, shall be deemed to be duly registered in like manner as if such Deeds, Conveyances or other Assurances had been or were registered on the acknowledgment of some party executing the same.

Certain registrations of doubtful validity confirmed.

VII.—*And be it enacted*, That where any person shall execute in any place out of this Colony any Deed, Conveyance, or other Assurance, affecting Lands, Tenements, or Hereditaments within this Colony, or which require to be Registered within the same, it shall be lawful for the Registrar of Deeds for the District wherein such Lands, Tenements, or Hereditaments are situated, to Register such Deed, Conveyance, or other Assurance, upon the production to him of a copy of the said Deed, Conveyance, or other Assurance, duly verified by Affidavit and authenticated by the Certificate of any Judge of a Supreme Court of Record, Master-in-Chancery, Chief Magistrate, or Notary Public of or near to the place where the person executing such Deed, Conveyance, or other Assurance, may reside; and such Registration shall be as valid, to all intents and purposes, as if the original Deed, Conveyance, or other Assurance, had been produced to such Registrar.

Provision for registration of certain deeds executed out of the Colony.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. XI.

AN ACT to Incorporate sundry Persons by the name of "The Newfoundland Bank."

[Passed 29th April, 1844.]

WHEREAS it is thought that the Establishment of another Bank in the Town of St. John's would promote the interests of the Colony by increasing the means of circulation :

1.—*Be it enacted*, by the Governor, Council and Assembly, in General Assembly convened, that Charles Fox Bennett, William Bickford Row, Lawrence O'Brien, Robert Prowse, George H. Dunscomb, Richard Barnes, John Dillon, John Kent, Richard O'Dwyer, John P. Mallowney, Robert Roberts Wakeham, Lawrence Maccassey, James B. Wood, John Stuart, Edward Kielley, Thomas Ridley, William Walsh, Charles Laughlan, and all and every such other person or persons as shall from time to time become proprietors of Shares in the said Corporation hereby established, and their successors, executors, administrators, and assigns, shall be and they are hereby united into a Company, and declared to be one Body Politic and Corporate, by the name of "The Newfoundland Bank," with power to carry on the business of Banking in all its branches; and that they shall be persons able and capable in Law to have, get, receive, take, possess, and enjoy houses, lands, tenements, hereditaments and rents, in fee-simple or otherwise, and also goods and chattles, and all other things, real, personal or mixed, and also to give, grant, let, or assign the same, or any part thereof and to also do and execute all other things, in and about the same, as they shall think necessary, for the benefit and advantage of the said Corporation; and also that they shall be persons able and in law capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court or Courts of Law and Equity, or any other places whatsoever, in all and all manner of actions, suits, complaints, demands, pleas, causes and matters whatsoever, in as full and ample a manner as any other person or persons are in law capable of sueing and being sued, pleading and of being impleaded, answering and of being answered unto; and also that they shall have succession, and one common Seal to serve for the en sealing of all and singular their grants, deeds, conveyances, contracts, bonds, articles of agreement, assignments, powers and warrants of Attorney, all and singular their affairs and things touching and concerning the said Corporation; and also that they, the said Company, or the major part of them, shall from time to time, and at all times, have full power, authority, and license to constitute, ordain, make and esta-

Persons herein named—their successors, executors, administrators and assigns—incorporated

May possess lands, &c.

Sue and be sued.

Have succession and a common seal.

and make Bye-Laws for the Government of the Corporation.

publish such laws and ordinances as may be thought necessary for the good rule and government of the said Corporation: Provided that such laws and ordinances be not contrary or repugnant to the laws or statutes of that part of the United Kingdom of Great Britain and Ireland called England, or repugnant to the laws and statutes of this Colony.

Capital to be £50,000.

£25,000 to be paid in within one year from passing of Act - residue within 5 years.

II.—*And be it enacted*, That the Capital Stock of the said Corporation shall consist of Gold and Silver Coins current in this Colony, to the amount of Fifty Thousand Pounds: the sum of Twenty-five Thousand Pounds, one half thereof, to be paid in such Gold and Silver Coins within One Year from the passing of this Act, and the remaining half of all the shares of the said Capital Stock shall be paid in such instalments, and at such days and times, as the Directors of the said Bank may find occasion to require the same—thirty days' notice being previously given in two of the Newspapers in this Colony, of the time and place of such payment; the whole amount of said Stock to be divided into Shares of Twenty-five Pounds each, making in the whole Two Thousand Shares; and provided also, that the whole of the Capital Stock shall be called in within Five Years after the passing of this Act.

Corporation may possess lands, &c. to the value of £3,000.

III.—*And be it enacted*, that the said Corporation shall have full power and authority to take, receive, hold, possess, and enjoy, in fee-simple, any lands, tenements, real estates and rents, to any amount not exceeding Three Thousand Pounds; Provided nevertheless, that nothing herein contained shall prevent or restrain the said Corporation from taking or holding real estate to any amount whatsoever by mortgage, taken as collateral security for the payment of any sum or sums of money advanced by or debts due to the said Corporation: Provided further that the said Corporation shall on no account lend money upon mortgage or upon lands or other fixed property, nor shall such be purchased by the said Corporation upon any pretext whatsoever, unless by way of additional security for debts contracted with the said Corporation in the course of its dealings.

When four hundred shares are subscribed for, a meeting to be called to choose Directors and make Bye-Laws, &c.

IV.—*And be it enacted*, That whenever four hundred shares shall have been subscribed of the said Capital Stock, a general meeting of the Members and Stockholders of the said Corporation, or of the major part of them, shall take place by notice, in one or more of the public Newspapers, fourteen days previous to such meeting, for the purpose of making, ordaining, and establishing such bye-laws, ordinances, and regulations, for the good management of the affairs of the said Corporation, as the Members and Stockholders of the said Corporation shall deem necessary, and also for the purpose of choosing Seven Directors, being Stockholders and Members of the said Corporation, under and in pursuance of the Rules and Regulations hereinafter made and provided: which Directors so chosen shall serve until the first Annual Meeting for choice of Directors, and shall have full power and authority to manage the concerns of the said Corporation, and shall commence the operations of the said Bank, subject nevertheless to the Rules and Regulations hereinafter made and provided; at which General Meeting the Members and Stockholders of the said Corporation, or the major part of them, shall determine the amount of payments to be made on each share, also the mode of transferring and disposing of the Stock and profits thereof, which being entered on the books of the said Corporation shall be binding on the said Stockholders, their successors and assigns.

Annual meeting for choice of Directors to be holden on the 1st Tuesday in June.

V.—*And be it enacted*, that there shall be a General Meeting of the Stockholders and Members of the said Corporation, to be annually holden on the first Tuesday in June, in each and every Year, at the Town of St. John's, at which Annual Meeting there shall be chosen by

a majority of the said Stockholders and Members of the said Corporation Seven Directors, who shall be resident in the Town of Saint John's, and continue in office for One Year, or until others are chosen in their room; in the choice of which Directors, the Stockholders and Members of the said Corporation shall vote according to the rule hereinafter mentioned; and the Directors, when chosen, shall, at their first meeting after their first election, choose out of their number a President and Vice President: Directors to choose a President and Vice-President. Provided always, that Four of the Directors in office shall be re-elected at such Annual Meeting for the next succeeding Twelve Months, of which the President shall always be one.

VI.—*And be it enacted*, that the Directors for the time being shall have power to appoint such Officers, Clerks and Servants, as they or the major part of them shall think necessary for executing the business of the said Corporation, and shall allow them such compensation for their respective services as to them shall appear reasonable and proper: all which, together with the expenses of buildings, house-rent, and all other contingencies, shall be defrayed out of the Funds of the Corporation; and the said Directors shall likewise exercise such other powers and authorities for the well regulating the affairs of the said Corporation as shall be proscribed by the Bye-Laws and Regulations of the same. Directors to appoint Officers Clerks &c.

VII.—*And be it enacted*, that not less than Four Directors shall constitute a Board for the transaction of business, of which the President shall always be one, except in the case of sickness or necessary absence, in which case the Vice President shall be Chairman, or should he be absent, the Directors present may choose one of their Board as Chairman in his stead; that the President shall vote at the Board as a Director, and in case of there being an equal number of votes for and against any question before them, the President shall have a casting vote: Board of Directors for business. Provided always, that no note or bill offered for discount at the said Bank, shall be refused or excluded by a single vote. No note to be excluded by one vote.

VIII.—*And be it enacted*, that no Director of the Corporation hereby constituted, shall, during the period of his services, act as a private Banker, or as Director of any other Bank except the Savings Bank, nor shall any Director, other than the President, be entitled to any Salary or Emolument for his services as a Director; but the President may be compensated for his services as President either by an annual vote of a sum of money by the Shareholders at their Annual General Meeting or by a fixed salary. No director shall be paid except the President.

IX.—*And be it enacted*, that no person shall be eligible as a Director unless such person is a Stockholder, and holding not less than Twenty shares of the Capital Stock of the said Corporation. Qualification of Director.

X.—*And be it enacted*, that every Cashier and Clerk of the said Corporation, before he enters upon the duties of his office, shall give bonds, with two or more sureties to be approved by the Directors,—that is to say, every Cashier in a sum not less than Three Thousand Pounds, with a condition for his good and faithful behaviour, and every Clerk with the like condition and sureties in such sum as the Directors shall deem adequate to the trusts reposed in him. Cashier and Clerks to give security.

XI.—*And be it enacted*, that the number of votes which each Stockholder shall be entitled to on every occasion when, in conformity to the provisions of this Act, the votes of the Stockholders are to be given, shall be in the following proportion, that is to say,—for every five shares and under ten shares, one vote; for ten shares and under twenty, two votes; for twenty shares and under thirty, four votes; for thirty shares and under forty, six votes; for forty shares and under sixty, eight votes; Notes of Stockholders regulated

for sixty shares, and under eighty, ten votes : for eighty shares and under one hundred, twelve votes ; for one hundred shares, thirteen votes ; and for every additional fifteen shares over one hundred, one vote ; but that no proprietor shall be entitled to have more than twenty votes.

Stock-holders
may vote by
proxy.

XII.—*And be it enacted*, that all Stockholders resident within this Colony, or elsewhere, may vote by proxy : Provided that such proxy be a Stockholder, and do produce a sufficient authority in writing from his constituent or constituents so to act.

Number of Shares
to be held by
Stock-holders.

XIII.—*And be it enacted*, that no Member of the said Corporation, during the first three months to be accounted from and after the passing of this Act, shall be entitled to hold and subscribe for more than One Hundred Shares of the said Capital Stock ; and if the whole of the Capital Stock shall not have been subscribed within the said three months to be accounted as aforesaid, that then and in such case it shall be lawful for any Stockholder or Stockholders to increase his, her, or their subscriptions to Two Hundred Shares : Provided always, that no Stockholder shall be permitted to hold more than Two Hundred Shares in the whole, unless the same be acquired by purchase after the said Bank shall have commenced its operations ; and provided also, that no Stockholder in the said Bank at any one time shall hold more than twenty per cent of the Capital Stock.

Mode of filling
up vacant Direc-
torship.

XIV.—*And be it enacted*, that the Directors be and they are hereby authorized to fill up any vacancy that shall be occasioned in the Board by the death, resignation or absence from the Colony for six months, of any of its Members, or to appoint some other Stockholder, duly qualified, to act for a shorter period in the absence of any such Director ; but that in the case of the removal of a Director by the Stockholders, for misconduct or mal-administration, his place shall be filled up by the said Stockholders, and the person so chosen by the Directors or Stockholders, shall serve until the next succeeding Annual Meeting of the Stockholders.

Notice to Stock-
holders of pay-
ment being re-
quired.

XV.—*And be it enacted*, that before any Stockholder shall be required to make payment of any Instalment upon the amount of his subscription, thirty days' previous notice shall be given by the Directors, in three of the newspapers published in this Colony, of the time and place of such payment, and the Directors shall commence with the business and operations of the Bank of the said Corporation : Provided always, that no Bank Bill or Bank Note shall be issued or put in circulation, nor any Bill or Note discounted at the said Bank, until the said sum of Twenty-five Thousand Pounds shall be actually paid in and received on account of the subscriptions to the Capital Stock of the said Bank.

Commissioners
to be appointed
by Governor to
count the money
in the vaults.

XVI.—*And be it enacted*, that so soon as the sum of Twenty Five Thousand Pounds shall have been paid in such Gold and Silver Coins as aforesaid, and shall then be in the vaults of the said Bank, the President shall give notice thereof to the Secretary of the Colony, for the information of His Excellency the Governor or the Commander in Chief for the time being, who is hereby authorized, by and with the advice of Her Majesty's Executive Council, to appoint Three Commissioners, not being Stockholders, whose duty it shall be to examine and count the money actually in the vaults, and to ascertain by the oaths of a majority of Directors that half the amount of its Capital has been paid by the Stockholders towards payment of their respective Shares, and not for any other purpose, and that it is intended to have it there remain as a part of the Capital Stock of the said Bank, which investigation is hereby declared indispensable, and shall be made at the periods prescribed by the second Section of this Act, when paying in the Capital Stock of the said Bank.

XVII.—*And be it enacted*, that the Shares or Capital Stock shall be assignable and transferable according to the rules and regulations that may be established in that behalf, but no assignment or transfer shall be valid or effectual unless such assignment or transfer shall be entered and registered in a book to be kept for that purpose, nor until such Person or Persons so making the same shall previously discharge all Debts actually due and payable to the said Corporation; that in no case shall any fractional part of a Share, or other than a complete Share or Shares, be assignable or transferable: that whenever any Stockholder shall transfer in manner aforesaid all his Stock or Shares in the said Bank to any other Person or Persons whatever, such Stockholder shall cease to be a Member of the said Corporation.

Shares to be assignable.

XVIII.—*And be it enacted*, that the said Company shall not, directly or indirectly, deal in any thing except Bills of Exchange and Promissory Notes, Gold or Silver Bullion, or in the sale of Goods really and truly pledged for Money lent and not redeemed in due time, or in the sale of Stock pledged for Money lent and not so redeemed—which said Goods and Stock so pledged shall be sold by the said Corporation at Public Sale at any time not less than Thirty Days after the period for redemption; and if upon such sale of Goods or Stock there shall be a surplus after deducting the money lent, together with the expenses of sale, such surplus shall be paid to the Proprietors thereof respectively.

Corporation to deal in bills of exchange, promissory notes, gold and silver, or in sale of goods or stock pledged.

XIX.—*And be it enacted*, that the holders of the Stock of the said Bank shall be chargeable in their private and individual capacity, and shall be holden for the payment and redemption of all Bills which may have been issued by the said Corporation, and also for the payment of all Debts at any time due from the said Corporation, in proportion to the Stock they respectively hold: Provided however, that in no case shall any one Stockholder be liable to pay a sum exceeding the amount of Stock then actually held by him: Provided nevertheless, that nothing herein previously contained shall be construed to exempt the Joint Stock of the said Corporation from being also liable for and chargeable with the Debts and Engagements of the same.

Liability of Stockholders in their private capacity.

XX.—*And be it enacted*, that every Bond, Bank Bill, or Bank Note, or other instrument, by the terms or effect of which the said Corporation may be charged or held liable for the payment of money, shall specially declare, in such form as the Board of Directors shall prescribe, that payment shall be made out of the joint funds of the said Corporation: Provided nevertheless, that nothing herein contained shall be construed to alter, change or diminish the responsibilities and liabilities imposed on Stockholders in their individual capacity by the nineteenth section of this Act: And Provided also that in any such Bank Bill or Bank Note the words "for the Newfoundland Bank" over the signature of the President, shall be deemed a sufficient declaration that payment shall be so made out of the said joint funds.

Bonds, bills, notes, &c., to declare payment to be from the joint funds of the Corporation.

XXI.—*And be it enacted*, that the total amount of the Debts which the said Corporation shall at any time owe, whether by Bond, Bill, or Note, or other Contract whatsoever, Deposits excepted, shall not exceed twice the amount of Capital Stock actually paid in by the Stockholders; and in case of any excess, the Directors under whose administration and management the same shall happen, shall be liable for such excess in their individual and private capacities: Provided always, that the Lands, Tenements, Goods and Chattels of said Corporation shall also be liable for such excess.

Debts not to exceed twice the amount of capital paid in.

XXII.—*And be it enacted*, that the Directors shall make half-yearly dividends of all profits, rents, premiums and interest of the said Corporation.

Directors to make half yearly dividends.

ration, payable at such time and place as the Directors shall appoint, of which they shall give thirty days' previous notice in three of the newspapers published in this Colony.

Books &c. to be subject to the inspection of the Directors.

XXIII.—*And be it enacted*, That the Books, Papers, Correspondence and Funds of the said Corporation shall at all times be subject to the inspection of the Directors; but no Stockholder, not a Director, shall inspect the account of any individual with the said Corporation.

Bills or Notes to be signed by the President and Cashier.

XXIV.—*And be it enacted*, that all Bills or Notes issued by the said Corporation shall be signed by the President for the time being, and counter-signed and attested by the Cashier, and shall be printed and made on steel plates; and all Bills or Notes so signed and counter-signed, shall be binding on the said Corporation, and payable in specie at the said Bank.

Corporation to pay to bona fide holder the original amount of any altered note.

XXV.—*And be it enacted*, that the said Corporation shall be liable to pay to any bona fide holder the original amount of any Note of the said Bank which shall have been counterfeited or altered, in course of its circulation, to a larger amount, notwithstanding such alteration.

No action to be had on any Bank bill until after presentation at the Bank.

XXVI.—*And be it enacted*, that no action shall be brought or maintained upon any Bank Bill or Bank Note which shall hereafter be issued by the said Corporation before such Bill or Note shall have been presented at the Bank for payment, and default in payment shall thereupon have taken place.

Bank to be kept at St. John's.

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

Statement of affairs to be laid before the Stockholders at the Annual general meeting.

XXVIII.—*And be it enacted*, that the Directors shall, at the General Meeting to be held on the first Tuesday in June in every year, lay before the Stockholders, for their information, an exact and particular statement of the amount of Debts due to and by the said Corporation, the amount of Bank Notes then in circulation, the amount of Gold and Silver on hand, and the amount of such Debts as are, in their opinion, bad or doubtful, also the surplus or profits (if any) remaining after deduction of losses and provisions for dividends, which statement shall be signed by the Directors, and attested by the Cashier, and a duplicate statement so signed and attested shall be transmitted to the Secretary of the Colony, for the information of his Excellency the Governor, or Commander-in-Chief for the time being, and the Legislature: Provided always, that the rendering of such statement shall not extend to give any right to the Stockholders, not being Directors, to inspect the account of any individual or individuals with the said Corporation.

Joint Committee of Legislative Council and Assembly to have access to the books and vaults.

XXIX.—*And be it enacted*, that any Committee to be jointly appointed by the Legislative Council and Assembly for the purpose of examining into the proceedings of the said Corporation, shall, either during the Sessions or Prorogations of the General Assembly, have full access to the accounts, books, and vaults of the same.

Stock-holders or Directors may call general meeting

XXX.—*And be it enacted*, that any number of Stockholders not less than Twelve, who together shall be proprietors of Two Hundred Shares, shall have power at any times, by themselves or their proxies, to call a General Meeting of the Stockholders for purposes relating to the business of the said Corporation, giving at least thirty days' previous notice in three of the newspapers published in this Colony, and specifying in such notice the time and place of such Meeting, with the objects thereof; and the Directors, or any four of them, shall have the

like power at any time, upon observing the like formalities, to call a General Meeting as aforesaid.

XXXI.—*And be it enacted,* that on any dissolution of the said Corporation, immediate and effectual measures shall be taken by the Directors then in office for closing all the concerns of the said Corporation, and for dividing the capital and profits which may remain among the Stockholders in proportion to their respective interests: and in case any bills issued by the said Corporation shall remain unpaid, the holders of Stock in said Corporation, as well as those who were Stockholders at the time of the notice of said dissolution, (which said notice shall take place by a publication of their intention so to do, in three of the newspapers published in this Colony, twelve months previous to the said Corporation being allowed to carry the same into effect), shall be chargeable in their private and individual capacity for the payment and redemption thereof, in proportion to the Stock they respectively held or hold, subject however to the proviso mentioned in the Nineteenth Section of this Act: Provided, however, that this liability shall continue for two years only from and after the notice of such dissolution.

On dissolution of Corporation Directors to close the concerns.

Liability for Bills issued and not paid.

XXXII.—*And be it enacted,* that the Cashier of the said Bank shall semi-annually, that is to say, on the Monday preceding the First Tuesday in June and the Monday preceding the First Tuesday in December in each and every Year, make a return in triplicate of the state of the said Bank as it existed at Three of the Clock in the afternoon of the said days respectively, and the President shall forthwith transmit the same to the Office of the Secretary of the Colony,—which Return shall specify the amount due from the Bank, designating in distinct columns the several particulars included therein, and also specify the resources of the said Bank, designating in distinct columns the several particulars included therein; and the said Return shall be made in the following form, viz.:

Cashier to make semi-annual returns of the state of the Bank to the Colonial Secretary's Office.

FORM OF RETURN.

State of the Newfoundland Bank, on the day of 18
Three o'Clock, P. M.

DUE FROM BANK.

Bills in Circulation—
Net Profits on hand—
Balance due to other Banks—
Cash deposited, including all sums whatever due from the Bank not bearing Interest, its Bills in circulation, Profits and Balances due to other Banks excepted—
Cash Deposited, bearing Interest—
Total amount due from the Bank—

RESOURCES OF THE BANK.

Gold, Silver, and other Coined Metals in its Banking House—
Real Estate—
Balances due from other Banks—
Amount of all Debts due, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, excepting the Balances due from other Banks—
Total amount of the Resources of the Bank—
Date and amount of the last Dividend, and when declared—
Amount of Reserved Profits at the time of declaring the last Dividend—
Amount of Debts due and not paid, and considered doubtful—

—Which Return shall be signed by the Cashier of the said Bank, who shall make oath or affirmation, before some Magistrate of Saint John's,

Return of Stockholders to be made when required.

which Oath, or any other Oath required by this Act, such Magistrate is hereby authorized to administer, to the truth of such return according to the best of his knowledge and belief; and the Cashier of the said Bank shall also make return, under Oath, whenever required by the Legislature, of the names of the Stockholders and the amount of Stock owned by each; and the majority of the Directors of said Bank shall certify and make Oath or Affirmation before the same Magistrate as the said Cashier, that the Books of the said Bank indicate the state of facts so returned by their Cashier, and that they have full confidence in the truth of the return so made by him; and it shall be the duty of the Secretary of the Colony annually to lay before the Legislature of this Colony, as soon after the opening of any Sessions thereof as practicable, one of such respective returns as he may have received since the then last previous Sessions.

Secretary to lay the returns before the Legislature.

Delinquent sheet to be furnished to the President on discount days.

XXXIII.—*And be it enacted*, that the Cashier or Acting Cashier for the time being, shall on each and every discount day, furnish a true list to the President or Chairman of the said Bank, of all Delinquent Promisers, Endorsers and Sureties, made up to three o'clock in the day preceding the discount day, which list shall be called a delinquent sheet; and it shall be the duty of the President or Chairman, on each and every discount day as aforesaid, to read the name or names contained in such delinquent sheet to the Board of Directors; and in case the name of any Director shall appear on such delinquent sheet, either as Promiser, Endorser, or Surety, it is hereby declared illegal for such Director to sit on the Board or to take any part in the management of the affairs of the said Bank during the continuance of such delinquency.

No Directors on the delinquent sheet to sit at the board:

Disqualification of Directors for delinquency.

XXXIV.—*And be it enacted*, that in the event of any Director continuing a delinquent as aforesaid for thirty consecutive days at any one time, such continued delinquency shall disqualify such Director from holding his seat; and it shall be the duty of the President and other Directors forthwith to proceed in filling up the vacancy in the manner prescribed in the fourteenth Section of this Act, as in the case of death or absence from the Colony.

Shares in the Stock to be deemed personal estate.

XXXV.—*And be it declared and enacted*, that all and every the Shares in the Capital Stock of the said Bank, and all the profits and advantages of such Shares respectively, shall be deemed and considered to be of the nature of, and shall be, personal estate, and transmissible as such accordingly.

Shares to be liable to seizure on attachment or execution.

XXXVI.—*And be it enacted*, that the Shares in the Capital Stock of the said Bank shall be liable to attachment and execution in like manner as other personal property now is, and that the process or warrant in such cases respectively shall be served on the Cashier of the said Bank, and that such service shall bind the Shares of such Stockholder to the extent of such attachment or execution; and that for the purpose of ascertaining the number of Shares held by any Shareholder against whom process of attachment or execution may have issued, the said Cashier, or any Director or Officer of the said Bank, may be examined in like manner as any third person having in his, her or their possession any Monies, Goods, Debts, or Effects of any Defendant, may now be examined; and upon sale by the Sheriff of any such Shares under any such execution, or under execution issued upon a judgment obtained in the cause wherein the attachment shall have been made upon mesne process, the Cashier of the said Bank shall, on production of a Bill of Sale from the Sheriff, transfer the number of Shares by him sold under any such execution, to the purchaser or purchasers thereof, and such transfer shall be valid and effectual, notwithstanding there may be a debt due to the Bank from the person whose Shares may be so seized and sold: Provided that when the attachment shall have been made under a Writ of Execution, the sale by the Sheriff shall be made within thirty days after the warrant shall have been left with the Cashier; and when the attachment shall have been made on mesne process, the

sale shall be made within thirty days after such time as the plaintiff could have signed judgment in the cause in which such attachment on mesne process shall have issued.

XXXVII.—*And be it enacted*, that whenever the business of the said Bank shall be thought to require a further and additional amount of its Capital Stock, it shall and may be lawful for the said Stock-holders, at any general or special meeting to be called for that purpose and of which due notice of not less than Thirty Days shall be first given in three of the Newspapers published in this Colony, to increase the said Capital Stock of the said Bank by the further sum of Fifty Thousand Pounds, making the said Capital Stock, in the whole, with such addition, of the amount of One Hundred Thousand Pounds, and no more ; and which said additional Capital Stock may be made and added, either in one gross amount and at one time, or at two or more distinct and separate times and periods, and in such amounts severally as shall be resolved and agreed upon at any separate and distinct meetings of the Stock-holders as aforesaid ; and all which said additional Capital Stock shall also be divided into Shares of Twenty-five Pounds each, and paid in Gold and Silver Coins current in this Colony.

Power to increase the Capital Stock.

XXXVIII.—*And be it enacted*, that all the said additional Shares to be so made and added to the said Capital Stock of the said Bank, shall be sold and disposed of at public auction, to the highest bidder and bidders, at such time or times, place or places, and on such terms, as the Directors of the said Bank for the time being shall appoint and direct ; and of which said sale or sales, and of the said time and place thereof, public notice shall be first given in three of the newspapers published in this Colony, for at least Thirty Days previous to such sales, and that the said Shares shall not be sold in lots of more than Ten Shares each.

Additional shares to be sold at public auction.

XXXIX.—*And be it enacted*, that the said additional Shares, together with any advance or premium at which they may be respectively sold, shall be paid into the said Bank within Thirty Days next after such Sale, and the whole amount of such advance or premium, if any, first deducting thereout the charges of such sale, shall be divided in equal proportion to and among all the Shares in the Capital Stock of the said Bank, as well the additional as the original Shares ; and such dividends of the said advance or premium, if any, shall be declared and paid by the said Directors at the next half-yearly dividend after the payment into the said Bank of the purchase money of the said additional Shares.

Additional shares so sold, together with premium, to be paid into the Bank.

XL.—*And be it enacted*, that in case of default of payment of any of the said Shares, and the advance or premium at which they may have been sold, within the said time so fixed for the payment thereof, it shall and may be lawful for the Directors of the said Bank for the time being forthwith to sell and dispose of the said Shares in the payment of which default shall be so made, at their discretion, to the best advantage, and payment thereof shall be immediately made, and any advance or premium thereon shall be divided in the manner before mentioned.

Directors upon default to sell and dispose of such shares.

XLI.—*And be it enacted*, that whenever by this Act any notice or advertisement is required to be given in public Newspapers, one of such Newspapers shall be the Royal Gazette or the Newspaper in which the Government notices are usually inserted for the time being.

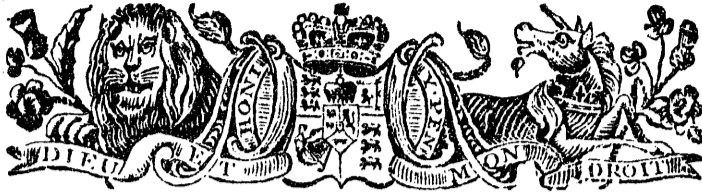
Advertisements required by this Act, to be inserted in Royal Gazette.

XLII.—*And be it enacted*, that this Act shall be held and taken to be a Public Act, and shall be judicially taken notice of and have the effect of a Public Act, without being specially pleaded.

Public Act.

XLIII.—*And be it enacted*, that this Act shall remain and be in force until the First Day of June which will be in the year of our Lord One Thousand Eight Hundred and Sixty-five, and from that time until the end of the then next Sessions of the Legislature, and no longer.

Duration of this Act.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. XII.

AN ACT to incorporate a Company under the style and title of "the St. John's Gas Light Company."

[Passed 29th April, 1844.]

WHEREAS the lighting of the Streets, Houses and Public Places of the Town of St. John's with Gas would be of great public utility; and whereas the several persons hereinafter named are desirous of being united into a Company for carrying into effect the purpose aforesaid, but the same cannot be effectually accomplished without the authority of the Legislature. Preamble.

1—*Be it therefore enacted*, by the Governor, Council, and Assembly, in Legislative Session convened, that Robert Job, Peter McBride, Henry P. Bowring, Lawrence O'Brien, Kenneth McLea, Henry P. Thomas, John Stuart, and Walter Grieve, and their respective successors, executors, administrators and assigns, and all such other persons as may have associated with them for the purpose aforesaid, and also all such other persons as shall hereafter become Stockholders in the Company hereby established in manner hereinafter provided, and their respective successors, executors, administrators, and assigns, shall be and they are hereby united into a Company for the purpose aforesaid, and shall be a Body Corporate and Politic, in law, in fact and in name, by the style and title of the "St. John's Gas Light Company," and by that name shall have perpetual succession, and a common seal, with power to alter the same; and shall and may be capable in law to sue and be sued, implead and be impleaded, answer and be answered unto, in all Courts and places whatsoever; and shall and may purchase, hold, receive, enjoy, assign and convey, any Lands and Tenements, Goods and Chattels; and to do and execute all other things, in and about the same, as may be necessary for the advantage of the said Corporation; and also that they the said Company, or the major part of them, shall and may, from time to time, and at all times, have full power and authority to ordain, make and establish all such rules and bye-laws, and to do and perform all such other acts, deeds, matters and things, whatsoever, as may be necessary for the good government of the said Corporation, and as to them as such Body Politic and Corporate shall appertain to do; Provided always that the said Lands, Tenements and Heredi- Company incorporated. Provide

tments to be holden by the said Corporation shall not exceed in yearly value the sum of One Thousand Pounds ; and provided also that such rules and bye-laws shall not be in any wise inconsistent with the true intent and meaning of this Act, nor repugnant to the laws of this Colony.

Capital Stock to be £6,000 in shares of £10 each.

Proviso for extension of capital if necessary.

II.—*And be it further enacted*, that the said Company may raise and contribute among themselves, as the Stock of the said Company, a sum not exceeding in the whole Six Thousand Pounds, in Six Hundred Shares of Ten Pounds each ; and such sum shall be paid by the Stockholders respectively, at such times and in such manner as the Directors of the said Company may from time to time appoint, and shall be appropriated to the purpose of constructing, completing and maintaining the Gas-works of the said Company, and for carrying into effect the purposes of this Act : Provided always, that whenever the business of the said Company shall be thought to require a further and additional amount of Capital Stock, it shall and may be lawful for the said Stockholders, at any general or special meeting to be called for that purpose, and of which due notice of not less than twenty days shall be first given in two of the Newspapers published in this Colony, of which the Royal Gazette shall be one, to increase the said Capital Stock by the further sum of Six Thousand Pounds, in Shares of Ten Pounds each ; and such additional Stock may be made and added either in one gross amount and at one time, or at two or more distinct and separate times, and in such amounts severally as shall be resolved and agreed upon at the said or at any subsequent meeting of such Stockholders to be called as aforesaid.

First general meeting of company to take place when.

Appointment of Directors &c.

III.—*And be it further enacted*, that so soon as Five Hundred Shares shall be subscribed of the said Capital Stock, the first General Meeting of the Stockholders shall be holden at such place as the majority of Stockholders shall appoint—Fourteen days' notice of the time and place of such meeting being given in one or more of the Public Newspapers, of which the Royal Gazette shall be one ; and such meeting shall appoint Seven persons, being each a proprietor of Ten or more shares in the said Company, to be Directors thereof, and shall make, ordain, and establish, such Rules and Bye-Laws for the good conduct and management of the affairs of the said Company, and the carrying into effect the purposes of this Act, as may be deemed necessary.

Subsequent annual meetings for appointment of Directors &c.

IV.—*And be it further enacted*, that the said Directors so to be appointed as aforesaid, shall commence the operations of the said Company, and shall continue in office until the first Monday in May, 1845, and that on the said first Monday in May, and on the first Monday in May in each succeeding year, a General Meeting of the Stockholders of the said Company shall, upon due notice as aforesaid, be holden, at which meeting the Directors for the then past year shall exhibit a full and unreserved Statement of the affairs of the said Corporation, and such meeting shall thereupon proceed to audit the said Accounts so exhibited, to declare a dividend thereon, to elect Directors for the then ensuing year, to amend if necessary or to annul any Rule or Bye-Law of the said Company, and to transact such other business as may then be brought before them.

Directors to choose a president and appoint to vacancies in board occurring within one year.

V.—*And be it further enacted*, that of the said Board of Directors, Four, of whom the President or Vice President to be appointed as hereinafter prescribed, shall be one, shall be a quorum for the transaction of business ; and that as soon after their election as may be, such Directors shall choose a President and Vice President, and that in case any vacancy shall, previously to any such annual meeting as aforesaid, arise by the death, resignation, or absence from the Colony, of any member of the said Board, the remaining Directors shall be and they are hereby autho-

rized to fill up such vacancy from among the Stockholders of the said Company, and the person appointed to such vacancy shall continue in office until the time of the holding of the next annual meeting of Stockholders.

VI.—*And be it further enacted*, that the Directors for the time being shall have power to appoint such Officers, Clerks, and Servants, as they shall think necessary for executing the business of the said Corporation, and shall allow them such compensation for their respective services as may be reasonable and proper,—all which, together with the expense of all other contingencies, shall be defrayed out of the funds of the Corporation; and the said Directors shall likewise exercise such other powers and authorities for the well regulating the affairs of the said Corporation, as shall be prescribed by the Bye-Laws and Regulations of the same.

Appointment of Clerks and Officers of Company &c.

VII.—*And be it further enacted*, that on every occasion when in conformity with the provisions of this Act the votes of the Stock-holders are to be given, each Stock-holder shall be entitled to one vote for every Share; and that in any case where, upon any question being under the consideration of the Board of Directors, the number of votes for and against such question shall be equal, the President shall have a casting vote: Provided always that no Stock-holder of the said Corporation shall in any case be entitled to more than fifty votes.

Votes how divided among Stock-holders.

Voting on Board of Directors.

Proviso.

VIII.—*And be it further enacted*, that all Stock-holders resident within this Colony or elsewhere may vote by proxy: Provided that such proxy be a Stock-holder, and do produce a sufficient authority in writing from his constituent so to act.

Vote by proxy. Proviso.

IX.—*And be it further enacted*, that all and every the Shares in the Capital Stock of the said Company, and all profits and advantages thereof, shall be deemed and shall be personal estate, and transmissible as such according to the rules and regulations to be established in that behalf; Provided always that no assignment or transfer of any Share shall be valid or effectual until such transfer be entered and registered in a Book to be kept for that purpose; and provided also that whenever any Stock-holder shall transfer in manner aforesaid all his Stock or Shares in the said Company to any other Person or Persons, such Stock-holder shall cease to be a Member of the said Corporation.

Shares to be personal estate.

Proviso for registry of shares on transfer thereof.

X.—*And be it further enacted*, that the Shares in the Capital Stock of the said Company shall be liable to attachment and execution, in like manner as other personal property now is, and that the process or warrant in such cases respectively shall be served on the President or Vice President of the Board of Directors, and such service shall bind the Shares of such Stockholder to the extent of such attachment or execution; and that for the purpose of ascertaining the number of Shares held by any Stockholder against whom any attachment or execution may have issued, such President or Vice President, or any Director or Officer of the said Company, may be examined in like manner as any third person, having in his or her possession any Monies, Goods, Debts or Effects of any Defendant, may now be examined; and upon sale by the Sheriff of any such Shares under any such execution, or under execution issued upon a judgment obtained in the cause wherein the attachment shall have been made on mesne process, the Clerk of the said Company shall, on production of a bill of sale from the Sheriff, transfer the number of Shares by him sold under such execution to the purchaser or purchasers thereof, and such transfer shall be valid and effectual to all intents and purposes: Provided that when the attachment shall have been made under a writ of execution, the sale by the

Shares to be subject to attachment.

Proviso.

Sheriff shall be made within thirty days after the warrant shall have been left with the President or Vice President ; and when the attachment shall have been made under mesne process, the sale shall be made within thirty days after such time as the plaintiff could have signed judgment in the cause in which such attachment on mesne process shall have issued ; and provided also that the proceeds of such sale shall be subject and liable in the first instance to any debt that may be due from the said defendant to the said Corporation.

Liability of Stock-holders,
 Proviso,
 Further Proviso.

XI.—*And be it further enacted*, that the holders of Stock in the said Corporation shall be chargeable in their private and individual capacity for the payment of all Debts due at any time from the said Corporation, in proportion to the Stock they respectively hold ; Provided however, that in no case shall any one Stockholder be liable to pay a sum exceeding the amount of Stock then actually held by him ; Provided nevertheless, that nothing previously herein contained shall be construed to exempt the Joint Stock of the said Corporation from being also liable for and chargeable with debts and engagements of the same.

Proceedings on dissolution,
 Proviso,
 Further Proviso.

XII — *And be it further enacted*, That on any dissolution of the said Corporation, immediate and effectual measures shall be taken by the Directors then in Office for closing all the concerns of the said Corporation, and for dividing the Capital and Profits thereof which may remain after the discharge of all existing debts and liabilities, among the Stockholders, in proportion to their respective interests : Provided, that such Stockholders shall be chargeable in their private and individual capacities for the payment and discharge of all then existing debts and liabilities of the said Corporation, in proportion to the Stock they shall then respectively hold, subject however to the proviso mentioned in the preceding section of this Act : Provided however that such liability shall continue for two years only from and after the time of such dissolution.

Special General Meetings, how called,

XIII.—*And be it further enacted*, That any number of Stock-holders, not less than ten, who together shall be proprietors of one hundred shares, shall have power at any time to call a General Meeting of Stock-holders, for purposes relating to the business of the said Corporation, giving at least ten days' previous notice in two of the Newspapers published in the Colony, of which the Royal Gazette shall be one, and specifying in such notice the time and place of such Meeting and the objects thereof ; and the Board of Directors, or any four of them, shall have the like power at any time, upon observing the like formalities, to call a General Meeting as aforesaid.

Powers of Corporation to break up roads, lay mains, pipes &c.
 Provisions to guard against injuries to individuals &c.

XIV — *And be it further enacted*, that it shall be lawful for the said Company, and they are hereby empowered from time to time to break up, dig, and trench so much and so many of the Streets, Squares and Public Places of the said Town of St. John's, commencing at the works of the said Corporation or such other place as may be expedient, and running throughout the said Town, as may be necessary for laying or taking up the Mains and Pipes to conduct the Gas from the works of the said Corporation to the places where the same is to be consumed, or for conveying away the wastings of the said works : and also from time to time to cause such Lamps, Lamp Irons, or Lamp Posts, or other Posts, to be placed, fixed, put up or erected within or upon all or any of the said Roads, Streets, and Places, as they shall think proper, doing no unnecessary damage in any of the Premises, and taking care, as far as may be, to preserve a free and uninterrupted passage through the said Streets, Squares and Public Places while such works are in progress, placing Guards or Fences with Lamps during the night, and taking such other precautions as may be necessary for the prevention of accidents by any

openings, and finishing and replacing the said Streets, Squares and Public Places in as good condition as before the commencement of the works, without any unnecessary delay : and that in case of the neglect of any of the duties herein prescribed, the said Corporation shall be subject to pay a fine of Five Pounds over and above such damages as may be recovered against the said Corporation in any Civil Action, Penalty.

XV.—*And be it further enacted*, that where there are buildings within the said Town, different parts whereof shall belong to different proprietors, or shall be in possession of different Tenants or Lessees, the said Corporation shall have power to carry Pipes to any part of any building so situated, passing over the property of one or more proprietors or in possession of one or more Tenants, to convey the Gas to that of another or in possession of another, and also to break up and uplift all passages which may be a common servitude to neighbouring proprietors, and to dig or cut trenches therein for the purpose of laying down Pipes, or taking up and repairing the same ; the said Corporation doing as little damage as may be in the execution of the powers granted by this Act and making satisfaction to the owners or proprietors of buildings or other property, or to the public, for all the damage to be by them sustained in or by the execution of all or any of the said powers. Powers of corporation where buildings owned or occupied by different proprietors.

XVI.—*And be it further enacted*, that the said Corporation shall so construct and locate their Gas Works, and all apparatus and appurtenances thereunto appertaining, as in no wise to endanger the public health or safety ; and for the purpose of better ensuring the due execution of the provisions of this section, all such works, apparatus, and appurtenances aforesaid, shall be subject to the visits and inspection of the Stipendiary Magistrates for the said Town of Saint John's : and the said Corporation shall at all times obey all such just and reasonable orders and directions as they shall receive from the said Magistrates for the purpose of ensuring the execution of the provisions of this Section, under a penalty not exceeding Five Pounds for every such offence : Provided always that nothing herein contained shall extend or be construed to prevent the said Corporation, their Officers, Servants or Workmen, from being prosecuted for public or private nuisance arising from the said Gas Works, or any apparatus or appurtenance thereof, or to prevent the effect of any judgment or sentence lawfully rendered upon any such prosecution. Gasworks to be subject to the inspection of stipendiary magistrates. Penalty. Proviso.

XVII.—*And be it further enacted*, that if any Person or Persons shall lay or cause to be laid any Pipe or Main to communicate with any Pipe or Main belonging to the said Corporation, or in any way obtain or use its Gas without the consent of the Board of Directors or their Officer appointed to grant such consent, or shall increase the supply of Gas agreed for with the said Corporation by increasing the number or size of the holes in the Gas Burners, or using the Gas without Burners, or otherwise wrongfully, negligently or wastefully burning the same, or by wrongfully or improperly wasting the Gas, every such person shall forfeit and pay to the said Corporation the sum of Ten Pounds for every such offence over and above the value of the Gas which may have been so wrongfully used, consumed, or wasted, and the same, together with costs of suit in that behalf incurred, may be recovered in any civil action to be brought by the said Corporation in any of Her Majesty's Courts of Record. Penalties on persons fraudulently using gas.

XVIII.—*And be it further enacted*, that if any person or persons shall wilfully or maliciously break up, pull down, injure, damage, put out of order, or destroy, any Main, Pipe, Lamp Iron, Lamp Post or any other apparatus or appurtenance of the said Corporation, or any materials used and provided for the same, or shall in any wise wilfully do any other injury or damage, for the purpose of obstructing, hindering or embarrassing Penalty against persons wilfully damaging pipes or apparatus &c.

the construction, completion, maintaining or repairing of the said works, or of the apparatus or appurtenances thereof, or shall wilfully extinguish the light of any such Lamp, as aforesaid, every such person or persons shall, on conviction therefor to be had in a summary manner before any Justice of the Peace, forfeit for every such offence any sum not exceeding Five Pounds, and shall also make full satisfaction for the damage so by them occasioned ; and it shall be lawful for any person or persons who shall see the offence committed, to apprehend, without any warrant, and for any other persons to assist in apprehending, the offender or offenders, and to convey him, her, or them, to any Constable, who is to keep him, her, or them, in safe custody, and with all reasonable despatch to convey him, her or them, before any Justice of the Peace, in order to his, her, or their conviction for such offence ; and in case any such offender or offenders shall not on conviction pay the said forfeiture and satisfaction, such Justice is hereby required to commit such offender or offenders to the Common Gaol, for any period not exceeding Three Calendar Months, unless such forfeiture and satisfaction shall be sooner paid,

Penalties on persons accidentally damaging lamps, &c.

XIX.—*And be it further enacted*, that if any person or persons shall carelessly or accidentally break any of the said Lamps, Lamp Irons, or Lamp Posts, or do any other such injury or damage as hereinbefore is mentioned, and shall not upon demand make satisfaction for the injury so done, it shall and may be lawful for any Justice of the Peace, upon any complaint thereof, to summon the party complained of before him, and upon hearing thereof by the parties on both sides, or on the non-appearance of the party complained of, to examine the matter of complaint, and award such sum of money by way of satisfaction for such damage as such Justice shall think reasonable ; and in case of neglect or refusal forthwith to pay such money, then the same and all expenses attending the recovery thereof, may be levied by distress and sale of the Defendant's goods and chattels.

Recovery of penalties for recovery of which no prior provision is made.

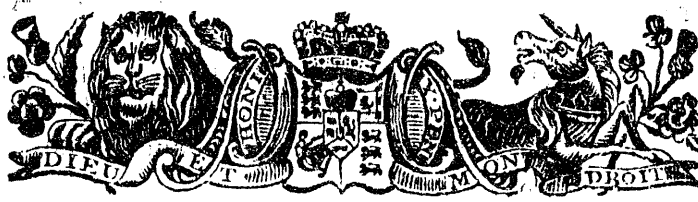
XX.—*And be it further enacted*, that all Penalties imposed by this Act, for recovery of which no method is hereinbefore prescribed, may be sued for and recovered, together with costs of suit, by an action of debt, to be brought in any of Her Majesty's Courts of Record, or in a summary manner before any two or more of Her Majesty's Justices of the Peace, and by distress and sale of the offender's Goods and Chattels ; and no conviction which may be had under this Act shall be quashed for want of form, Provided sufficient appear on the face thereof to warrant such conviction.

Act declared a Public Act.

XXI.—*And be it further enacted*, that this Act shall be deemed and taken to be a Public Act, and shall be judicially taken notice of, and have the effect of a Public Act without being specially pleaded.

Duration.

XXII.—*And be it further enacted*, that this Act shall continue and be in force for the period of Fifty years, and no longer.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. XIII.

AN ACT to provide for the Collection and Appropriation of all Monies stopped or detained by any Person or Persons by virtue of the provisions of an Act passed in the Sixth Year of the Reign of His late Majesty, entitled "An Act for the relief of Sick and Disabled Seamen, Fishermen, and other Persons," and not appropriated to the purposes of the said Act.

[Passed 29th April, 1844.]

WHEREAS by an Act passed in the Sixth Year of the reign of His late Majesty, entitled "An Act for the relief of Sick and Disabled Seamen, Fishermen and other Persons," it was, among other matters, therein Enacted, that all Masters, Mates, and Seamen, above the age of Seventeen Years, belonging to all or any Ships or Vessels registered, owned or employed, in the Coasting Trade or Fisheries of this Colony and its Dependencies, should severally pay and contribute, towards the purposes of the said Act, a sum at the rate of Six Pence per man, per Month, in each Year in which such Master, Mate or Seaman, should be employed; and that each and every Master, Shareman, Sealer, and Servant, engaged in or about the Seal Fishery, should pay, for the aforesaid purposes, the sum of Three Pence in the Pound on the full amount of his or their respective Wages or Shares arising from the Sealing voyage in each year, after deducting his or their berth money; and that each and every Fisherman, Shoreman, and other person, above the age of Seventeen Years, engaged in or about the Cod or other Fisheries of this Colony and its Dependencies, should pay and contribute, for the purposes aforesaid, the sum of Two Shillings and Six Pence for each fishing season; and that the Master of every Ship or Vessel aforesaid, and every Planter, or other person, carrying on a Fishery in this Colony, should retain and stop, from time to time, out of the respective Wages or Shares of each Seaman, Fisherman, Shoreman, Sealer, and Servant, as aforesaid, under the command or in the service and employ of such Master, Planter, or other Person as aforesaid, all such respective rates and dues as aforesaid, and should pay the same to a Collector to be appointed as prescribed in the said Act.

for the purposes thereof; and it was by the said Act further provided, that a Board of Fifteen Directors should be elected for the purposes of the said Act in each of the Electoral Districts of this Colony, which Board of Directors were thereby authorized and empowered to appropriate the rates and dues to be collected in the District for which such Board should be elected, towards the maintenance and support of an Hospital, to be founded in such District for the purposes aforesaid; and to appoint a Collector to receive all such rates and dues from the parties respectively stopping and retaining the same, as aforesaid: And whereas, in several of the said Electoral Districts where, by reason of the non-appointment of such Directors as aforesaid, or from some other causes, the aforesaid Act has not gone into operation, divers sums of money have been from time to time stopped and retained under the herein first recited provision thereof, by such Masters, Planters, and other persons carrying on the Fishery as aforesaid, which have continued and now are in the hands, possession, or control, of such Masters, Planters, and other persons, and have not been appropriated towards the purposes of the said Act; and it is expedient that such monies should be paid over by such Masters, Planters, and other persons, to be appropriated to the purposes hereinafter mentioned.

Governor to appoint Stipendiary Magistrates for collection of hospital dues received and not appropriated to purposes of 6 Wm. 4, cap. 1.

Who are to account and pay over monies collected to the Treasurer.

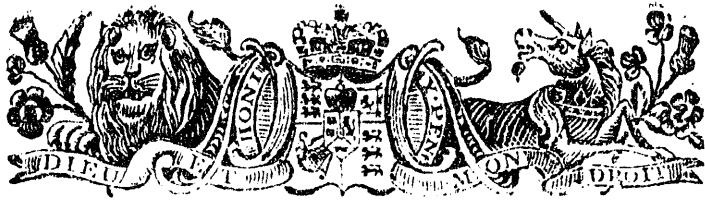
I.—*Be it therefore enacted*, by the Governor, Council, and Assembly, in Legislative Session convened, that it shall and may be lawful for the Governor or Administrator of the Government for the time being, from time to time to authorize and empower one or more Stipendiary Magistrates in each of the said Electoral districts in which the aforesaid Act for the relief of Sick and Disabled Seamen, Fishermen, and other persons, has not, from any cause whatsoever, been carried into effective operation, or where the same may continue inoperative as aforesaid, to demand and require of and from all and every person and persons whomsoever, who, under and by virtue of the provisions of the said Act, shall have received, detained, or stopped, or from any other person or persons, any sum or sums of money for the purposes of the said Act, a full and true account, to be verified on oath to be taken before any such Magistrate, of all such sums of money so received, detained or stopped by them, and of the time when, and the parties from whom the same was so received, detained or stopped as aforesaid; and all such sum and sums of money, of and from all such person and persons, to demand, collect and receive; and on receipt of the same, or any part thereof, to account for and pay over the same to the Colonial Treasurer for the purposes hereinafter mentioned.

Proceedings to be adopted to compel account and payment to such Magistrates.

II.—*And be it further enacted*, that it shall and may be lawful for any Stipendiary Magistrate, to be appointed as aforesaid, to file a petition, on oath, in any of Her Majesty's Superior Courts, against any person or persons in the District for which such Magistrate shall have been appointed Collector as aforesaid, who having received, detained, or stopped, as aforesaid, any such monies, shall refuse, or, after demand, shall neglect to account for and pay over the same; and that thereon it shall be lawful for the Court in which such petition shall have been filed, to order the party or parties complained against to appear before such Court, on a day certain, to be examined on oath touching the matters contained in the said petition: and that if, after the hearing and examination of such person and persons, and of evidence, if any, to be adduced on either side, it shall appear to the said Court that the party or parties so examined have refused, or, after demand, neglected, to account as aforesaid, or having so accounted, shall have refused, or, after demand as aforesaid, shall have neglected to pay over as aforesaid all such monies so received, detained, or stopped by him or them,

it shall be lawful for the said Court to order such party or parties forthwith to account for or pay over such monies as aforesaid, or both, as the case may be, and also to pay such costs as may be reasonable, and to enforce such order by process of Contempt.

III.—*And be it further enacted*, that it shall be lawful for the Governor or Administrator of the Government for the time being to appropriate all such monies as may be collected and paid into the Treasury, under this Act, towards the relief of Indigent Widows and Orphans, or other poor persons in the districts wherein the same shall have been respectively collected. Appropriation of Monies to be collected under this Act.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. XIV.

AN ACT to continue an Act passed in the sixth year of the reign of Her present Majesty, entitled "An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandize, imported into this Colony and its dependencies, and for repealing from and after the fifth day of July next, an Act passed in the present Session of the Legislature, entitled "An Act for granting to Her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its dependencies, and to revive certain parts of an Act passed in the fourth year of the reign of her said Majesty, entitled "An Act for granting to Her Majesty certain duties on Goods, Wares and Merchandize imported into this Colony and its dependencies."

[Passed 29th April, 1814.]

WHEREAS it is expedient to continue for a certain period an Act passed in the sixth year of the reign of her present Majesty, entitled "An Act for granting to her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its Dependencies, and for repealing from and after the fifth day of July next, an Act passed in the present session of the Legislature, entitled "An Act for granting to Her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its dependencies, and to revive certain parts of an Act passed in the fourth year of the reign of Her said Majesty, entitled "An Act for granting to Her Majesty certain duties on Goods, Wares, and Merchandize imported into this Colony and its dependencies."

Preamble:

Be it therefore enacted, by the Governor, Council, and Assembly; in Legislative Session convened, that the said Act shall be, and the same is hereby continued in force and effect for the period of one year, from and after the fifth day of July in this present year.

Recited Act continued for one year.

II.—*And be it further enacted*, That from and after the passing of this Act, there shall be levied, collected and paid upon every gallon of Spirits not enumerated or described in the said Act, imported into this Colony and its dependencies, such and the like duty as in and by the said recited Act is imposed upon every gallon of Brandy, Geneva and Cordials; so imported as aforesaid; the same to be levied, collected, and paid in like manner, and under and subject to the like rules and regulations, in all respects, as in and by the said recited Act are expressed and provided of and concerning the duties therein imposed.

Duty imposed on spirits not enumerated in recited Act.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. XV.

AN ACT for granting to Her Majesty a sum of Money for defraying the expenses of the Civil Government of the Colony, for the year ending the Thirtieth Day of June, One Thousand Eight Hundred and Forty-five, and for other purposes.

[Passed 29th April, 1844]

MAY IT PLEASE YOUR MAJESTY :—

WE, Your Majesty's dutiful and loyal subjects, the Commons of New-
foundland, having freely and voluntarily resolved to give and grant unto
Your Majesty a Supply to defray certain charges for the support of the
Civil Government, for the Administration of Justice, and the general im-
provement of this Colony;—do humbly beseech Your Majesty that it
may be enacted, and

1.—*Be it therefore enacted*, by the Governor, Council and Assembly in Legis-
lative Session convened that from and out of such Monies as shall from time to
time remain in the hands of the Treasurer, unappropriated, there be gran-
ted to Her Majesty, Her Heirs and Successors, the sum of *Nineteen Thou-
sand and Ninety-two Pounds Seven Shillings and Ten Pence*, which
said sum of money shall be applied in payment of the following charges
for the year commencing on the First Day of July, One Thousand Eight
Hundred and Forty-four, and ending on the Thirtieth Day of June,
One Thousand Eight Hundred and Forty-five, inclusive, that is to say :—

The sum of Two Hundred Pounds towards defraying the salary of the
Private Secretary to the Governor.

The sum of Two Hundred Pounds towards defraying the salary of
the Clerk to the Council.

The sum of Four Hundred Pounds towards defraying the salaries of
Two Clerks in the Secretary's Office.

The sum of Sixty Pounds towards defraying the salary of an Office-
keeper to the Secretary's Office.

The sum of Sixty Pounds towards defraying the salary of a Messenger
to the Secretary's Office.

The sum of Five Hundred Pounds towards defraying the salary of the
Colonial Treasurer.

The sum of Two Hundred Pounds towards defraying the salary of the
Clerk of the Northern Circuit Court.

Preamble.

£19,092, 7s. 10d.
granted for the
year commencing
on the 1st day of
July 1844, and
ending on the
30th day of June,
1845.

Salaries of certain
officers of the
civil government.

The sum of Two Hundred Pounds towards defraying the salary of the Clerk of the Southern Circuit Court.

The sum of Sixty Pounds towards defraying the Salary of the Crier and Tipstaff of the Supreme Court.

The sum of One Hundred and Fifty Pounds towards defraying the salary of the Gaoler of St. John's ; such sum to be in lieu of all Fees, which are to be accounted for, and paid over to the Colonial Treasurer.

The sum of Nine Hundred Pounds towards defraying the salaries of Three Police Magistrates for St. John's.

The sum of Eighty Pounds towards defraying the salary of the Chief Constable for St. John's.

The sum of Three Hundred and Sixty Pounds towards defraying the salaries of Eight Police Constables at St. John's.

The sum of Forty Pounds towards defraying the salary of the Gaol Surgeon at St. John's.

The sum of Thirty Pounds towards defraying the salary of the Gaol Surgeon at Harbour Grace.

The sum of Twenty Six Pounds towards defraying the salary of the Gate Keeper at Government House.

The sum of Fifteen Pounds towards defraying the salary of the Gaol Barber at St. John's.

The sum of Two Hundred and Fifty Pounds towards defraying the Fees of Office of the Attorney General.

The sum of Two Hundred Pounds towards defraying the Fees of Office of the Solicitor General.

The sum of One Hundred and Fifty Pounds towards defraying the salary of the District Surgeon at St. John's.

The sum of One Hundred and Fifty Pounds towards defraying the Salary of the Surgeon of the St. John's Hospital.

The Sum of Thirty Six Pounds and Ten Shillings towards defraying the expense of Fog Guns at Fort Amherst.

The sum of Two Thousand and Thirty Pounds towards defraying the Salaries of the undermentioned Outport Magistrates, as follows:—

£2030—Outport
Magistrates.

- A Magistrate at Harbor Grace, One Hundred and Eighty Pounds.
- A Second Magistrate at Harbor Grace, One Hundred and Fifty Pounds.
- A Magistrate at Carbonear, One Hundred and Fifty Pounds.
- A Magistrate for Brigus and Port-de-Grave, One Hundred and Fifty Pounds.
- A Magistrate at Ferryland, One Hundred Pounds.
- A Magistrate for Bay Bulls, One Hundred Pounds.
- A Magistrate for Burin, One Hundred and Fifty Pounds.
- A Magistrate for Lamaline, One Hundred and Thirty Pounds.
- A Magistrate for Saint Mary's, One Hundred and Thirty Pounds.
- A Magistrate for Harbor Britain, One Hundred Pounds.
- A Magistrate for Grand Bank, One Hundred and Thirty Pounds.
- A Magistrate for Trinity, One Hundred and Fifty Pounds.
- A Magistrate for Bonavista, One Hundred and Fifty Pounds.
- A Magistrate for Twillingate and Fogo, One Hundred and Thirty Pounds.
- A Magistrate for Placentia, One Hundred and Thirty Pounds.

£405—Clerks of
the Peace at Out-
ports.

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

- A Clerk of the Peace at Harbor Grace, One Hundred and Fifty Pounds.
- A Clerk of the Peace for Brigus and Port-de-Grave, Sixty Pounds.
- A Clerk of the Peace at Ferryland, Sixty Pounds.

A Clerk of the Peace for Placentia, Thirty Five Pounds : Provided that all Fees of Office received by the said Clerks of the Peace for Harbour Grace, Brigus and Port-de-Grave, Ferryland and Placentia, shall be accounted for and paid over to the Colonial Treasurer.

A Clerk of the Peace at Burin, Twenty Pounds.

A Clerk of the Peace for Harbour Britain, Twenty Pounds.

A Clerk of the Peace for Trinity, Twenty Pounds.

A Clerk of the Peace for Bonavista, Twenty Pounds.

A Clerk of the Peace for Twillingate and Fogo, Twenty Pounds.

The sum of One Hundred and Ninety Pounds towards defraying the Salaries of the undermentioned Outport Gaolers as follows :

£190—Outport
Gaolers.

A Gaoler at Harbour Grace, Ninety Pounds ; Provided that all Fees of Office received by him shall be accounted for, and paid over to the Colonial Treasurer.

A Gaoler at Ferryland, Twenty Five Pounds.

A Gaoler at Placentia, Twenty five Pounds.

A Gaoler at Burin, Twenty Five Pounds.

A Gaoler at Trinity, Twenty Five Pounds.

The sum of Nine Hundred and Six Pounds towards defraying the Salaries of the undermentioned Outport Constables, as follows :

£906. Outport
Constables.

Three Constables at Harbor Grace, One Hundred Pounds.

Three Constables at Carbonear, Seventy Five Pounds.

Two Constables at Brigus and Port-de-Grave, Fifty Pounds.

A Constable at Ferryland, Twenty-five Pounds.

A Constable at Bay Bulls, Twenty Five Pounds.

A Constable at Burin, Twenty Five Pounds.

A Constable at Lameline, Twelve Pounds.

A Constable at Saint Mary's, Twenty Five Pounds.

A Constable at Harbour Britain, Twelve Pounds.

A Constable at Grand Bank, Twelve Pounds.

Two Constables at Trinity, Thirty Seven Pounds.

A Constable at Bonavista, Twenty Five Pounds.

Three Constables at Twillingate and Fogo, Forty Nine Pounds.

A Constable at Placentia, Twenty Five Pounds.

A Constable at Bay de Verds, Twelve Pounds.

A Constable at Harbor Main, Twelve Pounds.

A Constable at Cat's Cove, Twelve Pounds.

A Constable at Western Bay, Twelve Pounds.

A Constable at South Shore, Twelve Pounds.

A Constable at Brigus, South, Twelve Pounds.

A Constable at Witless Bay, Twelve Pounds.

A Constable at Renew's, Twelve Pounds.

A Constable at Toads Cove, Twelve Pounds.

A Constable at Cape Broyle, Twelve Pounds.

A Constable at Caplin Bay, Twelve Pounds.

A Constable at Aquafort, Twelve Pounds.

A Constable at Fermeuse, Twelve Pounds.

A Constable at Barren Island, Twelve Pounds.

A Constable at Merasheen, Twelve Pounds.

A Constable at Little Placentia, Twelve Pounds.

A Constable at Saint Lawrence, Twelve Pounds.

A Constable at Trepassey, Twelve Pounds.

A Constable at Catalina, Twenty Five Pounds.

A Constable at Perlican, Twelve Pounds.

A Constable at Hearts Content, Twelve Pounds.

A Constable at Hants Harbour, Twelve Pounds.

A Constable at New Harbour, Twelve Pounds.

- A Constable at Greenspond, Twelve Pounds.
 A Constable at Exploits Bay, Twelve Pounds.
 A Constable at Petty Harbour, Twenty Pounds.
 A Constable at Portugal Cove, Twenty Pounds.
 A Constable at Torbay, Twenty Pounds.
 A Constable at Kings Cove, Twelve Pounds.
 A Constable at Tickle Cove, Twelve Pounds.
 A Constable at Salvage, Twelve Pounds.

£450. Printing &c.	The sum of Four Hundred and Fifty Pounds towards defraying the expense of Printing, Advertising, and Stationery.
£300. Civil and Criminal prosecu- tions.	The sum of Three Hundred Pounds towards defraying the expense of Civil and Criminal Prosecutions.
£500 Gaol ex- penses.	The sum of Five Hundred Pounds towards defraying the expenses of Gaols.
£150 Coroners' Accounts.	The sum of One Hundred and Fifty Pounds towards defraying Coroners' Accounts.
£400 Fuel and Light.	The sum of Four Hundred Pounds towards defraying the expense of Fuel and Light for Public Buildings.
£120 Postages &c.	The sum of One Hundred and Twenty Pounds towards defraying the expense of Postages and other incidentals.
£750 Circuit Courts.	The sum of Seven Hundred and Fifty Pounds towards defraying the expense of Circuit Courts.
£500 Contingen- cies.	The sum of Five Hundred Pounds towards defraying the expense of Unforeseen Contingencies.
£200. repairs of Gaols.	The sum of Two Hundred Pounds towards defraying the expense of repairs of Court Houses and Gaols.
£500 Lunatics.	The sum of Five Hundred Pounds towards defraying the expense of supporting Lunatic Paupers.
£250. Poor.	The sum of Two Hundred and Fifty Pounds towards defraying the expense of Sick Poor in the Hospital.
£2,000 Do.	The sum of Twelve Hundred Pounds towards defraying the expense of Paupers on the Permanent List.
£1000 Do.	The sum of One Thousand Pounds towards defraying the expense of the support of Casual Poor.
£200 Outport do.	The sum of Two Hundred Pounds towards defraying the expense of the support of Outport Permanent Poor.
Special Votes	The sum of One Hundred Pounds towards defraying the expense of purchasing Law Books for the different Courts of Sessions in the Island.
Law Books.	The sum of Twenty Five Pounds towards defraying the expense of the Office rent of the Deputy Post-Master ; Provided such Office be kept in a Stone Building.
Post Office Rent.	The sum of Forty Two Pounds to be paid to the Executors of the late Honourable William Carson, being the allowance for his attendance as Member of the Legislature during the last Session.
Executors of late Hon. William Carson.	The sum of Fifty Pounds to be appropriated to the payment of duties upon Wines imported or purchased for the use of the Military stationed in this Colony.
Duties on Wines for Military.	The sum of Twenty Pounds to be appropriated towards the discharge of expenses incurred in the collection of assessed rates under the Statute Labour Act.
Collecting rates.	The sum of Three Hundred Pounds to be appropriated towards the erection of a Court House at Bonavista, and to cover the expense of purchasing a site for the same.
Court House at Bonavista.	The sum of Twenty Five Pounds to be appropriated towards defraying the expense of completing Fishery Returns in the District of St. John's.
Fishery Returns.	The sum of One Hundred Pounds towards defraying the expense of purchasing a site for the Carbonear Grammar School.
Carbonear Gram- mar Sch. col.	The sum of Three Hundred and Forty Six Pounds Sixteen Shillings and Seven Pence towards discharging a balance due by the Commissioners for the erection of Bonavista Light House.
Bonavista Light House.	

The sum of One Hundred Pounds to be appropriated in the erection of a Lock-up House at Fogo. Lock-up House at Fogo.

The sum of One Hundred and Fifty Pounds towards discharging arrears due for taking and revising Lists of Voters. Registering Votes.

The sum of Two Hundred Pounds towards defraying arrears of Salary due to Teachers of Schools, appointed by Boards of Education under the late Education Act. School Masters.

The sum of Seventeen Pounds and Eight Shillings towards defraying the Contingent expenses of the Board of Control. Expenses of Board of Control.

The sum of One Hundred Pounds towards defraying the Salary of the Chairman of the Board of Control. Chairman of Do.

The sum of Fifty Pounds towards defraying the Salary of the Clerk of the Board of Control. Clerk of Do.

The sum of Fifteen Pounds towards protecting from loss any person or persons compiling an Almanack or other useful Scientific work. Almanack.

The sum of One Hundred Pounds towards defraying damages and expenses sustained and occasioned by the Central Board of Commissioners under the late Road Act, in carrying into effect the provisions of the said Act. Road Commissioners.

The sum of Three Hundred and Twenty Pounds towards enabling the Newfoundland School Society to repair the School Rooms and Buildings of the Society; Provided the sum hereby granted shall not be drawn from the Treasury until after the expiration of Twelve Months from the passing of this Act. N. S. Society.

The further sum of Two Hundred Pounds towards defraying the expense of repairing Court Houses and Gaols throughout the Island. Court Houses, and Gaols.

The sum of Twenty Pounds to be paid to the Roman Catholic Board of Education at Tilton Harbour, in addition to any sum that may be paid that Board under the Education Act. R. C. Board of Education.

The sum of One Hundred and Six Pounds towards enabling the Wesleyan Methodists of St. John's to erect a School House at that place; Provided that the sum hereby granted shall not be drawn from the Treasury until after the expiration of Twelve Months from the passing of this Act. Wesleyan Methodists.

The sum of One Hundred and Fifty Pounds towards defraying the expense of repairs to the Orphan Asylum School; Provided that the sum hereby granted shall not be drawn from the Treasury until after the expiration of Twelve Months from the passing of this Act. O. A. School.

The sum of Fifty Pounds towards defraying the Annual allowance made to the Widow of the late James Blaikie. Mrs. Blaikie.

The sum of Twenty Pounds towards remunerating Bartholomew B. Rourke for his services in saving the lives of Eleven Persons off the Calf Rock at St. Mary's. B. Rourke.

The sum of Ten Pounds towards remunerating the Boat's Crew of the said Bartholomew Rourke for their services on the occasion aforesaid. Boat's crew of do.

The sum of Fifty Pounds to be applied in aid of the funds of the Dorcas Society. Dorcas Society.

The sum of One Hundred Pounds to be applied in aid of the funds of the Saint John's Factory. Factory.

The sum of One Hundred Pounds to be paid to the late Clerk Assistant to the Assembly as compensation for extra services and loss of office. Late Assistant Clerk of Assembly.

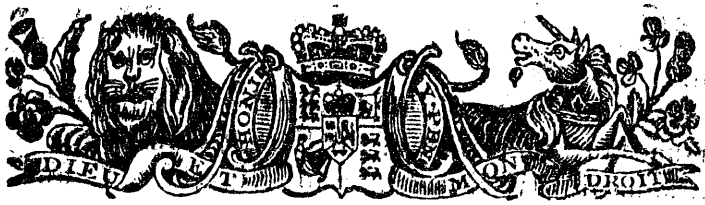
The sum of One Hundred Pounds to be applied towards clearing Roads and Streets in the District of Saint John's from Snow—such sum to be expended by Contract under the superintendance of the Board of Road Commissioners. Roads &c. in St. John's.

The sum of Thirty Pounds to be paid as a gratuity to the widow of the late George Holbrook in consideration of the services of her said husband. Mrs. Holbrook.

The sum of Twenty-Six Pounds to be paid to Mathew Stevenson, late Clerk of the Peace at Harbour Grace, in compensation for past services. M. Stevenson.

W. Magill	The sum of Fifteen Pounds Thirteen Shillings and Three Pence to be paid to William Magill for expenses incurred by him in repairing the Cross Road between the Old and New Portugal Cove Roads.
R. Quick.	The sum of Ten Pounds to be paid to Richard Quick, in compensation for his services as Ferryman at Little St. Lawrence.
Agricultural Society.	The sum of One Hundred and Fifty Pounds to be applied in aid of the funds of the Saint John's Agricultural Society.
B. Squires	The sum of Ten Pounds to be paid to Benjamin Squires in compensation for his services as Ferryman at Emanuels Gut.
Tide Surveyor.	The sum of Fifty Pounds to be paid as an addition to the Salary of the Colonial Tide Surveyor for the year ending the 30th Day of June A. D. One Thousand Eight Hundred and Forty-five.
Clerk to Collector	The sum of Fifty Pounds to be paid as an addition to the salary of the Clerk to the Collector in the Colonial Department of the Customs for the same period.
Removing houses belonging to R. Flahavan.	The sum of Twenty-five Pounds to be appropriated in defraying the expense of removing a block of houses in Duckworth Street belonging to Roger Flahavan.
T. Walsh.	The sum of Ten Pounds towards compensating Thomas Walsh for Land taken for opening a Road to the Barracks at Harbour Grace.
M Walsh.	The sum of Sixty Pounds towards compensating Martin Walsh for loss sustained on a contract for building a Public Wharf at Portugal Cove.
Breakwater - Grand Bank or Fortune.	The sum of Two Hundred Pounds to be appropriated in the erection of a Breakwater at Grand Bank or Fortune.
Tickle - Twillingate	The sum of Two Hundred and Fifty Pounds to be appropriated in deepening the Tickle at Twillingate and in erecting a Bridge across the same : Provided that an equal sum be contributed by the inhabitants of Twillingate for the purpose aforesaid.
Quidi Vidi Harbour.	The sum of Twenty Pounds to be appropriated in removing obstructions in the-mouth of Quidi Vidi Harbour.
Ferryman - Great Placentia.	The sum of Twenty-five Pounds towards compensating the Ferryman at Great Placentia for his services.
Shipwrecked Sealers.	The sum of One Hundred Pounds towards defraying expenses incurred in the relief of Shipwrecked Sealers.
Crown Lands.	The sum of Three Hundred Pounds to be appropriated towards carrying into effect the provisions of the Crown Lands Bill.
W. Andrews.	The sum of Ten Pounds to be paid as a gratuity to William Andrews of Port-de-Grave, as a compensation for past services.
Outport Poor.	The further sum of One Hundred Pounds to be appropriated in defraying the expenses of the support of Outport Poor.
Ferryman - Burin and Spoon Cove.	The sum of Twenty Pounds towards compensating the Ferrymen at Burin and Spoon Cove, for their services.
Wesleyan Methodists - Carbonear.	The Sum of Seventy-five Pounds to be appropriated in the erection of a School House to be under the management of the Wesleyan Methodists at Carbonear.
R. Q. Harris.	The sum of Twenty Pounds to be paid towards compensating Robert Q. Harris for injury and damage sustained by him in the performance of his duty as Special Constable at the election at Saint John's in the year One Thousand Eight Hundred and Forty.
Harvey Street Harbour Grace.	The Sum of Two Hundred and Fifty Pounds towards opening and making a Street in Harbour Grace, to be called Harvey Street—such sum to be expended by Commissioners to be appointed for such purpose by His Excellency the Governor.

Monies granted how paid. II.—*And be it further enacted*, that the sums of money herein granted shall be paid in discharge of such warrants as may from time to time be issued by the Governor or Administrator of the Government for the time being on the Colonial Treasurer for the purposes of this Act ; and that it shall not be lawful for the said Treasurer to pay any monies out of the Colonial Treasury other than such as are granted in this or some other Act of the Legislature.



ANNO SEPTIMO

VICTORIÆ REGINÆ.

CAP. XVI.

AN ACT to provide for the Contingent Expenses of the Legislature during the present Session.

[Passed 29th April, 1844.]

WHEREAS it is expedient to provide for the Contingent Expenses of the Legislature :

1.—*Be it therefore enacted*, by the Governor, Council and Assembly, in Legislative Session convened, that from and out of such monies as shall from time to time remain in the hands of the Treasurer, unappropriated, there be granted to Her Majesty, Her Heirs and Successors, the Sum of *Three Thousand Two Hundred and Twelve Pounds One Shilling and Five Pence*, to be appropriated towards remunerating the Officers of the Legislature for their services, and towards defraying the Contingent Expenses of the Legislature during the present Session, as follows, that is to say :

To the Honorable the Speaker of the General Assembly, the sum of Two Hundred Pounds.	Speaker £200.
To the Chairman of the Committee of Supply, Fifty Pounds.	Chairman of Supply, £50.
To the Usher of the Black Rod, the sum of Seventy Pounds.	Usher Black Rod 70l.
To the Clerk of the General Assembly, and for indexing and superintending the Printing of the Journals, the sum of Two Hundred Pounds.	Clerk, 200l.
To the Solicitor of the General Assembly, the sum of One Hundred and Fifty Pounds.	Solicitor, £150.
To the Clerk Assistant, One Hundred Pounds.	Clerk Assistant, 100l.
To the Sergeant at Arms, the sum of One Hundred Pounds.	Sergeant at Arms, 100l.
To the Door Keeper, the sum of Forty-five Pounds.	Door-keeper, 45l.
To the Messenger, the sum of Forty Pounds.	Messenger, 40l.
To the Assistant Messenger, the sum of Thirty Five Pounds.	Assistant do. 35l.
To the Under Doorkeeper the sum of Thirty-five Pounds.	Under Door-keeper, 35l.
To the Assistant Doorkeeper, Messenger and Attendant, the sum of Twenty Pounds.	Assistant do. 20l.
To the Librarian, the sum of Twenty Five Pounds.	Librarian. 25l.

Members' pay,
1113*l*.

To Twenty-three Members of the General Assembly, the Speaker not included, the sum of One Thousand One Hundred and Thirteen Pounds, being Forty Two Pounds each for Sixteen Members resident in St. John's, and Sixty Three Pounds each for Seven Outport Members not resident in St. John's,

Clerk's contingencies,
119*l*, 19*s*. 6*d*.

To the Clerk of the Assembly to defray the Contingent Expenses of his office, pursuant to the report of the Select Committee upon Contingencies, the sum of One Hundred and Nineteen Pounds Nineteen Shillings and Six Pence.

Sergeant at Arms contingencies,
130*l*. 2*s*. 7*d*.

To the Sergeant at Arms, to defray the Contingent expenses of his office, pursuant to the Report of the Select Committee upon Contingencies, the sum of One Hundred and Thirty Pounds Two Shillings and Seven Pence.

Balance on Journals of last Session, 178*l*.—and present Session,
120*l*.

To the Proprietors of the *Newfoundlander*, being the balance due for Printing the Journals of last Session, the sum of One Hundred and Seventy Eight Pounds, and for Printing the Journals of the present Session One Hundred and Twenty Pounds.

Printing bills, &c. &c. 203 19*s* 4*d*.

To Messrs. Ryan and Withers for Printing Bills and Papers during the present Session, the sum of Two Hundred and Three Pounds Nineteen Shillings and Four Pence.

Late reporter
20*l*.

To the late Reporter of the Debates in this House, the sum of Twenty Pounds.

T. Pope for reporting, 63*l*.

To Thomas Pope, the sum of Sixty Eight Pounds, for his services in Reporting the Debates of the House during the present Session.

H. Winton and A. Shea, 56*l*. each.

And the sum of Fifty-Six Pounds each to Henry Winton and Ambrose Shea, for their services in reporting the Debates of the House during the present Session.

Library, 75*l*.

The sum of Seventy Five Pounds towards purchasing Books for the Library of the Legislature.