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NORTH AMERICA :—EMIGRATION.

COPY of any ACTS passed by the COLONIES in *British North America*, and which have received His MAJESTY'S Sanction, by which a TAX is to be levied on EMIGRANTS arriving from the *United Kingdom*:—Also, COPY of CIRCULAR from the Colonial Office, recommending the same.

(*Mr. Hume.*)

Ordered, by The House of Commons, to be Printed,
11 August 1832.

NORTH AMERICA:—EMIGRATION.

RETURN to an Address to HIS MAJESTY, dated 1 August 1832;—for,

COPY of any ACTS passed by the COLONIES in *British North America*, and which have received HIS MAJESTY'S Sanction, by which a TAX is to be levied on EMIGRANTS arriving from the *United Kingdom*:—Also, COPY of CIRCULAR from the Colonial Office, recommending the same.

Colonial Department, Downing-Street, }
11 August 1832.

R. W. HAY.

(*Mr. Hume.*)

Ordered, by The House of Commons, to be Printed,
11 August 1832.

S C H E D U L E.

- No. 1.—COPY of a Circular Despatch, addressed to the Governors of Lower Canada, Nova Scotia and New Brunswick, by Viscount Goderich, dated Downing-street, (11 December 1831) - - - - - p. 3
- No. 2.—Copy of an Act passed by the Legislature of Lower Canada, intituled, “ An Act to create a Fund for defraying the Expense of providing Medical Assistance for Sick Emigrants, and of enabling Indigent Persons of that description to proceed to the place of their destination.”—(25 February 1832.) - - p. 4
- No. 3.—Copy of a Despatch from Sir P. Maitland to Viscount Goderich, dated Halifax, 16 February 1832, enclosing the Copy of an Act passed by the Legislature of Nova Scotia, intituled, “ An Act relating to Passengers from Great Britain and Ireland arriving in this Province.”—(16 February 1832.) - - p. 7
- No. 4.—Copy of an Act passed by the Legislature of New Brunswick, intituled, “ An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants.” - - - - - p. 9

LOWER CANADA, NOVA SCOTIA, &c.

— No. 1. —

COPY of a Circular DESPATCH addressed to the Governors of Lower Canada, Nova Scotia and New Brunswick, by Viscount *Goderich*, dated Downing-street, 11 December 1831.

Sir,

MY attention has been lately particularly called to the inconvenience which in the present year has been found to arise from the want of some efficient means of regulating and controlling the emigration which has taken place from this country to the North American Colonies. Notwithstanding the provisions of the Passengers' Act, it has been found that many vessels have been crowded to such a degree as to expose to much danger the health of the emigrants, and even to create an alarm lest they should carry infection to the ports where they have been disembarked.

Great complaints have also been made of the various kinds of imposition to which unguarded and ignorant persons proceeding to America have been subjected: some have been carried, not to their intended place of destination, but to different and to distant ports; others have been induced, by false promises of the early departure of the vessels in which they have taken their passages, to leave their homes for the port of embarkation long before the ships have been ready to receive them, and have in consequence frequently been placed in a situation of great distress; while others again have been deceived as to the probable length of the voyage, and consequently as to the necessary stock of provisions, that an unfair profit might be made from the supply of their wants during the latter part of the passage. The arrival also of great numbers of emigrants at once at the same port has, in some instances, been the cause of much suffering to themselves, and of much inconvenience to the inhabitants of the place where they have been landed; at Quebec more especially this has been found a most serious evil. It has been a subject of my most anxious consideration to discover some means of obviating the various causes of complaint which I have enumerated; the result has been, that I am impressed with a belief that this can only be accomplished by giving a considerable discretionary power to the Executive Government; any positive law, defining beforehand what is to be required of the masters of vessels carrying out emigrants, would not be framed without much difficulty, and would always be liable to evasion, while by appealing to their pecuniary interest, by making misconduct no longer answer as a matter of profit, it may, I think, be effectually prevented. In order to do this, and at the same time to raise a fund applicable to the expense of receiving and forwarding emigrants to the places of their destination, it appears to me that a measure of the kind pointed out in my confidential circular of the 11th September, might be adopted with advantage; I therefore wish you to suggest to the Provincial Legislature the propriety of levying a small tax, payable by the master of the ship, upon all emigrants on their arrival in the colony, and of providing that this tax shall be doubled in respect of those who shall have been embarked without the sanction of the Government, signified by a certificate from one of the officers of customs at the port of clearance. The adoption of this measure would give to His Majesty's Government the power which it appears so desirable that they should possess, of controlling and directing the tide of emigration; it would enable them in a great measure to distribute the arrivals of emigrants at different ports at convenient periods, and to secure their proper treatment by enforcing all the regulations which might be found necessary for that purpose. The proceeds of the tax would also be of much service in supporting hospitals in the ports where emigrants arrive (thus relieving the inhabitants from the burthen to which they are now exposed), and in defraying other necessary expenses. For these reasons I would strongly

recommend to the Provincial Legislature the imposition of such a tax as I have described. It is however necessary to state, that I do so with a view not of discouraging, but of regulating the progress of emigration, and that I should by no means approve, nor will you give your assent to any Bill imposing at most a heavier tax than one dollar, except in those cases when it would be doubled upon each emigrant, or appropriating the proceeds to other purposes than those which I have mentioned. Of course this tax could only apply to vessels leaving this country after the intention of imposing it should have been made known. It is therefore most desirable that I should be apprised, as early as possible, what is the decision of the Provincial Legislature on the proposal I have made.

I have, &c.

(signed) GODERICH.

— No. 2. —

LOWER CANADA.

AN ACT to create a Fund for defraying the Expense of providing Medical Assistance for Sick Emigrants, and of enabling Indigent Persons of that description to proceed to the Place of their destination. (25 February 1832.)

Most gracious Sovereign,

WHEREAS by Message from his Excellency the Right honourable Matthew Lord Aylmer, Knight Commander of the Most honourable Military Order of the Bath, laid before both Houses of the Legislature, his Excellency has been pleased to signify, that, in conformity to the instructions he has received from Your Majesty's Government, he recommends the expediency of imposing a rate or duty, payable by the masters of vessels bringing emigrants into this province, for the purpose of creating a fund for defraying the expense of medical care and attendance for sick emigrants, and of enabling indigent persons of that description to proceed to places of their destination; and it is expedient that provision should be made for carrying the said recommendation into effect: May it therefore please Your Majesty, that it may be enacted, and be it enacted, by The King's Most excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the province of Lower Canada, constituted and assembled by virtue of, and under the authority of, an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the 14th year of His Majesty's reign, intituled, *An Act for making more effectual Provision for the Government of the Province of Quebec in North America*; and to make further provision for the government of the said province:" And it is hereby enacted, by the authority of the same, that there shall be raised, levied and collected, a rate or duty, payable in the manner hereinafter described, by the master or person in command of every vessel arriving in the port of Quebec, or in the port of Montreal, from any port of the United Kingdom, with passengers or emigrants therefrom, and having been cleared of the custom-house at such port after the 15th day of April 1832; and such rate or duty shall be 5s. currency for every such passenger or emigrant who shall have embarked under the sanction of His Majesty's Government, ascertained by a certificate from one of the officers of His Majesty's Customs at the port at which such vessel shall have cleared, and 10s. currency for every such passenger or emigrant who shall have embarked without such sanction; and such rate or duty shall be paid by the master or person in command of such vessel, or by such person on his behalf, to the collector or other chief officer of the customs at the port at which such vessel shall be first entered, and at the time of making such first entry, which shall contain, on the face of it, the number of passengers actually on board the vessel; and no such entry shall be deemed to have been validly made, or to have any legal effect whatsoever, unless such rates or duties be so paid as aforesaid.

2. And be it further enacted, by the authority aforesaid, that for the purposes of this Act, two children, each under the age of fourteen years, or three children, each under the age of seven years, shall be reckoned as one passenger; and

and that no child under the age of twelve months shall be reckoned among the number of passengers.

3. And be it further enacted, by the authority aforesaid, that no master or person having the command of any ship or vessel arriving in either of the said ports, shall permit any passenger to leave such vessel until he shall have delivered to the collector, or other chief officer of His Majesty's Customs at such port, a correct list of all the passengers on board such ship or vessel at the time of her arrival at such port, nor until such list shall have been certified to be correct, and a certificate of such correctness, and a permission to allow his passengers to leave the vessel, and a receipt for the duties payable by him under the provisions of this Act, shall have been given to him by the said collector or other chief officer, under a penalty of 20*l.* currency, to be paid by such master, or person having the command, for every passenger leaving his ship or vessel contrary to the provisions of this Act: Provided always, that the said list shall contain the name of each head of a family or single person, being a passenger on board such vessel, his profession or trade, his country, and the place of his destination, and the number of grown persons and children belonging to his family on board such vessel: Provided always, that nothing in this Act contained shall prevent the master, or person having the command of any ship or vessel, from permitting any passenger to leave the vessel at the request of such passenger before the arrival of the vessel in the harbour of Quebec; but in every such case the names of the passengers who shall so leave shall be entered in the manifest on the list of emigrants made out at the time of the clearing of the vessel from the United Kingdom, and shall be certified under the signatures of the passengers so leaving the vessel; and if the number of passengers remaining on board on the arrival of the vessel in the harbour of Quebec do not correspond with that mentioned in such manifest, after deducting the number who shall have so left the vessel, the master or person having the command of such vessel, shall incur a penalty of 5*l.* currency for each passenger not found on board, or entered on the manifest as having left the vessel as aforesaid.

4. And be it further enacted, by the authority aforesaid, that every passenger on board any ship or vessel arriving in the harbour to which the master or person commanding such vessel shall have engaged to convey him, shall be entitled to remain on board such ship or vessel during 48 hours after her arrival in such harbour; and every such master who shall compel any passenger to leave his vessel before the expiration of the said term of 48 hours, shall incur a penalty not exceeding 5*l.* currency for every passenger he shall so compel to leave his vessel; nor shall any master or person commanding such vessel remove, or cause to be removed, before the expiration of the said 48 hours, any berthing or accommodation used by his passengers, under a like penalty.

5. And be it further enacted, by the authority aforesaid, that every pilot who shall have had charge of any vessel having passengers on board, and who shall know that any passenger has been permitted to leave the vessel contrary to the provisions of this Act, and shall not within 24 hours after the arrival of such vessel in the harbour to which he shall have engaged to pilot her, inform the collector or other chief officer of His Majesty's Customs at such place, that a passenger or passengers has or have been so permitted to leave the vessel, shall incur a penalty not exceeding 5*l.* currency, for every passenger with respect to whom he shall have wilfully neglected to give such information.

6. And be it further enacted, by the authority aforesaid, that the monies levied under the authority of this Act shall be paid by the collector or other chief officer of the customs, by whom they shall have been received, into the hands of the Receiver-general for the purposes hereinafter mentioned.

7. And be it further enacted, by the authority aforesaid, that all penalties imposed by this Act may be sued for and recovered with costs on the oath of one credible witness, other than the prosecutor, in a summary manner before any two justices of the peace in the city of Quebec, or in the city of Montreal, and such justices may commit the offender to the common gaol of the district until such penalty and costs shall be paid; and one moiety of every such penalty shall belong to His Majesty, his heirs and successors, and shall be paid into the hands of the Receiver-general to be applied to the purposes to which the other monies levied under the authority of this Act are hereby appropriated, and the other moiety shall belong to the prosecutor.

8. And be it further enacted, by the authority aforesaid, that it shall be lawful for the Governor, Lieutenant-governor, or person administering the government, by an instrument under his hand to appoint three persons to be Commissioners for carrying into effect the provisions of this Act, concerning in any way the said Emigrant Society at Quebec, and in like manner to appoint three persons to be Commissioners for the carrying into effect the provisions thereof in any way concerning the said Emigrant Society at Montreal, and from time to time to remove the same and appoint others in their stead; and to such Commissioners all monies to be expended under the direction of the committee of management of the said societies respectively, shall be advanced and paid, and by and through them shall the accounts thereof be rendered in the manner hereinafter prescribed, and they shall be responsible for the due application of the said monies to the purposes for which they are hereby appropriated, and no other, under the direction of the committee of management of each of the said societies respectively.

9. And be it further enacted, by the authority aforesaid, that it shall be lawful for the Governor, Lieutenant-governor, or person administering the government, by warrant under his hand to pay from time to time as the same may be required for the purposes of this Act, and out of any monies paid into the hands of the Receiver-general under the authority of this Act, a sum equal to one-fourth part of the said monies, to the Commissioners of the Emigrant Hospital at Quebec; and a like sum to the Corporation of the Montreal General Hospital; and a like sum to be expended under the direction of the Emigrant Society at Quebec; and a like sum to the Emigrant Society at Montreal; clear in each case of all deductions for the expenses of collecting the same: Provided always, that no part of the said monies shall be employed by the said committees in making advances of money to any emigrant, but shall be expended in forwarding poor and destitute emigrants to those places in this province, or in the province of Upper Canada, at which it shall appear most probable that they may obtain any employment, and of establishing themselves with the fairest prospect of permanent advantage; but in no case shall any grown person in good health and unincumbered with a family (except unmarried females who may be unable otherwise to join their friends or relatives), receive assistance out of the said monies; provided nevertheless, that out of the said monies, it shall be lawful for the said committee of management to make a reasonable allowance to their recording secretaries, agents and storekeepers, of the said societies respectively, and to defray the expense of office-rent, and of the necessary fuel and stationery.

10. And be it further enacted, by the authority aforesaid, that it shall be lawful for the Governor, Lieutenant-governor, or person administering the government, by warrant under his hand, at any time after the 1st day of May next after the passing of this Act, and out of the unappropriated monies in the hands of the Receiver-general, to advance, by way of loan, to the Commissioners for the Emigrant Society at Quebec, a sum not exceeding 500*l.* currency; and a like sum to the Commissioners of the Emigrant Society at Montreal; to be applied and expended under the direction of the committees of management of the said societies respectively, as aforesaid: Provided always that the sum or sums so advanced shall be deducted from the one-fourth part of the monies levied under the authority of this Act, which are so appropriated to the purposes of each of the said societies respectively.

11. And be it further enacted, by the authority aforesaid, that the said Commissioners and the said Corporation, and the Commissioners for the said societies into whose hands any money shall be paid under the authority of this Act, shall within 15 days after the meeting of each session of the Provincial Legislature, during the continuance of this Act, lay before each of the Branches thereof a faithful and detailed account of the expenditure of such monies, and a correct list of the emigrants by them respectively relieved, distinguishing the nation and country of every such emigrant, the place to which he or she shall have been forwarded, and his or her age, and the amount expended in affording such relief, (and in what manner expended), to every grown person, and his or her trade and name.

12. And be it further enacted, by the authority aforesaid, that every person to whom shall be entrusted the expenditure of any portion of the monies hereby appropriated, shall make up detailed accounts of such expenditure, showing the

the sum advanced to the accountant, the sum actually expended, the balance (if any) remaining in his hands, and the amount of the monies hereby appropriated to the purpose for which such advance shall have been made, remaining unexpended in the hands of the receiver-general, and that every such account shall be supported by vouchers therein distinctly referred to, by numbers corresponding to the numbering of the items in such account, and shall be made up to and closed on the 10th day of April and 10th day of October in each year, during which such expenditure shall be made, and shall be attested before a justice of the Court of King's Bench, or a justice of the peace, and shall be transmitted to the officer whose duty it shall be to receive such account, within 15 days next after the expiration of the said periods respectively.

13. And be it further enacted by the authority aforesaid, that the due application of the monies received for the public uses of this province under the authority of this Act, shall be accounted for to His Majesty, his heirs and successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, his heirs and successors shall direct; and that a detailed account of all such monies shall be laid before the several Branches of the Provincial Legislature within the first 15 days of the next session thereof.

14. And be it further enacted by the authority aforesaid, that this Act shall continue and be in force until the 1st day of May 1834, and no longer.

— No. 3. —

NOVA SCOTIA.

COPY of a DESPATCH from Sir *P. Maitland* to Viscount *Goderich*, dated Halifax, 16 February 1832, enclosing the Copy of an Act passed by the Legislature of Nova Scotia, intituled, "An Act relating to Passengers from Great Britain and Ireland arriving in this Province."—(16 Feb. 1832.)

My Lord,

Government House, Halifax,
16 February 1832.

IN compliance with the directions conveyed in your Lordship's despatch, marked circular, of the 11th December, I took the earliest opportunity of suggesting to the Legislature the propriety of laying a small tax, payable by the master of the ship, on all emigrants brought into this colony, and I have now the satisfaction of transmitting to your Lordship a copy of an Act to which I have this day, in His Majesty's name, assented, and which I hope will be found to meet your Lordship's wishes.

The tax imposed is one dollar on the arrival of every emigrant, if embarked with the sanction of Government, and two dollars, if embarked without; and the proceeds are placed at the disposal of the Lieutenant-governor, applicable to the benevolent purposes pointed out by your Lordship. The Act will not go into operation till the 1st July next.

I have, &c.
(signed) *P. Maitland*,
Lieut.-govr.

(Enclosure.)

In the House of Assembly, 10 February 1832.

Ordered to be sent to the Council for concurrence.

AN ACT relating to Passengers from *Great Britain* and *Ireland* arriving in this Province.

BE it enacted, by the Lieutenant-Governor, Council and Assembly, that from and after the time this Act shall go into operation as hereinafter mentioned, whenever any ship or vessel shall arrive or come into any port or place

place within this province, from any port or place in Great Britain or Ireland, the master or commander of such ship or vessel, immediately after the arrival thereof, and before such ship shall be admitted to an entry, shall either make and subscribe a declaration before the collector or other principal officer or officers of His Majesty's Customs for the port or place where such ship or vessel shall arrive as aforesaid, that no passenger or passengers embarked or sailed from Great Britain or Ireland on board of such ship or vessel on her said voyage to this province or otherwise, or shall make out and deliver to the said collector, or other principal officer or officers, a schedule or list in writing to be signed by him, setting forth the name or names, trade, occupation, profession or employment of all and every passenger or passengers who shall or may have respectively been embarked or have sailed on board of such ship or vessel at or from any port or place in Great Britain or Ireland on her said voyage to this province, and also the name or names, trade, occupation, profession or employment of all and every passenger or passengers respectively who shall or may arrive and be landed from such ship or vessel in any port or place within this province.

And be it further enacted, that before any such ship or vessel so arriving as aforesaid, having on board any passenger or passengers from Great Britain or Ireland, to any port or place within this province, or who shall or may be landed within this province, shall be admitted to an entry, there shall be paid by the owner or owners, master or commander of such ship or vessel to the collector or other principal officer or officers of the customs for the port or place in this province where such ship or vessel shall arrive, the sum of 10s. of the current money of this province for each and every passenger who shall or may have embarked or taken passage in such ship or vessel from Great Britain or Ireland, and been landed within this province: Provided always, that if a certificate that all and every the passenger or passengers in and on board of such ship or vessel respectively were embarked by and with the sanction of His Majesty's Government, signed by the principal officer of the customs at the port of clearance of such ship or vessel in Great Britain or Ireland, shall be produced and shown to the collector or other principal officer or officers of the customs at the port or place in this province where such ship or vessel shall or may arrive as aforesaid, then and in such case there shall be paid by the owner or owners, master or commander of such ship or vessel for each and every passenger the sum of 5s. of the current money of this province, and no more.

And be it further enacted, that it shall not be lawful for the collector or other principal officer or officers of any port or place within this province, to grant any clearance to any such ship or vessel so bringing any passenger or passengers into this province as aforesaid, until the said sums of 5s. or 10s. as the case may be, for each and every passenger, shall be paid as hereinbefore directed.

And be it further enacted, that all monies which shall or may be collected and received by the collectors or other officers of the customs within this province, under the directions and provisions of this Act, shall be from time to time, when and so soon as the same shall be collected and received by them respectively, paid into the treasury of this province, to be applied as hereinafter directed.

And be it further enacted, that it shall and may be lawful for the Governor, Lieutenant-governor or Commander-in-Chief for the time being, by warrant under his hand and seal, to draw from the treasury from time to time all or any such monies, and to pay and apply the same in such manner, and to such uses and purposes, for the benefit of poor emigrants arriving in this province as he shall deem most expedient: Provided always, that an account of the disposal and application of such monies shall be submitted to the House of Assembly at each session of the General Assembly.

And be it further Enacted, that if any master or commander of any ship or vessel from Great Britain or Ireland, with any passenger or passengers on board, arriving at any port or place within this province, shall neglect or refuse to make out and deliver to the collector, or other principal officer or officers, such schedule or list, in writing, as is hereinbefore required, or shall fraudulently make and subscribe any such declaration, or make out and deliver any such schedule or list which shall be false and untrue in any particular, then and in either of such cases such master or commander shall forfeit and pay the sum of

100 l., to be sued for and recovered in any of His Majesty's Courts of Record within this province, by bill, plaint or information, at the suit of His Majesty, or of any one of the officers of His Majesty's Customs within this province; one half of the said sum to be paid to the person who shall sue for the same, and the other half to be paid into the treasury of this province, to be drawn for and applied and accounted for in the same manner as hereinbefore directed with respect to the other monies to be collected and received under and by virtue of this Act.

And be it further enacted, that any master or other person in command or charge of any such ship or vessel which shall have cleared out from any port or place in Great Britain or Ireland for any port or place in the province, who not being compelled thereto by absolute necessity, to be adjudged of by the said officers of His Majesty's Customs shall land, or shall knowingly suffer to land any passenger or passengers in any port or place within this province, or any other of the North American colonies, before making the entry and declaration hereinbefore required, or otherwise contrary to the provisions of this Act, shall forfeit and pay the sum of 10 l. for every such passenger so landed, to be recovered by bill, plaint or information in any court of record in this province.

Provided always, and be it further enacted, that nothing in this Act contained shall extend or be construed to extend to any of His Majesty's ships of war, or His Majesty's packets, or to any ship or vessel actually engaged and employed as a transport, or store-ship for the transport or conveyance of His Majesty's troops or military stores, or otherwise in the employment or service of His Majesty's Government.

And be it further enacted, that this Act shall not go into operation until after the 1st day of July next, and shall continue and be in force for three years from the said 1st day of July next, and from thence to the end of the then next session of the General Assembly.

— No. 4. —

NEW BRUNSWICK.

COPY of an ACT passed by the Legislature of New Brunswick, intituled,
 “ An Act to regulate Vessels arriving from the United Kingdom with Pas-
 “ sengers and Emigrants.”

Anno Secundo Gulielmi 4, Regis.

WHEREAS the practice of landing passengers and emigrants from the United Kingdom who are in a destitute and diseased condition has become extremely burthensome, and sometimes dangerous to the health of the inhabitants of this province. And whereas such disease and distress are often occasioned by the practice of taking on board ships in the ports of the United Kingdom more passengers and emigrants than can be comfortably accommodated; and whereas it is just and expedient that the inhabitants of this province should be relieved from some of the heavy burthens thus imposed upon them. Preamble.

1. Be it therefore enacted, by the Lieutenant-governor, Council, and Assembly, that the man or person having charge of any ship or vessel, which may arrive at any port or place in this province, from any port or place in the United Kingdom with passengers and emigrants shall, at the time of reporting such ship or vessel, pay to the treasurer of the province, or any deputy treasurer, at the port or place where such ship or vessel may arrive, the sum of 5 s. for each and every such passenger and emigrant, when the master or person having charge as aforesaid, shall make it appear, by a certificate from the officers of the customs, at the port of clearance in the United Kingdom, that such ship or vessel had the sanction of His Majesty's Government to take out passengers and emigrants to the North American Colonies; and when no such certificates are produced to the said treasurer or deputy treasurer, as the case may be, then and in such case the master or person having charge of such ship or vessel as aforesaid, shall pay to the said treasurer or deputy treasurer the sum of 10 s. for each and every passenger and emigrant on board such ship or vessel; all which

Masters of vessels, arriving from the United Kingdom, to pay 5 s. for each passenger when the vessel is sanctioned by His Majesty's Government to take out emigrants to the North American Colonies, and 10 s. when not so sanctioned.

sum or sums the said treasurer and deputy treasurers respectively are hereby authorised and required to demand and receive: Provided always, that two children, each being under the age of 14 years, or three children, each being under the age of seven years, or one child being under the age of 12 months, with the mother of such child, shall in all such cases be computed as one person for the purposes of this Act.

Proviso, as to children.

Separate accounts to be kept of the money arising under this Act.

Application of the Act.

Mode of recovering the duty in cases of neglect or refusal to pay.

2. And be it further enacted, that the treasurer of the province, and deputy treasurer respectively, shall keep a separate account of all monies received under and by virtue of this Act; which sums so received shall be applied from time to time, by grants from the Legislature, towards relieving destitute and diseased passengers and emigrants, and in assisting them to reach their several places of destination within the province, and paid by warrant of his Excellency the Lieutenant-governor, or Commander-in-chief for the time being.

3. And be it further enacted, that upon the refusal or neglect of the master or person having charge of any ship or vessel arriving with passengers and emigrants as aforesaid, to pay the sum or sums for each and every passenger and emigrant aforesaid, it shall and may be lawful to and for the treasurer, or deputy treasurer, as the case may be, to sue for and prosecute the same before any two of the magistrates of the county where the vessel may be; and on conviction, the said magistrates shall and may levy the same by warrant of distress under their hands and seals, directed to any sheriff, marshal or constable, at or near the place where the vessel may be, and by sale, under the said warrant, of the guns, boats, tackle, apparel and furniture of such ship or vessel, and the overplus (if any) of such distress and sale, after deducting the costs, shall be paid to the master or person having charge of such ship or vessel.

Suspending clause.

4. And be it further enacted, that this Act shall not be in force or come into operation until His Majesty's Royal Assent be first thereunto had and declared.

(signed) *Archibald Campbell,*
Lieut.-Govr.

Note.—This Act has been confirmed by His Majesty in Council.

