

ACTS

OF THE

The Attorney Gen

GENERAL ASSEMBLY

OF

HIS MAJESTY'S PROVINCE

OF

NEW-BRUNSWICK.

PASSED IN THE YEAR 1816.



FREDERICTON :

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MOST EXCELLENT MAJESTY :

1816.

Rec. Aug. 14, 1906.

ANNO REGNI

GEORGIÆ III.

*Britanniarum Regis,
Quinquagesimo Sexto.*

AT the GENERAL ASSEMBLY of the Province of NEW-BRUNSWICK, begun and holden at FREDERICTON, on the *twenty-seventh* Day of JANUARY, *Anno Domini*; 1810, in the Fiftieth Year of the Reign of our said Sovereign Lord GEORGE the THIRD, by the Grace of GOD, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. and from thence continued by several Prorogations, to THURSDAY the *eleventh* Day of JANUARY, 1816; being the Fifth Session of the Fifth General Assembly convened in the said Province.

TITLES OF THE ACTS.

PAGES:

I. AN Act to increase the number of Constables in the City of Saint John.	5
II. An Act to increase the number of Firemen in the City of Saint John.	6
III. An Act in amendment of an Act, entitled "An Act for regulating the Fisheries in the County of Northumberland."	<i>ib.</i>
IV. An Act to alter an Act, entitled "An Act for the further regulation of Fisheries, and for preventing their decay;" and also to alter another Act, entitled "An Act to alter and amend an Act, entitled "An Act for the further regulation of Fisheries, and for preventing their decay."	7
V. An Act to provide for the Punishment of Horse-stealing.	<i>ib.</i>
VI. An Act for the organization and regulation of the Militia of this Province.	8
VII. An Act to provide for the purchase of a Place for the residence and accommodation of the Governor or Commander-in-Chief of this Province.	24
VIII. An Act to give two additional Terms in each year for the sittings of the Inferior Court of Common Pleas in the County of Northumberland.	<i>Sovern Haupt</i>
IX. An Act to prevent the cutting or breaking down the Bank of any River, Sea-bank or Dyke, and for the preservation of the same.	26
X. An Act to constitute the Island of Grand-Manan and its appurtenances in the County of Charlotte into a distinct Town or Parish.	27
XI. An Act to explain and amend an Act, entitled "An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church-Wardens and Vestries of the Church of England, in the several Parishes in this Province."	28
XII. An Act to continue and make perpetual two Acts of the General Assembly that are near expiring.	<i>ib.</i>
XIII. An Act in addition to, and to explain an Act, entitled "An Act to explain and amend the Laws now in force, for regulating the exportation of Fish and Lumber."	29
XIV. An Act in addition to an Act, entitled "An Act for erecting a Court-House and Gaol in the County of Northumberland."	30
XV. An Act for establishing a Grammar School in the Town of Saint Andrews, in the County of Charlotte.	31
XVI. An Act to exclude ignorant and unskilful Persons from the Practice of Physic and Surgery.	32
XVII. An Act more effectually to provide for the support of a Nightly-Watch in the City of Saint John.	33
XVIII. An Act to authorize the Justices of the General Sessions of the Peace for the County of York, to levy an assessment for building a County Court-House.	<i>Quack</i>
XIX. An Act to continue certain Acts of the General Assembly which are near expiring.	34
XX. An Act for granting further aid in support of the College of New-Brunswick, and of the public Grammar School in the City of Saint John.	37
XXI. An Act to establish Grammar Schools in several Counties of this Province.	<i>ib.</i>
XXII. An Act for the establishment, regulation and improvement of the great Roads of Communication through the Province.	38
XXIII. An Act to encourage the establishment of Schools in this Province.	<i>ib.</i>
XXIV. An Act further to continue an Act, entitled "An Act for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns and Parishes in this Province."	40
XXV. An Act further to continue an Act, entitled "An Act to provide for the more effectually repairing the Streets and Bridges in the City and County of Saint John."	46
XXVI. An Act to encourage the Fisheries of this Province.	<i>G. Roads Schools</i>
XXVII. An Act to erect into a separate Parish all the Lands in Queen's County, in the rear of the Parishes of Wickham and Waterborough.	49
XXVIII. An Act to enable the Minister and Elders for the time being of the Church in Communion with the Kirk of Scotland, lately erected in the City of Saint John, to hold the same to them and their Successors for ever, and for other purposes therein mentioned.	<i>ib.</i>
XXIX. An Act to continue and amend the several Acts now in force for raising a Revenue in this Province.	50
XXX. An Act to appropriate a part of the public Revenue for the services therein mentioned.	51
XXXI. An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province, and improving the Navigation of the River Saint John and its branches.	53
	<i>ib.</i>
	61

L A W S

OF THE

PROVINCE OF NEW-BRUNSWICK.

CAP. I.

An Act to increase the number of Constables in the
City of Saint John.

Passed the 7th of March, 1816.

WHEREAS in and by the Charter of the City of Saint John, the number of Constables in and for the said City is limited to six; that is to say, one Constable for each Ward in the said City, and that number is found by experience to be greatly insufficient in the present increased state of the Population of the said City. Preamble.

I. *Be it therefore enacted by the President, Council and Assembly,* That from and after the passing of this Act, it shall and may be lawful to, and for the Mayor, Aldermen and Commonalty of the said City of Saint John or the major part of them, in Common Council convened on the first Tuesday in April in each and every year, to name and appoint such and so many of the Inhabitants of the said City, being freeholders there, or freemen of the said City as they shall see convenient, not to exceed the number of twelve, to be Constables in the said City for the ensuing year, in addition to the Constables annually elected and chosen in each respective Ward in the said City, under and by virtue of the said Charter. Mayor, &c. empowered to appoint additional Constables. Not to exceed twelve.

II. *And be it further enacted,* That the Constables to be appointed by virtue of this Act, shall take the same oaths, and be subject and liable to the same fines, penalties, duties, rules, ordinances and regulations in every respect, and to all intents and purposes, that the Constables so elected and chosen under and by virtue of the said Charter, are by the said Charter directed to take, and are by the said Charter or otherwise by Law subject and liable unto. Constables appointed by virtue of this Act, to take the same oaths, and be subject to the same fines, &c. as Constables elected and chosen under and by virtue of the Charter.

III. *And be it further enacted,* That if any Constable in the said City of Saint John, shall be guilty of any neglect or misbehaviour in the execution of the duty of his office, he shall forfeit and pay for the use of the Mayor, Aldermen and Commonalty Constable neglecting or misbehaving in the execution of his duty, made subject to a fine of forty shillings.

monalty of the said City, the sum of *forty shillings* for every such neglect and misbehaviour, to be recovered upon proof of such neglect or misbehaviour, by the oath of one credible witness before the Mayor or Recorder, and any one of the Aldermen of the said City, to be levied by Warrant of distress and sale of the offender's Goods and Chattels, rendering the overplus, if any, after deducting the costs and charges of prosecution to the offender.

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CAP. II.

An Act to increase the number of Firemen in the City of Saint John. Passed the 7th March, 1816.

Preamble.
WHEREAS in and by an Act made and passed in the twenty-eighth year of His MAJESTY'S Reign, entitled "An Act in addition to an Act, entitled "An Act for the better extinguishing Fires that may happen within the "City of Saint John;" the number of Firemen of the said City to be appointed by virtue of the said last mentioned Act, made and passed in the twenty-sixth year of His MAJESTY'S Reign, is limited to forty, and that number is found by experience to be insufficient in the present increased state of the Population of the said City.

Number of Firemen extended to sixty.

I. Be it therefore enacted by the President, Council and Assembly, That the number of Firemen to be appointed by virtue of the said herein-before recited Act, made and passed in the twenty-sixth year of His MAJESTY'S Reign, shall and may be increased and extended to sixty and no more, any thing in the said herein-before recited Act, or in the Act therein referred to the contrary notwithstanding.

Privileges of Firemen during their continuance in office.

II. And be it further enacted, That the said Firemen shall and may during their continuance in the Office of Firemen have, hold, exercise and enjoy all the immunities, privileges and exemptions in the said herein-before recited Act, or in the Act therein referred to in that behalf expressed and contained.

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CAP. III.

An Act in amendment of an Act, entitled "An Act for regulating the Fisheries in the County of Northumberland." Passed the 7th March, 1816.

Preamble.

WHEREAS in and by the first Section of an Act, made and passed in the thirty-ninth year of the Reign of His present MAJESTY, entitled "An Act for regulating the "Fisheries in the County of Northumberland:" it is provided, that from Lot number sixty-one, to Lot number fifty-seven inclusive, on the River Mjramichi, no Net should extend into the River more than sixty-five fathoms from low water: And whereas it is found by experience, that by confining the length of the Net in front of the said Lot number fifty-seven, to only sixty-five fathoms from low-water mark, owing to a flat lying in front of the same, the Fishery there is rendered of but little use; for remedy whereof--

I. *Be it enacted by the President, Council and Assembly, That* the Net permitted to be set in front of the said Lot number fifty-seven, (which Lot is at present occupied by *William Gordon*), may be of the length and extend sixty-five fathoms beyond forty fathoms from low water; any thing in the said recited Act, to the contrary notwithstanding.

Net to be set in front of Lot No. 57, may extend 65 fathoms beyond 40 fathoms from low water.

II. *And be it further enacted, That* this Act shall be taken and considered as a public Act, and continue and be in force during the time provided for the continuance of the hereinbefore recited Act and no longer.

to be considered as a Public Act Limitation.

CAP. IV.

An Act to alter an Act, entitled “An Act for the further regulation of Fisheries, and for preventing their decay;” and also to alter another Act, entitled “An Act to alter and amend an Act, entitled “An Act for the further regulation of Fisheries, and for preventing their decay.”

Passed the 7th March, 1816.

BE it enacted by the President, Council and Assembly, That the fourth Section of an Act, made and passed in the fiftieth year of His MAJESTY’S Reign, entitled “An Act for the further regulation of Fisheries, and for preventing their decay;” and also, that the fourth Section of an Act, made and passed in the fifty second year of His MAJESTY’S Reign, entitled “An Act to alter and amend an Act, entitled “An Act for the further regulation of Fisheries, and for preventing their decay”---be and the same Sections of the said recited Acts are severally and respectively repealed.

4th Sect. of the Act, 50th Geo. 3d, and 4th Sect. 52d Geo. 3d repealed.

CAP. V.

An Act to provide for the Punishment of Horse-stealing.

Passed the 7th of March, 1816.

BE it enacted by the President, Council and Assembly, That from and after the passing of this Act, if any Person shall feloniously steal, take and carry away any Horse, Gelding or Mare, every such offence shall be deemed felony and larceny, and every person so offending shall suffer such and the like punishment as if he or she had stolen any other Goods of the like value with any such Horse, Gelding or Mare so stolen, taken and carried away, any thing to the contrary thereof in any wise notwithstanding.

CAP. VI.

CAP. VI.

An Act for the organization and regulation of the Militia of this Province.

Passed the 7th March, 1816.

Preamble.

WHEREAS a well-regulated Militia is essential to the security of this Province.

I. *Be it therefore enacted by the President, Council and Assembly,*

Male white Inhabitants, residents from 16 to 63 years of age to be enrolled.

That every male white Inhabitant or resident within this Province, from sixteen to sixty years of age (excepting such as are herein after excepted) shall be enrolled in and liable to serve in the Militia, and the Militia shall be formed into Battalions by Counties, or if any County shall be sufficiently populous to admit of more Battalions than one, the Governor or Commander-in-Chief may divide the same County into two or more Battalions, and affix the limits of the Districts composing such

Militia to be formed into Battalions by Counties.

And in Counties sufficiently populous, to admit of more Battalions than one, the same may be divided into two or more Battalions.

Companies not to be more than 60 Rank and File, with one Captain and two Subalterns.

District of Companies to be determined by the Commanding Officer of the Battalion.

Battalions, and each Company in such Battalion shall consist of not more than sixty rank and file, and be commanded by one Captain and two Subalterns, and the extent of the Districts of the Companies shall be determined by the Commanding Officer for the time being of the Battalion to which they belong; and all Captains or Commanding Officers of Companies, are hereby required to take due care from time to time, to enroll in a Book to be by them kept for that purpose, the names of those persons who are liable to serve as aforesaid with-

Officers Commanding Companies to enroll persons liable to serve.

In insular and remote situations where the number of men does not exceed 80, the whole may be formed into one Company.

in their respective Districts: Provided always, that in insular and remote situations where the number of persons in the Island or neighbourhood liable to serve in the Militia, exceeds the number of sixty, but does not exceed the number of eighty, the whole may be enrolled in one Company; and Provided

Persons exempted from being enrolled.

also, that the Members of His MAJESTY'S Council, Members of the Assembly, established Clergymen and licensed Ministers of the Gospel, all persons exercising Commissions Civil or Military under His MAJESTY, Officers on half-pay, supernumerary Militia Officers now in commission, Officers of His MAJESTY'S Customs, Revenue and Naval Officers, Physicians and Surgeons licensed by the Governor or Commander-in-Chief to practice as such; one Miller to each grist-mill, and one Ferry-man to each established Ferry, shall be exempted from being enrolled as aforesaid; and Provided also, that every person professing himself to be of the people called Quakers, and producing to the Commanding Officer of the Battalion of the District in which he resides, a certificate signed by two people of that persuasion, that such person has been deemed and allowed to be one of the same persuasion, for at least one year before the date of such certificate, shall in like manner be exempted from being enrolled as aforesaid.

Quakers producing a Certificate exempted.

II. *And be it further enacted,* That it shall be the duty of

Captains when required to make returns of their Companies, one of Arms, &c. to the Commanding Officer of the Battalion.

every Captain or Commanding Officer of a Company, to furnish the Officer commanding the Battalion to which he may belong, at all times when ordered, a fair written Roll of his Company, and a return of the state of their Arms and accoutrements; and the Commanding Officers of Battalions shall furnish to the Commander-in-Chief when ordered, such Rolls, Returns and statements of their Battalions as may be required.

Commanding officers of Battalions to make returns to the Commander in Chief.

III. *And be it further enacted,* That the Commanding Officers

cer of each Battalion shall have power to appoint from time to time, suitable persons as Drummers, Buglers and Fifers to his Battalion, and to displace them and appoint others in their stead, and that the Captain or Commanding Officer of a Company shall have power, with the consent of the Commanding Officer of the Battalion to which he may belong, to nominate and appoint Sergeants and Corporals for the Company under his Command, and if any person so to be appointed shall refuse to accept the Office to which he shall be appointed, or having accepted shall refuse or neglect to perform his duty, he shall for every offence, forfeit and pay the sum of twenty shillings, to be recovered in the same manner as is provided for the recovery of fines in the eighth section of this Act: Provided always, that no more than three Sergeants and three Corporals shall be appointed to any one Company, except Flank Companies, which may have four Sergeants each.

Commanding officers of Battalions to appoint Buglers, &c.
Officers commanding Companies, with consent of Commanding Officers of Battalions to appoint Sergeants and Corporals.
Persons so appointed refusing to serve shall forfeit 20s.
Three Sergeants and three Corporals to each Company, except Flank Companies, which may have four Sergeants.

IV. *And be it further enacted,* That if any Sergeant or Corporal shall be guilty of any misbehaviour in his Office, he may be tried by a Court-Martial, to consist of not less than three Commissioned Officers, and by the sentence of such Court, if approved of by the Commanding Officer of the Battalion, be displaced from his Office.

Sergeants or Corporals for misbehaviour, may be tried by a Court-Martial.

V. *And be it further enacted,* That for the purpose of inspecting and improving the Militia in martial exercises, the Commander-in-Chief may at such convenient season of the year as he may judge fit, interfering as little as possible with seed time and Harvest, order out and keep each Battalion together, or in divisions within their respective Districts, one day in each year: Provided always, that no person shall be required to travel more than thirty miles from his usual place of residence, to attend the training of the Battalion or the division thereof to which he may belong.

Commander-in-Chief may call out and keep together the Militia one day in each year.
No person to travel more than thirty miles from his usual place of residence to train.

VI. *And be it further enacted,* That every Battalion, except those persons above fifty years of age, shall be called out and rendezvous by Companies, two days in every year, interfering as little as possible with seed time and Harvest, for the purpose of disciplining and improving in martial exercises; the times and places of such rendezvous to be appointed by the Commanding Officer of the Battalion and arranged on different days, or in such manner that the Field and Staff Officers may have an opportunity of attending the several Companies, in order to introduce uniformity in the manœuvres and discipline of the Battalion; and the Commanding Officer of any Battalion may assemble any two or more of the Companies together as he may judge expedient: Provided that no Company shall be obliged to go more than twelve miles from the usual place of rendezvous of such Company.

Companies to be called out and rendezvous by Companies two days in each year.
Times and places of such rendezvous to be appointed by the Commanding Officer of the Battalion, and arranged in such manner that the Field and Staff Officers may have an opportunity of attending the several Companies.

And may assemble two or more Companies together.
Provided that no Company shall go more than twelve miles from the usual rendezvous.

VII. *And be it further enacted,* That notice of the times and places appointed for assembling the Militia by Battalions or divisions thereof, or by Companies as aforesaid, shall be given in writing by the Captains or Officers commanding Companies, who shall cause such notice to be posted up by a Non-Commissioned Officer, at least ten days before the respective times of meeting, in three of the most public and conspicuous places within the Districts of the several Companies; which notification so given, shall be deemed a sufficient warning: Provided always, that five days personal notice to the individual

Ten days notice in writing to be given by the Captains or Officers commanding Companies, who shall cause such notice to be posted up by a non-commissioned Officer.

Five days personal notice sufficient.

dual of the time and place of assembling, shall in all cases be deemed sufficient without such notice in writing.

Non-commissioned Officers and privates neglecting to appear at any Battalion or Company muster, to forfeit 10s. for each and every day he shall so neglect to appear.

VIII. *And be it further enacted,* That every Non-commissioned Officer and Private, who shall neglect to appear at any Battalion or Company muster, agreeable to the provisions of this Act, shall be liable to a fine of *ten shillings* for each and every day that he shall so neglect to appear; and every Non-commissioned Officer and Private, who after having appeared at any Battalion or Company muster, shall at any time during the said days herein-before required of him to attend, be absent from his Battalion or Company without leave from his Commanding Officer, shall for each and every time that he shall be so absent without leave, be liable to a fine of *ten shillings*.

No excuse to be admitted but sickness or lameness, or illness of delinquent's family.

Provided always, That no excuse shall be admitted for non-attendance, except sickness or lameness of the individual to prevent his attendance, or extreme illness of some part of his family, or detention by unforeseen and unavoidable circumstances, to be manifest by legal proof given on the part of the delinquent: *And Provided also,* That persons other than substitutes, who shall have been embodied and on actual service for the space of twenty days, and also persons who shall have procured substitutes to perform such actual service, shall not be required to attend any such Battalion or Company muster during the same year in which such actual service shall have been performed.

Or detention by unforeseen and unavoidable circumstances.

Persons who have been embodied for so days.

And also persons who shall have procured substitutes, excused from attending muster during that year.

IX. *And be it further enacted,* That the fines imposed by the next preceding section, shall be recoverable before the Captain or Officer commanding the Company to which the delinquent may belong, and be levied by distress and sale of the delinquent's Goods, by an order of the said Commanding Officer, directed to a Non-commissioned Officer of the same Company, who is hereby empowered to serve and execute the same, (with the like fees as Constables may receive), rendering the overplus if any, after deducting the costs and charges of such distress and sale to the delinquent, and if no Goods or effects shall be found whereon to levy the said fine, such delinquent shall by warrant, under the hand and seal of such Commanding Officer, be committed to the County Gaol, there to remain for the term of two days, for the fine of each days delinquency, and the keeper of any Gaol is hereby authorized to receive and keep such delinquent during the time specified in such warrant, and then to discharge him on payment of the customary Gaol fees, together with such fees as the Non-commissioned Officer may be entitled to receive as herein-before mentioned: *Provided always,* That any such delinquent may appeal from the sentence of the Commanding Officer of the Company to which he may belong, to the Commanding Officer of the Battalion, who is hereby authorized and empowered to remit the fine imposed upon such delinquent, either in part or the whole, as the circumstances of the case may require.

Fines to be recovered before the Captains of Companies, and levied by a non-commissioned Officer by distress.

For want of goods, delinquent to be imprisoned.

Delinquent may appeal from the sentence of the Captain to the Commanding Officer of the Battalion.

X. *And be it further enacted,* That all orders to be issued by any Commanding Officer of a Company, under and by virtue of the provisions of this Act, for the purpose of levying fines, shall be in the form following, to wit:

Form of an order of distress.

" To A. B. Sergeant (or Corporal), you are hereby required forthwith to demand of N. B. the sum of

" being

“ being the amount of a fine imposed upon him, under and
 “ by virtue of the Militia Law, and on his refusal to pay the
 “ same, to levy and distrain the amount thereof of the Goods
 “ and Chattels of the said N. B. and to sell and dispose of the
 “ Goods and Chattels so to be distrained within six days, un-
 “ less the said sum of _____ together with reasonable
 “ charges of taking and keeping such distress shall be sooner
 “ paid, and return to me what you shall do by virtue of this
 “ order.

“ Given under my Hand this
 “ day of _____

And that all warrants to be issued by the Commanding Officer of any Company for the imprisonment of any delinquent, shall be in the form following, to wit:

“ To A. B. Sergeant (or Corporal.)

Form of an order of commitment.

“ Whereas a Fine of _____ has been imposed upon
 “ N. B. for an offence against the provisions of the Militia
 “ Law, which fine has not been paid, these are therefore to
 “ require and command you to convey and deliver into the
 “ custody of the keeper of the common County Gaol, the
 “ body of the said N. B.; and you the said keeper, are hereby
 “ required to receive the said N. B. into your Custody in the
 “ said Gaol, and him there safely keep for the space of
 “ days, unless the said fine with the accustomed fees shall be
 “ sooner paid.

“ Given under my Hand and Seal the _____ day of _____

XI. *And be it further enacted,* That every person enrolled as aforesaid, when ordered out as aforesaid, shall appear with such arms, ammunition and accoutrements as have been or hereafter may be issued to him by Government or (if he shall so choose) with arms, ammunition and accoutrements of his own, equally good in complete order, and for appearing without such arms, ammunition and accoutrements, or appearing with a part and not the whole, or with any of them which in the opinion of the Commanding Officer for the time being, at the place where such Militia are ordered to assemble, are not in good and serviceable order, such person shall forfeit and be ordered by the said Commanding Officer to pay a sum not less than *two* nor more than *twenty shillings*, which if not paid within twenty-four hours after such person is dismissed from his then attendance, shall be by an order of the said Commanding Officer, directed to one of the Non-commissioned Officers of the Company to which such person shall belong, levied (with the like fees as Constables may receive) upon the Goods and Chattels of such delinquent, and for want of Goods and Chattels whereon to levy the same, the said delinquent shall by warrant under the hand and seal of such Commanding Officer be committed to the County Gaol, there to remain not exceeding four days, and the keeper of any Gaol is hereby authorized to receive and keep such delinquent during the time specified in such warrant, and then to discharge him on payment of the customary Gaol fees, together with such fees as the Non-commissioned Officer may be entitled to receive as herein-before mentioned.

Persons called out to appear with arms, ammunition and accoutrements in complete order.

And for appearing without, or with only a part, or not in good order in the opinion of the Commanding Officer for the time being, to forfeit not less than two nor more than 20s.

Which if not paid within twenty-four hours after the delinquent is dismissed, shall be levied by the Commanding Officer's order, directed to a non-commissioned Officer.

For want of Goods, delinquent to be imprisoned, not exceeding four days.

XII. *And be it further enacted,* That the Commanding Officer of any Battalion, shall and may once in each year, and oftener if he deem it necessary, order an inspection of arms and

Officers commanding Battalions to order inspections of the arms and accoutrements of the Battalions.

To be made by the Subaltern Officers of the Companies,

and accoutrements of such Battalion, when the Subaltern Officers of the Company (each taking such part as the Captain or Commanding Officer of the Company shall direct), shall call on each and every man of the Company at his usual place of abode, and then and there carefully inspect and examine such persons arms and accoutrements, to see whether the same are all in good order, and shall make an exact report to the Commanding Officer of the Company, of the state and condition in which the same were found, which report shall be made in writing, and shall be sworn to by the person making it, before some one of His MAJESTY'S Justices of the Peace of the County where such inspection may take place; which oath such Justice is hereby authorized to administer, and shall certify without fee, and every person who shall refuse to submit to such inspection, or whose arms or accoutrements shall be found in unserviceable condition, out of order, or deficient, shall forfeit and pay for each deficiency, the like sum as if such had been the case when ordered out as herein-before mentioned, to be in like manner inflicted and recovered: *Provided always*, That the Commanding Officer of the Company may in all cases inspect the arms and accoutrements himself, either with or without an order from the Commanding Officer of the Battalion, and proceed to fine for any deficiency or bad state of the arms and accoutrements, or any or either of them, and levy the same in the same manner as is herein-before provided, upon the report of the Subaltern Officers.

Who shall report in writing under oath.

Every person who shall refuse to submit to such inspection, or whose arms and accoutrements shall be found in unserviceable condition, out of order, or deficient; shall forfeit the like sum, as if such had been the case when ordered out.

Commanding Officer of the Company may in all cases make the inspection himself without an order, and proceed to fine for deficiencies or bad state of the arms, &c.

The Adjutants to attend their respective Battalions when called out, and to perform all such other duties as may be ordered by the Commanding Officer, and be allowed 10s per day.

XIII. *And be it further enacted*, That it shall be the duty of the Adjutants appointed, or to be appointed to the several Battalions, to attend their respective Battalions when the same or any part thereof shall be ordered out under this Act, and at such and all other times to do and perform and attend to such duty as is incumbent on and appertaining to the proper office of Adjutant, or as they may be ordered by the respective Commanding Officers of such Battalions, and such Adjutants shall be allowed each, as a full compensation for all the services he is hereby ordered to perform (except when on actual service) ten shillings for each day he shall be actually employed, the number of days to be certified by the Commanding Officer of the Battalion, provided that no one Adjutant shall be allowed more than *fifteen pounds* in any one year.

Days to be certified by the Commanding Officer of the Battalion. Pay not to exceed £15 per annum. Non-commissioned Officers or Privates guilty of drunkenness, or misbehaving during the time they shall be ordered out, to be put under guard and tried by a Court-Martial, who may sentence him to pay a fine of not less than five nor more than 40s.

XIV. *And be it further enacted*, That if any Non-commissioned Officer or Private, shall be guilty of drunkenness, contemptuous or riotous behaviour, disobedience of orders, or shall otherwise misbehave himself during the time he shall be ordered out, as herein-before provided, it shall and may be lawful for the Commanding Officer to order such person so offending, to be confined under guard during the muster, and such offenders shall be liable to the payment of a fine of not less than *five*, nor more than *forty shillings*, to be levied and recovered as is directed in and by the ninth section of this Act.

To be levied and recovered as directed by the IXth Section of this Act.

XV. *And be it further enacted*, That if any person shall wilfully interrupt any body of Militia when ordered out under this Act, whilst on duty or at exercise, it shall and may be lawful for the Commanding Officer for the time being to confine such person during the performance of such duty, or the continuance of such days exercise or muster (if he shall think necessary)

Persons wilfully interrupting any detachment of Militia at exercise may be confined.

necessary) to prevent the continuance of such insult or wilful interruption, and every person so offending shall forfeit and pay a sum not exceeding *twenty shillings*, for each and every offence, to be recovered with costs, on conviction before any Justice of the Peace where such offence may be committed and levied by distress and sale of the offender's Goods and Chattels, and for want of such Goods and Chattels to commit the offender to the County Gaol for the term of four days, unless the fine and costs shall be sooner paid.

And shall forfeit 20s to be recovered before a Justice of the Peace.

And levied by distress and sale of the offender's Goods and Chattels.

For want of Goods, &c. offender to be committed to the County Gaol for the term of four days, unless sooner paid.

XVI. *And be it further enacted*, That if any Captain or Subaltern Officer of any Battalion, shall be guilty of contemptuous behaviour, disobedience of orders, or otherwise misbehave himself at any time when ordered out as herein-before mentioned, it shall and may be lawful for the Commanding Officer for the time being of such Battalion or division thereof, to order such Officer under arrest, and forthwith to try him by a Court-Martial, to consist of not less than two Captains and three Subalterns of the same Battalion, and in case such charge is proved, it shall be the duty of such Court-Martial to report their proceedings to the Commanding Officer, who shall report to the Commander-in-Chief of the Province, and if approved of by him, such Officer so found guilty shall be cashiered and dismissed.

Captains or Subalterns guilty of improper behaviour when ordered out, may be put under arrest by the Commanding Officer, and forthwith to be tried by a Court-Martial to consist of two Captains and three Subalterns.

And if the charge be proved, report to be made to the Commanding Officer, who shall report to the Commander-in-Chief, and if approved of by him, offender to be dismissed.

XVII. *And be it further enacted*, That every Officer (at all times when ordered out under this Act), shall appear equipped with a sufficient Sword and Belt under the penalty of *twenty shillings* for each offence, to be inflicted by the Commanding Officer for the time being of the Battalion to which he may belong, and if not paid upon an order from the said Commanding Officer, the same shall be levied upon the Goods and Chattels of such offenders, by warrant under the hand and seal of such Commanding Officer, directed to the Adjutant of such Battalion.

Officers to appear equipped with sufficient swords and belts, under the penalty of 20s.

XVIII. *And be it further enacted*, That the Commanding Officer of every Company, shall immediately when required, furnish the Commanding Officer of the Battalion to which he may belong, with the name of every delinquent belonging to his Company, who shall at any time neglect to appear when ordered out under this Act, or to perform any of the duties herein required, or in any other manner offend, and if any one is excused from any cause whatsoever, shall assign such excuse to the said Commanding Officer for his approbation, and if not admitted, such delinquent or offender shall be proceeded against according to Law.

Commanding Officers of Companies when required, to furnish the Commanding Officer of the Battalion with the names of delinquents who shall neglect to appear or perform their duty.

And if any one is excused to assign the excuses for his approbation.

XIX. *And be it further enacted*, That it shall and may be lawful for the Officer commanding any Battalion to appoint a Sergeant-Major, a Quarter-Master-Sergeant and Clerk for such Battalion, who are hereby made liable to be tried by a Court-Martial for disobedience of orders, or contemptuous and improper behaviour, which said Court-Martial shall be constituted as herein-before mentioned, for the trial of any Officer misbehaving when called out on duty, and shall have power to punish by fine or imprisonment in the County Gaol, such fine not exceeding *forty shillings*, or imprisonment ten days: *Provided always, and be it further enacted*, That no sentence of any Court-Martial shall be put in execution until approved by the Commanding Officer of such Battalion, and the

Sergeant-Major, Quarter-Master-Sergeant and Clerk to be appointed, who are liable to be tried and punished by a Court-Martial.

And are exempted from balloting for actual service.

Sergeant-Major, Quarter-Master-Sergeant and Clerk so appointed, shall be exempted from all balloting for actual service.

Quarter-Masters to give bond for the faithful discharge of their duty.

XX. *And be it further enacted*, That the Quarter-Master of every Battalion shall before he commences the duties of his office under this Act, give bond to His MAJESTY with two sufficient sureties, in the penal sum of *two hundred pounds* for the faithful discharge of such duties, and for his duly accounting for and applying all monies he may receive by virtue of this Act, and for all arms, accoutrements and stores, he may receive as Quarter-Master of such Battalion, which bond shall be taken by the Commanding Officer of such Battalion, and lodged by him in the Secretary's Office of the Province; and that each Quarter-Master shall be allowed in his general account, of monies ten per cent, for all sums received and paid over by him; this allowance to cease to be made to any Quarter-Master who may be on actual service, and in receipt of full pay.

Allowed ten per cent for monies received.

Lists of exempts to be transmitted by Officers commanding Companies, to the Commanding Officer of the Battalion, and entered by the Clerk in a Book.

XXI. *And be it further enacted*, That the Captains or Officers commanding Companies, shall on or before the first day of June in each year, make out and transmit to the Officer commanding the Battalion, lists of all Persons residing within the Districts of their Companies respectively, who are by this Act exempt from being enrolled in the Militia, specifying the ages of such persons; and the causes of their respective exemptions, which lists shall be entered by the Clerk of the Battalion in a Book to be by him kept for that purpose, and that all persons so exempted (one ferry-man to each established ferry excepted), shall on or before the first day of September in each and every year, pay to the Quarter-Master *ten shillings*, and if not then paid, the same to be forthwith recovered with costs, by and at the suit of such Quarter-Master in the like manner as is provided by the fifteenth section of this Act:

Exempts to pay to the Quarter-Master 10s. a year.

Exempts may excuse themselves from paying by enrolling themselves.

Provided always, and be it further enacted, That any person liable as aforesaid to pay the said sum of *ten shillings*, shall be excused from paying the same by enrolling himself in the Company of Militia of the District in which he resides, and that when such person has so enrolled himself, he shall be, and he is hereby made liable to do and perform all and singular the duties required of other men belonging to the Company, and under and subject to the same penalties and forfeitures in every respect.

Ferry-men to convey Militia-men going on duty, over their ferries free of expence.

XXII. *And be it further enacted*, That the Ferry-men excepted by the next preceding Section, shall upon all occasions when the Militia are called out by Battalions or Detachments for general training, carry over their respective ferries the said Militia, and each and every of them in going out and returning home without any demand for ferryage whatever, under the penalty of *ten shillings* for each and every offence, to be recovered by the party complaining before any one of His MAJESTY's Justices of the Peace, upon the oath of one credible witness.

Arms lent by Government not to be used for any other purpose than that for which they may have been supplied, under the penalty of 10s for each and every offence,

XXIII. *And be it further enacted*, That no person who has been, or may hereafter be furnished with arms, accoutrements, and ammunition by Government, shall use the same for any other purpose than that for which they may have been supplied, under a penalty of *ten shillings* for each and every offence, to be recovered before any one Justice of the Peace in

To be recovered before a Justice of the Peace.

same

same manner as prescribed in the next preceding section of this Act, and when recovered to be paid to the person who shall prosecute for the same, and for want of effects whereon to levy the said fine of *ten shillings*, such offender shall be imprisoned two days.

XXIV. *And be it further enacted*, That the Governor or Commander-in-Chief shall be, and he is hereby authorized and empowered in case of any actual invasion or imminent danger thereof, if he in his discretion shall think it necessary or expedient to call out the Militia of the Province, and the exempts as described in the first section of this Act, (established Clergymen, licensed Ministers of the Gospel, Millers and Ferrymen excepted) or any part thereof into actual service.

XXV. *And be it further enacted*, That in case of any actual invasion or imminent danger thereof, in any County or District where the Commander-in-Chief cannot in time be consulted, the Commanding Officer of the Battalion shall have power (if he in his discretion shall think it necessary or expedient) to call out the Militia and the exempts as aforesaid, or any part thereof into real service, and in case of any such actual invasion or imminent danger thereof in any Town, Parish or Company District, where the Commanding Officer of the Battalion cannot in time be consulted, the Officer commanding the Militia in such Town, Parish or Company District, shall have power (if he in his discretion shall think it necessary or expedient) to call out the Militia under his command, and also the exempts as aforesaid within the same or any part thereof into real service, and such Officer last mentioned, shall forthwith report his proceedings, and the reasons and grounds thereof to the Officer commanding the Battalion to which he belongs, who is hereby required in either case, forthwith to dispatch an express to the Governor or Commander-in-Chief, notifying the danger and the strength and motions of the enemy, and every person liable to be so called, who shall when called on refuse to go, shall pay the sum of *ten pounds*, or forthwith be committed to the County Gaol, by a written order of the Commanding Officer of the Battalion or Company to which he may belong, or if necessary for safe custody, be sent to any other place of confinement at the discretion of such Commanding Officer, and such offender shall remain in imprisonment three months, or until such fine be paid, and all Gaolers are hereby ordered to receive and safely keep such person so to be committed during the time herein specified.

XXVI. *And be it further enacted*, That the Militia or any part thereof, and the exempts as aforesaid, so called out into real service by virtue of the provisions of this Act, shall and may be ordered to march from one County, or part of the Province to another, on any necessary service occasioned by such actual invasion or imminent danger thereof.

XXVII. *And be it further enacted*, That when the Militia or any part thereof shall be upon real service, every Officer or person so called into service, is hereby bound and required to yield obedience to all lawful commands of his superior Officers for mounting guards, erecting works, and other military services for repelling, resisting or guarding against the attacks of the enemy, under the penalty of incurring the forfeitures appointed by this Act for disobedience of orders.

Militia to be drafted for service by ballot.

XXVIII. *And be it further enacted,* That whenever the Governor or Commander-in-Chief, shall direct any part of the Militia or the exempts as aforesaid, of any or either of the Counties to be called out as aforesaid into real service, a draft by ballot shall be made from each Company in exact proportion according to the number then fit for duty, which shall be on the oath of the Captain or Commanding Officer of such Company to the best of his knowledge if required, of all persons from the age of eighteen to fifty years, which ballot shall take place and be made in presence of one or more of His MAJESTY'S Justices of the Peace; or if no such Justice shall be resident near to the place where such ballot shall be made, then and in that case the same shall be made in presence of three or more respectable freeholders, who are exempted by age from being drafted themselves, and on such occasions, all the persons within the County in which any part of the Militia shall be called out as aforesaid, between eighteen and fifty years of age who are herein-before declared to be exempted from being enrolled in the Militia in manner herein-before mentioned (except established Clergymen and licensed Ministers of the Gospel; one Miller to each grist-mill, and one Ferry-man to each established Ferry) who shall not have joined any Company, shall be formed into a Company by and under the direction of the Commanding Officer of the Battalion, and shall be liable to the same draft by ballot as any other Company in such Battalion in proportion to their numbers then fit for duty as aforesaid, and each and every person so drafted shall go in his own proper person or find a good and sufficient man in his room, and for his neglect or disobedience herein, he shall be subjected to a fine of *ten pounds*, which if he neglect or refuse to pay, he shall be committed to the nearest County Gaol where he can be safely kept, by warrant from the Commanding Officer of the Battalion, or if necessary to his safe custody, be removed to any other Gaol at the discretion of the Commanding Officer, where he shall remain three months or until he pays the said fine, and another man shall be drafted as aforesaid to march in his place, who shall have half of the said fine if he shall not refuse or neglect to go, or find a good and sufficient man in his room as aforesaid, but if he shall so neglect or refuse, then he shall be subjected to the like fine, and a further draft shall be made of another man, who shall have half of the fine last mentioned if he shall not neglect or refuse to go or find a good and sufficient man as aforesaid, and so as often as such case shall happen: *Provided always,* that in case any part of the Militia or the exempts as aforesaid shall be called out more than once, no person who has been once drafted as aforesaid shall be again drafted until all the others belonging to the same Company shall have been drafted: *Provided also,* that nothing in this Act shall be construed to extend to oblige the Firemen appointed, or to be appointed by the Corporation of the City of Saint John to the Engines in that City, or Firemen that may be appointed to any Engine that may be hereafter established in any other Town in this Province to do duty beyond the limits of the said City and Town respectively, and also further provided that if any person called and duly certified to be a Quaker shall upon being drafted, refuse to serve or procure

Exempts to be formed into a Company, and subject to be drafted.

Persons drafted to serve in their own persons, or find good substitutes, under the penalty of £10.

No person to be a second time drafted until all the others belonging to the same Company shall have been drafted.

Firemen in Saint John, not to do duty beyond the limits of the City.

Substitutes to be hired for Quakers, who are to pay the expence not exceeding £10.

procure a substitute as aforesaid, it shall and may be lawful for the Captain or Officer commanding the Company to which such Quaker belongs to procure and hire a substitute for him and at his expence, not to exceed the sum of *ten pounds*, which if he shall refuse or neglect to pay, the same shall and may be recovered before any two of His MAJESTY'S Justices of the Peace, in a summary way, at the suit of the said Captain or Commanding Officer of the Company, and levied with costs upon the Goods and Chattels of such delinquent, or for want thereof such delinquent shall be committed to Gaol, there to remain for three months or until he pays the same: *Provided also*, that those who have already served in the embodied Militia, and those to be hereafter drafted, shall not be liable to be again drafted until all the others belonging to the same Company shall have been drafted.

Persons who have served in the embodied Militia, exempted from draft till all the others of the same Company shall have been drafted.

XXIX. *And be it further enacted*, That whenever the Governor or Commander-in-Chief for the time being, shall in consequence of any actual invasion or imminent danger thereof as aforesaid, think it expedient to order a proportion of the Militia on real service—volunteers who offer themselves for such service, being able of body in the opinion of the Field Officers of the Battalion to which such volunteer shall belong shall be accepted, and being so accepted shall be subject to all the provisions of this Act as though they had been drafted by ballot.

Volunteers may be accepted and be on the same footing with drafted men.

XXX. *And be it further enacted*, That if any Officer, Non-commissioned Officer or private of the Militia or exempts as aforesaid, under arms for real service, on a march or on guard or that shall be ordered for any of the duties or services herein before mentioned, shall disobey orders or neglect doing his duty, or shall shew any contemptuous behaviour towards his superior Officer; if an Officer, he shall on conviction thereof before a general Court-Martial, to be constituted and appointed as herein-after directed, be cashiered by the sentence of such Court-Martial; if a Non-commissioned Officer or Private, he shall be confined by the Commanding Officer of the party or guard; and it shall be lawful for the Commanding Officer of the Battalion, or of any party or command, not under the degree of a Captain, to order a Court-Martial to be forthwith held for the trial of such offender, the said Court-Martial to consist of three commissioned Officers at least; but where they can be had, of five, who may give judgment by laying a fine on such offender in any sum not exceeding *forty shillings*, and in addition thereto, if a Non-commissioned Officer, reducing him to the ranks at the discretion of the Court, which fine so ordered by the Court-Martial, if he neglect or refuse to pay, shall be either stopped out of the pay of such offender, or such offender shall be imprisoned or subject to hard labor for a term not exceeding ten days: *Provided always*, nevertheless, that no sentence of such Court-Martial shall be put in execution until approved of by the Officer ordering such Court-Martial, and no Officer being the accuser shall be a member.

Officers on service may be cashiered by a general Court-Martial for disobedience or neglect of duty.

Non-commissioned Officers and Privates may be confined and fined by a Court-Martial and fined.

Fines may be stopped out of the pay.

No sentence to be put in execution till approved by the Officer ordering the Court.

XXXI. *And be it further enacted*, That if any Officer, Non-commissioned Officer or Private, shall in the field, upon a march, or in quarters, on actual service begin, excite or join any mutiny, or knowing of such mutiny begun or intended, shall not give information thereof to his superior Officer, or

Mutiny, desertion and disobedience of orders on actual service, to be tried before a general Court-Martial, to be appointed by warrant, under the hand and seal of the Commander in Chief,

superior Officer, or shall not when thereunto ordered, use his utmost endeavours to suppress such mutiny, or shall desert the Company or Command to which he belongs, or shall disobey orders; if a commissioned Officer, he shall be put under arrest by any superior Officer; if a Non-commissioned Officer or Private, he shall be committed to the next County or any other Gaol, as soon as convenient by order in writing under the hand of the Officer commanding the Battalion, Company or detachment to which such person so offending shall belong, and it shall and may be lawful for the Governor or Commander-in-Chief of the Province for the time being, to order a general Court-Martial, by warrant under his hand and seal for the trial of such offenders, as speedily as the service will admit, which Court-Martial shall not consist of a less number than thirteen commissioned Officers of the Militia, and the President of such Court-Martial shall not be under the rank of a Field Officer, and there shall be as many Captains as conveniently may be had, the eldest Subalterns to make up the number, and that such Court-Martial shall have power to administer an oath to any witness, in order to the examination or trial of any of the above offences that shall come before them, and shall also have power to punish with death, or by fine and imprisonment, in proportion to the enormity of the offence, the fine not exceeding *fifty pounds*, nor imprisonment six months: *Provided always*, that no sentence of any Court-Martial shall extend to death, unless for desertion to the enemy, for mutiny and sedition, for traitorous correspondence with, or traitorously delivering up to the enemy any garrison, fortress, post or guard, nor shall the sentence of any general Court-Martial be carried into execution until it has been approved of by the Governor or Commander-in-Chief for the time being.

Court may administer oaths, and may punish with death or by fine and imprisonment, not exceeding £50 and six months.

Members of a general Court-Martial to be sworn,

XXXII. *And be it further enacted*, That in all trials by general Court-Martial, the PRESIDENT and every member thereof, before any proceedings be had shall take the following oath, and the Judge Advocate is hereby authorized to administer the same to wit:—" I A. B. do swear that I will duly administer justice according to Law without partiality, favour or affection; and I do further swear that I will not divulge the sentence of this Court, until it shall be approved by the Commander-in-Chief of this Province; neither will I on any account at any time whatever, disclose or discover the vote or opinion of any particular member of the Court-Martial, unless required to give evidence thereof as a witness by a Court of Justice, in a due course of Law; so help me GOD;" and no sentence of Death shall be given by any such general Court-Martial, unless twelve Officers present shall concur therein, and the Governor or Commander-in-Chief shall have power to appoint any fit person to act as Judge Advocate at any such general Court-Martial, who shall be allowed for his services *fifteen shillings* per diem, during the time he shall actually be employed in such service, which Judge Advocate so appointed, shall previous to any proceedings had on the trial of any prisoner, take the following oath to be administered by the President of the Court, to wit:—" I A. B. do swear that I will not upon any account, at any time whatever, disclose or discover the vote or opinion of

No sentence of death to be given unless twelve Officers concur,

Judge Advocate to be appointed and sworn, and allowed 15s. per day,

" any

“any particular member of this Court-Martial, unless required to give evidence thereof as a witness by a Court of Justice, in a due course of Law; so help me God.”

XXXIII. *And be it further enacted,* That no person shall be put to Death under the sentence of a general Court-Martial, until a warrant under the hand and seal of the Governor or Commander-in-Chief, shall issue for the execution of such sentence, which warrant shall direct the time and place when and where the person sentenced to Death shall be executed, and all sentences of Death, shall be executed by either shooting or hanging the offender, as the same may be directed and ordered in the said warrant; which warrant shall be a sufficient justification to the Officer or Officers to whom the same shall be directed, and to all those lawfully employed under them in executing such sentence: *Provided always,* that previous to any persons being put to death pursuant to the sentence of a general Court-Martial, such sentence and warrant for the execution thereof, shall be publicly read in the hearing of the bye-standers at the time and place appointed for such execution.

No sentence of death to be executed without a warrant under the hand and seal of the Commander in Chief,

Manner of executing to be by shooting or hanging.

Warrant to be read previous to execution.

XXXIV. *And be it further enacted,* That no Officer under the rank of a Captain shall sit upon a Court-Martial for the trial of any Field Officer.

No Officer under the rank of Captain to try a Field Officer.

XXXV. *And be it further enacted,* That whenever the whole or any part of the Militia of this Province shall be called out into actual service, the Officers, Non-commissioned Officers, Drummers, Fifers, Buglers and Privates, shall be entitled to the same pay and allowances as the Officers, Non-commissioned Officers, Drummers, Fifers, Buglers and Privates of His MAJESTY'S Regular troops respectively receive, to be reckoned from the day that they march from the rendezvous of their respective Companies, to go on actual service until they shall be dismissed by order of the Governor or Commander-in-Chief; and at the time of their dismissal they shall be allowed respectively a number of days pay to defray their expenses; to their usual places of residence according to the distance, at the rate of fifteen miles per-day, together with a bounty to each man of the Non-commissioned Officers, Drummers, Fifers, Buglers and Privates, who shall have served faithfully during the time or times they shall so have continued on actual service, at and after the rate of *thirty shillings* per month, for every calendar month which they shall respectively have been and remained on actual service, but not to exceed in the whole the sum of *five pounds* for each separate time, or occasion on which they shall so have respectively been called out into actual service as aforesaid, which bounty shall be provided for and paid out of the Province Treasury.

Militia on service to receive the same pay and allowances as the King's troops,

And also a bounty to those who have served faithfully, of 30s. per month, not to exceed in the whole £5,

Bounty to be paid out of the Province Treasury.

XXXVI. *And be it further enacted,* That every person who shall entice or encourage a Militia-man when on service to desert, or aid or assist, or harbor and conceal any deserter, knowing him to be such, shall forfeit and pay for every offence the sum of *ten pounds*, to be recovered on conviction before any one of His MAJESTY'S Justices of the Peace for the County where such offence may be committed, upon the oath of any one or more credible witness or witnesses, or the confession of the party offending, and on the failure of the payment of such fine by the party offending, he shall be committed to the County Gaol, by warrant under the hand and seal of such

Persons enticing or aiding Militia-men when on service to desert, to forfeit £10 to be recovered before a Justice of the Peace,

And on failure of payment, to be committed to Gaol for three months.

Justice, there to remain for the space of three months or until such fine is paid.

Male Blacks to be enrolled and formed into Companies, and to serve as Pioneers, or as the Commander-in-Chief may direct.

XXXVII. *And be it further enacted,* That all the male Blacks and people of colour, between sixteen and fifty years of age, within each and every of the Counties within this Province, shall be formed into one or more Companies as may be thought expedient, and attached to the several Battalions within the District in which they may respectively reside, and shall have such Officers to command them as the Governor or Commander-in-Chief for the time being may think fit to appoint, and shall be considered as the Pioneers of the Battalions to which they may respectively belong, or otherwise as the Commander-in-Chief may direct, and be subject to the same or the like drafts for actual service as the Militia in general are liable to in times of invasion or imminent danger thereof; and also be liable to perform the same duties and under the same penalties as required and appointed by the ninth section of this Act.

And be drafted for service.

In case of invasion, &c. the Commander in Chief may direct the building of Boats.

XXXVIII. *And be it further enacted,* That it shall and may be lawful for the Governor or Commander-in-Chief for the time being, and he is hereby authorized in case of actual invasion or imminent danger thereof, to direct the building of such a number of Boats as in his judgment and discretion may appear requisite, and on such a construction as he shall judge most proper for the purpose of transporting the Militia with greater facility to different parts of this Province, as well as for the annoying the enemy: *Provided* that the sum or sums to be expended in building such Boats shall not exceed the sum of four hundred pounds.

Commander in Chief may in places where he may judge it necessary, order Companies of Sea-fencibles to be formed of the sea-faring people, and direct the mode of drilling and instructing them.

XXXIX. *And be it further enacted,* That it shall and may be lawful for the Governor or Commander-in-Chief for the time being, in any place or places where he may judge it to be necessary or expedient, to cause one or more Company or Companies of Sea-fencibles to be formed, (to be composed of the sea-faring people and such as are principally employed on the water), to belong to and form a part of the Battalions of Militia respectively in the Districts in which the same may be formed, and to direct the mode of drilling and instructing the Officers and men of the same Companies, provided that the time required of the Officers and men thereof shall not exceed that required by this Act of other persons belonging to the Militia, and for neglect or refusal on the part of either the Officers or men of either of the said Companies of Sea-fencibles to discharge the duty required of them in compliance with such direction of the Commander-in-Chief, they shall severally incur the like penalty and penalties as other persons of the like rank in the Battalions to which they may belong, and to be recovered and applied in like manner as is herein provided.

Militia and Sea-fencibles may be ordered to do duty in the Boats.

XL. *And be it further enacted,* That whenever the Commanding Officer of the Militia in any County or District where such Boats are provided, shall find it necessary to order the Boats so provided, or any other Boats or Vessels with which he may be furnished, to proceed in repelling the enemy, or to the assistance of any neighbouring District or place, or to be stationed as a watch for the defence of any such place, the Militia of any such County and particularly the Sea-fencibles

cibles, shall on the orders of such Commanding Officer, proceed in such Boats accordingly.

XLII. *And be it further enacted,* That if any Captain or Officer commanding a Company, shall refuse or neglect to collect within six months after the commission of the offence for which the party shall have become liable, or refuse or neglect to pay into the hands of the Quarter-Master, any fine or penalty by him imposed, or any sum or sums by him received, it shall in any such case or cases be the duty of the Commanding Officer of the Battalion to which such Officer may belong, to order and direct such Officer to be prosecuted by the Quarter-Master, as well for the money by him received as that which he has neglected to collect, before any one of His MAJESTY'S Justices of the Peace, provided the same shall not exceed the sum of *five pounds*, and when the same shall exceed the sum of *five pounds* then before any two of His MAJESTY'S Justices of the Peace, and that it shall be the duty of such Quarter-Master forthwith to proceed for the recovery of the same.

XLIII. *And be it further enacted,* That all persons other than British subjects, and who shall have resided for the space of two months in this Province, shall pay to the Quarter-Master of the Battalion in the district in which they shall reside, the sum of *thirty shillings* each, and the Quarter-Master of such Battalion is hereby authorized to demand and receive the same, and upon neglect or refusal to pay the same, the said Quarter-master is hereby authorized and required to proceed for the recovery thereof in the like manner as is provided by the twenty-first section of this Act: *Provided always,* That no person not being a British subject shall be liable to pay in any one year, during his residence in this Province, more than the said sum of *thirty shillings*.

XLIV. *And be it further enacted,* That all fines, penalties and sums of money whatsoever received, or which shall hereafter be received under and by virtue of the Provisions of this Act, shall be paid into the hands of the Quarter-Masters of the different Battalions, and the Quarter-Master of each Battalion shall every six months render an account of all such fines, penalties and sums of money so by him received, to the Commanding Officer of the Battalion, and forthwith pay the amount thereof into the Province Treasury, rendering therewith an account of the same, subject nevertheless to such appropriations as the Commander-in-Chief shall from time to time direct, for the contingent uses of the respective Battalions.

XLV. *And be it further enacted,* That whenever the Militia or any part thereof shall be called into actual service, it shall and may be lawful for the Officer commanding any Battalion, detachment, or party to impress boats, men, horses and teams, as the service may require.

XLVI. *And be it further enacted,* That whenever it shall be rendered necessary by any attack made or threatened, suddenly to be made in any sea-port, City, Town or other place, at or in the harbour of which any Merchant ships or vessels may be lying, the Officer commanding the Militia is hereby authorized and fully empowered to compel the persons belonging to such ships or vessels to do duty on shore with the Militia Artillery, if any such there be, or in any boats or vessels, or

Captains refusing to collect or neglecting to pay over fines, &c. made liable to an action of debt at the suit of the Quarter-Master.

Persons not being British subjects, who have resided for two months in the Province, to pay 30s. per annum, to be demanded and recovered by the Quarter-Masters of Battalions.

All fines, penalties and sums of money recovered, to be paid into the hands of the Quarter-Masters of Battalions.

Who shall render an account every six months to the Commanding Officer of the Battalion.

And forthwith pay the amount thereof into the Province Treasury, &c.

Subject to such appropriations as the Commander in Chief shall from time to time direct for the contingent uses of the respective Battalions.

Commanding Officers of Militia may impress boats, men and horses.

In case of attack on any sea-port or place where Merchant vessels are lying, the Officer commanding Militia may compel the persons belonging to such vessels to do duty on shore, or in any boat or vessel.

with any part of the Militia where they can be the most usefully employed in resisting the attack of the enemy, and that in case of any great emergency which may render the service of Artillery-men necessary, the Officer commanding any Battalion to which there may be an Artillery Company, may require the service of the whole, or a part of such Artillery Company as he may judge necessary, although the numbers required may exceed the proportion of men wanted or required from the rest of the Battalion, and so in like manner with any Company of Sea-fencibles, or any or either of the flank Companies.

The whole of any Artillery, Sea-fencible or flank Company, may be ordered for duty when necessary.

XLVI. And be it further enacted, That the commissioned Officers of the Militia when on actual service and doing duty in Garrison, or in the field with His MAJESTY'S regular or fencible forces, shall rank with the Officers of such forces as the youngest of their degree, and that the said Officers of the regular and fencible forces in this Province, and the Officers of the Militia shall be entitled reciprocally to command and be subject to be commanded in the same manner as is provided by the Laws of Great-Britain and the Articles of War, for the government of the regular and Militia forces thereof, and subject to the like pains and penalties on the part of the Officers of Militia as are herein-before prescribed by the thirty-first and thirty-second sections of this Act.

Militia Officers doing duty with His Majesty's regular forces to take rank as youngest of their degree.

XLVII. And be it further enacted, That if any person be wounded or disabled when on actual service, he shall be taken care of and provided for at the expence of the Province, during his disability.

Persons disabled to be provided for at the expence of the Province.

XLVIII. And be it further enacted, That any person sued for any thing done in the execution of his duty under and by virtue of this Act, may plead the general issue, and under such be at liberty at the time of trial to give any special matter in evidence in like manner as if such matter had been fully and specially pleaded, and that no action whatever shall be maintainable against any such person for any such cause, unless commenced within six months from the time of the act done, for which any such action may be brought.

Persons sued for any thing done in the execution of their duty under this Act, may plead the general issue and give special matter in evidence.

No suit maintainable unless commenced within six months.

XLIX. And be it further enacted, That the Governor or Commander-in-Chief may at his pleasure constitute and establish one or more troops, or such a number of Cavalry as he may judge expedient for the good of the service, and under such regulations as he may deem proper to make, which regulations so made, and under which the persons shall voluntarily enroll themselves, shall be equally binding as if the same were inserted in this Act, and subject to the like pains and penalties for breach of the same, as are herein before provided for others belonging to the Militia.

Commander in Chief may establish troops of Cavalry under such regulations as he may deem proper.

L. And be it further enacted, That Clerks employed in the Military Offices, who have been announced as such in General orders, shall be altogether exempt from doing Militia duty, and also from the payment of the exempt money.

Clerks in the Military Offices exempted from Militia service.

LI. And be it further enacted, That no Non-commissioned Officer or Private, shall be liable to be arrested upon any process or execution whatsoever, (other than for some criminal matter) while attending any training of the Battalion or division thereof to which he may belong, or doing duty upon real service, or marching to or returning from the place ap-

Non-commissioned Officers and Privates exempted from arrest while on Militia duty, unless for some criminal matter, or unless the sum due amounts to ≥ 20 .

pointed for such training or duty, except the original sum due for which he may be arrested, shall amount to the value of *twenty pounds*.

LII. *And whereas*, arms and accoutrements have been issued from His MAJESTY'S stores for the use of the Militia in several parts of this Province, and it is necessary to provide for the security of those arms and accoutrements, and such as may hereafter be issued: *Be it further enacted*, that such arms so issued, or which may hereafter be issued, shall be branded distinctly on the broad part of the butt with the letter M. and the name of the County to the Militia of which they are issued, also with a Capital letter to denote the Company to which they belong, and a number to distinguish each firelock to its owner, such brand to be provided by the Commanding Officer of the Battalion, and all Captains or other Officers commanding Companies shall be, and they are hereby made responsible (except in case of unavoidable accident) for the safe keeping and return (if called for) of such arms and accoutrements as were issued to the men in their respective Companies, or may hereafter be so issued, and such Captains or Officers commanding Companies, are hereby empowered and required to take into their possession all such arms and accoutrements, except where the person to whom they have been or shall be issued, shall give bond with sufficient surety to our Sovereign Lord the KING in the penalty of *five pounds*, conditioned for the safe keeping and the return of the said arms and accoutrements; which bonds so given, shall be lodged with the Clerks of the Peace in the respective Counties, who are hereby required to receive and file the same in their respective offices, which person so giving bond as aforesaid, shall be entitled to keep possession of such arms and accoutrements while he continues in the same Company, and in case of the removal of any such person from such Company, his arms and accoutrements shall be returned to the Captain or other Officer commanding the said Company, who shall give a receipt for the same to the person so delivering the said arms; and if any person having such arms and accoutrements in his possession, shall vend, pledge or exchange the same or any part thereof, (without leave of the Officer commanding the Company to which such person belongs) or shall convey or cause the same or any part thereof to be conveyed out of the Province, or shall convey or cause the same to be conveyed on board any boat, ship or vessel, with intent to have the same carried out of the Province, or if the master of such boat, ship or vessel, shall wilfully receive into his boat, ship or vessel, any such arms or accoutrements so intended to be conveyed out of the Province, or if any person shall purchase the said arms and accoutrements, every person so offending shall for each and every offence forfeit and pay the sum of *ten pounds*, to be recovered upon conviction before any two Justices of the Peace, upon the oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offender's Goods, rendering the overplus, if any, after deducting the costs and charges of such distress and sale to the offender, one half of which penalty shall be paid to the person who shall prosecute for the same, and the other half into the hands of the Quarter-Master of the Battalion to which such arms and ac-

Arms to be marked,

Captains made responsible for arms, and empowered to take the same into their possession, unless the persons to whom they are issued will give bonds,

Penalty of £10 for selling, exchanging or conveying away any arms and accoutrements lent by Government,

In case the arms be called for, to be delivered into the King's Stores; the deficiencies to be paid for by the Province,

countrements belong; and for want of effects whereupon to levy the said fine of *ten pounds*, such offender shall be imprisoned not exceeding six nor less than three months, and in case the said arms and accoutrements shall at any time be called for to be delivered into His MAJESTY'S Stores, all deficiencies shall be paid for out of the Treasury of the Province, excepting such arms and accoutrements as shall have been lost on actual service against the enemy: *Provided always, and be it further enacted*, that nothing herein contained shall be construed to render void the bonds heretofore given for any arms and accoutrements, under and by virtue of any Act heretofore passed, but that the same bonds shall be and remain in full force and effect.

Bonds given for arms under any former Act, not to be avoided.

Establishment of Battalions, Company districts and enrolments of men in Companies, continued.

LIII. *Provided always nevertheless, and be it further enacted*, That the Battalions of Militia as at present established in this Province, and the Districts of the several and respective Companies composing the said Battalions, and the enrolments of the men in such Companies shall continue to be the same as they now are, until altered under and by virtue of this Act.

Former Acts repealed,

LIV. *Provided also, and be it further enacted*, That an Act made and passed in the fifty-third year of His MAJESTY'S Reign, entitled "An Act for regulating the Militia," and also an Act made and passed in the fifty-fourth year of His MAJESTY'S Reign, entitled "An Act to continue and amend an Act, entitled "An Act for regulating the Militia" be, and the same are hereby repealed, saving the right of recovery of such fines and penalties as may have been incurred under and by virtue of the same Acts or either of them.

Saving the right of recovery of fines, and penalties incurred under and by virtue of said Acts

CAP. VII.

An Act to provide for the purchase of a Place for the residence and accommodation of the Governour or Commander-in-Chief of this Province.

Passed the 7th of March, 1816.

Preamble

WHEREAS a negotiation has been entered into and concluded upon by and between *William Botsford, James Fraser and John Allen*, Esquires, a Committee of the House of Assembly of the one part, and Colonel *Harris William Hailes*, the Agent of His Excellency Lieutenant-Governor THOMAS CARLETON, (who is now in England) and the Governor and Trustees of the College of New-Brunswick of the other part, for the purchase of the Mansion House commonly called and known by the name of the Government-House, with the Out-houses and the Lands adjacent thereto, bounded north-easterly on the River Saint John, south-easterly by the Road at the upper end of the Town plat of Fredericton, in the County of York, south-westerly by the highway leading from Fredericton aforesaid into the Country, and north-westerly by a line extending from the said highway to the said River, parallel to the said Road, and being at the distance of forty-three chains, of four poles each, and fifty links, measured along the said highway from the Road aforesaid, and containing about fifty acres, now in the occupation of His

Honor Major-General GEORGE TRACEY SMYTH, the President and Commander-in-Chief of the Province as a residence, for and the accommodation of the Governor or Commander-in-Chief for the time being of this Province: AND WHEREAS it appears that although the equitable title to the said Premises is in the said Lieutenant-Governor CARLETON, subject to an agreed rent of *six pounds, one shilling and eight pence* per annum upon a part of the said Lands, payable to the said College, yet the legal title thereto rests in the said Governor and Trustees of the said College, which legal title they the said Governor and Trustees have consented and agreed to part with and convey upon such terms with regard to the said rent, as the General Assembly may deem proper: AND WHEREAS it appears that the said Agent of the said Lieutenant Governor CARLETON, has consented and agreed to accept of the sum of *three thousand five hundred pounds* of lawful money of this Province for the same premises, and upon the payment thereof, to release and convey all the right and title of the said Lieutenant-Governor CARLETON and his Heirs to the same premises in such way and manner as may or can be done by Law: AND WHEREAS it is considered just and equitable to grant and pay to the said Governor and Trustees of the said College the sum of *one hundred and fifty pounds* of like lawful money, to redeem the said rent for the perfecting of which said negotiation and agreement, and for carrying the same into full force and effect---

I. *Be it enacted by the President, Council and Assembly*, That the said Governor and Trustees of the College of New-Brunswick, are hereby authorized and empowered to grant and convey all the right, title and interest which they have of, in and to the same Premises to the KING'S Majesty, his Heirs and Successors, and freed and discharged from the said annual rent. Governor and Trustee of the College of New-Brunswick empowered to convey.

II. *And be it further enacted*, That immediately upon the due execution of a grant and conveyance by the said Governor and Trustees of the said College of New-Brunswick of the said Premises, and also of a release and conveyance of the same by the said Agent of the said Lieutenant-Governor CARLETON, for and in the name of the said Lieutenant-Governor CARLETON, to the KING'S Majesty, his Heirs and Successors for the purpose aforesaid; there shall be paid out of the Province Treasury by warrant from the Governor or Commander-in-Chief for the time being, who is hereby authorized to issue the same with the advice of His MAJESTY'S Council, the said sum of *three thousand five hundred pounds* to the said Lieutenant-Governor CARLETON or his said Agent, and also in like manner to the said Governor and Trustees of the College of New-Brunswick, the said sum of *one hundred and fifty pounds*. Purchase money granted.

III. *And be it further enacted*, That the said deeds and conveyances, when duly executed and entered in the office of the Register of the Records of this Province shall be, and the same are hereby declared to be good and effectual in the Law, to all intents and purposes to transfer to and vest in the KING'S Majesty, his Heirs and Successors for the purpose aforesaid, full and absolute property and seisin of and in the same premises, saving nevertheless the right and title of any other person. Deed to be good and effectual.

son or persons, or body corporate and politic, except the said Lieutenant-Governor CARLETON and his Heirs, and the said Governor and Trustees of the College of New-Brunswick.

Lands to be conveyed, to be held for a residence for the Governor, &c.

IV. *And be it further enacted and declared,* That the same Premises shall be from and after the transfer and conveyance thereof as aforesaid, deemed and considered to be holden by his said MAJESTY and his Heirs and Successors, for the use and benefit of this Province, and for the sole purpose of a residence, for and the accommodation of the Governor or Commander-in-Chief of the Province for the time being, and that the same or any part thereof, shall not in any way or by any means whatever, be alienated or granted or disposed of to any person or persons whomsoever, or for any other purpose whatsoever without an Act of the General Assembly of this Province authorizing the same.

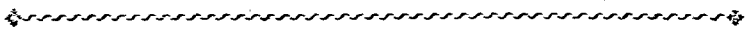
And not to be alienated or disposed of without an Act of Assembly.

Commissioners appointed to superintend the repairs.

V. *And be it further enacted,* That the Honorable Jonathan Bliss, Chief Justice, the Honorable John Robinson, Esq. Speaker of the House of Assembly, Thomas Wetmore, Esq. the Attorney General, William Franklin Odell, Esq. the Secretary, and the Honorable George Sproule, the Surveyor General of this Province, and their successors in office respectively, are hereby nominated and appointed to be commissioners to have the care and management of the said Premises, and the superintendance and controul of any reparations and improvements to be from time to time made under and by the authority of the General Assembly of this Province.

To be deemed a public Act.

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



CAP. VIII.

An Act to give two additional Terms in each year for the sittings of the Inferior Court of Common Pleas in the County of Northumberland.

Passed the 7th of March, 1816.

Preamble.

WHEREAS it has become expedient that two additional Terms for the sittings of the Inferior Court of Common Pleas should be held in the County of Northumberland, as in the other Counties of this Province.

Two additional Terms for the sittings of the Court.

I. *Be it enacted by the President, Council and Assembly,* That there shall be two additional Terms for the sittings of the Inferior Court of Common Pleas for the said County of Northumberland, at the following times, viz. on the first Tuesday in June and the first Tuesday in November in each and every year, at which Terms no Jury shall be summoned to attend.

Causes continued over at the next Term after the passing of the Act, continued over to the additional Term next succeeding.

II. *And be it further enacted,* That all causes which shall stand continued over, at the next Term of the Inferior Court of Common Pleas for the said County of Northumberland, after the passing of this Act, shall be considered as continued over to the additional Term herein-before mentioned next succeeding, and it shall be lawful for the Justices of the said Inferior Court of Common Pleas, to proceed in the said causes at the said next additional Term in manner as it might have been lawful for such Justices to have proceeded at the next

Justices may proceed in the said causes, at the said next additional Term.

Inferior

Inferior Court of Common Pleas for the said County had this Act not been made.

CAP. IX.

An Act to prevent the cutting or breaking down the Bank of any River, Sea-bank or Dyke, and for the preservation of the same.

Passed the 7th of March, 1816.

WHEREAS there are large tracts of Marsh Land within Prohibit this Province dyked in, from which great advantages do arise, and as the dyking and draining those Lands are attended with a very great expence, which expence and advantages may be lost to the ruin of many industrious persons by wicked and evil minded Persons by cutting or destroying said Dykes or Sea-banks.

I. *Be it therefore enacted by the President, Council and Assembly,* That if any person or persons from and after the passing of this Act, shall unlawfully and maliciously break down or cut down any Sea-bank or Dyke, or any part or parts thereof, whereby any Lands shall or may be overflowed or damaged, or be made liable to be overflowed or damaged, every person so offending being thereof lawfully convicted, shall be adjudged guilty of Felony. Persons breaking or cutting down any Sea-bank or Dyke, guilty of Felony.

II. *And be it further enacted,* That if any person or persons shall at any time hereafter unlawfully and wilfully cut off, draw up or remove, and carry away any piles, pickets, brush or other materials which are or at any time hereafter may be driven into the ground, placed, fixed or used for the securing any Marsh Land, Sea-walls, Dykes, River-banks or Interval Land, or shall cut down or otherwise destroy any Trees or Bushes, which may have been reserved, planted or set out for the preservation of the Interval-banks of any River or stream, every person so offending shall forfeit and pay a fine not less than *ten pounds* and not exceeding *twenty pounds* with costs, to be paid to the informer upon due conviction thereof, by the oath of one or more credible witness or witnesses, before any two of His Majesty's Justices of the Peace in the County where such offence shall be committed, to be levied by warrant of distress and sale of the offender's Goods and Chattels, rendering the overplus if any, to such offender, and for want of sufficient Goods and Chattels, the said Justices are hereby required to commit such offender to the common Gaol of the County wherein such offence shall be committed, there to remain for a term not less than one month, nor exceeding two months. Persons cutting off, drawing up or removing any Piles, Pickets, &c. placed for the securing any Marsh Land, &c.
Or destroying any Trees or Bushes reserved or planted for the preservation of Interval-banks, shall forfeit and pay a fine not less than £10, nor more than £20.

III. *And be it further enacted,* That this Act shall continue and be in force for four years, and from thence to the end of the next Session of the General Assembly. Limitation

CAP. X.

An Act to constitute the Island of Grand-Manan and its appurtenances in the County of Charlotte into a distinct Town or Parish.

Passed the 7th of March, 1816.

WHEREAS the Island of Grand Manan being now a part of the Town or Parish of West-Isles in the County of Charlotte, is situated so far distant from the other Islands forming that Town or Parish, as to render it very inconvenient to perform the several Parochial duties within such Town or Parish at large.

Preamble.

The Island of Grand-Manan, with its appurtenances, to be a distinct Town or Parish, by the name of Grand-Manan.

I. Be it therefore enacted by the President, Council and Assembly, That the said Island of Grand-Manan with its appurtenances, be constituted a distinct Town or Parish, by the name of the Town or Parish of Grand-Manan, any Law or ordinance to the contrary notwithstanding.

Justices to appoint annually, Parish Officers as for the other Towns or Parishes within the County.

II. And be it further enacted, That the Justices of the Peace for the said County, shall and may have power to appoint annually from time to time officers for the said Town or Parish of Grand-Manan, in the same manner as for the other Towns or Parishes within the said County, which officers shall be sworn to the faithful discharge of their duties respectively, and be liable to the like penalty for not accepting of their respective offices, or neglecting or refusing to perform the duties of their several offices as any other Town or Parish officers within the said County.

Who shall be sworn, and be liable to the like penalty for neglect or refusal as other Town or Parish Officers.

CAP. XI.

An Act to explain and amend an Act, entitled “ An Act for erecting a Parish in the City of St. John, and incorporating the Rectors, Church-Wardens and Vestries of the Church of England, in the several Parishes in this Province.”

Passed the 7th of March, 1816.

WHEREAS doubts have arisen whether the provisions of an Act made and passed in the twenty-ninth year of His MAJESTY'S Reign, entitled “ An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church-Wardens and Vestries of the Church of England in the several Parishes in this Province,” do not extend to authorize the Rector, Church-Wardens and Vestry of Trinity Church in the said Parish of St. John, and the Rectors, Church-Wardens, and Vestries of the several and respective Churches already erected, or which shall be hereafter erected in the several and respective Parishes in this Province, to sell and dispose absolutely and in fee simple of the Lands, Tenements and Hereditaments which now do or hereafter may belong to such Churches respectively, now for the removing such doubts,

Preamble.

I. Be it declared and enacted by the President, Council and Assembly

sembly, That the said herein-before recited Act doth not extend, and shall not be construed to extend to authorize any such absolute sale and disposition of any such Lands, Tenements and Hereditaments which now do, or hereafter may belong to any such Church, any thing in the said herein-before recited Act to the contrary hereof in any wise notwithstanding.

Act not to authorize any absolute sale of Lands, &c.

II. AND WHEREAS doubts have arisen whether the said Rectors, Church-Wardens and Vestries of the several and respective Churches are capable of taking, receiving and holding Lands in trust, for the use of the said several Rectors of the said Churches for the time being, for the removal whereof:

Corporations empowered to take Lands, &c. for the use of the Rectors,

Be it further declared and enacted, that the said Rector, Church-Wardens and Vestry of Trinity Church in the Parish of St. John, and the said Rectors, Church-Wardens and Vestries of the several and respective Churches erected, or to be erected in the several and respective Parishes in this Province, shall be deemed in all Courts of Law and equity capable of purchasing, receiving, taking and holding any Lands, Tenements or Hereditaments for the use and benefit of the several Rectors for the time being of the said several and respective Churches, any thing in the said herein-before recited Act or elsewhere to the contrary thereof notwithstanding; and that all Lands, Tenements or Hereditaments heretofore granted or conveyed to the said several and respective Rectors, Church-Wardens and Vestries upon trust, for the use and benefit of such Rectors or of the Ministers of the said several and respective Churches for the time being, shall be held by and deemed and taken in all Courts of Law and equity, to be holden by the said several and respective Rectors, Church-Wardens and Vestries, for the uses and trusts in the said several grants or conveyances of such Lands, Tenements and Hereditaments respectively expressed, and for no other use, trust or benefit whatever, any thing to the contrary thereof notwithstanding.

Lands heretofore granted for the use of the Rectors, to be held for the uses and trusts expressed in the grants

III. *And be it further enacted*, That all Lands, Tenements and Hereditaments already granted or hereafter to be granted to the several and respective Rectors, Church-Wardens and Vestries as herein-before mentioned, for the use and benefit of the Rectors or Ministers of the said several and respective Churches for the time being, shall be held subject to the sole management and direction of such Rectors or Ministers and shall be used, occupied and enjoyed by them severally and respectively for the best benefit and advantage of themselves and their successors in like manner as the Glebe Lands belonging to any Rectory or Parsonage in that part of Great-Britain, called England, are there usually held, occupied and enjoyed.

Lands granted to the Corporations for the use of the Rectors, to be held subject to the sole management of the Rectors.

CAP. XII.

An Act to continue and make perpetual two Acts of the General Assembly that are near expiring.
Passed the 7th of March, 1816.

BE it enacted by the President, Council and Assembly, That an Act made and passed in the forty-first year of His Majesty's

The Act 41st Geo. 3d Cap. 9, The Act 34th Geo. 3d, Cap. 9, continued and made perpetual.

MAJESTY'S Reign, entitled " An Act for preserving the Bank of the River St. John, in front of the Parish of Lincoln, in the County of Sunbury;" and an Act made and passed in the thirty-fourth year of His MAJESTY'S Reign, entitled " An Act for preserving the Bank of the River St. John, in front of the Parishes of Mougerville, Sheffield and Waterborough," be and the same Acts are hereby continued and made perpetual.

CAP. XIII.

An Act in addition to, and to explain an Act, entitled " An Act to explain and amend the Laws now in force, for regulating the exportation of Fish and Lumber."

Passed the 7th of March, 1816.

I. **BE** it enacted by the President, Council and Assembly,

That all Boards, Plank and Scantling for exportation, shall before they are shipped be surveyed by a sworn Surveyor--all Merchantable Boards shall be square edged with the saw, and be seven-eighths of an inch thick, except those for the Newfoundland and Kingston, (Jamaica) markets which shall be one inch thick, and all clear Boards shall be one inch thick--no Board or Plank shall be deemed Merchantable if the same be split at both ends, or has a continued split of more than two feet, and is not free from wind shakes and knot holes, and which is not of equal thickness throughout, and one half of the split shall be allowed for splits--all Boards and Plank shall be marked at the butt-end, and the contents in Board measure, marked on each piece; the Surveyor shall carefully examine each side of every Board, Plank and Scantling, and shall be allowed *one shilling* per thousand feet of Board-measure for surveying, to be paid by the purchaser; and all persons shipping Boards, Plank and Scantling not so marked and surveyed, shall forfeit and pay *ten shillings* for every thousand feet so shipped by them.

II. *And be it further enacted,* That every Surveyor of Lumber, surveying any Boards or Plank, shall be and he is hereby required to furnish the purchaser with a Survey-bill, in which shall be set down the quantity of clear Boards, Merchantable Boards, and refuse Boards, separately.

III. *And be it further enacted,* That no Ton Timber squared in the Mills shall be surveyed in the water.

IV. *And be it further enacted,* That hardwood squared Timber if under the length of sixteen feet, shall be deemed Merchantable, provided the same be at least twelve feet long and twelve inches square.

V. AND WHEREAS doubts have arisen, whether in and by the third Section of an Act made and passed in the fiftieth year of His MAJESTY'S Reign, entitled " An Act to explain and amend the Laws now in force for regulating the exportation of Fish and Lumber;" the party injured by the misconduct of any surveyor of Lumber, is entitled to the damages which such party may sustain, over and above the forfeiture

of

All Boards, Plank and Scantling for exportation, to be surveyed by a sworn Surveyor,

All merchantable Boards to be square edged with the saw,

What shall be deemed merchantable,

Boards and Plank shall be marked,

Duty of Surveyor,

Fees for surveying to be paid by the purchaser,

Penalty for shipping Boards, Plank and Scantling not marked and surveyed,

Surveyor to furnish the purchaser with a Survey-Bill, &c.

No Ton Timber squared in the Mills to be surveyed in the water.

What hardwood squared Timber deemed merchantable.

of *five shillings* in the said Act specified: for remedy whereof, *Be it further enacted*, that the said forfeiture of *five shillings* shall be, and the same is hereby declared to be exclusive, and over and above the damages such Surveyor may be liable to, by reason of his misconduct as Surveyor to the party injured.

Penalty imposed upon surveyors by the Act of 50, Geo. 3. explained.

VI. AND WHEREAS no remedy is provided in and by the said herein-before recited Act for the recovery of the said forfeiture thereby inflicted, not exceeding *five shillings* per Ton, and to which a Surveyor is made liable for any conduct contrary to the provisions of the said Act: *Be it therefore further enacted*, That the said forfeiture shall be, and the same is hereby made recoverable before any one of His MAJESTY'S Justices of the Peace, for the County where the offence shall be committed with costs of suit, upon the oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offender's Goods and Chattels, rendering the overplus if any, after deducting the costs and charges of prosecution to the offender; one half of such forfeiture or forfeitures to be for the benefit of the person complaining, and the other half for the benefit of the Poor of the Parish where such offence shall be committed.

Made of recovering forfeiture imposed by Act 50, Geo. 3.

VII. *And be it further enacted*, That the second section of the said herein-before recited Act be, and the same is hereby repealed.

2d Sec. of recited Act repealed.

VIII. *And be it further enacted*, That the said herein-before recited Act, and the Acts to which the same is an amendment, and every part of the same not hereby repealed, altered and amended, be and remain in full force and virtue, any thing herein contained to the contrary notwithstanding.

Former Acts continued.

CAP. XIV.

An Act in addition to an Act, entitled "An Act for erecting a Court-House and Gaol in the County of Northumberland."

Passed the 11th of March, 1816.

WHEREAS by an Act made and passed in the fifty-second year of the Reign of his present MAJESTY, entitled "An Act for erecting a Court-House and Gaol in the County of Northumberland;" the Justices of the Peace for the said County in their General Sessions were authorized and empowered to contract and agree with able and sufficient workmen for building and finishing a Public Court-House and Gaol in the Town of New-Castle in the said County; and the said Justices were by the same Act authorized and empowered to raise by Assessment, the sum of *three hundred pounds* in addition to the like sum of *three hundred pounds* before then ordered to be assessed for the before mentioned purpose of erecting such Court-House and Gaol: AND WHEREAS the said two sums of *three hundred pounds* each, have been found insufficient for the same purpose—

Paraphrastic.

I. *Be it therefore enacted by the President, Council and Assembly*, That the said Justices of the Peace in their General Sessions, or the major part of them, are hereby authorized and

Justices of the Peace in their General Sessions, authorized to raise by assessment, a sum not exceeding £600.

empowered

empowered to raise by Assessment within the said County, such further sum as may in their opinion be necessary, not exceeding the sum of *six hundred pounds*, for building and finishing the said Gaol and Court-House in the said County.

To be assessed, levied, collected and paid as is provided in and by the Act 5th Geo. 3^d.

And subject to the same penalties for every delinquency,

And to be recovered and applied as therein provided, Subject to the provisions of any Act or Acts to be made during the present Session for regulating the assessment and collection of County Rates.

II. *And be it further enacted*, That such further sum so deemed by the said Justices as necessary for the aforesaid purpose, shall be assessed, levied, collected and paid in the same manner in all respects as the said sums mentioned in the said hereinbefore recited Act, and under and subject to the same penalties for every delinquency as are made and provided in and by the same Act, to be recovered and applied as therein provided, subject nevertheless to the provisions of any Act or Acts to be made during the present Session, for regulating the Assessment and collection of County Rates.

CAP. XV.

An Act for establishing a Grammar School in the Town of Saint Andrews,* in the County of Charlotte.

Passed the 11th of March, 1816.

Preamble.

WHEREAS the Education of Youth, is of the utmost importance in society, and Public attention to that object has by experience, been found to be attended with the most beneficial effects---

Grammar School established in Saint Andrews.

I. *Be it therefore enacted by the President, Council and Assembly*, That a Public Grammar School be, and the same is hereby established in the Town of Saint Andrews, in the County of Charlotte.

Corporation appointed.

II. *And be it further enacted*, That the Rector of Saint Andrew's Church, in the Parish of Saint Andrews for the time being, together with *Robert Pagan, John Campbell, John Dunn, Colin Campbell, David W. Jack, Harris Hatch, Thomas Wyer, Jun. and John Strang*, Inhabitants of the County of Charlotte be, and they are hereby appointed Trustees and Directors of the said School, the said Rector for the time being, always to be President of the board; and that the said President and Directors shall be, and they are hereby incorporated by the name of the President and Directors of the Public Grammar School in the Town of Saint Andrews, and shall by that name have perpetual succession, and be enabled to sue and be sued, implead and be impleaded, answer and be answered unto, and to receive, take and hold gifts and grants of Land, and real Estate (the annual income of which shall not exceed *one thousand pounds*) and to accept and receive donations for the erection of a building, and for the endowment of the said School.

Rector of St. Andrews to be President,

To have perpetual succession,

And may hold real Estate not exceeding £1000 per annum,

Board of Directors to procure a place for a School House,

And provide Teachers,

III. *And be it further enacted*, That the President and Directors of the said Grammar School, and their successors, or the major part of them, when duly summoned and assembled, shall form a board for the dispatch of business, and such board of Directors or the major part of them so assembled, are hereby empowered to point out and procure a proper place whereon to erect the Building for the said School, to contract for and superintend the building thereof, to provide a Master, and one or more Ushers or Teachers as they shall judge expedient, and

and from time to time to make and establish by Laws, ordi- And may make Bye Laws.
 nances and regulations for the government of the said School,
 and to enforce obedience to the same by fines and expulsions,
 or other public censures as they may judge proper.

IV. *And be it further enacted,* That during any vacancy in Board how to be summoned.
 the Rectory, or absence of the Rector of the said Church, the
 Senior Member of the Board of Directors, shall act as Presi-
 dent, and it shall be the duty of the President at all times to
 summon a Board of Directors whenever the same shall be re-
 quested, by three or more of the said Directors, and in case
 of the sickness or absence of the said Rector, the Board may
 be summoned by the said Senior Member.

V. *And be it further enacted,* That in case of the death or Vacancies in the Corporation to
be filled.
 removal from the said County, of any of the said Direc-
 tors, the remaining Directors at a Board for that purpose to
 be summoned, shall elect another fit person being an inhabi-
 tant of the said County, for his successor, who being approv-
 ed of by the Commander-in-Chief of the said Province for the
 time being, shall be one of the Directors of the said School,
 and every other vacancy shall be filled from time to time in
 like manner.

VI. *And be it further enacted,* That the said President and Public visitations to be held
twice a year.
 Directors, shall hold Public visitations and examinations of the
 said School, twice in every year, to wit, on the first Tuesday
 in April, and first Tuesday in September.

VII. *And be it further enacted,* That whenever the said Pre- Free Scholars may be admitted.
 sident and Directors shall think proper, they may admit any
 number not exceeding eight, to be free Scholars of the said
 Grammar School, without any charge for their tuition.

VIII. *And be it further enacted,* That one hundred pounds £100 per annum granted for
the support of a Master,
 annually be included in the estimate for the ordinary expences
 of the Province, and granted to the said President and Direc-
 tors of the said Public Grammar School to be applied by
 them, for or towards the support of the Master thereof, when
 such Master shall be procured, and that the sum of two hun- And £400 towards procuring
a Building,
 dred pounds be granted to the said President and Directors for
 the purpose of assisting them to purchase or erect a building
 for the said School, and that they the said President and Di-
 rectors, shall be accountable from time to time to the Legis- Board to be accountable to the
Legislature.
 lature of the Province, for their conduct and management of
 the property so vested, and to be vested in them by virtue and
 in pursuance of this Act: *Provided always,* that as soon as the
 annual income of said Grammar School in whatever manner
 the same may arise, shall amount to six hundred pounds; then Annual Grant to cease when
the Funds amount to £600 per
annum.
 and in such case the annual sum of one hundred pounds hereby
 granted shall cease.

CAP. XVI.

An Act to exclude ignorant and unskilful Persons
 from the Practice of Physic and Surgery.

Passed the 11th of March, 1816.

I. **B**E it enacted by the President, Council and Assembly, Not lawful for Persons not du-
ly qualified, to practice Physic
or Surgery,
 That from and after the passing of this Act, it
 shall not be lawful for any person not duly qualified by a
 H suitable

Or receive Fees.

Who shall be considered duly qualified.

Licences may be granted by the Governor after due examination.

Persons who have been established in Practice for seven years may be licenced.

Persons qualified may sue for fees.

Act not to extend to military Physicians or Surgeons.

suitable education to practice Physic or Surgery within this Province, nor to demand or receive any fee or reward directly or indirectly for the cure of any disease, or the performance of any Surgical operation whatever, and that any person who shall previously have obtained a Diploma or other authentic and sufficient testimonial of his skill and ability from some College or other public institution in Great-Britain or Ireland, legally authorized to grant the same, shall be deemed and adjudged to be duly qualified as aforesaid; and that any other person who shall have been carefully examined by competent judges to be named and appointed by the Governor or Commander-in-Chief for the time being, and upon their report shall have received a Licence under the hand and seal of the Governor or Commander-in-Chief for the time being for that purpose, shall also be deemed and adjudged duly qualified for the profession and practice of Physic or Surgery, or both, as may be specified and expressed in such Licence.

II. *And provided always*, That the Governor or Commander-in-Chief for the time being, may, and he is hereby authorized to Licence such persons who have been established in the practice of Physic or Surgery for seven years, immediately preceding the passing of this Act.

III. *And be it further enacted*, That every person duly qualified as aforesaid, shall be entitled to demand, sue for and recover reasonable and customary fees for his services, and payment for Medicines by him administered in the course of his practice in the capacity either of a Physician or Surgeon.

IV. *And be it further enacted*, That nothing in this Act contained, shall extend or be construed to extend to any Physician or Surgeon appointed by commission or warrant to serve in any Garrison or Military Corps, being within the limits of this Province.

CAP. XVII.

An Act more effectually to provide for the support of a Nightly-Watch in the City of Saint John.

Passed the 11th of March, 1816.

WHEREAS the establishment of a Nightly-Watch within the City of Saint John, is of very great importance for the preservation of the persons and properties of the Inhabitants, and very necessary to prevent fires, robberies and other outrages and disorders.

I. *Be it enacted by the President, Council and Assembly*, That from and after the passing of this Act, it shall and may be lawful for the Mayor, Aldermen and Commonalty of the said City in Common Council convened, from time to time to order and appoint what number of Watchmen they shall judge necessary and proper, to be kept within the District on the eastern side of the Harbor of the said City, and to direct how they ought to be armed, and how they shall watch, and what wages and allowances shall be given to the said Watchmen for their attendance, and shall make all such other orders and

Preamble.

Mayor, Aldermen, &c. to appoint Watchmen,

And direct the arming and paying of them, &c.

regulations

regulations as the nature of each particular service shall seem to require.

II. And for the better raising and levying the money for paying the wages of the said Nightly-watchmen and other charges incidental thereto---

Be it further enacted, That the Mayor, Aldermen and Commonality of the said City of Saint John in Common Council assembled, may and they are hereby authorized and empowered once in every year, between the first day of April and the first day of May in each and every year, to determine and direct what sum or sums of money shall be raised and levied upon the Inhabitants in the District on the eastern side of the Harbour of the said City, for answering the purposes aforesaid, and to direct by warrant under their common Seal to the assessors herein-after mentioned, to make a rate and assessment in due proportion upon all and every the person or persons who do or shall inhabit, hold, occupy or enjoy any Land, House, Shop, Warehouse, or other tenement within the District on the eastern side of the harbor of the said City: *Provided always,* that the sum to be assessed upon any one person in any one year shall not exceed the sum of *five pounds*, and the said assessors are hereby authorized and required to make such rate and assessment, which same rate and assessment so to be made, shall be collected by a Collector to be by the said Mayor, Aldermen and Commonality of the said City for that purpose from time to time appointed, and in case any person or persons so rated and assessed, shall neglect or refuse to pay the said sum so rated upon him, her or them, it shall and may be lawful for the said Collector to sue for and recover the same, by action of debt in the City Court of the said City, in like manner as any other debt can or may be sued for, prosecuted and recovered in the same Court.

III. *Provided always, and it is hereby declared,* That in case any person or persons shall think him, her or themselves aggrieved by any rate and assessment to be made as aforesaid, it shall and may be lawful for them respectively, within the space of five days after the sum so rated and assessed shall be demanded, to appeal to the Common Council of the said City, and whose decision shall be final and conclusive, and that a memorandum in writing of such appeal, filed in the common Clerk's Office within the said time, shall suspend further proceedings until such decision shall be had.

IV. *And be it further enacted,* That it shall and may be lawful for the said Watchmen or any of them, and they are authorized and required in their several stations during the time of their keeping watch as aforesaid, to apprehend all night-walkers, malefactors, rogues, vagabonds, and all other disorderly persons whom they shall find disturbing the public peace, and to carry him, her or them as soon as conveniently may be, before the Mayor, Recorder, or one of the Aldermen of the said City, or a Justice of the Peace for the City and County of Saint John, to be examined and dealt with according to Law.

V. *Provided always, and be it further enacted,* That in case there shall be any deficiency in any one year's assessment so to be made as aforesaid, so that the wages and allowances to Watchmen and other incidental charges cannot be fully satisfied

Common Council to determine the sum to be raised,

To direct a warrant to the assessors,

Persons liable to be assessed,

Limitation of assessment,

Assessment to be collected by Collectors appointed by the Common Council,

Collectors empowered to sue for rates,

Persons aggrieved may appeal to the Common Council,

Watchmen to apprehend disorderly Persons, and carry them before the Mayor,

Deficiencies in the assessment to be made up out of the next year's assessment,

fied, paid and discharged in that year, such deficiency shall be made up in and paid out of the next succeeding year's rate and assessment, and if there shall happen to be any overplus money collected by such rate or assessment as aforesaid in any one year, such overplus shall be carried on to the credit of the account of the next year's rate and assessment, and shall be applied for such uses and in such manner as the rates and assessments collected are by this Act directed to be laid out and applied, and to no other use or purpose whatsoever.

Overplus money to be credited in next assessment.

VI. *And be it further enacted*, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the said City, to appoint annually, three discreet persons being freemen of the said City, to act as assessors under this Act, who shall be sworn to the faithful discharge of such duty, before the Mayor or Recorder of the said City, and any person so appointed who shall neglect or refuse to accept the said appointment, or to become qualified, or having become qualified shall refuse to perform his duty, shall for each and every neglect or refusal, forfeit and pay the sum of *five pounds*, to be recovered on conviction before the Mayor or Recorder of the said City, and levied by distress and sale of the Goods and Chattels of the offender, by warrant under the hand and seal of the said Mayor or Recorder, and paid into the hands of the Chamberlain of the said City, to be applied for such uses and in such manner as the rates and assessments collected under this Law, and for no other use whatsoever; and the said Mayor, Aldermen and Commonalty of the said City, may appoint some other person or persons being freemen in the place or places of any person or persons refusing to act or to become qualified as required by this Act, so often as such shall be the case, which person or persons so to be appointed in the place or places of such person or persons so neglecting or refusing, shall be liable to the same and like penalties for neglect or refusal as the said persons first appointed, to be in like manner recovered, paid and applied, and so on as often as the case may happen.

Mayor, Aldermen, &c. to appoint assessors.

Penalty on assessors for refusal or neglect.

Others to be appointed instead of assessors refusing to act.

VII. *And be it further enacted*, That the said Collector herein-before mentioned to be appointed, shall from time to time as he shall receive the same, pay the money by him collected into the hands of the Chamberlain of the said City for the time being, who is hereby directed to keep a separate and distinct account thereof in a Book, to be by him appropriated for that particular purpose.

Collectors to pay money into the hands of the Chamberlain.

VIII. *And be it further enacted*, That this Act shall be deemed, adjudged and taken to be a public Act, and be judicially taken notice of by all Judges, Justices and other persons whatsoever without pleading the same.

Act to be deemed public.

IX. *And be it further enacted*, That this Act shall continue and be in force for four years, and thence to the end of the next Session of the General Assembly, and no longer.

Limitation.

CAP. XVIII.

An Act to authorize the Justices of the General Sessions of the Peace for the County of York, to levy an assessment for building a County Court-House.

Passed the 11th of March, 1816.

WHEREAS no building has yet been erected within the Preamble. County of York, for the accommodation of the Courts of General Sessions of the Peace and Inferior Court of Common Pleas for the said County: AND WHEREAS the Justices of the General Sessions of the Peace of the said County, have heretofore levied the whole sum which they were empowered to raise, for the purposes of erecting a Gaol and Court-House in the said County, and necessarily applied the same to the sole purpose of erecting a Gaol: AND WHEREAS it is expedient that a Court-House should be erected in the said County; *Be it therefore enacted by the President, Council and Assembly,* That the said Justices of the Peace for the said County at any General Sessions of the Peace hereafter to be holden, or Special Sessions for that purpose expressly convened and holden, are hereby authorized and empowered to make a further rate and assessment of any sum not exceeding the sum of six hundred pounds, as they in their discretion may think necessary for the purpose of erecting and finishing a Court-House for the said County, in the Town of Fredericton, the same sum to be assessed, levied, collected and paid in such proportion, Mode of collection. and in the same manner as any other County rates can or may be assessed, levied collected and paid by virtue of an Act made and passed in the twenty sixth year of His MAJESTY'S Reign, entitled "An Act for assessing, collecting and levying County rates," or any other act now or hereafter to be made for the like purpose.

CAP. XIX.

An Act to continue certain Acts of the General Assembly which are near expiring.

Passed the 11th of March, 1816.

BE it enacted by the President, Council and Assembly, That an Act made and passed in the fifty-fourth year of the 55. Geo. 3d. Cap. 5. Reign of his present MAJESTY, entitled "An Act for the better regulation of Licences to Inns, Taverns and Houses for selling Spiritous Liquors by retail," and also another Act made and passed in the same year, entitled "An Act to empower 55. Geo. 3d. Cap. 10. and authorize the Justices of the County of Westmorland, at their General Sessions of the Peace, to regulate the grazing and depasturing of the several Marshes, low Lands or Meadows within the said County" be, and the same are hereby continued and declared to be in force for four years, Continued for four years. and from thence until the end of the next Session of the General Assembly.

CAP. XX.

An Act for granting further aid in support of the College of New-Brunswick, and of the public Grammar School in the City of Saint John.

Passed the 11th of March, 1816.

Preamble.

WHEREAS the sums heretofore granted to the Governor and Trustees of the College of New-Brunswick, established at Fredericton for the support of the said College, and to the public Grammar School established in the City of Saint John, have been found insufficient for the purposes intended.

£150 granted in addition to the sum heretofore allowed.

I. *Be it enacted by the President, Council and Assembly,* That there be annually included in the estimate of the ordinary expences of the Province, and granted to the Governor and Trustees of the said College of New-Brunswick, in addition to the sum of *one hundred pounds* heretofore granted, the sum of *one hundred and fifty pounds*, to be applied by them towards the support of an Usher, for the instruction of Youth in English Grammar, Writing, Arithmetic and Book-keeping.

£150 to the Grammar School in Saint John.

II. *And be it further enacted,* That a like sum of *one hundred and fifty pounds* be annually included in the estimate of the ordinary expences of the Province, and granted to the President and Directors of the said public Grammar School in the City of Saint John, in addition to the sum of *one hundred pounds* heretofore granted, to be applied by them to the support of the Master of the said School, and to defray the contingent expences thereof.

CAP. XXI.

An Act to establish Grammar Schools in several Counties of this Province.

Passed the 11th March, 1816.

WHEREAS the education of Youth is of the utmost importance to society.

Governor with advice of the Council, to appoint Trustees and Directors.

I. *Be it therefore enacted by the President, Council and Assembly,* That His Honor the PRESIDENT or Commander-in-Chief for the time being, by and with the advice of His MAJESTY'S Council, shall be and is hereby empowered to appoint during pleasure, and to remove as he shall see fit, three or more fit and proper persons in the several Counties of this Province; the Counties of York and Charlotte, and the City and County of Saint John, excepted, as Trustees and Directors respectively, for the establishing Grammar Schools in each of the said Counties except as aforesaid.

To see and powers of Trustees and Directors.

II. *And be it further enacted,* That the said Trustees and Directors of the said Grammar Schools in each of the said Counties, except as aforesaid, or the major part of them, shall form a Board for adjusting the business of the said Schools respectively, and they are hereby empowered to procure proper places, whereon to erect Buildings suited for the said Schools, in each

each County as aforesaid, and to accept and receive Donations for the erection of such Buildings, and for the endowment of such Schools, and to purchase and hold Lands and real Estate, in trust for the use of such Schools, and be enabled to sue and be sued, implead and be impleaded, answer and be answered unto by the name and description aforesaid.

III. *And be it further enacted,* That the said Trustees and Directors, or the major part of them, in each of the said Counties respectively, except as aforesaid, are hereby empowered to procure and retain a Master and Ushers for the said Schools, and to make and establish Bye-Laws, ordinances and regulations for the Government of the said Schools, and to enforce obedience to the same by moderate fines, or expulsions, or other public censures as they may judge proper, and fix and determine the rates of Tuition in the said Schools: *Provided always,* that no such Bye-Laws or regulations, shall have any force or effect until they shall have received the approbation of His Honor the PRESIDENT, or Commander-in-Chief for the time being.

Trustees and Directors to procure Masters,

Make Bye-Laws,

To be approved by the Commander-in-Chief.

IV. *And be it further enacted,* That no Master or Masters, Usher or Ushers, shall be employed to teach in any School or Schools now established or hereafter to be established in this Province, unless such Master or Masters, Usher or Ushers, shall be duly qualified and Licenced as by His MAJESTY'S Royal Instruction is required.

No Person to Teach in any School without a Licence.

V. *And be it further enacted,* That the said Trustees and Directors shall hold public visitations and examinations of the said Schools respectively, twice in each and every year, to wit, on the first Monday in May and the first Monday in November.

Trustees &c. to hold public visitations.

VI. *And be it further enacted,* That the Scholars in the said Schools, shall be taught English Grammar, the Latin and Greek Languages, Orthography, the use of the Globes, and the practical branches of the Mathematics, or such other useful learning as may be judged necessary, and the said Trustees and Directors for the respective Counties shall be, and they are hereby authorized and empowered to nominate and send to the said Schools, any number of Boys not exceeding eight to any one School, to be taught gratis, and such Boys shall be instructed in all the branches of education taught at the said Schools respectively, or in such parts thereof as the said Trustees and Directors shall direct, in the same manner as any other Scholars, and on the removal of any such Boys from the said Schools respectively, the Trustees and Directors shall and may appoint and send others in their stead, so as to keep up at all times the full number of eight free Scholars, in each and every of the said Schools respectively: *Provided always,* that such Boys shall be poor Orphans or Children whose Parents cannot afford to pay for their education.

Course of Tuition for the Scholars.

Free Scholars not exceeding eight may be admitted.

VII. *And be it further enacted,* That the sum of one hundred pounds annually, be included in the estimate of the ordinary expences of the Province for each of the following Counties, that is to say, the Counties of Northumberland, Queen's, Sunbury, King's and Westmoreland, which said sum of one hundred pounds shall be granted annually for the payment of the Masters thereof respectively, the same to be drawn on the Certi-

£100 annually granted to the Counties of Northumberland, Queen's, Sunbury, King's and Westmoreland.

For payment of the Masters,

ificate of such Trustees and Directors, in favor of the person or persons intitied thereto.

Upon Certificate of the Trustees &c. that a School House is prepared, a Master provided and 200 raised by subscription, half the annual allowance to be raised.

VIII. *And be it further enacted*, That as soon as the said Trustees and Directors in any of the said last mentioned Counties, shall certify to His Honor the PRESIDENT or Commander-in-Chief for the time being, that such County hath provided a Building suitable for a Grammar School, and that they the said Trustees and Directors have provided a Master capable to manage the said School, and that the sum of *one hundred pounds* hath been raised or subscribed by the Inhabitants of such County, payable and to be paid to the said Trustees and Directors of such School, in aid of the support and maintenance of the said Master, that then it shall be lawful for His Honor the PRESIDENT or Commander-in-Chief to draw by warrant, by and with the advice and consent of His MAJESTY'S Council, on the Treasury of the Province, for one half of the said sum of *one hundred pounds*, in favor of the Master or Teacher of the said School, and so from time to time upon like Certificate in half yearly payments for the use of such School: *Provided always*, that all sums of money which shall be borne upon the estimate as aforesaid from year to year for the use of such Schools, and which shall not be drawn from the Treasury of this Province pursuant to this Act, shall revert to the Provincial Fund, to be appropriated by the Legislature.

Sums not drawn for, to be re-appropriated by the Legislature.

IX. *And be it further enacted*, That the Trustees and Directors of the Grammar Schools for the said Counties last mentioned respectively, shall be accountable from time to time to the Legislature of the Province, for their conduct and management of the money to be vested in them, by virtue and in pursuance of this Act.

Trustees to be accountable to the Legislature.

XXII.

An Act for the establishment, regulation and improvement of the great Roads of Communication through the Province.

Passed the 11th of March, 1816.

Preamble.

WHEREAS it is expedient that a more effectual system should be established for the regulation and improvement of the great Roads leading through the Province.

Great Roads of Communication established.

I. *Be it therefore enacted by the President, Council and Assembly*, That the Roads as herein described be, and they are hereby appointed and established to be the great Roads of Communication through the Province, that is to say,

Fredericton to Saint John,

That the Road from Fredericton to Saint John, be by the following line or route:--from Fredericton to the Road leading from the highway near *Daniel Curry's* in Gage-Town, then along the said Road to the Mill at the head of Gage-Town Lake, thence following the Road to *Worden's*, thence down the Long Reach to Alwington Manor, thence to meet the Manawagonish Road, thence to the west side of the City of St. John, commonly called Carleton, thence across the short ferry to the Parish of Portland, and thence to the City of Saint John.

That

That the Road leading from Fredericton to Westmoreland Fredericton to Westmoreland. be by the following line or route, that is to say,

From Fredericton to *Worden's* as above described, thence to the head of the Belisle, thence to the Finger-board at *Knox's* Farm, thence through *Sussex Vale*, thence by *Carlisle's* Portage to *James Blakeney's* upon the Petticodiac River, thence down the said River to the Bend, thence through the Portage between the Petticodiac and Memramcook Rivers, thence across the Memramcook by the new Bridge to the Court-House in Dorchester, thence through the Portage to Sackville, thence by the Road leading over the great Marsh to the Missequash River, the Boundary line of the Province, to join the Post Road of Nova-Scotia.

That the Road leading from Fredericton to Saint Andrews, Fredericton to St. Andrews. be by the following line or route, that is to say,

From Fredericton to *John Hazen's*, near the mouth of the Oromocto River, thence by the Road leading through the New-Geary settlement so called, to the Block-house near the Oromocto River, thence to the Block-house near the Forks of the Magaugadavic River, thence by the Pleasant Ridge to *Wittcher's*, thence by the Dideguash River to *Connick's*, thence to *Gilman's*, thence to *Cookson's*, and thence to Saint Andrews.

That the Road leading from Fredericton to the Canada line, Fredericton to the Canada line. be by the following line or route, that is to say,

From Fredericton upon the west side of the River Saint John to *John Kelly's*, thence to cross the River to *Michael Mc Nelly's*, thence to *Joseph Woberton's* in the Parish of Northampton, thence across the River St. John to Mr. *Fraser's* lower Farm in Woodstock, thence to the Garrison at Presquisie, thence across the larger Presquisie Creek near the mouth to the River Roostock, thence across the said River near the mouth, thence to the Grand Falls, and from thence to the Canada line through the Madawaska settlement.

That the Road leading from Fredericton to the Northumberland Court-House, Fredericton to Northumberland be by the following line or route, that is to say,

From Fredericton across the Ferry to Moncton, thence following the present Road to *Duncan McLeod Senior's* Farm on the west side of the Nashwalk Creek, thence to cross the said Creek to the widow *McLeod's*, thence following the present Portage Road to *Porter's*, thence along the south side of the Miramichi River to *Davis's* Tavern, thence to cross the River to *Lewis Mitchell's*, thence along the west side of said River to the Forks of the Miramichi and Etienne Rivers, thence to cross the River Miramichi to *Babcock's* on the east side of said River, thence along the east side of said River to *Peter Stewart's* opposite the Indian Town, thence to cross the said River to the Tavern at present occupied by *John Forth* on the west side of the same, thence along the west side of said River to *Bobear's* Point, thence to cross the north-west branch of the Miramichi River to *Patrick Taylor's* on the north side of said branch, thence to continue on the north side of said River to the Court-House in the Parish of New-Castle.

That the Road leading from Saint John to Saint Andrews, S. John to Saint Andrews. be by the following line or route, that is to say,

By Carleton to the Bridge upon the Musquash, thence to Little Dipper Harbor, thence to pass in the neighbourhood of great

great Dipper-Harbor, thence by the Bridge upon the Le Proc River, at the head of *Mace's Bay*, thence to *Vernon's*, thence to the Bridge across the Magaugadavic River, thence to the projected Bridge upon the Digdeguash River, thence through the Buckabec settlement to Chamcook, and thence to Saint Andrews.

Saint John to Westmoreland.

That the Road leading from the City of Saint John to Westmoreland, be by the following line or route, that is to say,

From Saint John to Hampton Ferry, thence by the Road leading through Hampton to the Burnt Hill, thence by the new Road to *Knox's Farm*, and thence to the Misseguash as herein-before described.

Width of Roads.

II. *And be it further enacted*, That all the before-mentioned public Roads shall be laid out four rods wide, and be opened and worked of such width as the Supervisors in their respective Districts, shall in their discretion deem necessary.

Supervisors appointed.

III. *And be it further enacted*, That the following persons be, and they are hereby appointed Supervisors of the said public Roads, and in and for the Districts herein specified and limited, that is to say, *Edward W. Miller*, *James Brittain* and *Henry Nase*, to be Supervisors of that part of the public Road leading from Fredericton to Saint John.

Benjamin Wilson, *George Harding* and *Ichabod Lewis*, to be Supervisors of that part of the public Road leading from Fredericton to Westmoreland, which lies between *Worden's Ferry* and the Misseguash.

John Campbell, *Christopher Hatch* and *Gabriel De Veber*, to be Supervisors of the aforesaid public Road leading from Fredericton to Saint Andrews.

Daniel Morehouse, *Thomas Lee* and *George D. Barton*, to be Supervisors of the public Road leading from Fredericton to the Canada line.

James Mc Nabb, *Joseph Saunders* and *John Henderson*, to be Supervisors of the public Road leading from Fredericton to the Northumberland Court-House.

John Mount, *Thomas Weyer, Jun.* and *Moses Vernon*, to be Supervisors of the Road leading from Saint John to St. Andrews.

Charles I Peters, *Nathaniel Golding* and *Caleb Wetmore* to be Supervisors of that part of the public Road leading from St. John to Westmoreland, which lies between the City of Saint John and the Finger-board at *Knox's Farm*.

Supervisors to give security.

IV. *And be it further enacted*, That every Supervisor appointed by this Act, shall give such security for the faithful performance of the duties required of him, and for accounting for the public monies intrusted to him, as His Honor the PRESIDENT or Commander-in-Chief for the time being, with the advice of His MAJESTY'S Council, shall deem fit and proper.

Supervisors to have the sole ordering of repairs and alterations.

V. *And be it further enacted*, That the Supervisors appointed in and by this Act, shall have the sole ordering of the repairs and alterations which may be necessary for the completing the said Roads within their respective limits or Districts, and keeping them at all times during their continuance in office in the best practicable state for the passage of Men, Horses, Cattle, Teams and Carriages.

Sums to be allowed from the Province Treasury,

VI. *And be it further enacted*, That there be allowed and paid out of the Province Treasury, the following sums of money

money, that is to say, to the said *Edward W. Miller, James Brittain* and *Henry Nase*, Supervisors as aforesaid, the sum of *four thousand pounds* towards improving and repairing the public Road between Fredericton and Saint John, and for building and repairing Bridges upon the same. Fredericton to St. John.

To the said *Benjamin Wilson, George Harding* and *Ichabod Lewis*, the sum of *four thousand pounds* towards improving and repairing the public Road between *Worden's* and the *Missequash*, and for building and repairing Bridges upon the same. From Worden's to the Missequash.

To the said *John Campbell, Christopher Hutch* and *Gabriel De Veber*, the sum of *three thousand pounds* towards improving and repairing the public Road between Fredericton and Saint Andrews, and for building and repairing Bridges upon the same. Fredericton to St. Andrews.

To the said *George D. Berton, Thomas C. Lee* and *Daniel Morehouse*, the sum of *three thousand pounds* towards improving and repairing the public Road leading from Fredericton to the Canada line, and for building and repairing Bridges upon the same. Fredericton to the Canada line.

To the said *James M^r Nabb, Joseph Saunders* and *John Henderson*, the sum of *four thousand pounds* towards improving and repairing the public Road between Fredericton and the Northumberland Court-house, and for building and repairing Bridges upon the same. Fredericton to Northumberland

To the said *John Mount, Thomas Wyer, Jun.* and *Moses Vernon*, the sum of *three thousand pounds* towards improving and repairing the public Road between the City of Saint John and Saint Andrews, and for building and repairing the Bridges upon the same. Saint John to Saint Andrews.

And to the said *Charles I. Peters, Nathaniel Golding* and *Caleb Wetmore*, the sum of *two thousand pounds* towards improving and repairing the public Road between the City of Saint John and the Finger-board at *Knox's Farm*, and for building and repairing the Bridges upon the same. Saint John to the Finger-board.

VII. *And be it further enacted*, That the before-mentioned sums of money shall be paid by the Treasurer by warrant of His Honor the PRESIDENT and Commander-in-Chief for the time being, by and with the advice of His MAJESTY'S Council: *Provided nevertheless*, that no more than one third part of the said respective sums of money shall be drawn from the Treasury, and be paid to the respective Supervisors at any one time; *and provided also*, that the application for such sums shall be made by a majority of such Supervisors of their respective Districts. Monies to be paid by warrant, &c. Not more than one third at one time. Application to be made by a majority of Supervisors.

VIII. *And be it further enacted*, That the said Supervisors shall respectively keep an exact account of the expenditure of the said several and respective sums, and shall produce receipts in writing from the several and respective persons to whom any part of the said sums of money shall be paid as vouchers for the payments, and shall render an account thereof upon oath, which oath any Justice of the Peace in the several and respective Counties is hereby authorized to administer, to be transmitted to the office of the Secretary of the Province, for the inspection and examination of the General Assembly. Supervisors to account for the monies, and produce receipts.

IX. *And be it further enacted*, That it shall be the duty of the said Work to be done by contract, where practicable.

said Supervisors when practicable, to prefer Contracts for the making and repairing the Roads and Bridges within their respective Districts, and to avoid as much as possible the hiring of men by days work, the amount of the Contracts, and the wages of Laborers hired by the day to be paid in cash.

Statute Labour to be performed under the direction of the Supervisors, who may compel the performance at such times as they think proper, and may exact fines.

X. *And be it further enacted,* That the ordinary statute Labour of all persons residing upon the said public Roads, (liable by Law to work on said Roads) shall be done and performed in the respective Districts, under the authority and direction of the respective Supervisors of such Districts, who shall have the sole power to compel and direct the performance of the same at such times and seasons as to them shall respectively appear convenient and proper, and to expend when collected as by Law is provided, the fines of those who shall neglect or refuse to perform their statute Labour upon the same.

Supervisors may after notice seize and dispose of Fences, Timber and other things found on the Roads,

XI. *And be it further enacted,* That all Fences, Timber, Wood, Stones, Boards, Planks and Rubbish of any kind which shall be found to remain upon any part of the said public Road, after six days previous public notice by the respective Supervisors to remove the same shall be forfeited, and it shall and may be lawful for the said Supervisors respectively or any of them without any suit or process of Law whatever, to cause all articles so found to be seized and disposed of in such way and manner as he or they may think proper, and if the same shall be sold, the proceeds of such sale shall be applied by the said Supervisor or Supervisors, for the repairs and improvement of such Roads.

If the articles are sold, the proceeds to be applied on the Roads

Supervisors may if necessary, go out of the Roads to procure materials for repairs.

XII. *And be it further enacted,* That in case it shall be necessary or expedient for the Supervisors of their respective Districts, to go out of the said Roads to procure materials for the repairs of the said Roads, it shall and may be lawful for the said Supervisors respectively, when from the absence or obstinacy of the owner or possessor of the soil, no agreement can be made with him, to enter with workmen, carts, carriages and horses upon any uncultivated Lands, and therefrom to dig, take and carry away for the repairs of the said Roads, stone or gravel, and also therefrom to cut down and carry away Trees and Bushes, for Logs, Poles and brush-wood to repair the same Roads, and the damage done thereby shall be appraised and ascertained by the judgment of three indifferent freeholders to be nominated by the nearest Justice of the Peace for that purpose, and the sum so ascertained shall be paid or tendered by the Supervisors respectively, to the owner of the soil if demanded within three months from such appraisal.

Damage to be appraised and paid for,

Penalty on Persons wilfully interrupting Supervisors.

XIII. *And be it further enacted,* That if any person or persons shall wilfully hinder or interrupt any Supervisor in the lawful exercise of the duties incident to his office, such person or persons so offending shall forfeit the sum of *five pounds*, to be recovered before any Justice of the Peace of the County where such offence may be committed upon conviction, upon the oath of one or more credible witness or witnesses, to be levied by warrant of distress and sale of the offender's Goods and Chattels, to be paid to the Supervisors of the District where such offence shall be committed, for the use of the public Road within such District.

Supervisors may plead the general issue in actions brought

XIV. *And be it further enacted,* That in case any action of trespass, or upon the case shall be brought against any or either

either of the said Supervisors by reason of any thing done by them or him in the execution of his duty under and by virtue of this Act, such Supervisor or Supervisors may plead the general issue and give the special matter in evidence at the trial in like manner as if such matter had been fully and specially pleaded.

XV. *And be it further enacted,* That each of the said Supervisors shall be respectively paid for every day they shall be actually employed in surperintending the repair and alterations of the said Road and Bridges, the sum of *twenty shillings* in lieu of commissions for the said service and no more, which sum shall be retained by the said Supervisors out of the monies paid for the service of the said Road from time to time as the same shall become due, and be charged in their accounts respectively, provided that the sum so retained shall not exceed the sum of *seventy-five pounds*, to either of the said Supervisors in any one year.

XVI. *And be it further enacted,* That in case of the death, removal from the District or refusal of any Supervisors to act, it shall and may be lawful for His Honor the PRESIDENT OR Commander-in-Chief for the time being, by and with the advice of His MAJESTY'S Council, to nominate and appoint some other fit person being a substantial freeholder, and having a freehold and residence in the District for which such persons shall be appointed, to be a Supervisor in the room of such person so deceased or removed from the District, or who shall refuse to act.

XVII. *And be it further enacted,* that all and whatsoever sums of money which have heretofore been granted towards repairing and improving any part or parts of the Roads herein-before established as the great Roads of Communication in this Province, and which remain in the hands of the respective Commissioners or persons entrusted with the expenditure of the same, unexpended and not contracted for at the time of passing this Act, be forthwith paid into the hands of the Supervisors of the respective Districts in which the said sums of money were to have been expended over and above the sums of money herein-before granted to them respectively.

XVIII. *And be it further enacted,* That the said Supervisors for the respective Districts shall not make any alterations in any part of the great Roads within their respective Districts, through any improved Land without the consent of the owner or owners thereof, or agreeing with or paying to him or them the value of the said improved Land so to be laid out into such public Road, with such damages as he or they may sustain by the said Road, and in case they cannot agree, then the true value to be set and appraised by five disinterested freeholders to be nominated and appointed by the nearest Justice of the Peace, on the oath of such freeholders, which oath the said Justice is hereby authorized to administer, the amount of the value and damages, with the incidental expence, to be defrayed by the Supervisors of the respective Districts, out of the monies herein-before granted for the use of the said Road.

XIX. *And be it further enacted,* That the Supervisors of the respective Districts for which they shall be appointed, shall enter in writing the said public highways, and the alterations that may be made from time to time within the same, and

make a return thereof into the office of the Secretary of the Province, and also a duplicate thereof into the office of the Clerk of the Peace for the County in which such public Road lies, to be by such Clerk entered into a book kept by Law for that purpose, and whatsoever the said Supervisors shall respectively do according to the powers given to them in this Act, shall be valid and good.

Acts of the Supervisors to be valid.

XX. *Provided always, and be it further enacted,* That nothing herein contained shall be construed to extend to oblige the Supervisors or any of them to lay out the several sums heretofore granted, or any or either of them within the current year, unless in cases where the same can be done advantageously to the public interest.

Supervisors not obliged to expend the sums granted, within the current year.

CAP. XXIII.

An Act to encourage the establishment of Schools in this Province.

Passed the 16th of March, 1816.

WHEREAS the education of Youth is of the utmost importance and public attention to that object, in affording them easy means of acquiring useful knowledge, has been found to be attended with the most beneficial effects in society.

Preamble.

I. *Be it enacted by the President, Council and Assembly,* That the Justices of the General Sessions of the Peace for the several and respective Counties in this Province, shall and may at the time of making the annual appointment of Town or Parish Officers, have power and authority to nominate and appoint two or more fit persons to be Trustees of and for Schools in the several Towns or Parishes within their respective Counties, who shall be sworn to the faithful discharge of their duty, and be in every respect subject to the same rules, regulations, penalties and forfeitures as any other Town or Parish Officers are subject to, by virtue of an Act made and passed in the twenty-sixth year of His MAJESTY'S Reign, entitled "An Act for the appointment of Town or Parish Officers in the several Counties of this Province," and in such of the said Counties wherein the said Court of General Sessions has been already held in this year, or shall be held before the publication of this Act, it shall and may be lawful for the Justices of the said Sessions to call and hold, as soon as conveniently may be after the publication of this Act, a special Session for the purpose of appointing such Trustees as aforesaid, which said Trustees so appointed, shall in all respects act and be liable as if they had been appointed at the General Sessions of the Peace as herein-before directed, and shall continue in office until other persons shall be appointed in their stead, in such Counties respectively.

Justices in Sessions to appoint Trustees for Schools.

Trustees to be sworn, and liable to penalties.

Trustees may be appointed at a Special Session.

II. *And be it further enacted,* That it shall be the duty of the Trustees to be appointed under and by virtue of this Act, as soon as may be after their appointment, after giving fifteen days previous public notice, to summon the inhabitants of their respective Towns or Parishes, being freeholders or hav-

Duty of Trustees

ing a yearly income in real or personal estate of the value of *forty shillings*, openly and publicly to meet and assemble in some fit and convenient place to be by the said Trustees for that purpose appointed, for the purpose of subscribing or voting for the raising money by assessment in the manner herein-after mentioned, for the establishment and support of Schools within their respective Towns or Parishes, to the end that the Youth therein may be taught Orthography, Reading, Writing and Arithmetic: *Provided nevertheless*, that the money so to be subscribed or raised, shall not be less than *thirty pounds*, nor more than *ninety pounds* for one year, and if raised by assessment, the same shall be determined by a majority of the inhabitants present at such meeting.

III. *And be it further enacted*, That it shall and may be lawful for such inhabitants at such meetings, to subscribe or raise money in the manner herein-before mentioned for building, providing or repairing one or more School Houses in their respective Towns or Parishes, and for procuring necessary furniture and utensils for the same, and also to define and settle the limits of such School or Schools.

IV. *And be it further enacted*, That the said Trustees shall at the request of any five freeholders in their respective Towns or Parishes in like manner, summon such of the inhabitants as are herein-before mentioned; to meet once in the year, to wit, on the first Monday in March, or on the first Monday in October, in each and every year, during the continuance of this Act, at such fit and convenient place as shall be by the said Trustees for that purpose appointed, for all or any or either of the purposes herein-before mentioned, first giving fifteen days previous public notice as aforesaid, of the time, place and purpose of such meeting as aforesaid.

V. *And be it further enacted*, That upon any sum or sums of money being voted as aforesaid, to be raised by assessment as aforesaid, at any such meeting as aforesaid, and upon the amount of such sum or sums so voted, being certified in writing under the hands of the said Trustees respectively, to the assessors of such Towns and Parishes respectively, the same shall be assessed and collected in like manner as rates for the support of the Poor are by Law assessed and collected, and shall be paid into the hands of the said Trustees respectively of the School or Schools within such Towns and Parishes respectively: *Provided always*, that the sums so voted shall be assessed in manner and form as aforesaid, upon such of the inhabitants as shall reside within three miles of some School House, and that all and whatsoever sum or sums of money shall be so as aforesaid subscribed at any meeting, for all or any or either of the purposes aforesaid, shall be made recoverable and payable, and be paid to the said Trustees respectively, to be by them disposed of in manner herein-after mentioned.

VI. *And be it further enacted*, That it shall and may be lawful for the said Trustees to agree from time to time with proper persons being duly licenced, as by His MAJESTY'S Royal instructions is directed to keep such School or Schools in their respective Towns or Parishes, and to fix the salary to be allowed to each and every such School Master, to be paid out of the money to be subscribed and raised as herein-before mentioned

Inhabitants may raise money for Schools.

Justices at the request of five Freeholders, may call an annual meeting of the Inhabitants.

Fifteen days notice to be given.

Money being voted to be raised by assessment and certified to the Assessors, may be raised as sums for support of the Poor.

Assessment limited to inhabitants residing within three miles from a School House.

Sums subscribed to be recoverable.

Trustees may agree with Schoolmasters and fix their Salaries.

mentioned, and out of that which may be received from the Treasury of this Province under the provisions of this Act, and the said Trustees are hereby respectively required to use their best endeavours to cause the Youth of the respective Towns or Parishes regularly to attend to the said Schools, and to visit and inspect the same twice in each and every year, during the continuance of this Act, and to enquire into the discipline and regulations thereof, and of the proficiency of the Scholars, and to take care that the benefit of such Schools shall be confined to the Youth of such persons as contribute to their support, in cases where the money shall be raised by subscription.

Trustees to endeavor to cause the youth to be instructed, and to visit the Schools.

VII. *And be it further enacted*, That the said Trustees shall be, and they are hereby authorized and empowered from time to time, and so often as they shall see fit, to inquire into the conduct of the Master or Teachers employed in the School or Schools within their respective Towns or Parishes, and to report the same to the Court of General Sessions of the Peace for the several and respective Counties which shall have power to remove such Master or Teachers, if they find him or them negligent, insufficient or of bad morals.

Trustees to inquire into the conduct of Teachers, and report to the Sessions, who may remove them.

VIII. *And be it further enacted*, That the said Trustees or the major part of them in the respective Towns or Parishes shall and may, and they are hereby authorized and empowered to remove or expel any Scholar or Scholars being of abandoned and wicked habits, out and from any of the Schools within their respective Towns or Parishes.

Trustees may expel Scholars of bad habits.

IX. *And be it further enacted*, That as soon as it shall be certified in writing to His Honor the PRESIDENT or Commander-in-Chief for the time being, by the Court of General Sessions of the Peace in and for any County within this Province, that a School House has actually been built or provided for, and a School Master appointed thereto, in any Town or Parish in the said County, and that money has been raised to the amount of *thirty pounds*, that then and in such case there shall be allowed for the further support of such School, the sum of *twenty pounds* per annum, and a like proportion for any larger sum not exceeding *ninety pounds*, the same to be drawn from the Treasury of the Province, by warrant from His Honor the PRESIDENT or Commander-in-Chief for the time being, by and with the advice of His MAJESTY'S Council, in favor of the Trustees of such School, and to be by them applied in support thereof according to the true intent and meaning of this act: *Provided nevertheless*, that no one School in any Town or Parish, shall receive in any one year, a larger sum than *twenty pounds*; and *provided also*, that no larger sum than *sixty pounds* shall be paid to the Schools in any one Town or Parish in any one year.

Upon certificate that a School-house is provided and a master appointed and £30 raised, an allowance to be paid from the Province Treasury.

Limitation of Allowance.

X. *And be it further enacted*, That the Trustees in the several Towns or Parishes may if they think fit, retain out of the monies so to be raised in their respective Towns or Parishes as aforesaid, and to be drawn from the Treasury of the Province as aforesaid, a sum of money not to exceed the sum of *twenty shillings* for each and every School in the several Towns or Parishes, to be by them laid out and expended in the purchasing of Stationary, Books and other suitable rewards, to be

Trustees may retain money for procuring rewards to be distributed to the Scholars.

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by them distributed to those of the Scholars in the several Schools, who shall excel in each of the several branches of Orthography, Reading, Writing and Arithmetic, at the examination of such Schools: *Provided nevertheless*, that no reward shall be distributed to any Scholar who cannot repeat by heart the Creed, the LORD'S Prayer, and the ten Commandments.

XI. *And be it further enacted*, That at the several Schools so to be established as aforesaid, when the same shall be provided for and supported by assessment upon the inhabitants, the Scholars shall be taught free from all expence whatsoever, other than their own Books and Stationary, and individual proportion of Fuel. When Schools are supported by assessment, Scholars to be taught free of expence, except for Books &c.

XII. *And be it further enacted*, That the said Trustees so as aforesaid to be appointed in the several Towns or Parishes shall annually account to, and with the Court of General Sessions of the Peace in each County respectively, for all monies by them received, disbursed and distributed to and for the use of their respective Schools, and shall be subject to such rules and orders as the said Court shall from time to time make, touching the funds of the said several Schools, or the application thereof. Trustees to account annually to the Sessions.

XIII. *And be it further enacted*, That this Act shall remain and be in force for four years, and from thence to the end of the next Session of the General Assembly. Limitation.

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CAP. XXIV.

An Act further to continue an Act, entitled " An Act
" for regulating, laying out and repairing High-
" ways and Roads, and for appointing Commissio-
" ners and Surveyors of Highways within the seve-
" ral Towns and Parishes in this Province."

Passed the 16th of March, 1816.

BE it enacted by the President, Council and Assembly, That an Act made and passed in the fiftieth year of His MAJESTY'S Reign, entitled " An Act for regulating, laying out " and repairing Highways and Roads, and for appointing " Commissioners and Surveyors of Highways within the seve- " ral Towns and Parishes in this Province" be further conti- Continued for two years. nued, and the same is hereby continued for two years, and until the end of the then next Session of the General Assembly.

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CAP. XXV.

An Act further to continue an Act, entitled " An Act
" to provide for the more effectually repairing the
" Streets and Bridges in the City and County of St.
" John." Passed the 16th of March, 1816.

BE it enacted by the President, Council and Assembly, That an Act made and passed in the fiftieth year of His MAJESTY'S Reign, entitled " An Act to provide for the more ef- Continued for two years. fectually
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“ factually repairing the Streets and Bridges in the City and “ County of St. John” be, and the same is hereby further continued for the term of two years, and to the end of the then next Session of the General Assembly.

CAP. XXVI.

An Act to encourage the Fisheries of this Province.
Passed the 16th of March, 1816.

WHEREAS it is deemed expedient to encourage the Cod Fisheries of this Province, by giving a Bounty to the owners of vessels, which shall be employed in the same, upon the Coasts thereof and of the neighbouring Provinces.

I. *Be it therefore enacted by the President, Council and Assembly,* That all vessels of thirty tons and upwards, registered in this Province, and wholly owned by persons residing in the same, which shall be employed and engaged in the Cod Fisheries upon any part of the Coasts of this Province, or of the Province of Nova-Scotia, or of the Island of Cape Breton, or in any part of the Gulf of St. Lawrence, or upon the Labradore Coast, or in any Bay or Harbor, within any of the same places, or upon the Banks of Newfoundland, for the space of four complete Calendar months, between the first day of April and the first day of December, in any year during the continuance of this Act, or which shall be so employed for the space of three complete Calendar months between the days before specified, and which shall within that time make a complete fare of Cod or scale Fish, at and after the rate of ten quintals for each and every Ton of each and every such Vessel, shall be entitled to receive a bounty at and after the rate of *twenty shillings* per ton, according to the Registered Tonnage thereof, to be paid out of the Province Treasury to the owner or owners of every such Vessel, by warrant of the Governor or Commander-in-Chief for the time being, to be issued by and with the advice of His MAJESTY'S Council: *Provided always,* that the sum to be paid in any one year for such bounties shall not exceed the sum of *three thousands pounds*: *Provided also,* that all Vessels so to be employed in the Cod Fisheries as aforesaid, shall at the time of clearing out at the Custom-House, be fully provided with Salt, Stores and equipments necessary for carrying on the said Fisheries, that the Master and owner of such Vessel, shall declare it to be his or their intention to prosecute such Fisheries with effect.

II. *And be it further enacted,* That before any warrant shall issue for the bounty herein-before given, and granted proof shall be made to the satisfaction of the said Governor or Commander-in-Chief for the time being, and His MAJESTY'S Council by affidavit of the Master or person acting as such, and the men or the major part of them belonging to the Vessel claiming such bounty made before one of His MAJESTY'S Justices of the Peace, that the same Vessel has been actually employed and engaged in the said Fisheries for such length of time as to entitle her to the said bounty, under and by virtue of this Act, which affidavit shall be accompanied by a certifi-

Preamble.

Bounty granted on vessels owned in the Province, and employed in the Fisheries.

Bounty to be paid to the owner by warrant.

Bounty in one year not to exceed £3000.

Vessels to be provided with Salt and other necessaries.

Declaration to be made by the Master.

Before the issuing of a warrant for Bounty, proof to be made that the vessel has been actually employed in the Fisheries as required by this Act.

cate of such Justice, that he verily believes the facts stated in such affidavit are true: *Provided always*, that in cases where there shall be any reasonable ground to suspect fraud in any application for the said bounty, other proof may be required for the removal of such suspicion. If fraud suspected, further proof may be required.

III. *And be it further enacted*, That if any person or persons shall be guilty of false swearing in any affidavit so made before any one of His MAJESTY'S Justices of the Peace as aforesaid, such person or persons so offending, shall upon conviction thereof before the Supreme Court or any Court of Oyer and Terminer or Goal Delivery, be liable to suffer the pains and penalties by Law inflicted for wilful and corrupt perjury. False swearing made perjury.

IV. *And be it further enacted*, That this Act shall be in force for two years and until the end of the then next Session of the General Assembly. Limitation.

CAP. XXVII.

An Act to erect into a separate Parish all the Lands in Queen's County, in the rear of the Parishes of Wickham and Waterborough.

Passed the 16th of March, 1816.

I. **B**E it enacted by the President, Council and Assembly, That all that Tract of Land in Queen's County, situate in the rear of the Towns or Parishes of Wickham and Waterborough, be one distinct Town or Parish, distinguished by the name of the Town or Parish of Brunswick. Parish to be called Brunswick.

II. *And be it further enacted*, That the Justices of the Peace for the said County shall and may have power to appoint annually from time to time, officers for the said Town or Parish of Brunswick, in the same manner as for the other Towns or Parishes within the said County, and also that the said Justices may at a special Session for that purpose to be holden, have power and authority to appoint such officers for the present year, which officers shall be sworn to the faithful discharge of their duties respectively, and be liable to the like penalty for not accepting of their respective offices, or neglecting or refusing to perform the duties of their several offices as any other Town or Parish Officers within the said County. Justices empowered to appoint Parish officers. Justices may appoint officers for the present year, at a special Session.

AND WHEREAS the boundary lines of the said County have not yet been run out, and doubts may exist whether the whole of the inhabitants forming the settlement commonly called the New-Canan settlement, will be within the limits of the above named Town or Parish of Brunswick---for removal whereof, Inhabitants of New-Canan to be considered as belonging to the Parish of Brunswick.

III. *Be it further enacted*, That until the said boundary lines shall be run out by some person duly authorized for that purpose, the whole of the said inhabitants forming the said settlement, shall be deemed and taken to belong to the said Town or Parish of Brunswick, any thing to the contrary thereof notwithstanding.

CAP. XXVIII.

An Act to enable the Minister and Elders for the time being of the Church in Communion with the Kirk of Scotland, lately erected in the City of St. John, to hold the same to them and their Successors for ever, and for other purposes therein mentioned.

Passed the 16th of March, 1816.

Preamble.

WHEREAS sundry inhabitants of the City of St. John and its vicinity, being of the Protestant profession of Worship, approved of by the General Assembly of the Church of Scotland, have by voluntary contributions, aided by a grant of money out of the Treasury of this Province, erected a large and handsome building for a place of public Worship, which it is intended shall be in connection with the said Church of Scotland: AND WHEREAS the title to the Lots on which the same Church has been erected, situate in Queen's Ward of the said City, and fronting on Germain Street, is now in sundry inhabitants of the said City, who hold the same in trust for the public use, intent and purpose of a site for the said building as a place of public Worship, for the use of the persons of the profession as aforesaid: AND WHEREAS the said persons are desirous that the said title to the said Lots should be transferred to and vested in the Minister and Elders of the said Church, and that the said Minister and Elders and their Successors, should be incorporated for such purpose and other purposes, for the better support of the same Church.

Minister and Elders when duly chosen and appointed and the Minister approved and licenced by the Governor, to be proprietors of the Lots whereon the Building is erected,

I. *Be it therefore enacted by the President, Council and Assembly,* That the Minister and Elders of the said Church commonly called and known by the name of the Kirk of Scotland, whenever such Minister and Elders shall be duly chosen and appointed, according to the usages of the said Church of Scotland, and the said Minister being first approved and licenced by the Governor or Commander-in-Chief of the said Province for the time being, shall be deemed and taken to be in all Courts of Law and equity, the proprietors of the said Lots, instead of the said persons now having title thereto as aforesaid, and that the said title to the said Lots shall thence forward be transferred to and vested in the said Minister and Elders and their Successors for ever, being so elected and appointed and approved and licensed as aforesaid, to have, hold, use and enjoy the same for the use and intent aforesaid, by the name of the Minister and Elders of the Kirk of Scotland, in the City of St. John, saving nevertheless the right of His MAJESTY, his Heirs and Successors, and of all bodies Politic and Corporate, and of all other Persons to the said Lots, except the said Persons in whom the title is vested as aforesaid for the use aforesaid.

Saving the rights of the King and of others.

II. *And be it further enacted,* That the said Minister and Elders of the Kirk of Scotland in the City of St. John and their Successors, shall and may have power to sell or let the Pews in the said Church, upon such terms as they may judge fit, and can agree for with the persons desirous to purchase or hire the same; and that when the said Pews are so sold or let, the persons purchasing

Minister and Elders may sell the Pews.

Purchasers may hold Pews according to the Contract.

purchasing or hiring the same, shall hold and enjoy the same according to the tenor of the contract, or terms on which the same may be so sold or let.

CAP. XXX.

An Act to continue and amend the several Acts now in force for raising a Revenue in this Province.

Passed the 16th of March, 1816.

I. **B**E it enacted by the President, Council and Assembly, That an Act made and passed in the forty-seventh year Former Acts continued for one year. of His MAJESTY'S Reign, entitled "An Act for raising a Revenue in this Province," and also an Act in amendment thereof, made and passed in the fiftieth year of His MAJESTY'S Reign, entitled "An Act to continue and amend an Act, entitled "An Act for raising a Revenue in this Province;" and also another Act in amendment of the said two Acts, made and passed in the fifty-second year of His MAJESTY'S Reign, entitled "An Act to continue and amend the Act for raising a Revenue in this Province, and the Act in amendment thereof," and also an Act made and passed in the fifty-third year of His MAJESTY'S Reign, entitled "An Act for the further increase of the Revenue of this Province," and also an Act made and passed in the fifty-fourth year of His MAJESTY'S Reign, entitled "An Act to give full effect to, and to prevent the evasion of an Act, entitled "An Act for the further increase of the Revenue of this Province," and also another Act made and passed in the same year, entitled "An Act for laying additional duties on certain articles imported into this Province" be, and the same Acts are hereby continued and declared to be in full force, except wherein the same, or any of them are herein-after amended and altered, until the first day of April, which will be in the year of our LORD one thousand eight hundred and seventeen.

II. *And be it further enacted,* That in all cases where the Credit for duties extended. rates and duties arising on any one Cargo of Articles, upon which the same rates and duties are imposed by the herein-before recited Acts, or either of them, shall exceed the sum of *one hundred pounds*, bonds shall be taken for securing the payment of the same as follows, to wit, one third in six months, one third in twelve months, and the remaining one third in eighteen months, any thing in the same recited Acts, or any or either of them to the contrary notwithstanding.

CAP. XXX.

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

Passed the 16th of March, 1816.

I. **B**E it enacted by the President, Council and Assembly, That there be allowed and paid out of the Treasury of the Province, unto the several Persons hercafter mentioned, the following sums, to wit:

N

To

Speaker.

To the *Speaker* of the House of Assembly, the sum of *one hundred pounds*.

Members

To the Members of the House of Assembly, for defraying the expences of their attendance during the present Session, and for travelling charges, reckoning twenty miles for each day's travel, to be certified by the *Speaker*, *fifteen shillings per diem*.

Chaplain.

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

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

Clerks.

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

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

To the Assistant Clerk of the House of Assembly, the sum of *twenty shillings per diem*, during the present Session.

Serjeants at Arms.

To the Serjeant at Arms attending the Council in General Assembly, *fifteen shillings per diem*, during the present Session.

To the Serjeant at Arms attending the House of Assembly, *fifteen shillings per diem*, during the present Session.

Door-keepers and Messengers.

To the Door-keepers and Messengers attending the Council and Assembly, *ten shillings per diem* each, during the present Session.

Tide Surveyor.

To the Tide Surveyor in the City of Saint John, from the first day of March one thousand eight hundred and fourteen, to the first day of March one thousand eight hundred and fifteen, the sum of *one hundred pounds*, and the like sum of *one hundred pounds* from the first day of March one thousand eight hundred and fifteen, to the first day of March one thousand eight hundred and sixteen, for his services and expences.

Treasurer.

To the Treasurer of the Province for his services from the first day of March one thousand eight hundred and fourteen, to the first day of March one thousand eight hundred and fifteen, the sum of *five hundred pounds*, and the like sum of *five hundred pounds* from the first day of March one thousand eight hundred and fifteen, to the first day of March one thousand eight hundred and sixteen.

Agent.

To *Edward Goldstone Lutwyche*, Esquire, for his services as Agent for the Province, for the years one thousand eight hundred and fourteen, and one thousand eight hundred and fifteen, the sum of *two hundred pounds sterling*.

Contingencies.

To His Honor the PRESIDENT and Commander-in-Chief, for defraying the contingent expences of the Province, a sum not exceeding *three hundred pounds*, for the year one thousand eight hundred and sixteen.

Adjutants of Militia.

To the Adjutants of the Militia in the different Counties of the Province, a sum not exceeding *one hundred and ninety pounds*, for the year one thousand eight hundred and sixteen, agreeably to a Law of this Province.

Indian Missionary.

To His Honor the PRESIDENT and Commander-in-Chief for the time being, a sum of *fifty pounds sterling*, for the purpose of paying a Missionary to the Indians, for the year one thousand eight hundred and sixteen.

Expences of Session.

To the Clerk of the House of Assembly, the sum of *one hundred and seventy-six pounds, nine shillings and four pence*, for Stationary, Fuel and other expences of the present Session.

To

To His Honor the PRESIDENT or Commander-in-Chief for apprehending Deserters: for apprehending Deserters:
 the time being, the sum of *fifty pounds*, for rewarding such persons as have apprehended Deserters from His MAJESTY'S service, after the late Act had expired, viz. to *Thomas G. Cunliffe*, for two Deserters; *Wm. Smith, Wm. Bull* and *Charles Bart*, for each one Deserter; and a further sum of *twenty pounds* to reward Captain *William Bailey* and a party of Indians, for apprehending two Deserters from the late New-Bruswick Fencibles.

To the Clerk of the Council, the sum of *twenty-five pounds* Assistant to Clerk of the Council.
 for defraying the expences of an Assistant, during the present Session of the Legislature.

To *Edward Goldstone Lutwyche*, Esquire, the sum of *twenty pounds* sterling, for Postage and other contingent expences Agent for Postage.
 during the years 1814 and 1815.

To the Commissioners of the Light-House on Partridge Island, (in addition to the sum remaining unexpended of the grant in 1812,) for building a Wharf, repairing the House for the keeper, building a Vat for the Oil, and digging a Well on the said Island, a sum not exceeding *two hundred pounds*. Light-House.

To the Keeper of the Light-House on Partridge Island, the sum of *one hundred and fifty pounds* for the year 1816.

To *Samuel Buchanan*, for airing and taking care of the Province Hall, the sum of *fifteen pounds* for the year one thousand eight hundred and fourteen, and the like sum for the year one thousand eight hundred and fifteen. S. Buchanan.

To *Nathaniel Atcheson*, Esquire, Secretary to the Society of British North American Merchants in London, and Agent for some of His MAJESTY'S North American Colonies, the sum of *two hundred pounds* sterling, for his past services for two years, ending February 1816, and that the same be remitted by the Committee of correspondence. N. Atcheson, Esq.

To *Nathaniel Atcheson*, Esquire, Secretary to the Society of British North American Merchants, the sum of *fifty pounds* sterling, towards defraying the expences of the London Committee, in the publication of Memorials and other Papers for information, relating to the situations and claims of this and our Sister Colonies.

To *Charles I. Peters*, Esquire, the sum of *fifty pounds* for his attendance during the present Session, and preparing Bills under the direction of the House of Assembly, and also *ten shillings* per diem, to repay his expences, the number of days to be certified by the *Speaker*. C. I. Peters, Esq.

To His Honor the PRESIDENT, a sum not exceeding *one thousand five hundred pounds*, for the purpose of erecting under the direction of the Secretary and Surveyor General of the Province, two suitable buildings for a Secretary's and Surveyor General's Office, agreeable to the plan laid before the House, the same to be built by Contract, to be publicly advertised for, and preference given to the lowest offer. Secretary's and Surveyor General's Offices.

To Commissioners to be appointed by His Honor the PRESIDENT, the sum of *one hundred pounds* towards defraying the expences of a Courier between Fredericton and New-Castle, in the County of Northumberland for the current year. Couriers.

To Commissioners to be appointed by His Honor the PRESIDENT, the sum of *one hundred pounds*, in aid of individual

subscriptions,

subscriptions, for the purpose of continuing a Courier between Fredericton and Saint Andrews, for the year 1816.

To Commissioners to be appointed by His Honor the PRESIDENT, the sum of *two hundred pounds* towards defraying the expences of a Courier between Fredericton and Fort Lawrence, in the Province of Nova-Scotia; and the further sum of *fifty pounds*, in aid of a Courier from the Finger-board to Saint John, for the current year.

To Commissioners to be appointed by His Honor the PRESIDENT, the sum of *one hundred pounds* for the purpose of establishing a Courier between Saint Andrews and Saint John, for the current year.

To *John Pendlebury* the sum of *fifty pounds* for his past services, in employing his vessel as a Packet between Saint Andrews and Saint John.

To the Justices in Sessions for the County of Charlotte, *three hundred pounds* towards finishing the Gaol and Court-House erected in Saint Andrews.

To the Justices of the Peace for the County of York, *five hundred pounds*, towards building a Court-House for the said County in the Town of Fredericton.

To the Justices of the Peace for the County of Northumberland, *five hundred pounds* towards building a Gaol in that County.

To the Justices of the Peace for the County of Westmoreland, *one hundred and fifty pounds* towards completing the Gaol and repairing the Court-House in that County.

To the Overseers of the Poor of the City of Saint John, the sum of *four hundred and three pounds, one shilling and sixpence*, to reimburse them for expences incurred in relieving certain sick and disabled seamen, not being paupers, of this Province.

To the Rector, Church-Wardens and Vestry of the Parish of Saint Stephens, in aid of individual subscriptions, towards building a Church in that Parish, the sum of *three hundred pounds*.

To the Church-Wardens and Vestry, for the time being, of the Parish of Mougerville, the sum of *two hundred pounds*, towards completing and repairing the Church and Glebe-House of the said Parish.

To the Church-Wardens and Vestry, for the time being, of the Parish of Burton, in the County of Sunbury, the sum of *one hundred pounds* towards repairing and completing the Church in that Parish, to be made payable to the said Church-Wardens and Vestry, when and so soon as a subscription from the Parishes of Burton and Lincoln shall be made to the amount of *one hundred pounds* for the same purpose.

To His Honor the PRESIDENT the sum of *two hundred pounds* for the purpose of affording temporary relief to such of the Non-commissioned Officers and Privates of the New-Brunswick Regiment, disbanded at this inclement season of the year, as may be found entitled to, and in need of the same.

To His Honor the PRESIDENT, a sum not exceeding *two hundred and fifty pounds* for sundry necessary repairs wanting in and about the Province-Hall.

To His Honor the PRESIDENT, the sum of *thirty-five pounds* to repay *Thomas Millidge, Jun.* the like sum paid by him to

John Pearson, a necessary witness from Pictou in Nova-Scotia, for his attendance in the Trial of *Henry Moor Smith* for Felony, in King's County, in May, 1815.

To His Honor the PRESIDENT, the sum of *two hundred pounds* to be expended by Commissioners to be by him appointed, in aid of a subscription for the building of a Church and Parsonage in Queensbury in the County of York. Church in Queensbury.

To the Rector, Church-Wardens and Vestry of Saint Andrew's Church in the Parish of Saint Andrews, in the County of Charlotte, the sum of *two hundred pounds* towards lengthening and repairing the said Church. Church in Saint Andrews.

To Commissioners to be appointed by His Honor the PRESIDENT, a sum not exceeding *one hundred pounds* per annum, for the purpose of hiring for five years, a suitable situation in the City of Saint John or in its vicinity, for the accommodation of the Commander-in-Chief for the time being, when he may have occasion to visit that City. House for the President in Saint John.

To the Rector, Church-Wardens and Vestry of the Parish of Sussex, towards repairing the Church at Sussex Vale, the sum of *one hundred and fifty pounds*. Church in Sussex.

To the Church-Wardens and Vestry of the Parish of Hampton, for the purpose of finishing that Church, the sum of *fifty pounds*. Church in Hampton.

To the Executors or Administrators of the late Treasurer, *William Hazen*, Esq. the sum of *ninety-four pounds, eighteen shillings and nine-pence*, for contingent expences incurred by him during the last two years. Late Treasurer's contingencies.

To *John Chaloner*, Esq. the sum of *one hundred and eighty-four pounds, twelve shillings*, for Gauging and Weighing in the years one thousand eight hundred and fourteen, and one thousand eight hundred and fifteen. Chaloner for Gauging.

To the Clerk of this House the sum of *fifty-eight pounds, six shillings and one penny*, in addition to the former grant of *sixty pounds* to defray the expences of Curtains, Stoves, Chairs, &c. for the Council Chamber and House of Assembly. Curtains, &c. for the Council Chamber and House of Assembly.

To the Governor and Trustees of the College of New-Brunswick, the sum of *two hundred and fifty pounds*, for the year one thousand eight hundred and sixteen, conformable to the provisions of two Acts of the General Assembly. College of New-Brunswick.

To the President and Directors of the Saint John Grammar School, for the year one thousand eight hundred and sixteen, the sum of *two hundred and fifty pounds*, agreeable to the provisions of two Acts of the General Assembly. Saint John Grammar School.

To the President and Directors of the Grammar School in the Town of Saint Andrews, the sum of *one hundred pounds*, to be applied by them towards the tuition of Pupils of the said School; and the further sum of *two hundred pounds* towards the erection or purchase of a building for the said School. St Andrews's Grammar School.

To *George K. Lugin*, the sum of *forty-seven pounds, three shillings and ten-pence*, for his account of Printing. G. K. Lugin's account.

To *Ann Mott*, the sum of *ninety-five pounds, nineteen shillings and eight-pence*, for printing Journals, Manifests, &c. Ann Mott.

To *William Durant & Co.* the sum of *six pounds, four shillings* for printing Proclamations, &c. Durant & Co.

To the Secretary of the Province, the sum of *forty-nine pounds ten shillings*, for his account for issuing Warrants. Secretary of the Province for warrants.

Robert Smith's account.

To His Honor, the PRESIDENT, the sum of *eighty-nine pounds one shilling and three-pence*, to pay the balance of Robert Smith's account for repairing the Province-Hall.

Sheriff of York.

To the High Sheriff of the County of York, the sum of *twenty pounds seven shillings and six-pence*, being the amount of his account for sundry services performed to this Province, in the execution of the duties of his office.

J Robinson for Postage.

To John Robinson, Esq. the sum of *five pounds fourteen shillings* for Postage of public Letters.

✓ Church in Chatham, and at Beaubear's Point.

To the Commissioners to be appointed by His Honor the PRESIDENT, the sum of *one hundred pounds* in aid of a large individual subscription, made for the erection of a Church in the Parish of Chatham in Northumberland; and the further sum of *one hundred pounds* in aid of an individual subscription made towards building and completing the new Church at Beaubear's point in said County.

Attorney General.

To Thomas Wetmore, Esq. His MAJESTY'S Attorney General, the sum of *two hundred pounds* for past services.

Solicitor General.

To John M. Bliss, Esq. His MAJESTY'S Solicitor General, the sum of *one hundred pounds* for his past services.

Scotch Kirk in Saint John.

To His Honor the PRESIDENT, the sum of *one hundred and fifty pounds* to be applied by His Honor in farther aid of the Members of the Kirk of Scotland, in completing the Church erected in the City of Saint John.

Break-water in St. John Harbor.

To the Mayor, Aldermen and Commonalty of the City of Saint John, a sum not exceeding *five hundred pounds* for the purpose of assisting in erecting a Pier or Break-water, to be erected at Battery point, in addition to a former grant for that purpose.

Scotch Kirk in Sheffield.

To His Honor the PRESIDENT, the sum of *two hundred pounds*, to be vested in the hands of such persons as His Honor may appoint, in aid of individual subscriptions towards finishing a Church in the Parish of Sheffield for the established Kirk of Scotland.

Hugh M'Kay, Esq.

To Hugh M'Kay, Esq. the sum of *forty-one pounds, four shillings and two-pence* to remunerate him for expences incurred for the relief of Corporal Wright, during his sickness at his house with the Typhus Fever, from the eighth day of January until the twentieth day of March.

Church in Hampstead.

To His Honor the PRESIDENT, the sum of *one hundred pounds*, to be applied by Commissioners to be for that purpose appointed, in aid of a subscription of upwards of *three hundred pounds* towards building a Church in the Parish of Hampstead in Queen's County, for the accommodation of that and the opposite Parish of Wickham.

Executors of late Sheriff of Saint John for expences.

To the Executors of the late William Hazen, Esq. High Sheriff of the City and County of Saint John, the sum of *ninety-three pounds, ten shillings and nine-pence*, being monies by him expended in the purchase of provisions and necessaries for American prisoners of war, confined in the Gaol at Saint John, in the years 1812 and 1813 per account.

W. Pagan.

To William Pagan, Esq. the sum of *forty-five pounds, two shillings and five-pence*, as a short drawback of *one penny half-penny* per Gallon on 6149 Gallons of Rum, and on 502 Gallons of Wine exported to Quebec.

W. Bannerman.

To William Bannerman, the sum of *fifty-seven pounds, twelve shillings*, to repay him that amount paid by him to the Deputy

Treasurer

Treasurer of the County of Northumberland, for transient duty on Goods imported into that County in 1814, he being a resident there at the time.

To His Honor the PRESIDENT, the sum of *one thousand pounds*, to be vested in the hands of such persons as His Honor may think fit to appoint, for the purpose of encouraging Emigrants from Great-Britain and Ireland, by paying for their passage, or in such other manner as may be thought most expedient.

To *Hugh Johnston & Son*, and *John Ward & Son*, the sum of *two hundred and one pounds, nineteen shillings and six-pence*, being a short drawback of *one penny half-penny* per Gallon on 32,316 Gallons of Rum exported in the Schooners Bird and Traveller for Quebec in September, 1813.

To the Honorable *Ward Chipman*, the sum of *fifty Guineas*, as a compensation for his assiduous and unremitting attention as Chairman of the joint Committee of Council and Assembly, in corresponding with the Agent of the Province, and *Nathaniel Atcheson*, Esq. for many years past, which had been so beneficial to this and our sister Provinces.

To *Stephen Humbert*, Esq. the sum of *twenty-three pounds, twelve shillings and six-pence*, being the amount of a drawback on 405 Gallons of Brandy, exported to Guadaloupe in the Schooner Rebecca.

To *John Ward & Son*, the sum of *eighteen pounds, four shillings*, being a short drawback of a *penny half-penny* per Gallon on 2912 Gallons of Rum, exported in the Schooner Traveller for Quebec in May, 1814.

To *Charles Ward*, the sum of *seven pounds* being a short drawback of *one penny half-penny* per Gallon on 1120 Gallons of Rum, exported in the Schooner Traveller for Quebec in May, 1814.

To the Commissioners for repairing the Government House, a sum not exceeding *four hundred pounds*, to repair the same and the out buildings.

To His Honor the PRESIDENT, the sum of *one hundred pounds*, to be vested in the hands of such persons as His Honor may think fit to appoint, in aid of individual subscriptions, towards erecting a suitable Church on the Nashwalk in the County of York.

To His Honor the PRESIDENT, a sum not exceeding *fifty pounds*, to defray the expence of an express sent to Nova-Scotia with a Copy of the Gypsum Bill, and of preparing the said Copy.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of *two hundred pounds*, in aid of removing the Ridge of Rocks in Prince William Street, between Queen's Street and Saint James's Street.

To the Overseers of the Poor of the Parish of Fredericton, the sum of *one hundred pounds* to reimburse in part the extraordinary expences incurred in the support of disbanded Soldiers, and the Widows and Families of deceased Soldiers.

To *E. Tilton*, the sum of *twenty-five pounds*, in consequence of her application by petition, and in discharging of all future applications.

To His Honor the PRESIDENT, the sum of *sixty pounds*, Expenses of Sloop Brunswick

three shillings and four-pence, to defray expences incurred relating to the Sloop Brunswicker per account.

E. Dibble's Family.

To His Honor the PRESIDENT, the sum of *fifty pounds* to be applied in such manner as His Honor may think proper, towards the relief of the family of *Ebenezer Dibble*, who suffered losses as stated in his petition, in performing services as the carrier of the Mails between Fredericton and Westmoreland.

Reprinting Laws.

To His Honor the PRESIDENT, the sum of *one hundred pounds* towards defraying the expence of revising and reprinting the Acts of the General Assembly, passed since the year 1805, and of framing and printing an Index thereto, to form a second volume to the Acts republished to that year inclusive.

Church in Westfield.

To the Church-Wardens and Vestry of the Parish of Westfield in King's County, the sum of *fifty pounds* towards completing the Church in that Parish.

For encouraging Fisheries.

To His Honor the PRESIDENT, a sum not exceeding *three thousand pounds*, to be paid in bounties for the encouragement of the Cod Fisheries of this Province, agreeable to a Bill to be brought in for that purpose.

To G. K. Lugin.

To *George K. Lugin*, the sum of *one hundred and fifty pounds* to assist him in discharging the Debt incurred by him in establishing himself at Fredericton as King's Printer.

Nathan Frink.

To *Nathan Frink*, Esq. the sum of *seventy-five pounds, four shillings and three-pence* to reimburse him for the expences of a Law suit incurred by him when in the execution of his duty as an Overseer of the Fisheries in the County of Charlotte.

Jane M'Pherson.

To *Jane M'Pherson*, widow of the late *Alexander M'Pherson*, late Door-keeper of this House, in consideration of her situation as stated in her petition, and of her late husband's good conduct for many years in the execution of the above office, the sum of *one hundred pounds*.

James Kidston.

To *James Kidston*, the sum of *forty-four pounds, ten shillings and three-pence*, for non-resident Tax paid by him, he not being considered as liable thereto.

Printing Journals.

To His Honor the PRESIDENT, the sum of *one hundred pounds*, towards defraying the expence of printing the Journals of the present Session.

Printing Laws.

To His Honor the PRESIDENT, the sum of *fifty pounds* towards defraying the expence of printing the Laws of the present Session.

H. & E. Winslow.

To Miss *Hannah Winslow* and Miss *Eliza Winslow*, the sum of *one hundred pounds* each, the unmarried daughters of the late Honorable *Edward Winslow*, deceased, in consideration of the numerous services rendered to the public by that Gentleman, while a Member of His MAJESTY'S Council in this Province.

To be paid by warrant.

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

CAP. XXXI.

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province, and improving the Navigation of the River Saint John and its branches.

Passed the 16th of March, 1816.

I. **B**E it enacted by the President, Council and Assembly, That ^{Sums to be paid for Roads} there be allowed and paid out of the Treasury of this Province, to such person or persons as His Honor the PRESIDENT or Commander-in-Chief for the time being shall appoint, in addition to the sums already granted by Law, and remaining unexpended, the following sums for the purposes hereafter mentioned, that is to say,

The sum of *one hundred pounds* towards completing the ^{Nashwalk to Sunbury.} Road commonly called the new Road, from the Nashwalk to the upper line of Sunbury County.

The sum of *two hundred pounds* towards completing the ^{Moncton to the Kiswick.} Roads and Bridges from Moncton to the head of the Kiswick Creek.

The sum of *twenty-five pounds* from the Nashwalksis settle- ^{Nashwalksis to the River.} ment to the River.

The sum of *twenty-five pounds* for the Road from the head ^{Pennyack to Nashwalk.} of Pennyack settlement, to the Road on the Western side of the River Nashwalk.

The sum of *fifty pounds* for the Road from Fredericton to ^{Fredericton to Maryland.} the Maryland settlement.

The sum of *twenty-five pounds* for the Road from the River ^{River Saint John to Kiswick.} Saint John to *Christy's* on Kiswick Ridge.

The sum of *twenty-five pounds* for the Road from *Christy's* ^{Kiswick Ridge to Bart's Mill} on Kiswick Ridge to *Burt's Mill* at the head of the Kiswick.

The sum of *one hundred pounds* for the Road from *Kelly's* ^{Kelly's to Ellegood's.} Farm to *Jacob Elligood's*.

The sum of *fifty pounds* for the Road from *Jacob Elligood's* ^{Elligood's to Poquioch.} to the Poquioch.

The sum of *twenty pounds* for a Bridge over the Poquioch ^{Poquioch Bridge.} River.

The sum of *fifty pounds* for a Bridge over *William Kelly's* ^{Kelly's Creek Bridge.} Creek at Prince William.

The sum of *one hundred and fifty pounds* for the Road from ^{Wolverton's to Wilsey's.} *Joseph Wolverton's* to *Lawrence Wilsey's*.

The sum of *fifty pounds* for the Road from *Lawrence Wilsey's* ^{Wilsey's to Tompkin's.} to *Elijah Tompkins' Farm*.

The sum of *twenty-five pounds* for the encouragement of a ^{Settler between Oromocto and Nerepis.} Settler on the Road from the Oromocto River to the Nerepis, commonly called Colonel *Ludlow's Road*.

The sum of *fifty pounds* for the encouragement of Settlers ^{Settler between Restook and Great Falls.} on the great Road from the River Restook to the Grand Falls.

The sum of *fifty pounds* for the Road from Richmond, the ^{Rear of Woodstock to the River.} new Settlement in the rear of Woodstock, to the River Saint John.

The sum of *twenty-five pounds* towards completing the clear- ^{Nashwalksis Creek.} ing of the Nashwalksis Creek.

The sum of *seventy-four pounds, seven shillings and seven* ^{Bridges in Fredericton.} pence

pençe, to reimburse *William Franklin Odell* and *Robert Smith*, for monies overpaid by them on the Bridge below *Fredericton*, and the Bridge at *Phillis's-Creek*.

French Lake to Little River Mills. The sum of *one hundred and fifty pounds* for the Road from *Oak-point*, *French Lake*, to the Mills on *Little River*, and for a Bridge.

Mersereau Ferry to Hartt's Mill. The sum of *fifty pounds* for the Road from *Mersereau's Ferry* to *Hartt's Mill*.

Rushiguanis to Hartt's Mill. The sum of *fifty pounds* for the Road from the *Rushiguanis* settlement to *Hartt's Mill*.

Hartt's Mill to the Block-house. The sum of *fifty pounds* for the Road from *Hartt's Mill* to the *Block House* on the Road to *Maguagadavic*.

Loder's Creek. The sum of *fifty pounds* to complete the clearing of *Loder's Creek*.

Hartt's Stream. The sum of *fifty pounds* to improve the passage over *Hartt's Stream*.

Peabody's Mill Stream. The sum of *fifty pounds* to complete a Bridge over *Peabody's Mill Stream*.

Foss's to Smith's. The sum of *fifty pounds* for the Road from *Foss's* on the *Oromocto*, to *Smith's* on the *Niagara Road*.

York County Line to Munroe's. The sum of *thirty pounds* for the Road from the *York County* line, to the causeway at *Munroe's*.

Jemseg to Briggs's. The sum of *one hundred pounds* for the Road from the *Ferry* at *Jemseg* point, to the *Ferry* at *Briggs's* or *Watson's*.

Watson's to Belisle. The sum of *two hundred pounds* for the Road from *Watson's* to the head of the *Belisle*.

Curry's to the thoroughfare. The sum of *two hundred and fifty pounds* for the Road from the *River Saint John*, near *Curry's* in *Waterborough*, across the tongue of *Intervale*, to the thoroughfare leading from the *Grand Lake* to the *Maguapit Lake*.

Grand Lake to the Washademoac. The sum of *twenty-five pounds* for the Road between the *Grand Lake* and the *Washademoac Lake* above the narrows.

New-Canaan to Briggs's Ferry. The sum of *one hundred pounds* for the Road leading from the *New-Canaan* settlement to the *Ferry* at *Briggs's* and *Watson's*.

New-Canaan to Studholm's Mill Stream. The sum of *fifty pounds* for the Road from the *New-Canaan* settlement to the great Road leading from *Saint John* to *Westmoreland*, at or near *Studholm's Mill Stream*.

New-Canaan to the Petticodiac. The sum of *fifty pounds* for the Road from *New-Canaan* settlement by the *Butternut Ridge* to the *River Petticodiac*.

Kingston Church to Springfield. The sum of *seventy-five pounds* for the Road from *Kingston Church* to the boundary of *Springfield*.

Long Reach to the Kennebeckasis. The sum of *forty pounds* to improve the portage from the *Long Reach* to the *Kennebeckasis* near *Sealey's*.

Salmon River to Rouse's. The sum of *twenty-five pounds* for the Road from *Salmon River* to *David Rouse's*.

Patticake River to Little River. The sum of *twenty-five pounds* for the Road from *John Smith's Mill* on the *Patticake River* to *Samuel Smith's* on the *Little River*.

Mill Stream to Belisle. The sum of *fifty pounds* for the Road from the *Mill Stream* to the head of the *Belisle*.

Kennebeckasis to Kingston Church. The sum of *twenty-five pounds* from *Gidney's* on the *Kennebeckasis* to *Kingston Church*.

Gidney's to Palmer's. The sum of *one hundred pounds* from *Gidney's* aforesaid to *Palmer's* on the *Gondola point Road*.

Bates's to Gidney's. The sum of *one hundred pounds* for the Road from *Bates's Mill* to *Gidney's* aforesaid.

The sum of *one hundred pounds* for the road from Kingston ^{Kingston Court House to West-} Court-House, by *Hawkins' Ferry*, to the Westmoreland Road ^{moreland Road.} near *Goldings*.

The sum of *fifty-five pounds, fifteen shillings and six-pence* ^{Guthrie's to Belisle.} to *William Burnett*, to reimburse him for that amount expended on the Road between *Guthrie's* and the head of the *Belisle*, over and above the sums received from the Treasury.

The sum of *one hundred and fifty pounds* for a Bridge over ^{Little River - Bridge in Saint} Little River in the County of Saint John.

The sum of *one hundred pounds* for the Road from Little ^{Little River to Black River.} River aforesaid to *Black River*.

The sum of *two hundred pounds* for the Road from *Black* ^{Black River to Quaco.} River aforesaid to *Quaco*.

The sum of *one hundred pounds* for the Road from *Frog* ^{Frog Pond to Loch-Lomond.} Pond, on the Westmoreland Road, to the new Settlement on lower *Loch Lomond*.

The sum of *seventy-five pounds* for the Road from the West- ^{Westmoreland Road to Loch-} moreland Road aforesaid, to the middle *Loch Lomond*.

The sum of *one hundred pounds* for the Road from the West- ^{Frog Pond to M} moreland Road aforesaid, near *Frog Pond*, to *Murphy's Farm* on the Road to *Gondola point*.

The sum of *one hundred and fifty pounds* for the Road from ^{Tabor's to Quaco.} *Tabor's Farm*, on *Hammond River*, to the settlement of *Quaco*.

The sum of *one hundred pounds* for the Road from *Tabor's* ^{Tabor's to Hopewell.} Farm aforesaid to *Hopewell*.

The sum of *twenty-five pounds* for the Road from *Hopewell* ^{Hopewell to Martin's Head.} to *Martin's Head*.

The sum of *two pounds, six shillings* to the Executors of the ^{Executors of Edwin Hazen.} late *Edwin Hazen*, a balance due him.

The sum of *one hundred pounds* for opening and repairing ^{Barnaby's River to Malcolm's} a Road through the reserved Lands, from *Barnaby's River* to ^{and Turner's Creek.} *Malcolm's Farm*, and erecting a Bridge over *Turner's Creek*.

The sum of *fifty pounds* for opening and repairing a Road ^{Nappan to Black River} through the Portage, from *Nappan River* to *Black River*.

The sum of *fifty pounds* for erecting a Bridge across the ^{Caul's Brook Bridge.} Brook commonly called *Caul's Brook*.

The sum of *fifty pounds* for opening and repairing the Road ^{Caul's Brook to the Court-} from *Caul's Brook* aforesaid to the Court-House, through the *Indian Reserve*.

The sum of *two hundred pounds* to explore, lay out and open ^{Portage to Nepisiquid.} a Road through the Portage between the north-west branch of *Miramichi* and the River *Nepisiquid*.

The sum of *fifty pounds* for erecting a Bridge over the Cove ^{Bridge at Fard's Cove.} at *Thomas Purdies*.

The sum of *fifty pounds* for opening and repairing the Road ^{Bartebog to Oak-point.} through the Swampy Ground between *Bartebog* and *Oak-point*.

The sum of *twenty-five pounds* for erecting a Bridge over ^{Oyster River Bridge.} *Oyster River*.

The sum of *thirty pounds* for erecting a Bridge across the ^{Robicheau's Creek.} Creek commonly called *Robicheau's Creek*.

The sum of *thirty pounds* for erecting a Bridge across *Burnt* ^{Burnt Church River.} Church River.

The sum of *thirty pounds* for opening and repairing the ^{Burnt Church River to Tabor-} Road

- Road between Burnt Church River and the Settlement at Tabusentack, through the Village of Neguac.
- Tabusintac to Tracadu. The sum of *twenty-five pounds* to explore, lay out and open a Road from Tabusintack to Tracadu.
- Tracadu to Pockmouche. The sum of *twenty-five pounds* to explore, lay out and open a Road from Tracadu to Pockmouche.
- Pockmouche to Caraquit. The sum of *twenty-five pounds* to explore, lay out and open a Road from Pockmouche to Caraquit.
- To Nepisiquid. The sum of *fifty pounds* to explore, lay out and open a Road from Caraquit to Nepisiquid.
- Cocagne to Bactouche. The sum of *twenty-five pounds* for opening and repairing the Road from Cocagne to Bucktouche.
- Bridge at Bactouche. The sum of *thirty pounds* for erecting a Bridge across the Creek near the Chapel at Bucktouche.
- Bactouche to Chockpish. The sum of *twenty-five pounds* for opening and repairing the Road from Bucktouche to Chockpish.
- Chockpish Bridge. The sum of *twenty-five pounds* for erecting a Bridge across Chockpish River.
- Chockpish to Richibucto. The sum of *twenty-five pounds* for opening and repairing the Road from Chockpish to Richibucto.
- Richibucto to Passebequacsis. The sum of *thirty pounds* for opening and repairing the Road from Richibucto to Passebequacsis.
- Thence to Passebequac. The sum of *fifty pounds* for opening and repairing the Road from Passebequacsis to Passebequac.
- Bridge at Blanchard's Creek. The sum of *forty pounds* for erecting a Bridge across the Creek commonly called *Blanchard's Creek*, at Richibucto.
- Passebequac to Point Sapin. The sum of *twenty-five pounds* for opening and repairing the Road from Passebequac to Point Sapin.
- Bridge at Shediac. The sum of *two hundred and fifty pounds* in aid of individual subscription, towards erecting a Bridge across the River Shediac, the dividing line between Westmoreland and Northumberland.
- William Harris. The sum of *twenty-five pounds* to *William Harris*, as a further encouragement for his establishment on the Miramichi Portage.
- Jacob Powell. The sum of *sixty-eight pounds, eight shillings and three-pence* to reimburse *Jacob Powell*, for monies overpaid by him in building a Bridge across Gaspereau River.
- M. M'Kenzie. The sum of *forty-three pounds* to reimburse *Murdock M'Kenzie*, for monies overpaid by him in building two Bridges over *Sherwood's Cove* and *Hay's Brook*, on the Road leading to the Northumberland Court-House.
- Sackville to Beaujoggin. The sum of *one hundred pounds* towards opening and improving the Road from Sackville to the Beaujoggin Settlement on the Gulph of Saint Lawrence.
- Ward's to half-way House. The sum of *one hundred pounds* towards opening and improving the Road leading from *Stephen Ward's* to the half-way House on the Bay of Verte Road, in aid of an individual subscription of *one hundred and five pounds, eleven shillings*.
- To Bay Verte. The sum of *fifty pounds* towards improving and repairing the Road from the half-way House to the Bay of Verte.
- To Cape Tomintin. The sum of *one hundred pounds* towards improving the Road from the Bay of Verte to Cape Tomintin.
- Gaspereau River to Chemogue. The sum of *one hundred pounds* towards improving the Road from the Gaspereau River to the Chemogue Settlements.
- Maranguin to Westock. The sum of *fifty pounds* towards improving and repairing the Road from Maranguin to Westock.

The sum of *two hundred pounds* towards improving and repairing the Road from *M^cEacharn's* to Shediac. M^cEacharn's to Shediac.

The sum of *two hundred pounds* towards improving and repairing the Road from the Bend of the Peticodiac to Shediac aforesaid. Peticodiac to Shediac.

The sum of *fifteen pounds* towards opening and repairing the Road from *Babcocks* to the upper settlement upon the Paulet River. Babcocks to Paulet River

The sum of *fifty pounds* towards improving the Road from the mouth of Little River to the upper Settlements upon the same. Little River settlements.

The sum of *twenty-five pounds* towards repairing the Road from *Babcock's* to *Sinton's*. Babcock's to Sinton's.

The sum of *seventy-five pounds* towards repairing the Road from *Sinton's* to Turtle Creek Bridge. To Turtle Creek and Bridge.

The sum of *fifteen pounds* towards repairing the Bridge over Turtle Creek aforesaid.

The sum of *sixty pounds* towards repairing the Road from the Turtle Creek Bridge aforesaid to *Peter Lutz's*. To Peter Lutz's.

The sum of *sixty pounds* towards repairing the Road from *Peter Lutz's* to Stony Creek. To Stony Creek.

The sum of *fifteen pounds* towards repairing the Road from *Stoney Creek* to *M^cClatchey's*. To M^cClatchey's.

The sum of *one hundred pounds* for opening and repairing the Road from *M^cAlmon's*, through the back tier of Lots to the Dutch Village upon the Peticodiac. M^cAlmon's to the Dutch Village.

The sum of *one hundred pounds* for building a Bridge across the Hopewell river. Hopewell River-Bridge.

The sum of *twenty-five pounds* towards improving and repairing the Road from *Ebenezer Cole's*, to *Finny's* place so called, in Dorchester. Cole's to Finny's.

The sum of *twenty pounds* towards repairing the Road from the Memramcook Island to the Main. Memramcook Island to the Main.

The sum of *twenty-five pounds* towards opening and repairing the Road leading from the Great Road in Sackville to the settlement upon the Ridge at the head of the Mill Pond. Sackville Great Road to the Mill Pond.

The sum of *fifty pounds* towards repairing the road from *Sherman's* to the north branch of the Peticodiac river. Sherman's to Peticodiac.

The sum of *fifty pounds* towards repairing the road from *Jacob Wortman's* to the Butter-nut ridge. Wortman's to Butter-nut Ridge.

The sum of *fifty pounds* for the road from *Chiputneticook* ridge to Saint Stephen's. Chiputneticook to Saint Stephen's.

The sum of *fifty pounds* to causeway the long swamp between *Chiputneticook* ridge and the Basswood ridge. Chiputneticook and Basswood Ridge.

The sum of *fifty pounds* for the road from the Basswood ridge to Saint Stephen's. Basswood to Saint Stephen's.

The sum of *twenty-five pounds* for the Road from the new settlement at *Oak Hill* to Saint Stephen's. Oak Hill to Saint Stephen's.

The sum of *one hundred pounds* for the new road from *Saint Stephen's* to the widow *Moore's*. To widow Moore's.

The sum of *fifty pounds* to complete the Bridge over *Dennis's* Stream, near *Joseph Porter's* Mill on the said road. Dennis's Stream Bridge.

The sum of *twenty-five pounds* for the road from the widow *Moore's* aforesaid to *Shubal Cottrel's*. Moore's to Cottrel's.

The sum of *fifty pounds* for the road from *Oak-point* to *Crocker's* by way of the Ledge. Oak-point to Crocker's.

- Linnikin's to Connick's. The sum of *fifty pounds* for the road from *Linnikin's* to *Connicks*.
- Waving Bridge. The sum of *one hundred pounds* for a Bridge over the *Waving* near *Connick's* aforesaid.
- Dennis's Stream. The sum of *forty pounds* to assist in Bridging *Dennis' Stream* aforesaid, on the road from the old Bridge so called, to *Tristram Moore's Mill*.
- Tower Hill to Digdeguash. The sum of *thirty pounds* for the road from *Tower Hill* to *Digdeguash* river.
- Wallace's to Low's. The sum of *thirty-seven pounds, ten shillings* for the road from *Wallace's Mill* to *John Low's Farm* on the *Mascarene*.
- Settlers on Saint Andrew's Road. The sum of *fifty pounds* per annum for four years, for the encouragement of two Settlers on the road from *Fredericton* to *Saint Andrews*.
- Letang to Beaver Harbor. The sum of *thirty-seven pounds, ten shillings* for the road from *Vernon's* at *Letang* to *Beaver Harbour*.
- Digdeguash to Maguagadavic. The sum of *seventy-five pounds* for the road from the *Digdeguash* settlement at *Cameron's* to *Maguagadavic* near *Dowdal's*.
- Bonny River Bridges. The sum of *fifty pounds* to repair *Bonny river Bridge*, and two other framed Bridges near the same.
- Maguagadavic to Fredericton. The sum of *one hundred and fifty pounds* for opening and repairing the road from the second Falls on the *Maguagadavic* river to the *Fredericton* road near the Forks of the said river.
- Phelon's to Seely's. The sum of *seventy-five pounds* for the road from the widow *Phelon's* Lot, to the north line of *Stuart Szeley's* Lot.
- Hitching's to the Meeting House. The sum of *fifty pounds* for the road from *David Hitching's* Mill, to the Meeting House in *Saint Davids*.
- Oliver's to Campbell's. The sum of *seventy-five pounds* for the road from *John Oliver's* Farm to *John Campbell's*, by way of *Kelley's*.
- Pleasant Ridge to Digdiguash. The sum of *fifty pounds* for the road from the new Settlement at the *Pleasant ridge* to the Settlement at *Digdeguash* near *Hugh Cameron's*.
- T. Wyer, & C. Hatch. The sum of *ten pounds* to reimburse *Thomas Wyer, Junior*, and *Christopher Hatch*, for that sum overpaid by them, in opening and repairing a road from *Daniel Bradford's* to *Connicks*.
- Chapel Bar. The sum of *fifty pounds* to improve the navigation of the river *Saint John*, by making a Channel through *Chapel Bar* above *Fredericton*.
- Nashwalk Rapids. The sum of *fifty pounds* to facilitate the navigation of the *Nashwalk* river, by removing Rocks from the Channel of the *Great Rapid*.
- Bear Island Bar. The sum of *fifty pounds* to clear a Channel through *Bear Island Bar*.
- Maductic Falls. The sum of *one hundred and fifty pounds* for improving the navigation of the *Maductic Falls*, by removing rocks from the Channel thereof.
- Feroe's Rocks. The sum of *twenty-five pounds* for opening a passage through *Feroe's* rocks.
- White Rapid. The sum of *fifty pounds* to blow the rocks out of the Channel of the white rapid below the *Grand Falls*.
- Betts's Rock. The sum of *ten pounds* to remove a part of *Betts's* rock, by blowing.
- Between Saint John and Fredericton. The sum of *one hundred pounds* to remove sunken Logs and other impediments in the river *Saint John*, between *Fredericton* and *Saint John*.

II. *And be it further enacted,* That the said several and respective sums of money, and every part thereof, shall be paid to the several and respective persons who shall actually work and labour in making, completing and repairing the said several Roads and Bridges, and in improving the navigation of the said river Saint John and its branches, or in furnishing materials therefore at the most reasonable rates that such labour and materials can be procured; and that the several and respective persons who shall be entrusted with the expenditure of the said several and respective sums, shall keep an exact account of the expenditure thereof, and shall produce receipts in writing from the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payments, and shall render an account thereof upon oath, (which oath any Justice of the Peace in the several and respective Counties is hereby authorized to administer,) to be transmitted to the office of the Secretary of the Province, for the inspection and examination of the General Assembly at their next Session. And such Commissioners or persons entrusted with the expenditure of the said several and respective sums of money shall stand charged and chargeable with all sums of money entrusted to them, and not accounted for as aforesaid; and shall repay the same into the Province Treasury.

Money to be paid to the persons who labour,
Commissioners to account.

III. *And be it further enacted,* That the said Commissioners or persons entrusted with the expenditure of the said several and respective sums of money, shall, for their time and trouble respecting the same, (in case they shall find it necessary and expedient,) render an account thereof at the next Session of the General Assembly to be then provided for, in case the same shall appear just and equitable: *Provided always,* That such of the said persons who shall actually work and labor upon the said Roads and Bridges as aforesaid, shall retain out of the said sums so entrusted to them respectively, a reasonable compensation for such actual work and labour.

Commissioners to render an account for their time and trouble,
Commissioners who work may retain money for their labour.

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

Money to be paid by warrant.

6 268
2/7/66