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ACTS

OF

1739  
McGill

**THE GENERAL ASSEMBLY**

OF

**His Majesty's**

**PROVINCE OF NEW BRUNSWICK,**

PASSED IN THE YEAR

**1833.**

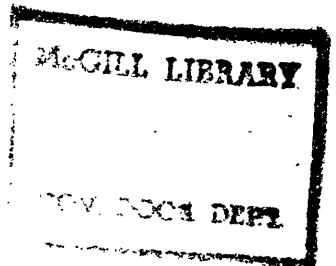


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FREDERICTON:

JOHN SIMPSON, PRINTER TO THE KING'S MOST EXCELLENT MAJESTY.

MDCCCXXXIII.



**TITLES**  
**OF THE ACTS.**

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ANNO REGNI  
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BRITANNIARUM REGIS TERTIO.

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**A**T the General Assembly of the Province of New Brunswick begun and holden at Fredericton, on the Seventh Day of February, *Anno Domini* One thousand eight hundred and thirty one, in the First Year of the Reign of Our Sovereign Lord William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith; and from thence continued, by several Prorogations, to the Twenty ninth Day of January 1833, being the Fourth Session of the Tenth General Assembly convened in the said Province.

# THE ACTS

OF THE

## GENERAL ASSEMBLY, &c.



### CAP. 1.

An Act for raising a Revenue.

*Passed 19th March 1833.*

**WE**, His Majesty's dutiful and loyal Subjects, the Assembly of New-Brunswick, in General Assembly convened, for raising the Supplies necessary to defray the Expenses of His Majesty's Government of the Province, have freely and voluntarily resolved to give and to grant to the King's Most Excellent Majesty, the several Rates and Duties herein after mentioned, and do therefore pray Your Excellency that it may be enacted ;' And be it enacted by His Excellency the Lieutenant Governor, by and with the Advice and Consent of the Legislative Council and Assembly, and by the Authority of the same, that from and after the Commencement of this Act, there be and are

Supplies granted to defray the Expenses of the Government of the Province, by Duty on

are hereby granted to the King's Most Excellent Majesty, His Heirs and Successors, for the Use of this Province, and for the Support of the Government thereof, the several Rates and Duties herein after mentioned, on the following Articles, which may be imported or brought into this Province, either by Sea, by Inland Navigation, or by Land, from any Part of the British Empire, or from any Foreign Port or Place ; (that is to say,)

- Rum, For every Gallon of Rum, One Shilling and Three Pence ;
- Molasses, For every Gallon of Molasses, One Penny ;  
 Shrub &c., For every Gallon of Shrub, Santa or Lime Juice, Six Pence ;
- Brandy, For every Gallon of Brandy, One Shilling and Ten Pence ;
- Hollands &c., For every Gallon of Hollands, Geneva, and Cordials, One Shilling and Six Pence ;
- Wine, For every Gallon of Wine, One Shilling and Nine Pence ;
- Whiskey, For every Gallon of Whiskey, Two Shillings and Six Pence ;
- Fruit, For every Hundred Weight of dried Fruits, Five Shillings ;
- Coffee, For every Pound of Coffee and Loaf Sugar, Sugars, One Penny ;
- For every Hundred Weight of Brown or Muscovado Sugar, on the Quantity mentioned in the original Invoice, allowing Twenty five *per Centum* for Tare and Wastage, Two Shillings and Six Pence ;
- Horses, For every Foreign Horse, Five Pounds ;
- Cattle, For every Foreign Ox, Twenty Shillings ;  
 For every Foreign Cow, or other horned Cattle, Three Pounds Ten Shillings ;
- Dead Meats, For every Hundred Pounds of Foreign dead fresh Meats of all Kinds, Six Shillings and Eight Pence ;
- Foreign manu- And upon the following Foreign manufactured



tured Articles, when not imported from the United Kingdom, upon every Hundred Pounds of the real Value thereof, the Rates and Duties following ; (that is to say,)

factured Articles,

For Chairs, Clocks, Watches, and every Description of Household Furniture, Pictures, Mirrors, and Looking Glasses, Twenty five Pounds ;

For Soap and Candles, Ten Pounds ;

For Tobacco, Five Pounds ;

And for all other Foreign Articles, manufactured or not manufactured, not herein before enumerated or described, when not imported from the United Kingdom, upon every Hundred Pounds of the real Value thereof, Ten Pounds ; excepting nevertheless, Liquors, Vinegar, Pitch, Tar, Turpentine, Rosin, Lumber of all Descriptions, including Mahogany, Logs or Boards, Grass Seeds, and all other Seeds and Plants, Hides, Tallow, Cotton Wool, Indigo, Tea, Dye Wood, Salt, Leaf Tobacco, Bees' Wax, Felt, Lignum Vitæ, Bristles, Horse Hair, Horns, Cordage, Canvass, Hemp, Iron, India Rubber, Books, Flour, and Meal of all Kinds, Wheat, Rye, Barley, Oats, Buckwheat, Rice, Peas, Beans, Indian Corn, Bread, dried and salted Meats :

Non-enumerated Articles ;

Exceptions.

and in all Cases where the Duties imposed by this Section are charged upon the real Value of the Articles imported, such Value shall be ascertained by the Oath of the Importer or Consignee of such Articles, before the Treasurer of the Province, or any Deputy Treasurer, in Manner and Form following ; (that is to say,)

Value of Articles how ascertained.

“ I, A. B. do swear that the Articles mentioned in this Entry, subject to Provincial Duty, and contained in the several Packages therein particularly described, (or otherwise particularly described,) are of the Value of \_\_\_\_\_, to the best of my Knowledge and Belief. (Signed) “A. B.”

which

which Affidavit (in all Cases to be made before the Treasurer or a Deputy), shall be written on the Bill of Entry of such Articles ; and if it shall appear to the Treasurer or Deputy Treasurer that such Articles have been invoiced below the real Value thereof at the Place from whence the same were imported, or if the Value is not known, the Articles shall in such Cases be examined by Two competent Persons, appointed or to be appointed by the Lieutenant Governor or Commander in Chief of the Province; and such Persons, or One of them, shall declare before or certify to the Treasurer or Deputy Treasurer what is the real Value of such Articles ; and the Value so declared or certified shall be deemed to be the real Value thereof, and upon which the Duties imposed by this Act shall be charged, paid and received.

Duties to be collected by the Treasurer notwithstanding any Duties imposed by Act of Parliament.

II. And be it enacted, That the whole Amount of the several Rates and Duties imposed in and by the First Section of this Act shall be demanded, paid to and received by the Treasurer of the Province or any of his Deputies, as the Case may be, notwithstanding any Duties which are or may be imposed and collected at any of the Custom Houses in the Province, on any of the Articles and Property therein enumerated and described, by the Means and Powers of any Act or Acts of the Imperial Parliament.

Duties to be paid at the Time of Importation, when under £25.

III. And be it enacted, That the Rates and Duties imposed by this Act shall be paid at the Time of Importation of such Articles as are liable to the same, to the Treasurer of the Province, or to any Deputy Treasurer at the Place where the same may be imported, unless such Rates and Duties on any One Cargo or Importation, as mentioned in the Master's or the Owner's or Consignee's Report, shall amount to upwards of Twenty five Pounds; and when the said Duties upon

Bonds to be taken when the

upon any One Importation as aforesaid shall exceed Twenty five Pounds and not amount to Fifty Pounds, it shall and may be lawful for the said Treasurer, or any Deputy Treasurer, to take a Bond duly executed by the Owner or Consignee of such dutiable Articles, with at least One good and sufficient Surety, in Double the Amount of such Duties, for the Payment of the same in Three Months; and when the said Duties amount to Fifty Pounds and are under One hundred Pounds, then the Bond shall be taken, and duly executed in like Manner aforesaid, for the Payment of the same, One Half in Three Months, and One Half in Six Months; and when the said Duties amount to One hundred Pounds and are under Two hundred Pounds, then the Bonds shall be taken and duly executed in like Manner as aforesaid, for the Payment of the same, One Third in Four Months, One Third in Eight Months, and the remaining Third in Twelve Months; and when the said Duties shall amount to Two hundred Pounds and upwards, then the Bond shall be taken, and duly executed in like Manner as aforesaid, for the Payment of the same, One Third in Six Months, One Third in Twelve Months, and the remaining Third in Eighteen Months: all which Bonds shall be taken in His Majesty's Name, and made payable to His said Majesty, His Heirs and Successors, and conditioned for the Payment of the Amount of the said Duties respectively at the Time or Times specified therein, to the Treasurer of the Province or to his Deputy at the Place where the same may be taken: Provided always, that in Cases where by the Provisions of this Act the Importer or Importers are entitled to have Credit for Payment of any Duties upon giving Bonds as aforesaid, the Treasurer or any Deputy Treasurer shall be and they are hereby authorized

Duties exceed  
that Amount.

Discount allowed when such Duties are paid at Entry.

thorized to receive Payment at the Time of Entry if required, and to allow a Discount or Abatement thereupon at and after the Rate of Six per Centum per Annum, proportionable to the Credit which the said Importer or Importers may be so entitled to have.

Person in charge of Vessel to make Report within Twenty four Hours.

IV. And be it enacted, That the Masters or Persons having charge of all Ships and Vessels arriving in any Port or Place in the Province, shall severally and respectively, within Twenty four Hours after their Arrival, or sooner if required by the Treasurer or any of his Deputies, make a Report to the said Treasurer of the Province, or to One of his Deputies at or nearest the Place of such Arrival, under Oath and subscribed by them respectively, containing an exact Account of the whole Cargo of the Ship or Vessel under his Command or Charge, whether subject to Duties or not, and shall in the same Report state, upon Oath as aforesaid, the Name of each and every Owner and Consignee of such Cargo, and where the same is intended to be landed, and whether any and what Part thereof has been landed and taken from such Ship or Vessel after arriving within the Province; and upon Neglect or Refusal of such Master or Person having charge as aforesaid to make such Report, he shall forfeit and pay the Sum of One hundred Pounds; and in Addition to the Report of the Master or Person having charge of any Ship or Vessel, each and every Owner, or each and every Consignee of the Cargo, shall also make a Report, in Writing by him subscribed, upon Oath before the said Treasurer or Deputy Treasurer, as the Case may be, of all dutiable Articles belonging to or consigned to him on board such Ship or Vessel: and any Part of such Cargo which shall be landed before such Report of the Master or Person having charge, and before the Reports of the several and respective

Penalty.

Owners and Consignees to report.

Landing Articles before reporting and obtaining a Permit.

pective Owners or Consignees thereof, and a Permit obtained from the said Treasurer or Deputy, as the Case may be, for landing the same, shall, together with any dutiable Articles which may be found on board such Ship or Vessel, or landed therefrom and not included in the Report of the Master or Person having charge and the Report of the said Owners or Consignees, be forfeited, and the Master or Person having charge of such Ship or Vessel, and every Person concerned in concealing such Articles on board, or in landing them without a Permit for that Purpose, shall each respectively forfeit and pay the Sum of One hundred Pounds: and it shall and may be lawful for the said Treasurer or any of his Deputies, at all Times, to enter on board any Ship or Vessel, and to search the same for dutiable Articles, and if any are found on board not having been duly reported, and the Duties paid or secured, to seize and take the same from such Ship or Vessel; and the said Treasurer, or any Deputy Treasurer, being authorized by Writ of Assistance under the Seal of His Majesty's Supreme Court, or of the Inferior Court of Common Pleas in the County in which such Articles shall be found, (which Writ the proper Officers of such Courts respectively are hereby authorized and required to issue upon the Allowance or Fiat of One of the Justices of such Court,) shall and may take One or more Constable or Constables, and, at all Times in the Day Time, enter and go into any House, Store, Warehouse, Outhouse or other Building, and, if resisted, break open any Door or Doors, and search for dutiable Articles, and if any such are found having been imported and landed contrary to Law, seize and carry the same away; and it shall be the Duty of the said Treasurer or any Deputy Treasurer to cause the same Articles forthwith

Penalty.

Treasurer empowered to search for dutiable Articles.

Articles seized to be appraised and prosecuted.

to be appraised and valued by Three respectable Persons ; and in all Cases where the Value of the Articles shall not exceed the Sum of Twenty five Pounds, they shall be prosecuted to Condemnation in the Name of Treasurer, or Deputy Treasurer making the Seizure, in Thirty Days from the Time of making such Seizure, before any Two of His Majesty's Justices of the Peace residing near the Place where the Seizure shall have been made, who are hereby required and directed to keep a Book of Record, in which they shall fairly enter all Causes tried before them under this Act, together with all the Evidence taken in the Course of the Investigation ; and when the Value of the Articles so seized and taken as aforesaid shall exceed the Sum of Twenty five Pounds, they shall be prosecuted to Condemnation as aforesaid in the Name of the Treasurer, or Deputy Treasurer making the Seizure, or by Information of His Majesty's Attorney or Solicitor General, or any of the King's Counsel learned in the Law, in Ninety Days from the Time of making such Seizure, before His Majesty's Supreme Court, or before any Two Justices of the Inferior Court of Common Pleas in the County where the Seizure shall have been made : and if any Dispute shall arise whether any of the Articles so seized as aforesaid were illegally imported, the Proof in all Cases shall be upon the Owner or Person claiming such Articles.

*Onus probandi*  
to be on the Party  
claiming the  
Articles.

Articles for Ex-  
portation with-  
out being landed  
to be entered,  
and, on Proof of  
Exportation,  
Duties to be re-  
mitted.

V. And be it enacted, That when any dutiable Articles imported into the Province are intended to be exported without being landed, the same shall be stated in the Report and Entry required to be made by this Act, and the Articles intended to be exported particularly described and specified in such Report ; and such Articles so reported for Exportation shall be actually exported in the same Vessel in which they

they were imported, or reshipped on board of any other Ship or Vessel without being landed, and shall actually be exported in such Ship or Vessel to any Port or Place without the Limits of the Province, then and in either of these Cases, any Duties which may have been paid on any Articles so exported shall be repaid, and any Bonds which may have been given for securing such Duties shall be cancelled, after the requisite Proofs of the actual landing of such Articles without the Province in either Case shall have been produced at the Office where the same were First reported for Exportation.

VI. And be it enacted, That upon the following Articles upon which the Duties have been paid or secured by virtue of this Act, there shall be allowed when exported after having been landed from the Vessel in which they were imported, or imported by Land or Inland Navigation, or which may have been purchased at any Custom House Sale or Sale of Government Stores, the following drawbacks ; to-wit, for every Gallon of Rum, One Shilling and Three Pence ; for every Gallon of Wine, One Shilling and Nine Pence ; for every Gallon of Brandy, One Shilling and Ten Pence ; for every Gallon of Shrub, Santa, Cordials, and Lime Juice, Six Pence ; for every Gallon of Molasses, One Penny ; for every gross Hundred Weight of brown Sugar, Two Shillings and Six Pence ; for every Pound of Coffee, One Penny ; upon every Head of Foreign horned Cattle, Twenty Shillings ; Provided always,

Drawbacks allowed on Articles exported after being landed.

[Exceptions.]

that no Drawbacks shall be allowed unless the Articles be exported within Twelve Months from the Time of their Importation, and in the same Package or Cask in which they were imported, and not in less Quantity in any One Ship or Vessel, at any One Time, than Fifty Gallons or more of Wine (except in Cases where

the Importer of Wine may bottle the same or any Part thereof, or may have occasion to shift the same or any Part thereof into Casks of smaller Size, and in such Cases the said Importer, but no other Person whomsoever, shall be entitled to Drawback on the Exportation of such Wine so bottled or shifted in like Manner as if the same had been exported in the original Cask or Package, with the Limitation that no less Quantity than Six Dozen Bottles of such Wine, nor a less Quantity than Twenty five Gallons thereof in any One Cask, shall be entitled to such Drawback), Brandy, Hollands and Geneva; Five hundred Gallons or more of Molasses; One hundred Gallons or more of any other Liquors; Ten hundred Weight or more of brown Sugar; Six hundred Weight of Loaf Sugar; Five hundred Weight of dried Fruits; and Five hundred Weight of Coffee, nor unless the requisite proofs of their having been landed without the Province be produced at the Office within Twelve Months from the Time of Exportation; and no Drawback shall be allowed upon Articles landed in any Part of the United States, Eastward of Machias Harbour; and provided also, that when satisfactory Proof is lodged with the Treasurer or Deputy Treasurer of the Export of any Article subject to Duty, the said Duty shall not be exacted within Twelve Months after the Exportation of such Articles.

Not to be exacted within Twelve Months after Exportation.

Evidence of the Exportation of Articles in the same Bottom without being landed.

VII. And be it enacted, That the Evidence to be required of the Exportation of dutiable Articles in the same Bottom shall be the Affidavit of the Master, and of the Owner or Consignee, before the Treasurer or One of his Deputies; and the Affidavit of the Master shall be as follows:

“I A. B. do swear that the following Articles, to-wit,———, are now actually on board  
“ the



“the——, whereof I am Master; that the  
 “same were imported in the same Vessel, and  
 “are the same that were mentioned in the Entry  
 “and Report of the said Vessel and Cargo at  
 “this Office on the——day of——; and that  
 “the said Articles are now in the same State  
 “in which they were at the Time of Importa-  
 “tion thereof; that no Part of the same are to  
 “be landed within the Province to the best of  
 “my Knowledge and Belief.”

and the Owner or Consignee of the same Ar-  
 ticles shall, at the same Time and Place, make  
 and subscribe an Affidavit that he is the Owner  
 or Consignee of such Articles, and that the  
 Contents of the Affidavit made by the Master  
 are just and true, to the best of his Knowledge  
 and Belief: and when Articles are not exported  
 in the same Bottom in which they were import-  
 ed, then the Master of the Vessel in which they  
 were imported shall make and subscribe an Af-  
 fidavit as follows; (to-wit)

“I A. B. do swear that the following Articles,  
 “to-wit,——, were imported into the Pro-  
 “vince in the Vessel called the——, whereof  
 “I am Master, and are the same mentioned and  
 “specified in the Entry and Report of the said  
 “Vessel and Cargo at this Office on the——  
 “day of——; that they are now in the same  
 “State in which they were at the Time of Im-  
 “portation; that no Part thereof has been  
 “landed since the said Entry and Report; and  
 “that the same have been actually shipped on  
 “board the Vessel called the ——, in the  
 “Harbour of——, whereof——is Master.”

and the Owner or Consignee of the same Arti-  
 cles shall, at the same Time and Place, make  
 and subscribe an Affidavit that he is the Owner  
 or Consignee of such Articles, and that the  
 Contents of the Affidavits made by the said  
 Masters are just and true, and that the said Ar-  
 ticles,

Evidence when  
 not exported in  
 the same Bot-  
 tom.

ticles are not to be landed within the Province to the best of his Knowledge and Belief; and the Master of the Vessel on board of which such Articles have been reshipped, shall at the same Time make and subscribed an Affidavit that the Articles mentioned in the Affidavit of the Master of the Vessel in which they were imported are actually on board the Ship or Vessel of which he is Master, and that the same or any Part thereof are not to be again landed in the Province to the best of his Knowledge and Belief.

Evidence of the  
Exportation of  
Articles after  
being landed.

V  
VIII. And be it enacted, That when any dutiable Articles are exported for Drawback after having been landed in the Province, the Evidence of such Exportation shall be an Affidavit made and subscribed by the Owner or Consignee of such Articles, before the Treasurer or Deputy Treasurer, as follows; (to-wit,)

“ I A. B. do swear that the Articles by me now shipped on board the——, whereof—— is Master, were lawfully imported (or *purchased at a Custom House Sale, or Sale of Government Stores*) in the——, whereof —— was Master, from ——; and that the Duties thereon have been paid or secured to be paid by me at this Office; and that the same or any Part thereof are not intended to be relanded in the Province, to the best of my Knowledge and Belief.”

also an Affidavit made and subscribed by the Master of the Vessel in which the Articles are to be exported, as follows; (to wit,)

“ I A. B. do swear that the articles shipped by——, as mentioned in his Affidavit, are now actually on board the——, whereof I am Master, bound for——; and that the same or any Part thereof are not to be relanded within the Province, to the best of my Knowledge and Belief.”

Provided

Provided always, that before any Drawback shall be paid, or a Remission of Duties upon Articles exported in the same Bottom or transhipped into another Vessel and exported without being landed obtained, it shall be incumbent on the Owner or Consignee of such Articles to produce to the Treasurer, or Deputy to whom the Duties shall have been paid or secured, within One year from the Time of Exportation thereof, a Certificate under the Hand and Seal of the Collector or principal Officer of the Customs or of the Revenue of the Place to which the same were exported, or a Certificate of Two resident Merchants of the Place where such dutiable Articles may have been landed, that such Articles have been there actually landed, and he shall at the same Time make and subscribe the following Affidavit :

“ I A. B. do swear that the Articles exported by me in the——, whereof—— was Master, a Certificate of the landing of which is by me now exhibited, have been actually landed at——, to the best of my Knowledge and Belief.”

Provided also, that the Drawbacks upon all Articles exported, and entitled thereto, and for the Duties on which Bonds have or may be given, shall be endorsed upon such Bonds, and be deemed equivalent to Cash Payments, without any Reference to the Times when the several Instalments of the same are payable or become due.

IX. And be it enacted, That if all or any of the Articles reported for Exportation without being landed, or which having been landed have been shipped for Exportation, with a view to obtain a Remission of the Duties thereon, or to obtain the Drawbacks allowed by this Act, have been landed or relanded contrary to the true Intent and Meaning of this Act, all such Articles

Drawbacks to be endorsed on Bonds without Reference to the Instalments.

Landing Articles exported for Drawback or Remission of Duties.

Forfeiture.

Articles so landed or relanded, and such as may be on board at the Time of discovering such intended Fraud, shall be forfeited, and shall and may be seized and prosecuted to Condemnation, and the Proceeds of such Forfeitures applied, as herein after directed; and if it shall be discovered within One year after the Articles so reported for Exportation, or which may have been shipped for Exportation after having been landed, or after any Drawbacks may have been paid or received, that the Whole or any Part thereof have been fraudulently relanded within the Province, the Owner or Consignee of such Articles, and the Master or Owner of the Ship or Vessel from which the same were relanded, shall severally forfeit and pay the sum of One hundred Pounds, to be recovered and applied as herein after directed.

Penalty.

Evidence required to obtain Drawback on horned Cattle.

X. And be it enacted, That the Evidence required to obtain any Drawback on horned Cattle exported from this Province, shall be a Certificate of the Treasurer or Deputy Treasurer, as the Case may be, that the Cattle upon which the Drawback is claimed were on the Importation of such Cattle reported for Exportation, also an Affidavit shall be annexed, in Manner and Form as follows; (to-wit,)

“ I A. B. do swear that the following (*here state the Number and Description of Cattle*)  
 “ now on board the——, whereof—— is  
 “ Master, bound for——, and that they are  
 “ the same as are mentioned in the annexed  
 “ Certificate, and were reported for Exportation,  
 “ and that the same are not intended to be re-  
 “ landed in this Province, to the best of my  
 “ Knowledge and Belief.”

and also the Affidavit of the Master of the Vessel mentioned in the Owner's or Consignee's Affidavit, and subscribed by him in Form following; (to-wit,)

“ I

“I A. B. do swear that the——, shipped  
 “by——, are now actually on board the  
 “——, whereof I am Master, bound for——;  
 “and that the same are not to be reloaded in  
 “this Province with my Knowledge or Con-  
 “sent, unavoidable Accident excepted.”

which Affidavit and Certificate shall be filed in  
 the Office where taken ; Provided always, that  
 no Drawbacks shall be allowed and paid in less  
 than One Month after the sailing of the Vessel  
 in which the Cattle for which the same are  
 claimed were shipped, nor unless the Cattle  
 reported for Exportation shall be actually ex-  
 ported within Three Months from the Time of  
 their Importation: Provided always, that if  
 any Cattle shall be fraudulently reloaded in this  
 Province after Shipment for Exportation as a-  
 foresaid, the same shall be forfeited, and may be  
 sold forthwith, without further Process, by the  
 Treasurer or nearest Deputy Treasurer, and  
 the Proceeds applied, One Half to the Informer,  
 the Residue to His Majesty for the Use of the  
 Province; and the Owner or Consignee of such  
 Cattle, and the Master of the Vessel from which  
 they have been fraudulently reloaded, shall  
 severally forfeit and pay a Fine of One hundred  
 Pounds.

Drawbacks how  
 to be allowed  
 and paid.

Fraudulent re-  
 landing.

Forfeiture,

Application.

Penalty.

XI. And be it enacted, That any Importer or  
 Consignee of Rum, Whiskey, Brandy, Geneva,  
 Wine, Shrub, Santa, Cordials, Loaf and Brown  
 Sugars, may have his Option either to secure  
 the Duties on the same in the Manner prescrib-  
 ed in and by this Act, or to warehouse such  
 Articles and pay the Duties thereon from time  
 to time as the same may be sold for Home  
 Consumption, and before Delivery thereof from  
 such Warehouse as herein after provided.

Duties on Rum  
 &c. may be se-  
 cured, or Articles  
 warehoused.

XII. And be it enacted, That before the  
 Owner, Agent or Consignee of any such Ar-  
 ticles shall have the Benefit of the Option here-  
 in

Articles to be  
 entered for  
 warehousing,  
 and a sufficient  
 Warehouse to  
 be provided.

in before provided, it shall be the Duty of the Owner, Importer or Consignee of any such Articles to enter the same for warehousing, and to provide a good and sufficient Warehouse to be approved of by the Treasurer of the Province or Deputy Treasurer, as the Case may be, and fitted and prepared in every Respect to the Satisfaction of the said Treasurer or Deputy; and before any such Articles shall be admitted into any such Warehouse, the Owner Importer or Consignee of the same shall, instead of the Bonds herein before required, give Bonds with Two sufficient Sureties to be approved of by the said Treasurer or Deputy, as the Case may be, in Double the Amount of the Duties payable on such Articles, conditioned for the safe depositing of such Articles in such Warehouse mentioned in the Entry of the same, and for the Payment of the Duties upon such Articles, or for the Exportation thereof, according to the Account First taken of such Articles upon the landing of the same, and with the further Condition, that no Part thereof shall be taken out of such Warehouse until cleared from thence upon due Entry and Payment of Duty, or upon due Entry for Exportation, and with the further Condition, that the Whole of such Articles shall be so cleared from such Warehouse, and the Duties upon the Deficiency (if any) of the Quantity according to such First Account, shall be paid within Two Years from the Date of the First Entry thereof; Provided always, that no One Importer of Articles subject to Duties under the Provisions of any Act or Acts of the General Assembly of this Province, shall be allowed the Privilege of warehousing the same unless the Duties upon such Importation shall amount to Fifty Pounds.

Bonds before Articles are warehoused.

Proviso.

Articles entered to be warehoused and not de-

XIII. And be it enacted, That if any Articles which have been entered to be warehoused

ed shall not be duly carried and deposited in the Warehouse, or shall afterwards be taken out of the Warehouse without due Entry and Clearance, or having been entered and cleared for Exportation from the Warehouse shall not be duly carried therefrom and shipped, or shall afterwards be relanded, except that with the Permission of the proper Officer of the Treasury, such Goods shall be forfeited.

posited &c., to be forfeited.

XIV. And be it enacted, That upon the Entry outwards of any Articles to be exported from the Warehouse, the Person entering the same shall give Security by Bond in Treble the Duty thereon, with Two sufficient Sureties to be approved by the Treasurer or Deputy Treasurer, conditioned that the same shall be landed at the Place for which they be entered outwards, or be otherwise accounted for to the Satisfaction of the said Treasurer or Deputy Treasurer; and all Articles deposited in any Warehouse pursuant to this Act, shall be taken out for Home Consumption or for Exportation within Two Years from the Date of the original Report and Entry of such Articles.

Bond upon Entry outwards of Articles to be exported from the Warehouse.

XV. And be it enacted, That the Drawback upon all dutiable Articles imported before the passing of this Act, shall be allowed and paid agreeably to the Act in Force at the Time of the Importation of such Articles, notwithstanding the Expiration or Repeal of such Acts; any Thing in any Act of the General Assembly to the contrary notwithstanding.

Drawbacks to be paid agreeably to Act in Force when Articles imported.

XVI. And be it enacted, That when dutiable Articles have been exported agreeably to the Provisions of this Act, and the Treasurer or any Deputy Treasurer, as the Casemay be, shall have good Cause to believe that such Articles, or the Vessel in which they were exported, were lost at Sea, and that in consequence of such Loss no Certificate could be returned to

Power to enlarge the Time of Payment of Duties when Articles exported are supposed to be lost at Sea.

entitle the Owner or Exporter of such Articles to the Drawback allowed on such Articles, then it shall and may be lawful for the said Treasurer or any Deputy Treasurer, as the Case may be, to enlarge the Time of Payment of the Duties which may have been secured on such Articles, until the Owner or Exporter shall have Time, by Application to the General Assembly, to obtain Remission of such Duties: Provided always, that if such Application should be refused, then it shall be the Duty of the said Treasurer or Deputy Treasurer, as the Case may be, upon receiving Notice of such Refusal, forthwith to take the necessary Steps for the Recovery of such Duties agreeably to the Provisions of this Act.

Agents for Goods shipped coastwise may export the same, and receive the Drawback.

XVII. And be it enacted, That whenever any Merchant at any Port in this Province, when the Provincial Duties are received or secured on any dutiable Articles entitled to Drawback on Exportation, shall ship such Articles coastwise to his Agent at any Port or Place in this Province, it shall and may be lawful for such Agent to export the same and receive the Drawback thereon in the Name of the original Importer: Provided always, that such Articles shall be accompanied with a regular Permit from the Treasurer or Deputy Treasurer, as the Case may be, to shew that the Duties thereon have been paid or secured to be paid at the Office of the said Treasurer or Deputy Treasurer, expressing also the Place from, the Time when, and the Vessel's Name in which such Articles were imported, together with the Marks and Number of the Cask and Package containing such Articles, and also that such Casks and Packages are the same in which such Articles were originally imported, and in the same State as when so imported: Provided also, that the same Proof of the Exportation of such Articles

Proviso.



Articles by any Agent as aforesaid, shall be required to obtain the Drawback thereon, as is required upon the Exportation of such Articles under the Provisions of this Act.

XVIII. 'And for the more effectually securing the Duties imposed on Cattle and Horses 'by this Act;' be it enacted, 'That it shall and may be lawful for the Treasurer of the Province to appoint fit and proper Persons in every such Place and Places within the Province as he may judge meet and expedient, to be Collectors of such Duties ; and every Person so appointed, or who may have been appointed under any former Act relating to the Revenue, are hereby authorized to detain, and report to the Treasurer or Deputy Treasurer, all such Cattle and Horses as may be found on any Road, Place or Places, and so imported and brought as aforesaid, unless the Owner or Owners, Person or Persons having charge of and driving such Cattle and Horses shall produce a separate Certificate for each and every such Horse or Head of Cattle from the Treasurer, or One of his Deputies, that the Duties have been paid or secured to be paid on such Cattle and Horses ; and the said Collectors shall give Bonds to the Treasurer in the Sum One hundred Pounds, with Two sufficient Sureties in the Sum of Fifty Pounds each, for the faithful Discharge of their Trust, and shall be allowed One Half of the Commission to be received by the Deputy Treasurer of the County in which such Collectors shall reside, and also One Half of the net Proceeds of the Sale of all Cattle and Horses so detained and forfeited under and by virtue of this Act.

Treasurer to appoint Collectors of Duty on Cattle and Horses.

Their Powers,

Sureties,

Allowances.

XIX. And be it enacted, That no Duties on any Horses or horned Cattle shall be collected at any Places in the Province except at the Office of the Treasurer of the Province, or the Deputy

Duties on Horses &c. to be collected at Saint John, Saint Andrews, Saint Stephens, and Woodstock only.

Deputy Treasurers at Saint Andrews, Saint Stephens, and Woodstock ; and all Foreign Horses and horned Cattle which may be found within the Province, except when on the Way to any of the said Places, without a Certificate from the said Treasurer, or some One of the said Deputy Treasurers, for each and every such Horse, and for each and every Head of such horned Cattle, that the Duty thereon had been paid either at the Deputy Treasurer's Office at Saint Andrews, Saint Stephens or Woodstock, shall be seized and forfeited, and may be prosecuted to Condemnation in Manner and Form as provided in and by the Fourth Section of this Act.

Powers of Deputy Treasurers of Saint Stephens and Woodstock.

XX. And be it enacted, That the Deputy Treasurers of Saint Stephens and Woodstock shall have the same Powers, to the fullest Extent, as other Deputy Treasurers have under the Provision of this Act, as far as relates to Horses, horned Cattle, Goods, Wares and Merchandize imported by Inland Navigation or by Land.

Proceedings in Cases of Seizures of live Stock, dead Meats, or perishable Articles.

XXI. And be it enacted, That in Cases where any live Stock, or dead Meats, or any other Description of perishable Articles, have been seized as forfeited for a Breach of this Act, or any other Act relative to the Revenue, and any Person shall appear to claim and defend such live Stock or perishable Articles, then and in such Case it shall and may be lawful to and for the Treasurer, or any of his Deputies who may have seized the same, to take a Bond, with Two good and sufficient Sureties, in Double the Value of the Articles or live Stock so seized, from the Person so claiming the same, to be recovered upon the Condemnation of the said Articles so seized, in like Manner as other Bonds mentioned in this Act; which Bond in case the said Articles should not be condemned as forfeited shall be cancelled and may

may be destroyed; but if no Person shall appear to elaim such live Stock or perishable Articles so seized as aforesaid, then it shall and may be lawful to and for the said Treasurer, or Deputy Treasurer so seizing the same, to prosecute such live Stock to Condemnation within Forty eight Hours after the Time of such Seizure, or such perishable Articles within Twenty four Hours after the Time of such Seizure, in the Manner pointed out in and by the Fourth Section of this Act.

XXII. And be it enacted, That all Articles which are subject to Duties by the Provisions of this Act, and which having been seized and sold by the Officers of His Majesty's Customs in any Part of the Province, for having been illegally imported or smuggled, shall be liable to the same Rates and Duties as if the same had been legally imported and entered at the Treasurer's or any Deputy Treasurer's Office, as required by this Act; and the Purchaser or Purchasers of any such Articles sold as aforesaid shall, within Twenty four Hours after such Sale and Purchase, and before any Part of the Articles so purchased shall be consumed, make Report to the Treasurer, or his Deputy at the Place nearest the Sale, in Writing, under Affidavit, of the Articles so purchased, and the Duties arising thereon shall then be paid or secured to be paid in the same Manner and subject to the same Regulations as Duties arising on such Articles when legally imported; and upon the Exportation of any such Articles so purchased, reported, and upon which the Duties have been paid or secured as aforesaid, the Purchasers shall be entitled to the like Drawback as herein before allowed upon the Exportation of the like Articles, subject always to the like Regulations, Provisoes and Restrictions as are herein before made and provided: and if any dutiable Ar-

Articles seized and sold by the Officers of Customs made liable to Duty &c.

Articles for the Use of the Army

or Navy, and sold by Order of Government, made liable to Duty &c.

Articles which may have been imported into the Province, or purchased from some resident Merchant or Trader, for the Use of His Majesty's Army or Navy, and upon which no Duties have been paid, or upon which the Duties may have been repaid, shall at any Time be sold by Order of Government, the Purchaser or Purchasers shall report the same, and pay or secure to be paid the same Amount of Duties as such Articles are liable to when imported into the Province, and shall be entitled to the same Drawbacks upon the Exportation thereof, subject to the same Regulations, Provisoos, and Restrictions as are herein before provided and made as aforesaid: and any Purchaser of dutiable Articles at any Custom House Sale, or at the Sale of Government Stores as aforesaid, who shall refuse or neglect to make Report of such Articles so purchased, and to pay or secure the Duties thereon, shall, if the same Articles cannot be found, forfeit and pay the Sum of One hundred Pounds, and if the Whole of the same are found, then in lieu of such Penalty, the said Articles shall be forfeited, and may be seized, taken away and prosecuted by Order of the Treasurer or any Deputy Treasurer, and the Proceeds thereof applied in Manner as herein after directed.

Penalty for not reporting such Articles when purchased.

Articles imported or supplied by a resident Merchant for the Army, Navy or Ordnance, exempted from Duty.

XXIII. And be it enacted, That any Articles subject to Duties by this Act which may be imported expressly for the Use of His Majesty's Army, Navy or Ordnance, and actually delivered to the Commissary or any authorized Officer of Government, shall be and the same are hereby exempted from the Duties herein before imposed upon the like Articles; and any such Articles which may be supplied by any resident Merchant or Trader for the Uses aforesaid, and actually delivered to the Commissary or any other authorized Officer

cer of Government, shall also be exempt from the Payment of any Duties herein imposed; and if the Duties thereon shall have been paid; then such resident Merchant or Trader shall receive back the Amount of such Duties, or if indebted to the Treasury shall have credit for the same, by deducting the Amount from the gross Amount of his Bond, the Instalments of which shall be regularly paid upon the Balance thereof: Provided always, that before any such dutiable Articles shall be exempted from the Payment of Duties, and before any Repayment of Duties shall be made, or Credit given therefor, the Commissary or other authorized Officer of Government shall, if the said Articles have been imported, produce the Invoice or Bill of Lading of such Articles to the Treasurer or his Deputy at the Place of Importation, and shall make and subscribe an Affidavit before the said Treasurer or Deputy as aforesaid, that the several Articles contained in such Invoice or Bill of Lading are imported expressly for the Use of His Majesty's Army, Navy or Ordnance, and received into his Charge for that Purpose; and if any such Articles shall be supplied for the like Purpose by any resident Merchant or Trader, such Merchant or Trader shall report, and make and subscribe an Affidavit before the Treasurer or his Deputy as aforesaid, that the Articles mentioned in the Report and Affidavit were actually delivered to the Commissary or other authorized Officer, and the said Commissary or other authorized Officer shall also make and subscribe an Affidavit, before the Treasurer or Deputy Treasurer, that the Articles mentioned in the said Report and Affidavit of the Merchant or Trader are actually delivered into his Charge for the Uses aforesaid.

Evidence required.

**XXIV.** And be it enacted, That the Quantity

Gauging Liquors and Molasses.

tity of all dutiable Liquors and Molasses shall be ascertained by Gunter's Callipers, and shall be gauged by a sworn Gauger or Gaugers appointed by the Lieutenant Governor or Commander in Chief; which Gaugers shall not gauge any dutiable Articles in which they have any Interest or Property.

Treasurer to appoint Deputies.

XXV. And be it enacted, That it shall be the Duty of the Treasurer of the Province for the Time being to appoint fit Persons, to be approved of by the Lieutenant Governor or Commander in Chief, to be his Deputies in each Port or Place in the Province where a Deputy may be required for the due Enforcement of this Act, or any other Act relating to the Revenue; which Persons so appointed and approved of shall give good and sufficient Security, by Bond to His Majesty, for the faithful Discharge of their Duties respectively, as follows; (that is to say,) the Deputy Treasurers of Saint Andrews and Miramichi respectively, in a Sum not less than Four thousand Pounds; of Richibucto in the County of Kent, in a Sum not less than Two thousand Pounds; the Deputy Treasurer of West Isles, in a Sum of One thousand Pounds; and all other Deputies respectively, in a Sum not less than Five hundred Pounds; and all such Bonds shall also be executed by at least Two good and sufficient Sureties to be approved of by the Treasurer, and shall be taken in the Name of His Majesty, His Heirs and Successors; and the said Deputies respectively shall be accountable to the said Treasurer, when thereunto required, for all Sums to be received by them by virtue of this or any other Act; and all such Deputies shall have the same Powers to the fullest Extent in every Respect to make Seizures and proceed to Condemnation and Sale as are given to the Treasurer by virtue of this Act; and each Deputy shall

Security.

Powers.

Allowances.

shall and may retain for his Services Ten Pounds for every Hundred Pounds which he shall receive or secure for Duties imposed by this Act, over and above his Proportion of the Seizures and Forfeitures which he may make under and by virtue of this Act; provided always, that the Sum so retained as aforesaid shall not in any One Year exceed Three hundred Pounds for the Services of any One Deputy: and it shall and may be lawful for the said Treasurer, in Case of Sickness or necessary Absence from the City and County of Saint John, to appoint a fit Person to act as his Deputy there, for whose Acts the said Treasurer shall be responsible; which Deputy, during his Continuance in Office, shall have the same Power and Authority in every Respect as the Treasurer hath by virtue of this Act, when personally executing the Duties of his Office, but shall receive no Compensation or Allowance from the public Treasury for his Services, except his Proportion of the Proceeds of any Seizures which he may make, or of any Penalties and Forfeitures which may be incurred by this Act, during his Continuance in Office as aforesaid.

XXVI. And be it enacted, That the Tide Surveyors and Waiters, and all other Revenue Officers who may be appointed by the Lieutenant Governor or Commander in Chief for the Port of Saint John, or for any other Port or Place in the Province, shall in all Respects be under the Orders, Directions and Control of the Treasurer or his Deputies respectively for the Places where such Officers may be appointed; and the said Tide Surveyors and Waiters, and other Revenue Officers, shall attend to the unloading of Ships and Vessels with dutiable Articles, and shall not allow any such dutiable Articles to be landed from any Ship or Vessel arriving at any Port or Place for which they are respectively appointed, without a Permit from the Treasurer or Deputy Treasurer,

Deputy at Saint John.

Powers.

Allowances.

Tide Surveyors, and other Revenue Officers to be under the Control of the Treasurer and his Deputies.

Their Duties.

as the Case may be; which Permit to land dutiable Articles shall be made by the Treasurer or Deputy immediately upon the Duties thereon being paid or secured agreeably to the Provisions of this Act: and if any Tide Surveyor or Waiter, or other Revenue Officer attending the unloading of any Vessel with dutiable Articles, shall discover any such Articles on board which have not been entered and particularly mentioned in the Master's Report of the Cargo of such Vessel, or in the Report of any of the Owners or Consignees of such Articles, or if any such Articles shall be by such Officer found to have been landed from such Ship or Vessel, or otherwise imported contrary to the Provisions of this Act, it shall be the Duty of such Tide Surveyors and Waiters, and other Revenue Officers respectively, and they are hereby required, forthwith to take Possession of such Articles and detain the same, and make Report thereof to the Treasurer or Deputy Treasurer, as the Case may be; and the said Treasurer or Deputy Treasurer shall immediately seize the said Articles, and proceed to dispose of the same in the Manner directed in and by the Fourth Section of this Act; and the Proceeds of such Seizure shall be applied, One Moiety thereof to His Majesty for the Use of the Province, and the other Moiety equally between the Treasurer or Deputy Treasurer prosecuting the same, and the Officer First detaining such Articles.

Application of  
Seizures.

Proceedings on  
Bonds not paid  
when due.

XXVII. And be it enacted, That for the Recovery of all such Duties as are imposed by this Act, and shall not be paid at the several Times limited for the Payment thereof respectively as aforesaid, the said Treasurer or his Deputy of the Port or Place in which such Bonds may have been taken, is hereby directed to transmit the same within Thirty Days to His Majesty's Attorney General for Prosecution; and His Majesty's Attorney General is hereby required forthwith to  
cause



cause Process to be issued against all and every Person or Persons so standing indebted, and to pursue the same to final Judgment and Execution, unless Payment of the Sum due and Costs be previously made; and in case the said Bonds shall not be transmitted to be prosecuted within the said Thirty Days, the Surety on such Bond shall be discharged, and Recourse only to be had against the Principal to the same, or against the Treasurer or Deputy Treasurer so neglecting to transmit the same for Prosecution: Provided always, that all Bonds entered into for the Security of Duties imposed by this Act shall be void and may be cancelled or destroyed, unless such Bonds shall be sued within One Year from the Time limited in such Bonds for the Payment of such Duties, or the last Instalment limited in the same; and if such Bond shall not be prosecuted to final Judgment and Execution in Three Years from the Time limited as aforesaid, then and in such Case such Bonds shall be void and may be cancelled and destroyed.

**XXVIII.** And be it enacted, That it shall be the Duty of the Treasurer of the Province, and of the several Deputy Treasurers, to make Half yearly Returns to the Office of the Provincial Secretary, of the Bonds by them respectively taken for Duties, and then remaining unpaid, stating the Names of the Obligors, the Amount secured, the Terms of Payment, and Date of such Bonds, and the Amount (if any) which has been paid thereon, and any other Particulars which may be necessary; which Returns shall be annually laid before the House of Assembly with the Treasurer's Accounts; and the Treasurer or any Deputy Treasurer who shall neglect to make such Returns for a longer Period than Two Months after the Expiration of each and every Period, shall severally forfeit and pay the Sum of Fifty Pounds, to be applied to the Use of the Province.

Half yearly Returns of Bonds to be made to the Office of the Provincial Secretary.

Penalty.

**XXIX.**

Oaths under this Act to be administered by the Treasurer or a Deputy.

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Perjury.

Recovery of Penalties and Forfeitures.

**XXIX.** And be it enacted, That the Treasurer of the Province and his Deputies respectively are hereby authorized and empowered to administer all the Oaths required to be made and taken for carrying the several Provisions of this Act into Effect; and every Person who shall be convicted of making a false Oath to any of the Particulars herein required to be sworn to, shall be liable to all the Pains and Penalties to which Persons are liable for wilful and corrupt Perjury.

**XXX.** And be it enacted, That the several Penalties and Forfeitures incurred under the Provisions of this Act, may be recovered by Information of the Treasurer of the Province or any Deputy Treasurer, or of His Majesty's Attorney or Solicitor General, or any of the King's Counsel learned in the Law, before any Two of His Majesty's Justices of the Peace residing near the Place where such Penalties and Forfeitures may be incurred; and the said Justices shall summon the Party accused to appear before them, and if such Party shall make Default, they shall and may proceed, and, upon due Proof of One or more credible Witness or Witnesses, convict such accused Party in the Penalty incurred, and shall cause the same to be levied by Warrant of Distress and Sale of such Offender's Goods and Chattels, and for Want of such Distress whercon to levy the same, shall commit such Offender to Prison for a Term not exceeding Six Months, unless such Penalty or Forfeiture, with Costs, be sooner paid: Provided always, that in any Case where the Party accused shall upon such Summons as aforesaid appear to make Defence, then the further Prosecution for such Penalty or Forfeitures shall be had before the Inferior Court of Common Pleas for the County where such Penalty or Forfeiture shall have been incurred, or in the Supreme Court of this Province; and if in either of the said Courts the Party accused shall

be

be convicted, he shall be dealt with in the same Manner as is in this Section provided in Cases of Conviction on Default.

XXXI. And be it enacted, That all Vessels and Boats of Fifteen Tons and under, and all Carriages, Horses and Cattle which may be seized under this or any other Act relating to the Revenue of the Province, may be prosecuted upon Information of the Treasurer of the Province, or any Deputy Treasurer, or the Commander of any Revenue Vessel, in the same Manner as is provided in and by the Fourth Section of this Act.

Prosecution of Vessels, Carriages, Horses and Cattle.

XXXII. And be it enacted, That upon the Entry of any Goods of Foreign Growth or Produce subject to Duties under this Act, and which are also subject to Duties and intended to be warehoused under the Provision of any Act or Acts of the Imperial Parliament, the Importers of such Goods, instead of paying or securing the Provincial Duty as directed in and by this Act, shall give Bond with at least One sufficient Surety, to be approved of by the Treasurer or Deputy Treasurer, in Double the Amount of Duties payable at the Treasury thereupon, with Condition for safe depositing the Goods in the Warehouse, and for the Payment of such Duties before taking the same out of the Warehouse for Home Consumption or for the Exportation thereof, and with further Condition, that if the Goods be not taken out of the Warehouse in Two Years the Duties shall at the Expiration of that Period be paid.

Bond for Duties under this Act on Articles to be warehoused under Acts of Parliament.

XXXIII. And be it enacted, That if any Goods which shall have been so warehoused shall be taken out of the Warehouse, except for Exportation, without Payment of the said Duties so imposed by this Act, such Goods shall be forfeited, and may be seized and disposed of in the Manner directed in and by this Act.

Goods taken from Warehouse, except for Exportation, without paying Duties, to be forfeited.

XXXIV. And be it enacted, That all Forfeitures

Application of Forfeitures and Penalties.

seizures and Penalties incurred and recovered under and by virtue of this Act, after deducting the Costs and Charges of Prosecution, together with all Charges that may have accrued, shall be paid as follows; (that is to say,) One Half Part to the Officer seizing and prosecuting the same Articles to Condemnation, or complaining against and prosecuting such Offender or Offenders, and the other Half into the Hands of the Treasurer of the Province for the Use thereof.

Articles condemned to be sold by public Auction.

**XXXV.** And be it enacted, That all Articles which shall have been seized, condemned and forfeited under and by virtue of this Act, shall (under the Direction of the Treasurer or Deputy Treasurer at the Port or Place where such Articles shall have been so seized, condemned and forfeited) be sold by public Auction to the highest Bidder, and the Proceeds of such Sales disposed of as is provided in and by this Act.

Appeal to the Supreme Court from Decision of Justices of the Peace.

**XXXVI.** Provided always, and be it enacted, That Nothing in this Act shall extend or be construed to extend to prevent any Person or Persons considering himself or themselves aggrieved by the Decision of any of the Justices of the Peace under the Provision of this Act, from the Benefit of an Appeal from such Decision to the Supreme Court of the Province.

Appointment of Deputy Treasurers at the Western Boundary.

**XXXVII.** And be it enacted, That it shall and may be lawful to and for the Treasurer of the Province to appoint such and so many fit Persons, to be approved of by the Lieutenant Governor or Commander in Chief of the Province, to be his Deputy or Deputies at or near the Western Boundary of the Province, as he may deem necessary for securing the Duties upon Horses, horned Cattle, and all Articles which may be imported into the Province by Inland Navigation or by Land, or for the Detection and Punishment of Offences against the Revenue Laws of the Province; which Deputies so appointed or to be appointed,

Their Powers.

pointed, shall have the like Powers, in every Respect, as other Deputy Treasurers have, except so far as relates to the Entry of Goods, Wares and Merchandize imported by Sea.

**XXXVIII.** And be it enacted, That any Person importing by Inland Navigation or by Land, into any Part of this Province, Horses, horned Cattle, or any Articles which are subject to a Duty under this or any other Act or Acts of the General Assembly of this Province, who shall neglect to report the same and pay the Duties thereon to the Treasurer of the Province, or the Deputy Treasurer at Saint Andrews, Saint Stephens or Woodstock, as the Case may be, shall for each and every Neglect or Offence be liable to the same Forfeitures and Penalty as Persons are who may be convicted of fraudulently landing any dutiable Articles from on board of any Ship or Vessel arriving at any Port or Place in the Province, to be recovered and applied in the same Manner as the Penalties are in and by the Fourth Section of this Act; and all Goods so imported as aforesaid may be seized by the Treasurer of the Province or any Deputy, as the Case may be, and prosecuted to Condemnation and Sale in the same Manner as Goods seized and forfeited may be under and by virtue of this Act.

**XXXIX.** And be it enacted, That if any Person or Persons shall import into this Province, by Inland Navigation or by Land, any Horses, horned Cattle, or any Goods, Wares or Merchandize of any Description, subject to Duty under any of the Revenue Laws of this Province, and shall neglect to report the same, and pay the Duties on such Articles so imported, at the Office of the Deputy Treasurer at Saint Andrews, Saint Stephens or Woodstock, such Person or Persons so offending shall be liable to the same Penalty as Persons are in and by the Fourth Section of this Act who shall land Articles from any Ship or Vessel

Importing by Inland Navigation, or by Land, Horses &c., and not reporting to the Treasurer, or Deputy at Saint Andrews, Saint Stephens or Woodstock.

Penalty.

Importing by Inland Navigation, or by Land, Horses &c., and not reporting to the Deputy Treasurer at Saint Andrews, Saint Stephens or Woodstock.

Penalty.

self before Report of the Cargo of such Ship or Vessel, to be recovered in the like Manner as the Penalties are in and by the Fourth Section of this Act; and all Horses, horned Cattle, Goods, Wares and Merchandize of every Kind, which may be seized for Nonpayment of the Duties, or for Default made to the Deputy Treasurer as aforesaid, may be proceeded against in the same Manner as Seizures are in and by the Provisions of this Act.

Notice of Sale of Articles seized to be given to the nearest Officer of the Customs.

**XL.** And be it enacted, That when any Goods, Wares and Merchandize shall be seized as forfeited, and prosecuted to Condemnation and Sale by the Treasurer of the Province or any Deputy Treasurer, under the Provisions of this Act or any other Act for raising a Revenue, Notice of such Sale shall be given to the principal Officers of the Customs nearest to where such Condemnation and Sale shall take place; and if it shall appear that such Goods, Wares and Merchandize so condemned as forfeited are subject to Duties by the Means and Powers of any Act or Acts of the Imperial Parliament for the general Regulation of Trade, and that such Duties have not been paid, then and in such Case it shall be the Duty of the said Treasurer or Deputy Treasurer, as the Case may be, to deduct the Amount of such Parliamentary Duties from the Proceeds of the Sale of such Goods, Wares and Merchandize so condemned and sold as aforesaid, and account for the same in the same Manner as if the Amount thereof had been received from such principal Officer of the Customs as aforesaid, and the Residue of such Proceeds shall be applied in the same Manner as the Proceeds of other Seizures are under the Provisions of this Act.

When Articles are liable to a Parliamentary Duty, the Duty to be deducted and accounted for.

Monies to remain in the Treasury until disposed of by Law.

**XLI.** And be it enacted, That all the Monies received by virtue of this Act, or any former Act or Acts for raising a Revenue, shall remain in the Treasury until the same shall be disposed of or appropriated

propriated by an Act or by Acts of the General Assembly, for that Purpose enacted.

**XLII.** And be it enacted, That the Liability of any Article or Articles to Seizure, under and by virtue of this Act, shall be and continue for the Term of Two Years from the Time the same are imported or brought into the Province and no longer.

Liability of Articles to Seizure limited to Two Years.

**XLIII.** And be it enacted, That the Right of recovering any of the Duties, Penalties and Forfeitures imposed, inflicted or incurred under the Provisions of any former Act or Acts of the General Assembly for raising a Revenue, is hereby expressly saved.

Right of Recovery of Duties &c., under former Acts, reserved.

**XLIV.** And be it enacted, That this Act shall continue and be in Force from the First Day of April next until the First Day of April which will be in the Year of our Lord One thousand eight hundred and thirty four.

Limitation.

## CAP. II.

An Act to appropriate a Part of the public Revenue to the Payment of the Ordinary Services of the Province.

*Passed 19th March 1833.*

**I.** **BE** it enacted by the Lieutenant Governor, Council and Assembly, That there be allowed and paid out of the Treasury of the Province, for the Services herein mentioned, the following; (to wit,)

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

Chaplains.

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

To the Clerk Assistant of His Majesty's Council, the sum of twenty shillings *per diem* during the present Session.

Clerk Assistant of Council.

To the Clerk of the House of Assembly, the sum of two hundred pounds for the present Session.

Clerks of the House of Assembly.

To the Clerk Assistant of the House of Assembly,

bly, the sum of twenty shillings *per diem* during the present Session.

Sergeants at Arms.

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

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

Doorkeepers.

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

Messengers.

To the Messengers attending the Council and Assembly, the sum of ten shillings *per diem* each during the present Session.

Attorney General.

To His Majesty's Attorney General, for his services for the year one thousand eight hundred and thirty two, the sum of one hundred pounds.

Solicitor General.

To His Majesty's Solicitor General, for his services for the year one thousand eight hundred and thirty two, the sum of fifty pounds.

Clerk of the Crown Supreme Court.

To the Clerk of the Crown in the Supreme Court, for his services for the year one thousand eight hundred and thirty two, the sum of one hundred pounds.

Province Treasurer.

To the Honorable R. Simonds, Province Treasurer, the sum of six hundred pounds for his services from the thirty first December one thousand eight hundred and thirty one to the thirty first of December one thousand eight hundred and thirty two; and a further sum of one hundred pounds to enable him to pay a Clerk for the same period.

Clerk.

Destruction of Bears.

To His Excellency the Lieutenant Governor, a sum not exceeding three hundred pounds for the encouragement of the destruction of Bears, agreeably to a Law of the Province.

Light Houses.

To the Keeper of the Light House on Partridge Island, the sum of one hundred pounds for the year one thousand eight hundred and thirty three.

To the Keeper of the Beacon Light in the Harbour of Saint John, the sum of one hundred pounds



pounds for the year one thousand eight hundred and thirty three. Light Houses.

To the Commissioners of Light Houses in the Bay of Fundy, the following sums to pay for services in one thousand eight hundred and thirty three:

For the Keeper of the Light House on Campo Bello for the year one thousand eight hundred and thirty three, the sum of one hundred and twenty pounds ;

For the Keeper and his Assistant on the Gannet Rock Light House, the sum of one hundred and sixty five pounds ;

For the Keeper of Point Le Preau Light House, the sum of one hundred pounds ;

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

For contingent expenses of Gannet Rock and Point Le Preau Light Houses for the year one thousand eight hundred and thirty three, the sum of four hundred and fifty pounds ;

For contingent expenses of Campo Bello and Machias Seal Island Light Houses for the year one thousand eight hundred and thirty three, the sum of four hundred and fifty pounds.

To the Commissioners of Light Houses at the entrance of the harbour of Saint John, the sum of three hundred and fifty pounds, for contingent expenses of one thousand eight hundred and thirty three.

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

To

Grammar  
Schools.

To His Excellency the Lieutenant Governor, the following sums for Grammar Schools in this Province for the year one thousand eight hundred and thirty three :

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

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

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

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

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

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

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

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

B. C. Chaloner. To B. C. Chaloner, Gauger at Saint John, the sum of one hundred and seventy seven pounds and two shillings, being the amount of his account for one thousand eight hundred and thirty two.

D. W. Jack. To D. W. Jack, Gauger at Saint Andrews, the sum of forty five pounds and seventeen shillings, being amount of his account for one thousand eight hundred and thirty two.

Robert Watson. To Robert Watson, Gauger at Saint Stephens, the sum of five pounds and ten shillings, being amount of his account for one thousand eight hundred and thirty two.

C. H. Jouett. To C. H. Jouett, Gauger at West Isles, the sum of twenty one pounds and seven shillings, being amount of his account for one thousand eight hundred and thirty two.

Tide Waiter at Saint John. To the Honorable R. Simonds, Province Treasurer, the sum of one hundred and fifty pounds

to pay a Tide Waiter for the City of Saint John for the year one thousand eight hundred and thirty two.

To the Adjutant-General of Militia Forces, the sum of seventy five pounds for his services for the year one thousand eight hundred and thirty three.

Adjutant General.

To the Quarter Master General of the Militia Forces, the sum of forty pounds for taking care of the arms for the present year.

Quarter Master General.

To the Clerk of the Council in General Assembly, the sum of two hundred pounds for the present Session.

Clerk of the Council.

II. And be it enacted, That all the before mentioned Sums of Money shall be paid by the Treasurer out of the Monies in the Treasury or as Payments may be made at the same, by Warrants of His Excellency the Lieutenant Governor or Commander in Chief for the Time being, by and with the Advice and Consent of His Majesty's Council; for which Warrants no Fee or Deduction shall be demanded or taken from the Persons in whose Favor they may be issued.

Money to be paid by the Treasurer by Warrant.

No Fee to be charged.

### CAP. III.

An Act to appropriate a Part of the public Revenue for the Services therein mentioned.

*Passed 19th March 1833.*

I. **BE** it enacted by the Lieutenant Governor, Council and Assembly, That there be allowed and paid out of the Treasury of this Province the following Sums; (to wit,)

To Charles Drury and Allan Otty, Esquires, the sum of eighty one pounds nine shillings and six pence, being balance of monies laid out by them, and expenses incurred, as Commissioners for procuring a suitable house for Sir Howard Douglas as Lieutenant Governor, in the City of Saint John, in the year one thousand eight hundred and twenty six.

Commissioners of Government House at Saint John.

Cadwallader  
Curry.

To Cadwallader Curry the sum of eleven pounds twelve shillings and six pence, being draw-back on two hogsheads and two quarter casks wine exported by him to Bermuda in the year one thousand eight hundred and thirty.

Robert Hawks.

To Robert Hawks the sum of twenty five pounds towards rebuilding an oat mill and kiln destroyed by fire in the Parish of Hopewell.

Charles Sey-  
mour.

To His Excellency the Lieutenant Governor the sum of eleven pounds thirteen shillings and four pence, to pay Charles Seymour, a licenced teacher, in the Parish of Portland, for his services from the seventh day of September one thousand eight hundred and thirty to the second day of April one thousand eight hundred and thirty one.

Thomas Wood.

To Thomas Wood the sum of twenty pounds for teaching a school for one year in the Parish of Botsford, County of Westmorland, ending the nineteenth day of January in the year one thousand eight hundred and thirty.

Alexis Theo-  
dore.

To the Trustees of schools for the Parish of Shediack, in the County of Westmorland, the sum of twenty pounds for a school taught by Alexis Theodore, ending the fifteenth day of July in the year one thousand eight hundred and thirty two.

Gabriel Herbert.

To the Trustees of schools for the Parish of Dorchester, County of Westmorland, the sum of twenty pounds for a school taught by Gabriel Herbert, ending the fourth day of April in the year one thousand eight hundred and thirty two.

Michael Dwyer.

To the Trustees of schools for the Parish of Saint George, in the County of Charlotte, the sum of twenty pounds to remunerate Michael Dwyer, a licenced teacher; being in full for teaching a school in that Parish.

E. D. W. Ratch-  
ford.

To E. D. W. Ratchford the sum of nine pounds nine shillings being the duties on a pipe of wine which was destroyed by accident.

Indian Mission-  
ary.

To His Excellency the Lieutenant Governor the sum of fifty pounds to defray the expense of

a Missionary among the Millicete Tribe of Indians.

To Margaret Ann Ogden the sum of ten pounds for teaching a school for the last year in the Parish of Saint George in the County of Charlotte. M. A. Ogden.

To Dennis Murphy the sum of twenty pounds for a school taught by him at Moncton, in the County of Westmorland, ending in November one thousand eight hundred and thirty one; it appearing that the warrant which issued for his school was paid to some other person on a forged order. Dennis Murphy.

To Rachael Martin, a valuable Instructress of youth in this Province, the sum of ten pounds for teaching a school the last year in the City of Saint John. Rachael Martin.

To Jane McCurdy the sum of ten pounds for a school taught by her in Dorchester for one year ending in January last. Jane McCurdy.

To John Howard, a licenced teacher, the sum of twenty pounds for teaching a school on Long Island in the Parish of Kingston, for one year ending the fourth day of October in the year one thousand eight hundred and thirty one. John Howard.

To Elizabeth Briscoe the sum of ten pounds for a school taught by her in the Town of Saint Andrews for one year ending the thirty first day of December in the year one thousand eight hundred and thirty two. Elizabeth Briscoe.

To Flora McRae, widow of the late Captain Alexander McRae, the sum of twenty pounds to assist her in her present distressed and destitute condition. Flora McRae.

To Rebecca Guiou, licenced female teacher, the sum of ten pounds for teaching a school one year ending the first day of July in the year one thousand eight hundred and thirty, in the Parish of Sussex, King's County. Rebecca Guiou.

To Daniel J. McLaughlin, of the City of Saint John, the sum of twenty pounds eleven shillings and nine pence as the return duty for a quantity of flour omitted to be reported by him at the Treasury. To

- Leonard R. Coombes.** To Leonard R. Coombes the sum of twenty pounds for a school taught by Anthony Joilette, a licenced teacher, at Madawaska, for one year ending the thirteenth day of May in the year one thousand eight hundred and thirty two.
- Distressed Emigrants at Saint John.** To the Justices of the Peace for the City and County of Saint John the sum of six hundred and forty seven pounds seven shillings and five pence, to remunerate them for expenses incurred by the overseers of the Poor of the City of Saint John in the support of sick and distressed Emigrants in the said City the last year.
- David Brown.** To David Brown the sum of twenty pounds for a school taught by Andrew B. Miles in the Parish of Saint Mary, County of York, in the year one thousand eight hundred and twenty six; it appearing that the warrant which issued for said school was paid to another person on a forged order.
- Black Refugees in Portland.** To the Justices of the Peace for the City and County of Saint John the sum of one hundred and thirty seven pounds fourteen shillings and nine pence, to reimburse the Parish of Portland for that sum expended in the year one thousand eight hundred and thirty two for the support and relief of Black Refugees and their offspring.
- Susannah Guimarian.** To Susannah Guimarian the sum of ten pounds for a school taught by her in the parish of Mau-gerville, for one year ending the third day of December in the year one thousand eight hundred and thirty two.
- Parish Schools.** To His Excellency the Lieutenant Governor a sum not exceeding five thousand pounds for the encouragement of parish schools, agreeably to a Law of this Province.
- M. Brannen.** To Matthew Brannen, of the Secretary's Office, the sum of fifteen pounds as a mark of approbation of his attentive and courteous demeanor in the said Office.
- Madras Schools.** To the Governor and Trustees of the Madras School the sum of four hundred pounds for the year

year one thousand eight hundred and thirty three towards the support of that institution.

To James Whitehead, a meritorious old soldier, late a private in the British New York Volunteers, the sum of ten pounds.

J. Whitehead.

To His Excellency the Lieutenant Governor or Commander in Chief the sum of one hundred and fifty pounds, for the services of D. W. Jack, Tide Surveyor at the Port of Saint Andrews, from the first day of April one thousand eight hundred and thirty two to the first day of April one thousand eight hundred and thirty three.

D. W. Jack.

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

B. C. Chaloner.

To His Excellency the Lieutenant Governor or Commander in Chief the sum of ninety one pounds five shillings, to enable the Treasurer to pay John Abrams for his services as Tide Waiter at Saint John, for the year one thousand eight hundred and thirty three.

John Abrams.

To His Excellency the Lieutenant Governor the sum of seventy five pounds for the services of a Tide Surveyor at Miramichi for the year one thousand eight hundred and thirty three.

Tide Surveyor  
at Miramichi.

To the Trustees of schools for the Parish of Chatham, in the County of Northumberland, the sum of ten pounds, to pay Ellen Smith, a licenced teacher, for teaching a school in said Parish for the year one thousand eight hundred and thirty one.

Ellen Smith.

To the Trustees of schools for New Castle, in the County of Northumberland, the sum of ten pounds, to pay Mary Alexis Creelan, for teaching a school in said Parish in the year one thousand eight hundred and thirty one.

M. A. Creelan.

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

School in Kent  
for the Acadian  
French.

pounds, to be applied towards the support of a school, under the direction of the Right Reverend the Bishop of Charlotte Town, established in the County of Kent for the higher branches of education among the Acadian French inhabitants of this Province.

Bar at Sand Point.

To the Mayor, Aldermen and Commonalty of the City of Saint John the sum of one hundred and fifty pounds, to be applied by them for the security of the Bar at Sand Point, in the City of Saint John; the same to be taken from the Light House Fund.

Isaac Michaud.

To Isaac Michaud, a settler at the Grand Falls of the River Saint John, the sum of ten pounds, to assist him in keeping up his establishment for travellers passing that post.

Beacon Light, Saint Andrews' Harbour.

To the Commissioners of Buoys and Beacons for the Inner Bay of Passamaquoddy, the sum of one hundred and fifty pounds for the erection of a Beacon Light at the eastern entry of Saint Andrews harbour; the same to be taken from the Light House Fund.

Courier between Hopewell and the Bend of Pet-ticodiac.

To His Excellency the Lieutenant Governor or Commander in Chief the sum of thirty pounds, in aid of individual subscription, to pay a courier passing between Hopewell and the Bend of Pet-ticodiac, in the County of Westmorland.

M. A. Fayer-weather.

To Mary Ann Fayerweather the sum of ten pounds, as a compensation for keeping a school in the Parish of Kingston, King's County, for one year.

Apprehension of Deserters.

To His Excellency the Lieutenant Governor or Commander in Chief a sum not exceeding one hundred pounds, to be applied in rewarding persons for the apprehension of deserters from His Majesty's land forces within the Province: Provided always, that no greater sum than five pounds be paid for the apprehension of any one deserter.

Courier between Bathurst and Shippegan.

To the Justices of the Peace of the County of Gloucester the sum of fifteen pounds in aid of sub-



subscription in supporting a courier between Bathurst and Shippegan.

To the Overseers of the Poor for the Parish of Saint Andrews the sum of fifty nine pounds seven shillings, to remunerate them for expenses incurred in the relief of poor and distressed Emigrants in the year one thousand eight hundred and thirty two.

Distressed Emigrants at Saint Andrews.

To Jeremiah Smith the sum of ten pounds being for return of duties paid on two horses, agreeable to the prayer of his petition.

Jeremiah Smith.

To the Justices of the Peace for the City and County of Saint John the sum of one hundred and thirty two pounds four shillings and eleven pence, to reimburse the overseers of the poor of the Parish of Portland, the sum expended by them in the year one thousand eight hundred and thirty two for the support and relief of sick and distressed Emigrants.

Distressed Emigrants in Portland.

To Ezekiel Barlow and Sons the sum of thirty eight pounds, being the amount of bounty due on the Schooner 'Welcome Return,' for a fishing voyage in the year one thousand eight hundred and thirty two, also the sum of twenty seven pounds eighteen shillings and six pence, being drawback on five puncheons rum and two hogsheads sugar exported to Nova Scotia.

E. Barlow and Sons.

To John Elliot, a licenced Teacher, the sum of fifteen pounds to remunerate him for teaching a school in the Parish of Campo Bello, in the County of Charlotte.

John Elliot.

To Alexander Grant, of Saint John, Merchant, the sum of one hundred and fourteen pounds five shillings, being drawback allowed on nine hundred and fourteen gallons whiskey exported to Nova Scotia.

A. Grant.

To Charity Williams the sum of ten pounds for teaching a school for one year in the Parish of Fredericton.

Charity Williams.

To Ann Addison the sum of ten pounds for a school

Ann Addison.

school taught by her in Sackville, County of Westmorland.

**Elizabeth Beek.** To Elizabeth Beek the sum of ten pounds for teaching a school one year in the Parish of Fredericton.

**Jane Danforth.** To Jane Danforth, a licenced teacher, in Carleton, within the City of Saint John, the sum of ten pounds for her services in the year one thousand eight hundred and thirty two.

**John Esson.** To the Trustees of schools of the Parish of Adington the sum of twenty pounds to remunerate John Esson for teaching a school in the said Parish, for the year ending in July one thousand eight hundred and thirty two.

**Catherine Dayton.** To Catherine Dayton the sum of ten pounds for teaching a school one year in the Parish of Fredericton.

**William Hammond.** To William Hammond, of Saint John, the sum of twelve pounds five shillings being the drawback on forty nine hundred weight of dried fruit imported into Saint John, and exported therefrom to Halifax.

**Delia Watson.** To the Trustees of schools for the Parish of New Castle the sum of ten pounds to pay Delia Watson for teaching a school in the said Parish for the year one thousand eight hundred and thirty two.

**Protection of Revenue.** To His Excellency the Lieutenant Governor or Commander in Chief the sum of four hundred pounds to defray any expenses that may be incurred in the protection of Revenue in this Province, in the year one thousand eight hundred and thirty three.

**Court House and Gaol in Carleton.** To the Justices of the Peace of the County of Carleton the sum of five hundred pounds to assist in erecting a Court House and Gaol in that County.

**S. V. Whitwell.** To Sarah V. Whitwell the sum of ten pounds for teaching a school in the Parish of Fredericton for the past year.

To Eliza Parlee the sum of ten pounds as a remuneration for teaching a school in the Parish of Sussex, King's County, for three years. Eliza Parlee.

To Hugh McDermid, a licenced teacher, the sum of twenty pounds for teaching a school one year ending the twenty sixth day of January in the year one thousand eight hundred and thirty two, in the Parish of Hampton, King's County. Hugh McDermid.

To Eber Sweet, of Saint Andrews, the sum of ninety six pounds, being the amount of duties paid by him on forty eight oxen and exported to Bermuda in the year one thousand eight hundred and thirty one. Eber Sweet.

To His Excellency the Lieutenant Governor the sum of fifty pounds to be expended in removing obstructions in the Meductic Falls. Meductic Falls.

To Thomas P. Marter, Tide Surveyor at the Port of Saint John, the sum of one hundred pounds, being in full for his services to the thirty first day of December in the year one thousand eight hundred and thirty two. Thomas P. Marter.

To Stephen Humbert, Tide Waiter at Saint John, the sum of fifty pounds, being part of the grant which was withheld from his grant for the year one thousand eight hundred and thirty one. Stephen Humbert.

To the Honorable Richard Simonds, Province Treasurer, the sum of one hundred and thirty pounds seven shillings and six pence, being amount of contingencies of office in the year one thousand eight hundred and thirty two. Treasury Contingencies.

To His Excellency the Lieutenant Governor or Commander in Chief the sum of six hundred pounds, being the amount of one year's interest on the loan from the New Brunswick Fire Insurance Company to the Province. New Brunswick Fire Insurance Company.

To the Justices of the Peace for the County of Sunbury the sum of two hundred pounds, to assist in building a Court House in that County. Court House in Sunbury.

To the Sheriff of the County of York the sum of twenty five pounds for executing a writ of election Sheriff of York.

tion and returning a Member to serve in General Assembly in the room of the late John Dow, Esquire, deceased.

Adjutants and  
Sergeant Majors  
of Militia.

To His Excellency the Lieutenant Governor a sum not exceeding four hundred and thirty five pounds, to pay the Adjutants of Militia of the different Counties of this Province for the last year, and a further sum not exceeding two hundred and seventeen pounds ten shillings, to pay the Serjeant Majors of Militia of this Province for the time being, who have been actually employed for the last year; provided that each Serjeant Major who shall appear, by a certificate from his commanding officer, to have faithfully performed his duty, shall receive a sum not exceeding seven pounds ten shillings.

E. G. N. Scovil.

To E. G. N. Scovil, late supervisor on part of the road from Saint John to the Nova Scotia Line, the sum of seven pounds eight shillings and five pence, being the balance due him in full on expenditure for the said road.

Library of the  
Legislative  
Council and  
House of Assembly.

To His Excellency the Lieutenant Governor a sum not exceeding seventy five pounds, to be applied in purchasing the latest Journals of the House of Lords, and other books relating to the proceedings of the Imperial Parliament, for the use of the Legislative Council; and a further sum of seventy five pounds to be applied in purchasing the latest Journals of the House of Commons, for the use of the House of Assembly.

Distressed Emi-  
grants Nerepis  
Road.

To His Excellency the Lieutenant Governor the sum of twenty five pounds to relieve distressed emigrants on the Nerepis road.

Lock-up-house  
in Saint George.

To the Justices of the Peace for the County of Charlotte the sum of twenty pounds to finish a lock-up-house in the Parish of Saint George's, to be laid out by persons appointed for that purpose at the General Sessions.

W. McLean.

To William McLean, of Saint Andrews, the sum of nine pounds three shillings, being the balance

ance of drawback due him on twelve oxen shipped to Bermuda in the year one thousand eight hundred and thirty.

To Donald D. Morrison, of Saint Andrews, the sum of forty pounds twelve shillings, being the balance of drawback due him on fifty two oxen shipped by him to Bermuda in the year one thousand eight hundred and thirty. D. D. Morrison.

To George Henderson the sum of seven pounds fourteen shillings for gauging at Miramichi, for the year one thousand eight hundred and thirty two. G. Henderson.

To the Master in Chancery appointed to carry messages between the Council and House of Assembly, the present session, the sum of forty pounds. Master in Chancery.

To His Excellency the Lieutenant Governor or Commander in Chief the sum of one hundred and fifteen pounds seven shillings and eight pence, for the purpose of paying H. G. Clopper and H. E. Dibblee for their services as Sub-Collectors of the Customs previously to the passing of a bill to provide for the Custom House Establishment by the Legislature. H. G. Clopper,  
and H. E. Dibblee.

To the Treasurer of the Province the sum of one hundred and fifty pounds to enable him to pay a Tide Waiter to the Treasurer at Saint John for the year one thousand eight hundred and thirty three. Treasury Tide Waiter.

To the Justices of the Peace for the County of Saint John the sum of two hundred and fifty nine pounds two shillings, being for expenses incurred by the Board of Health for that County in providing against the importation and spreading of Cholera in the year one thousand eight hundred and thirty two. Cholera Expenses, Saint John.

To the Mayor, Aldermen and Commonalty of the City of Saint John the sum of three hundred and seventy one pounds eleven shillings and ten pence, to reimburse them for expenses incurred red

red in the erection of a Cholera Hospital in the year one thousand eight hundred and thirty two.

Cholera Expenses, Northumberland.

To the Justices of the Peace for the County of Northumberland the sum of one thousand one hundred and sixty six pounds sixteen shillings and three pence, to reimburse them for expenses incurred by them in providing against the importation and spreading of Cholera in the year one thousand eight hundred and thirty two.

Cholera Expenses, Charlotte.

To the Justices of the Peace for the County of Charlotte the sum of two hundred and six pounds three shillings and seven pence being for expenses incurred by them in providing against the importation and spreading of Cholera in the year one thousand eight hundred and thirty two.

Cholera Expenses, York.

To the Board of Health for the County of York the sum of one hundred and ninety four pounds, to remunerate them for expenses incurred in the erection of a Cholera Hospital in the year one thousand eight hundred and thirty two.

Circuit Courts.

To His Excellency the Lieutenant Governor, a sum not exceeding two hundred and fifty pounds to enable His Excellency to pay the Judges travelling the Circuit Courts, and the further sum of two hundred and fifty pounds to pay the clerk of the said Courts, agreeably to a Law of the Province.

Sheriff of Northumberland.

To Richard S. Clarke, Esquire, Sheriff of Northumberland, the sum of fifteen pounds for returning a Member to serve in General Assembly in the place of the Honorable Joseph Cunard appointed to His Majesty's Legislative Council.

J. C. Vail, Esquire.

To His Excellency the Lieutenant Governor the sum of two hundred pounds, to be paid to J. C. Vail, Esquire, one of the Supervisors of the Great Road from Saint John to the Nova Scotia Line for expenditure on that road in the year one thousand eight hundred and thirty two as authorized at the Session of the General Assembly in May last.

To

To His Excellency the Lieutenant Governor the sum of one hundred and fifty four pounds two shillings and eight pence, to enable John Cunningham, Commissioner for building Hammond river bridge, to pay the balance due the contractor.

Hammond River  
Bridge.

To the Speaker of the House of Assembly the sum of one hundred and fifty pounds for the present Session, and to each and every Member of the House of Assembly, for defraying the expenses of attendance in General Assembly, for every day's attendance the sum of twenty shillings, such attendance to be certified by the Speaker, (provided always that no greater sum shall be allowed for the attendance of any Member, for the present Session, than fifty pounds,) and for travelling charges of the Members the sum of twenty shillings per day, allowing twenty miles for each day's travel, to be also certified by the Speaker agreeably to a Law of the Province.

Speaker and  
Members of As-  
sembly.

To John Bainbridge and Henry Bliss, Esquires, such sum as will procure Bills of Exchange for one hundred pounds sterling each, for their services as Agents of the Province for the year one thousand eight hundred and thirty two.

Province Agents.

To His Excellency the Lieutenant Governor the sum of fifty pounds to defray the expense of a Courier from Newcastle to Fredericton.

Courier from  
Newcastle to  
Fredericton.

To the Chairman of the Committee of public and private accounts the sum of one hundred pounds for his services during the recess, in conformity with the directions of the House, and also for extra services during the Session, in auditing, examining and reporting the same.

Chairman of  
Committee of  
Accounts.

To His Excellency the Lieutenant Governor the sum of fifty pounds, to relieve distressed emigrants in the Parishes of Douglas and Fredericton, York County.

Distressed Emi-  
grants in Dou-  
glas and Freder-  
icton.

To the Commissioners for erecting buildings on Saint Paul's Island, the sum of two hundred

Commissioners  
of Saint Paul's  
Island Light  
House.

and twenty seven pounds two shillings, being amount of their account for the support of these establishments in the year one thousand eight hundred and thirty two.

W. Abrams,  
Esq.

To William Abrams, Esquire, the sum of twenty five pounds, for his services as one of the Commissioners for Light Houses for the Gulf of Saint Lawrence, in attending to and superintending of the establishments of that nature, at present erected on Saint Paul's Island.

Exploration of  
road between  
Doak's and  
Fredericton.

To His Excellency the Lieutenant Governor a sum not exceeding fifty pounds towards bearing the expense of exploring a new line of road between Robert Doak's and Fredericton, to be taken from the grant of seven hundred pounds made this Session for the road from Fredericton to Newcastle.

Emigrant Build-  
ing on Partridge  
Island.

To the Mayor, Aldermen and Commonalty of the City of Saint John the sum of two hundred and fifty pounds, to be applied towards the erection and enlargements of buildings on Partridge Island for sick and distressed Emigrants; this sum to be taken from the emigrant fund.

Lt. Col. Kelly.

To Lieutenant Colonel Kelly of His Majesty's Thirty fourth Regiment, the sum of twenty one pounds eighteen shillings, to reimburse him for duties paid on wine imported for the use of the Officers of the said Regiment.

Provincial Con-  
tingencies;

To His Excellency the Lieutenant Governor the sum of one hundred pounds for the contingent expenses of the Province.

Second Session  
of the Legisla-  
ture A. D. 1832.

To each Member of the House of Assembly the sum of twenty shillings per day for travelling charges, for their attendance at the last Session of the General Assembly, allowing twenty miles for each day's travel, the same to be certified by the Speaker, in lieu of any payment or sum they may be entitled to receive by virtue of any law in force for that purpose.

To the following persons, for services during  
the



the Session in May last, the sum of ninety pounds, to be divided as follows :

To the Speaker, twenty five pounds ;

To the Clerk of Council, fifteen pounds ;

To the Clerk of the House of Assembly, fifteen pounds ;

To the Clerk Assistant of the House of Assembly, ten pounds ;

To the Sergeant at Arms attending the Council, five pounds ;

To the Sergeant at Arms attending the House of Assembly, five pounds ;

Contingencies for Doorkeepers, &c. fifteen pounds.

To His Excellency the Lieutenant Governor a sum not exceeding two hundred and fifty pounds to relieve Alexander Davidson, Esquire, of Miramichi, from liability arising from his having, in the year one thousand eight hundred and twenty five, executed two duty bonds as surety for one William Ledden and one Charles Mills, late of Miramichi, it appearing that indulgence has been granted to the said William Ledden and Charles Mills, which enabled them to evade the payment of the said bonds.

Alexander Davidson, Esq.

To His Excellency the Lieutenant Governor the sum of fifty pounds for improving that part of the great road from Fredericton to Saint Andrews, which lies between Samuel Connick's and Benjamin Bradford's, in the Parish of Saint Andrews.

Road, Fredericton to Saint Andrews.

To His Excellency the Lieutenant Governor the sum of nine hundred and forty one pounds ten shillings and two pence, for payment of that sum due to William Taylor, as appears by the account of the Commissioners of Government House.

W. Taylor, for Government House.

To His Excellency the Lieutenant Governor the sum of four hundred pounds to pay the Inspecting Field Officers of Militia for the present year.

Inspecting Field Officers.

To

Commission of  
Judicial Inquiry.

To His Excellency the Lieutenant Governor the sum of one hundred and fifty nine pounds nineteen shillings and seven pence, to be applied for the payment of the expenses incurred by the Commissioners in the execution of the Commission of Judicial Inquiry.

J. Simpson.

To John Simpson, King's Printer, the sum of three hundred and fifty pounds, on account for printing in the year one thousand eight hundred and thirty two for the Province;

Also the sum of one hundred and fifty pounds for printing the daily Journals of the House the present Session;

Also the sum of one hundred and fifty pounds, towards printing the Journals of the Legislative Council and Assembly;

And a further sum of fifty pounds towards printing the Laws for the year one thousand eight hundred and thirty three.

T. Sandall.

To Thomas Sandall, of Saint John, the sum of one hundred and sixteen pounds ten shillings and four pence to remunerate him in part for great losses sustained in consequence of the proceedings having been suspended against Edward Lake on a Treasury Bond, by directions of the late Administrator of the Government, to which Bond the said Thomas Sandall was a surety, and which he has since paid with interest and expenses.

County Line,  
York and Car-  
leton.

To His Excellency the Lieutenant Governor the sum of twenty five pounds for the purpose of running the division line between the Counties of York and Carleton.

William Watts.

To William Watts the sum of ten pounds for airing and taking care of a part of the Province Hall during the year one thousand eight hundred and thirty two.

J. Gregory.

To John Gregory, Clerk Assistant of His Majesty's Council, the sum of ten pounds for preparing an extra copy of the Acts passed at the last Session of the General Assembly and published for

for the use of the Magistrates in the different Counties in the Province.

To His Excellency the Lieutenant Governor the sum of one hundred pounds to be applied for the purpose of building a bridge over Nerepis stream.

Bridge over the Nerepis.

To the Clerk of the House of Assembly, the sum of sixteen hundred and twenty pounds nine shillings and eight pence, for the contingencies of the present Session.

Contingencies of the Legislature.

II. And be it further enacted, That all the before mentioned Sums of Money shall be paid by the Treasurer out of the Monies in the Treasury, or as Payments may be made at the same, by Warrants of His Excellency the Lieutenant Governor or Commander in Chief for the Time being, by and with the Advice and Consent of His Majesty's Council; for which Warrants no Fee or Deduction shall be demanded or taken from the Persons in whose Favor they may be issued.

Money to be paid by the Treasurer by Warrant.

#### CAP. IV.

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

Passed 19th March 1833.

I. **BE** it enacted by the Lieutenant Governor, Council and Assembly, That there be allowed and paid out of the Treasury of the Province, to such Persons as His Excellency the Lieutenant Governor or Commander in Chief for the Time being shall appoint, in Addition to the Sums already granted, the following Sums for the Purposes herein after mentioned :

Great Roads.

The sum of eight hundred and fifty pounds for the improvement of the great road from Saint John to Saint Andrews, one fourth part of which sum to be laid out between Magaguadavic and Saint Andrews.

Saint John to Saint Andrews.

The sum of six hundred pounds for the improvement

Fredericton to Saint John via Nerepis.

ment of the great road from Frédericton to Saint John *via* Nerepis.

Shediac to Bend  
of Peticodiac.

The sum of one hundred and seventy five pounds for the improvement of the great road between Shediac and the Bend of Peticodiac.

Dorchester to  
Shediac.

The sum of one hundred and twenty five pounds for the great road between Dorchester and Shediac.

Shediac to Ri-  
chibucto.

The sum of six hundred pounds for the great road from Shediac to Richibucto; five hundred pounds of the same to be applied in aid of individual subscription towards the erection of a bridge over Cocagne River.

Richibucto to  
Chatham.

The sum of nine hundred pounds for the great road from Richibucto to Chatham; one hundred pounds of the same to be expended on the road from Blanchard's Creek bridge to the new bridge over Aldoun River; three hundred pounds, in aid of individual subscription, for a bridge over the Kichibouguacis River; and one hundred pounds for the repairs of the road to Bay du Vin River; four hundred pounds for the repairs of the road from Bay du Vin to Chatham and straightening the road from Napan River to Chatham Village.

Newcastle to  
Ristigouche.

The sum of nine hundred pounds for the improvement of the great road from Newcastle to Ristigouche; one half of which sum to be expended between James Forein's and Miramichi.

Frédericton to  
the Canada  
Line.

The sum of eight hundred pounds for the improvement of the great road from Frédericton to the Canada line.

Saint John to  
the Nova Scotia  
Line.

The sum of one thousand pounds for the improvement of the great road between Saint John and the Nova Scotia line; two hundred and fifty pounds of said sum to be expended between Andrew Henigar's and Hammond river; three hundred pounds of said sum to be expended between Hammond river and Hayward's mills, and four hundred and fifty pounds, remainder of said sum, between Hayward's mills and the Nova Scotia line.

The

- The sum of three hundred pounds for the improvement of the great road from Fredericton to the Finger Board; eighty pounds of said sum to be paid John S. Taylor to remunerate him for erecting two bridges over Easty creek, in the Parish of Maugerville, on the great road. Fredericton to the Finger Board.
- The sum of one hundred pounds for the improvement of the great road from Bellisle to Saint John. Bellisle to Saint John.
- The sum of one hundred pounds for the road over Dorchester great marsh. Dorchester Marsh.
- The sum of two hundred pounds for the improvement of the road over the Saint John Marsh. Saint John Marsh.
- The sum of seven hundred pounds for the improvement of the great road from Fredericton to Newcastle. Fredericton to Newcastle.
- The sum of four hundred pounds for improving and finishing the road between Saint John and Indian Town. Saint John to Indian Town.
- The sum of one hundred pounds for the road from Hammond river to Hopewell. Hammond River to Hopewell.
- The sum of one hundred pounds for the improvement of the road from Gagetown to the Nerepis road. Gagetown to Nerepis Road.
- The sum of fifty pounds, in addition to a former Grant, for the South Branch Bridge in Sunbury. South Branch Bridge.
- The sum of eight pounds for the road leading up the North side of Chediac River. Bye Roads. Bye Roads in the County of Kent.
- The sum of twenty pounds for the road from the Grand Dig to the Cape.
- The sum of fifteen pounds for a bridge over the Creek leading to the Cape round Cocagne Bay.
- The sum of twenty pounds for the road on the south side of Cocagne River, from Thompson's up.
- The sum of fifteen pounds for the road from the mill on the North side of Cocagne River.
- The sum of forty pounds for the bridge on the west side of Cocagne Bay.
- The sum of ten pounds for the road from Smelt Brook down towards Ayer's Ferry.

Bye Roads in  
Kent, *Continu-  
ed.*

The sum of ten pounds for the road on the north side of Little Buctouche River.

The sum of twenty five pounds for the road from the mill on the Great Buctouche River to the great road.

The sum of twelve pounds for the bridge over Black River at the Chapel.

The sum of eight pounds for the road down the Chockpish River.

[John Wheton  
and David Mc-  
Almon.]

The sum of twenty five pounds to John Wheton and David McAlmon, to enable them to pay the balance due to Shepherd Kolloc, for building a bridge over Davidson's Creek in the year one thousand eight hundred and thirty one.

Joseph F. Daigle.]

The sum of thirty pounds to Joseph F. Daigle, to enable him to pay John H. Clair, the balance due for erecting the bridge over Daigle's Creek in the year one thousand eight hundred and thirty one.

The sum of fifteen pounds for the bridges from the lower Village to Richibucto.

The sum of thirty pounds for the road from Ford's Mill to Nicholas River.

The sum of ten pounds for the road from the school house at Ford's to Church Point so called.

The sum of twenty pounds for the road leading up the north side of the Richibucto River.

The sum of fifteen pounds for the road on the south side of the Richibucto River.

The sum of twelve pounds towards the erection of a bridge over one of the branches of Saint Nicholas River.

The sum of ten pounds for the road from the main road down the north side of Kishibouguacis River to Taddy Babino's.

The sum of ten pounds for the road from Taddy Babino's to Little River.

The sum of twenty pounds for the road and bridges on the south side of Kishibouguac River.

The sum of twenty pounds to open a road from Point Sapine to Kishibouguacis. The

The sum of twenty pounds for the road from the glebe lot on the Ristigouche to Robert Ferguson's mill stream, to be expended on the line which has been recorded by the Commissioners.

Bye Roads in  
Gloucester.

The sum of fifty pounds for the road from Campbelltown to Dalhousie including a balance due the late Commissioners.

The sum of fifty pounds for the road from Dalhousie to Eel River.

The sum of twenty pounds to finish a bridge over the Louison River, near Archibald McNair's.

The sum of ten pounds to finish a bridge over the Benjamin River.

The sum of ten pounds to finish the Belledune bridge.

The sum of fifteen pounds to finish the Little Nepisiquit bridge.

The sum of ten pounds for the Marsh at the north end of the Little Nepisiquit bridge.

The sum of twenty seven pounds ten shillings for the approaches of Tettigouche bridge.

The sum of forty pounds for the road from Middle River to the landing in King's Street, including a bridge over Little River.

The sum of thirty pounds for the road from the Shire Town to the Pabenaud.

The sum of ten pounds for the road from William Molley's at Middle River to the main road.

The sum of forty pounds for the road from the great road to the Bass River, through the Gould Grant.

The sum of five pounds to repair Old Bass River bridge.

The sum of fifteen pounds for the road from Bass River to Tague's Brook.

The sum of ten pounds for a bridge over Tague's Brook.

The sum of fifteen pounds to improve certain passages down the cliffs of New Bandon.

Bye Roads in  
Gloucester,  
Continued.

The sum of ten pounds from Richard Dawson's to the mill settlement in the rear.

The sum of ten pounds for a bridge over Pokeshaw river.

The sum of fifty pounds from Pokeshaw to the bridge on the Riviere du Nord through the settlement of Grand Aunce.

The sum of ten pounds for the road from Riviere du Nord bridge to the ferry on the south west.

The sum of fifteen pounds for the road from the lower part of the Caraquet settlement towards Shippegan.

The sum of eighty pounds for the Caraquet lower portage.

The sum of thirty pounds for a bridge over the Wough, to be erected where the Caraquet portage strikes it.

The sum of twenty seven pounds ten shillings from Pokemouche towards Shippegan.

The sum of ten pounds for the road from the river Wough to the ferry at Point de la Croix.

The sum of twenty pounds for the road from Point de la Croix to Little Tracaday River.

The sum of twenty pounds from the Little Tracaday River to Louis Douron's ferry.

The sum of fifteen pounds for the road from Louis Douron's ferry to the Northumberland line.

The sum of twenty pounds for the road from Donnelly's landing on the south west branch of Miramichi River to the Horse Shoe settlement in Cain's River in the parish of Blackville.

The sum of thirty pounds for the road from Indian Town to the farm of James Donaldson, on Renous River in the parish of Blackville.

The sum of thirty pounds for the road from the late John Cameron's farm, on the main Black River, to Richibucto road in Glenelg.

The sum of eighty pounds for the road from Roderick Mc Donald's place, on the main Black River,

Bye Roads in  
Northumber-  
land.



River, to Angus Sinclair's on the little branch of Black River, and from thence to Horton's creek, near the mouth of Baie du Vin River in Glenelg. Bye Roads in Northumberland, Continued.

The sum of thirty pounds for the road from Horton's creek, near the mouth of Baie du Vin River, to point Escuminac in the parish of Glenelg.

The sum of twenty pounds for the road from the late Donald McDonald's farm on the south side of Napan River to the residence of Thomas Hannay in the parish of Glenelg.

The sum of twenty pounds for the road from the residence of the said Thomas Hannay to A. McNaughton's lot on the south side of Napan River.

The sum of ten pounds to be expended from George Kerr's lot to the main road on the south side of Napan river.

The sum of thirty pounds for the road from the Richibucto road; on the north side of Baie du Vin River, towards the head of the tide on said River.

The sum of twenty pounds for the road to the new settlement in rear of Douglastown, in the Parish of Newcastle.

The sum of twenty pounds for the road to the settlement in rear of the Moorsfield in the parish of Newcastle.

The sum of twenty pounds to assist in opening a road from the farm of Edward Flynn on the Great Bartebug, to the Bathurst road near Russell's mill.

The sum of twenty pounds to assist in opening a road to the new settlement in rear of Flett's cove in the Parish of Nelson.

The sum of forty pounds for the road from Flett's cove to the farm of Robert Leslie, Esquire, in the Parish of Nelson.

The sum of fifteen pounds from John Percival's to the back lots in the Parish of Chatham.

The sum of forty pounds to assist in opening a road on a straight line from Newcastle towards Chaplain's Island.

The

Bye Roads in  
Northumber-  
land, *Continu-  
ed.*

The sum of forty pounds to assist in opening a road from Wild Cat brook to the first granted land above the Indian reserve in the Parish of Northesk.

The sum of twenty pounds to assist in repairing the road from Caul's cove to Wild Cat brook.

The sum of twenty pounds to assist in repairing the road from Beaubear's point to the residence of Coppage and White in Northesk.

The sum of thirty pounds to assist in opening a road from the north west branch in Northesk to the south west branch in Miramichi River through the William's Town settlement.

The sum of thirty pounds to assist in opening a road from the settlement in rear of Thomas H. Peters, towards the Napan road in Chatham.

The sum of twenty pounds to assist in opening and repairing a road from near the residence of the Reverend S. Bacon, to the second tier of lots in rear thereof.

The sum of twenty pounds to assist in opening and repairing a road from Jardine's mill on the Napan River to the mouth of said River.

The sum of thirty pounds for the road from Widow Murdock's to Napan River.

The sum of thirty pounds for the road from Barteboğ to Oak Point in Alwick.

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

The sum of twenty pounds for the road from Tabisintack to Gloucester line.

The sum of fifty pounds to improve the road from Andrew Smith's to Thomas Hartt's.

The sum of forty pounds to erect a bridge over the Rushagonish near Peabody's mill.

The sum of ten pounds to improve the road from Partelow's landing to Stephen Kinney's.

The sum of twenty pounds to improve the road from Richard Kimball's farm to Burpe's mill in the rear of Burton.

Bye Roads in  
Sunbury.

The

The sum of ten pounds to improve the road from William Carr's Junior to the Gray landing.

Bye Roads in  
Sunbury, Con-  
tinued.

The sum of twenty five pounds to improve the road from William Boon's to Thomas Sten-  
nick's.

The sum of sixty pounds for the road from James Till's to Ezekiel Sealy's.

The sum of thirty pounds for the road from Lawrence Mersereau's through the Patterson settlement.

The sum of thirty pounds to assist in finishing a bridge over the north branch of the Oromocto at Hartt's mills.

The sum of fifteen pounds for the road from Daniel Dow's to Andrew Smith's.

The sum of thirty pounds for the road from Burpe's mill, through the Greenfield settlement.

The sum of ten pounds to repair a bridge over French lake stream, near John Dewitt's.

The sum of ten pounds for the road from James Tilley's to the thoroughfare in Sheffield.

The sum of twenty five pounds to improve the road from Oak Point to Little River.

The sum of twenty pounds for the road from Oak Point to the County line.

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

The sum of ten pounds for the road from Wil-  
mot's farm to George Grass'.

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

The sum of ten pounds for the road from James Shield's to the Gary road.

The sum of forty pounds for the road from Beaujoggin to Sackville.

Bye Roads in  
Westmorland.

The sum of thirty pounds for the road and re-  
pairing the Aboideau from Westcock to Cape  
Maranguin.

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

The

Bye Roads in  
Westmorland,  
*Continued.*

The sum of seventeen pounds and ten shillings for the road from Tingley's to Eliphalet Reed's.

The sum of twenty pounds for the road from Shemogue to Teadish.

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

The sum of thirty five pounds for the road from bay Verte to Gaspereau River.

The sum of ten pounds for Scoudiac bridge.

The sum of fifteen pounds for the Beaujoggin bridge.

The sum of fifteen pounds for the road from Thomas Carter's to Crowson's mill.

The sum of ten pounds for the road from Anderson's by Richard Lowerson's to John Barnes' mill.

The sum of ten pounds for the road from Thomas Carter's to George Buck's.

The sum of thirty pounds for the road from Harris Tingley's to Bay de Verte.

The sum of fifty pounds for the road from Gaspereau bridge to the cape Tormentine through the Emigrant settlement.

The sum of twenty pounds for the road from the new chapel to Peter Belliveau's, and from thence to Beaujoggin road.

The sum of thirty pounds for the road from Andrew Murray's to Gaspereau bridge by Thomas Aulton's Junior.

The sum of fifteen pounds for the road from bay Verte to Tignish River.

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

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

The sum of ten pounds for the road from the main road in Dorchester to Crossman's by way of William Mitten's.

The sum of fifteen pounds for the road from Gaspereau bridge to the great Shemogue.

The

The sum of fifteen pounds for the road from William Peacock's to George Allen's in Botsford. Bye Roads in  
Westmorland,  
Continued.

The sum of ten pounds for the road to the Manudie French settlement.

The sum of twenty pounds for the bridge over Palmer's creek in Dorchester.

The sum of ten pounds for the road from Beaujoggin road to David Cook's.

The sum of ten pounds for the road from Leger's on Shediac road to Belliveau settlement.

The sum of twenty five pounds for the road from new Horton to Cape Enrage.

The sum of fifteen pounds for the road from Daniel Tingley's to Thomas Dickson's.

The sum of ten pounds for the road from German town lake to Cape Enrage.

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

The sum of thirty pounds for the road from Hamilton in Hopewell to Hillsborough.

The sum of ten pounds for the road through the Haley settlement.

The sum of ten pounds for the road from Solomon Hoar's to David Crosbie's

The sum of ten pounds for the road from Cahoon's to A. Steeves'.

The sum of fifteen pounds for the road from the Woodworth settlement to Caledonia.

The sum of thirty two pounds and ten shillings for the road through Belliveau and Downing villages in Dorchester; seven pounds and ten shillings of which to be paid David Budreau for a bridge built by him in the year one thousand eight hundred and thirty one. [D. Budreau.]

The sum of forty pounds for the road from the Bend to Irish town.

The sum of twenty pounds for the road from the Bend to the Mountain settlement.

The sum of fifteen pounds for the road from Lutz's to the Mountain settlement.

The

Bye Roads in  
Westmorland,  
*Continued.*

The sum of seventy five pounds for the bridge over McLatchey's creek.

The sum of twenty five pounds for the road from Stephen Steeves' to Stony creek.

The sum of fifteen pounds for the road from Stony creek to Simon Outhouse's.

The sum of twenty five pounds for the road from Holstead's to Butternut ridge.

The sum of ten pounds for the road from the North River road to Kellum's mill.

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

The sum of fifteen pounds for the road from the Peticodiac River up Turtle creek.

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

The sum of ten pounds for the road from Henry Steeves' mill to the Milton settlement.

The sum of twenty five pounds for the road from George Colpit's to McLatchey's bridge.

Bye Roads in  
Queen's County.

The sum of fifteen pounds for the road from Sunbury line to Little River.

The sum of twenty five pounds for the road from Gershom Clark's to the cross road near Joseph Carl's.

The sum of ten pounds for the road from Iron Bound cove to McDonnell's mills.

The sum of ten pounds for the cross road from Brill's to the Maquapit lake.

The sum of twenty five pounds for the road from Mc Donnell's to Salmon River mills.

The sum of ten pounds for a bridge over Red Bank creek Salmon River.

The sum of thirty pounds for the road from Stephen Thorn's to Newcastle.

The sum of thirty pounds for the road from McDonnell's to Coal creek.

The sum of fifty pounds for the road from Coal creek to Young's cove.

The sum of fifteen pounds for the road from  
the

the Grand lake near Foster's mill to the Washademoac.

Bye Roads in  
Queen's County,  
*Continued.*

The sum of thirty pounds for the road from Irvin's mill to Robert Elliot's in the new settlement.

The sum of twenty five pounds for the road from Newcastle to Hard Wood ridge.

The sum of fifteen pounds for building a bridge over Sand's creek near Foster's mill.

The sum of twenty pounds for the road from Lewis cove to Webster's mill.

The sum of twenty pounds for the road from Slip's to Rouse's cove.

The sum of twenty pounds for the road from Rouse's cove to Brigg's.

The sum of twenty five pounds for the road from Shannon settlement to Webster's mill.

The sum of twenty pounds for the road from William Little's to Shearer's.

The sum of twenty five pounds for the road from Salmon creek to the Scotch settlement.

The sum of ten pounds for the road from Philip White's to the great road.

The sum of twenty five pounds for the road from Long creek to Philip White's.

The sum of thirty pounds for the road from New Canaan to Butternut ridge.

The sum of twenty pounds for the road from New Canaan to Studholm's mill stream.

The sum of fifty pounds for the road from Gage-town to Nerepis.

The sum of fifteen pounds for the road from Dingee's mill to Morrison's.

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

The sum of twenty pounds for the road from Vanwart's mill to Rush Hill settlement including the cross road.

The sum of twenty pounds for the road from Isaac Vanwart's to William London's.

Bye Roads in  
Queen's County,  
*Continued.*

The sum of ten pounds for the road from William London's to the County line.

The sum of ten pounds for the road from Murdoch's to Samuel London's.

The sum of thirty pounds for the road from Simeon Graham's to Jones' mill.

The sum of eighty pounds for a bridge at Little River.

The sum of twenty pounds for the road from number two on the Gagetown road to the School house near Nathaniel Inch's.

The sum of thirty pounds for the road from William Slip's through the new Ireland settlement by Redston's mill.

The sum of twenty pounds for the road from Little River to Stephen Thorn's.

The sum of thirty pounds for the road from Isaac Clark's to New Jerusalem settlement.

[Charlotte.  
Middle Landing  
to Hitching's  
Mill.]

The sum of seventy five pounds granted in one thousand eight hundred and thirty one for the new road from Mill town in Saint Stephen to the upper mills, which has not been expended, be reappropriated for the road from the middle landing in Saint Stephen to Hitching's mill in the Parish of Saint James.

Benjamin Brad-  
ford's to Cham-  
cook Lake.]

The sum of fifteen pounds granted in one thousand eight hundred and thirty one to be laid out from Jacob Carlow's to Chamcook lake, be reappropriated and laid out on the road from Benjamin Bradford's farm to Chamcook lake in the Parish of Saint Andrews in the County of Charlotte.

Bye Roads in  
King's County.

The sum of ten pounds for the road from Mil-  
kish Settlement to the Kenebeckasis.

The sum of fifteen pounds for the road from the Back Settlement to the shore between Daniel Peteman's and Joseph McKiel's.

The sum of twenty five pounds for the road from Bates' to Bostwick's.

The sum of fifteen pounds for the road from the bridge near Haney's to the head of Belleisle.

The



The sum of ten pounds for the road from John Mathis's to Moses Innes's.

Bye Roads in  
King's County,  
*Continued.*

The sum of ten pounds for the road from Darling's to Ryley's.

The sum of fifteen pounds for the road from Nickerson's Cove to the main road.

The sum of fifteen pounds for the road from Justus Wetmore's to James White's.

The sum of ten pounds for the road from Captain Whelpley's lot to the Neck road.

The sum of ten pounds for the road from Captain Whelpley's to Bates' mill.

The sum of thirty pounds for the road from Ketchum's to Pickett's mill.

The sum of twenty pounds for the road from the mountain road near Colpitt's to the Gutherie road near Hale's.

The sum of twenty pounds for the road from the main road near McLean's to John McMonagle's.

The sum of fifteen pounds for the road from Gosling's bridge to the main road near Stockton's.

The sum of twenty five pounds for the road from Hendrick's cottage to the main road near the Widow Spence's.

The sum of ten pounds for the road from McVay's to the Old Cumberland road, by the way of McComb's.

The sum of ten pounds for the road from McVay's mill to the Salt Spring road, by the way of Conners and Hodgins.

The sum of twenty five pounds for the road from Roache's to the head of the Settlement on Smith's creek.

The sum of ten pounds for the road from Perkin's to Abel English's.

The sum of ten pounds for the road leading from the main road to the Irish Settlement to Edward Maxwell's.

The

Bye Roads in  
King's County,  
*Continued.*

The sum of ten pounds for the road from Mc-Cole's to Elijah Spragg's near the Old Church.

The sum of ten pounds for the road from Mar-ven mill to Richard Spragg's on the south side of Belleisle Bay.

The sum of twenty pounds for the road from Robinson's to Deforest's Lake.

The sum of twenty pounds for the road from Sealey's Point to the Kenebeckasis, near James White's.

The sum of ten pounds for the road from David Jones' to the river.

The sum of fifteen pounds for the road from Nicholas Bean's upper line, near the head of the Milkish Creek, to the upper part of the Parish line of Westfield.

The sum of ten pounds for the road from Henry Sharp's to Abraham Parlee's.

The sum of ten pounds for the road from Samuel Lackey's to Edward McMacken's.

The sum of ten pounds for the road from Barnes' to Burns'.

The sum of ten pounds for the road from the river, near Henry Fowler's, to the County line, toward the Milligan Settlement.

The sum of sixteen pounds and five shillings for the bridge near Captain Baird's.

The sum of twenty pounds for the road from Good's mill to William Gibbon's.

The sum of ten pounds for the road from Gonnong's to Reddin's creek.

The sum of twenty pounds for the road from the Burying Ground in Sussex to Campbell's.

The sum of fifteen pounds for the road from William Walker's to the main road near Hay's.

The sum of twenty pounds for the road from Drummond's to Elison's.

The sum of fifty-eight pounds eight and six pence to Daniel Peteman and John McKeil, being a balance due them for building a bridge over Little River, near Jones's mill. The

[Daniel Peteman and John McKeil.

The sum of sixteen pounds six shillings and six pence, to Daniel Hatfield, being a balance due him for building a bridge over Sprague's brook. D. Hatfield.]

The sum of fifteen pounds for the road from John Lyons' to the road leading from Bates' to Bostwick's. Bye Roads in  
King's County,  
Continued.

The sum of fifteen pounds for the road from Thomas Shearer's to the road leading through the English Settlement.

The sum of fifteen pounds for the road from James Crawford's mill to Matthew Smith's in the Irish Settlement.

The sum of ten pounds for the road from James Brittain's, across Goose Neck, to Salmon Rock, Nerepis.

The sum of ten pounds for the road from the main road near Caleb Wetmore's to Gondola Point.

The sum of thirty pounds to assist in building a bridge over the brook near Thomas Richard's.

The sum of ten pounds for the road from Samuel Carson's to Charles Gailey's.

The sum of twenty pounds for the road from near Robert McLeod's to the main road near James Sherwood's, by the way of Crabb's farm.

The sum of ten pounds for the road from William Price's to the lake.

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

The sum of ten pounds for the road from James Hoyt's to the head of the Settlement on Salmon River.

The sum of fifteen pounds for the road from Ryan's to Roache's.

The sum of ten pounds for the road from the Smith Creek road to settlement of Jordans.

The sum of ten pounds for the road from the Baptist Meeting House to the road leading from the Belleisle to the Middle Land road, by the way of James Peters. The

Bye Roads in  
King's County  
*Continued.*

The sum of fifteen pounds to build a bridge near James Peters.

The sum of fifteen pounds to assist in building a bridge over Pukwaket creek, near Sealey's

The sum of ten pounds for the road from John Stephenson's to Dennis Finley's.

The sum of nine pounds for the road from Henry Pier's to Belleisle Bay.

The sum of ten pounds for the road from Trott's and others to the Yorkshire settlement.

The sum of ten pounds for the road from the Nerepis road to the settlement of John Fowler's, James Clarke and others of the Parish of Westfield.

The sum of ten pounds for the road from Calvin Brook to a tract of land granted to Jacob Pidgeon and others.

The sum of fifteen pounds for the road from the main road near John Martin's to the head of the Settlement on the South Branch, in King's County.

Bye Roads in  
Charlotte County.

The sum of ten pounds for the road from the late Alexander Sinclair's across the upper bridge, to the road leading to Hitching's mills in Saint James.

The sum of twelve pounds for the road from Hitching's mill to the Little ridge in Saint James.

The sum of ten pounds for the road from the Cheputnecticook ridge to Daniel Campbell's in Saint James.

The sum of fifteen pounds for the road from the Ledge to Porter's mill.

The sum of ten pounds for the road from Hitching's mill to Cheputnecticook ridge in Saint James.

The sum of fifteen pounds for the road from the public Landing to James Maxwell's in Saint Stephens.

The sum of twenty five pounds for the road from Milltown in Saint Stephens to Sprague's falls.

The sum of twenty pounds for the road from  
the

the late Josiah Hitching's to Clark's Point, in Saint James.

Bye Roads in Charlotte, *Continued.*

The sum of twenty six pounds for the road from Porter's mill to the head of Oak Bay.

The sum of fifteen pounds for the road from the Bass wood ridge to the Cheputnecticook ridge in Saint James.

The sum of ten pounds for the road from the School House on Oak Hill, to Lynnfield Settlement in Saint James.

The sum of fifteen pounds for the road from Peak's to the Baillie settlement in Saint James.

The sum of sixteen pounds and five shillings for the road from James Maxwell's to Oak Hill in Saint James.

The sum of fifteen pounds for the road from Milltown to the Little ridge in Saint James.

The sum of sixteen pounds to John Cotterel of Saint David, being the balance due him for building a bridge over Garcelon's mill stream. [J. Cotterel.]

The sum of thirty pounds for the road from Wade's to the head of Oak Bay in Saint David's.

The sum of ten pounds to repair the bridge near Dunham's in Saint David's.

The sum of fourteen pounds for the road from Power's to Nesbit's in Saint David's.

The sum of ten pounds for the road from John Cotterel's towards the rolling dam in Saint Patrick.

The sum of thirty pounds for the road from the head of the bason of Magaguadavic to L'Etang River.

The sum of twenty pounds for the road from the Portage of Magaguadavic to Jonathan Wallace's.

The sum of twenty five pounds for the road from McKenzie's mill stream to Philo Sealey's farm.

The sum of twenty five pounds for the road from the Mascarene road near Philo Sealey's to L'Etang harbour. The

Bye Roads in  
Charlotte, *Con-  
tinued.*

The sum of twenty pounds to assist in covering and railing the bridge at the first falls of the river Magaguadavic.

The sum of twenty pounds to repair the road leading to the Settlement in rear of Lake Utopia.

The sum of twenty pounds to open a road to the lands allotted for Pensioners in the rear of Lake Utopia.

The sum of twenty five pounds for the road from McGowan's to the Settlement at the mouth of the Popelogan river.

The sum of ten pounds for the road from the main road near Speir's to Hunter's Grist mill.

The sum of eleven pounds and five shillings for the road from John Totten's to William Johnston's.

The sum of fifty three pounds for the road from Saint Paul's Church to Seal Cove, in the Parish of Grand Manan.

The sum of fifty pounds for the road from Saint Paul's Church to the school house near Winchester in the Parish of Grand Manan.

The sum of sixty pounds for the road from the Chamcook Settlement to the main road near Samuel Connick's in the Parish of Saint Andrews.

The sum of fifteen pounds for the road from the Poor house in Saint Andrews to Daniel Grant's farm.

The sum of eighteen pounds for the road from Saint Andrews to Joe's Point, to assist in building bridges.

The sum of twenty five pounds for the road from Samuel Connick's to Turner's in Saint David.

The sum of fifteen pounds for the Still Water road on the western side of the Digdeguash River, in the Parish of Saint Patrick.

The sum of fifteen pounds for the road leading from the Fredericton road towards the Turner ridge in Saint Patrick.

The

The sum of fifteen pounds for the road from Murphey's to Smart's on the old Fredericton road, in Saint Patrick. Bye Road in Charlotte, *Continued.*

The sum of fifteen pounds for the road from the Rolling Dam to John Armstrong's on the eastern side of the Digdeguash river, in the Parish of Saint Patrick.

The sum of thirteen pounds and ten shillings for the road from John Armstrong's to the salt water, in Saint Patrick.

The sum of ten pounds for the road from the Rolling Dam to Robert Diffin's in Saint Patrick.

The sum of twenty pounds to repair a bridge over Frost's brook, in the Parish of Saint Patrick.

The sum of thirty pounds granted in one thousand eight hundred and thirty, to assist in opening a road from Alexander Donnely's landing on the south west branch of Miramichi river to the Horse Shoe Settlement on Cain's River, in Blackville, be reappropriated and paid to John J. Donald, Esquire, he having expended that sum agreeably to the grant, under an impression that he was appointed the Commissioner for that purpose. [John J. Donald.]

The sum of twenty five pounds to assist in building a bridge over the river Digdeguash, at the Rolling Dam, in the Parish of Saint Patrick, in the County of Charlotte, being on the line by law established as a great road from Fredericton to Saint Andrews, and no money having been allowed for that road the present year.

The sum of ten pounds for the road from Frog Pond to Cody's.

The sum of thirty pounds for the road from Cody's to Van Horne's Farm on the road leading to Quaco.

The sum of eighty pounds for the road from Vanhorn's farm to the settlement in Quaco.

The sum of thirty pounds for the road from Mc-Britney's farm to Tynemouth and from thence to Quaco.

The sum of fifteen pounds for the road from the

Bye Roads in  
Saint John,  
*Continued.*

old Quaco road, through the Milligan settlement, and from thence to Loch Lomond.

The sum of twenty pounds for the road from the old Westmorland road to Woolton's farm.

The sum of thirty pounds for the road from Buck's farm upwards, on the north side of the Lake.

The sum of twenty pounds for the road leading from the bridge at the second thoroughfare, to the County line, towards Smith's mill.

The sum of ninety two pounds twelve shillings and ten pence from Blakslee's farm to Little River, for repairing or rebuilding a bridge over the said River, and the road over the marsh.

The sum of twenty pounds for the road from Little River towards Black River.

The sum fifteen pounds for the road from Little River towards Loch Lomond.

The sum of fifteen pounds for the road from the Saint Andrews road to Dipper Harbour and Maces Bay.

The sum of ten pounds for the road from Dipper Harbour to the Light House at Point Lepreau.

The sum of twenty pounds for opening and improving the road from Melvill's mill to Long Beach, near Salmon River.

The sum of twenty five pounds for the road from Little River to Anthony's farm, and for repairing a bridge at Bean's creek.

The sum of twenty five pounds for improving the road over the west head of large Quaco creek.

The sum of fifteen pounds for a road from the Brothers leading to the Indian Town road.

The sum of ten pounds for improving the road from the bridge over the second thoroughfare to Loch Lomond, to reach on the south side of the Lake.

The sum of fifteen pounds for the road leading from Misperck mills to the eastern settlement.

The sum of fifteen pounds for the road from the Church on the Quaco road, to Barnes' mill.

The



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

Bye Roads in  
Saint John,  
*Continued.*

The sum of twenty five pounds to reimburse the Corporation of Saint John for monies expended by them on the road from Barnes' mill to Van Horne's.

[Corporation of  
Saint John.

The sum of fifty two pounds seven shillings and two pence to reimburse William G. Cody and John Jordan, for monies expended by them on the road from Frog Pond to Loch Lomond.

W. G. Cody and  
J. Jordan.]

The sum of twenty pounds for the road from Eel River to John R. Patterson's.

Bye Roads in  
York County.

The sum of ten pounds for the road from Abraham Easty's to Shugomock.

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

The sum of fifteen pounds for the road from Poquiock to the Chief Justice's.

The sum of fifteen pounds for the road from the Chief Justice's to the Reverend Mr. Parker's.

The sum of twenty pounds for the road from John Gray's to Long's creek.

The sum of ten pounds for the road from Abraham Easty's to Howard's settlement.

The sum of ten pounds for the road along West's line to Poquiock settlement.

The sum of fifteen pounds for the road from John Gray's to Lake George.

The sum of fifteen pounds for the road from Lake George to William Lockhart's Magundy.

The sum of twenty pounds for the road from William Lockhart's to Magaguadavic ridge.

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

The sum of twenty five pounds for the road from Yoho Lake to Long's mills through the Smithfield settlement.

The sum of twenty pounds for the road leading to Upper Caverhill settlement.

The

Bye Roads in  
York County,  
*Continued.*

The sum of ten pounds for the road from Hazelton to Andrew Oliver's, Lower Caverhill settlement.

The sum of twenty five pounds for the road from nearly opposite to the lower end of Great Bear Island to the Scotch Lake in rear of Queensbury lots.

The sum of fifteen pounds for the road from Jewitt's mills to Mactuquack settlement.

The sum of fifteen pounds for the road from Alexander Mitchel's to George Stewart's.

The sum of twenty pounds for the road from Maucerall's to the lower line of the Parish of Queensbury.

[D. Perley.]

The sum of twenty five pounds to remunerate Daniel Perley for building two bridges on the road from Maucerall's to Ingraham's, previous to the alteration of the great road.

The sum of ten pounds for a new road a little above Burt's mills on the Keswick, extending upwards.

The sum of fifty five pounds in aid of individual subscription to erect a bridge across the Keswick creek.

The sum of ten pounds for the road from Jones's mill to James Goulder's, Parish of Douglas.

The sum of ten pounds for the Tay Creek settlement road.

The sum of ten pounds for the road from Daniel Hallett's lower boundary to Captain Clements'.

The sum of fifteen pounds for the road from the County line to the school house in New Maryland settlement.

The sum of forty five pounds in aid of individual subscription to erect a bridge across Baker's mill stream in the Parish of Fredericton.

The sum of fifty pounds for the road from Smith's mills to Coldwell's on the eastern side of the Nashwalk.

The sum of thirty five pounds for the road from  
the

the ferry to the lower line of Saint Mary's, to be expended in building a bridge across Stirling's creek.

Bye Roads in  
York County,  
Continued.

The sum of twenty pounds granted in one thousand eight hundred and thirty one, for the road from Pickard's mill to Easty's mill, to be appropriated and expended on the Tay creek road from Lot number three to Lot number forty two.

The sum of twelve pounds for the road on the portage at the Great Falls.

Bye Roads in  
the County of  
Carleton.

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

The sum of fifteen pounds for the road from Benjamin Tibbetts' to Benjamin Slood's.

The sum of ten pounds for the road from Thomas Gee's to the back settlement.

The sum of ten pounds for the road from Thomas Pomphrey's to a back settlement.

The sum of ten pounds for the road from the river to a back settlement called Cox Town.

The sum of twenty pounds for the road from Monquat to Muniac to be expended in repairing Monquat and Muniac bridges.

The sum of twelve pounds from S. Peters and Wilmot's farm to Tobique, to be expended in repairing a bridge at Murphy's creek.

The sum of twenty five pounds for the road from James McLauchan's to the Province line, in the Parish of Wakefield.

The sum of eighty five pounds for the road from William Upham's to the Province line on the Richmond road, to be laid out on the present route with the exception of an alteration to be made across Clopper's and McIndoe's farm.

The sum of fourteen pounds for the road from Richmond Corner to Peabody's mill.

The sum of ten pounds for the road from Peabody's mills to forks of Madusnikic.

The sum of twelve pounds for the road from Elijah Marsh's to Richmond road through the Irish Settlement.

The

Bye Roads in  
Carleton, *Con-  
tinued.*

The sum of twelve pounds for the road from Andrew Blair's to Green's lake, to erect a bridge across the south side of Bull's creek, and to cross way a swamp.

The sum of eight pounds for the road from Mc-Indoe's to the Madusnikic.

The sum of ten pounds for the road from Andrew Blair's to Richmond Corner.

The sum of ten pounds for the road from the river to a back settlement near Captain Lockwood's.

The sum of thirty pounds for the road from Eel river to Woodstock ferry.

The sum of fifteen pounds for the road from the Church Lot to a back settlement.

The sum of sixteen pounds for the road from James Page's to Charles Palmer's.

The sum of twelve pounds for the road from Charles Palmer's to Little Presque Isle.

The sum of ten pounds for the road from William Lindsay's to the forks of Madusnikic.

The sum of ten pounds for the road from Payson's mill to William Lindsay's.

The sum of ten pounds for the road from Beverly Easty's to Payson's mill.

The sum of twelve pounds for the road from Willer Chapman's to the Moody farm, through Rossiter's farm.

The sum of ten pounds for the road from James McGraw's to Willer Chapman's.

The sum of ten pounds for the road from Alexander Lindsay's to James McLaughlin's.

The sum of twelve pounds for the road from Henry Sharp's to a back settlement.

The sum of ten pounds for the road from the river to Little Presque Isle, in the Parish of Wakefield.

The sum of seven pounds for the road from George Wilson's to Jackson town road.

The sum of ten pounds for the road from James York's to Charles Palmer's. The

The sum of twelve pounds for the road from E. Cogswell's to McKinney's.

Bye Roads in Carleton, *Continued.*

The sum of eight pounds for the road from Michael McKinney's to the further end of a settlement in Brighton.

The sum of twenty pounds for the road from John Boyer's mill to a back settlement.

The sum of five pounds for the road from Richard Dunn's to James McGraw's.

The sum of fourteen pounds for the road from Andrew McCain's to the river, Parish of Wakefield.

The sum of twenty five pounds for the road from Daniel Shaw's to Gray's creek.

The sum of twenty pounds for the road from the river to the Cold Stream, north side of the Peckagomick.

The sum of fifteen pounds for the road from the mouth of Cold Stream to John Clark's.

The sum of fifteen pounds for the road from Stephen Thomas' to the south side of Peckagomick.

The sum of fourteen pounds for the road from Stephen Thomas' to James Clark's.

The sum of thirteen pounds for the road from James Clark's to Joseph Clark's in the back settlement.

The sum of twenty pounds granted for the road from McFarland's mills towards Pleasant Ridge, be reappropriated to assist in building a bridge over the river Digdeguash, at the Rolling Dam, in the Parish of Saint Patrick, in the County of Charlotte.

[Bridge over the Dideguash.]

II. And be it enacted, That the said several and respective Sums of Money, and every Part thereof, shall be paid to the several and respective Persons who shall actually work and labour in making, completing and repairing the said several Roads and Bridges, or in furnishing Materials therefor, at the most reasonable Rates that such

Monies to be paid to Persons working or furnishing Materials.

Duty of Commissioners with respect to Sums intrusted to them.

such Labour and Materials can be provided; and the several and respective Persons who shall be intrusted with the Expenditure of the said several and respective Sums, shall give due Notice, by public Auction, excepting where the Situation of the Roads are such that in the Opinion of the Supervisor or Commissioner it would be advisable that the Work should be done by the Day, in such Case they are hereby authorized to expend One Quarter Part of the several Sums so intrusted to them by Day's Work; and the said Supervisor or Commissioner shall keep an exact Account of the Expenditure thereof, and shall produce Receipts in Writing from the several and respective Persons to whom any Part of the said Money shall be paid, as Vouchers for such Payments, and render an Account thereof upon Oath, (which Oath any Justice of the Peace in the several and respective Counties, is hereby authorized to administer,) to be transmitted to the Secretary's Office to be laid before the General Assembly at the next Session; and such Persons intrusted with the Expenditure of the several and respective Sums of Money shall stand charged and chargeable with all Sums intrusted to them and not accounted for as aforesaid, and shall repay the same into the Province Treasury.

Monies to be paid by the Treasurer by Warrant.

III. And be it enacted, That all the before mentioned Sums of Money shall be paid by the Treasurer, out of the Monies in the Treasury, or as Payment may be made at the same, by Warrants of His Excellency the Lieutenant Governor or Commander in Chief for the Time being, by and with the Advice and Consent of His Majesty's Council; for which Warrants, no Fee or Deduction shall be demanded or taken from the Persons in whose Favour they may be issued.

No Fee to be charged for Warrants.

IV. And be it enacted, That the said Commissioner or Person intrusted with the Expenditure of the said several and respective Sums of Money shall

shall for their Time and Trouble be allowed to retain at and after the Rate of Five *per Centum*, out of the said Sums so intrusted to them respectively, together with a reasonable Compensation for actual Work and Labour performed by them on the said several Roads and Bridges.

Compensation  
to Commission-  
ers.

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### CAP. V.

An Act to continue an Act, intituled *An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte.*

Passed 19th March 1833.

**BE** it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the Tenth and Eleventh Years of the Reign of His late Majesty George the Fourth, intituled *An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte*, be and the same is hereby continued for the Term of Four Years.

10 & 11 G. 4, C.  
12, continued.

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### CAP. VI.

An Act to continue an Act, intituled *An Act to empower the Justices of the County of Charlotte to make Regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their Branches.*

Passed 19th March 1833.

**BE** it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the Eighth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to empower the Justices of the County of Charlotte, to make Regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their Branches*, be and the same is hereby continued for the Term of Four Years.

8 G. 4, C. 13,  
continued.

## CAP. VII.

3 G. 4, C. 14.

An Act to alter and amend an Act passed in the Third Year of His late Majesty's Reign, intituled *An Act for the better securing of the Navigation of the Inner Bay of Passamaquoddy, and to indemnify the Deputy Province Treasurer at Saint Andrews, against any Demands for Monies collected for Tonnage Duties since the former Acts for this Purpose expired.*

Passed 19th March 1833.

**WHEREAS** Doubts have arisen regarding the Construction of the Second Section of the said recited Act, as to the Powers granted to the Commissioners for improving the Harbour of Saint Andrews; and to construe the said Section as it is intended,

A Beacon Light off St. Andrews Harbour to be maintained from the Funds collected under 3 G. 4, C. 14.

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That after the passing of this Act, the Commissioners appointed, or to be appointed, under the Provisions of the said recited Act, are hereby authorized and empowered to maintain, from the Funds arising from the Duty imposed under and by virtue of the said recited Act, a Beacon Light at the Entrance of the Harbour of Saint Andrews.

Additional Duty imposed for the Support of the Beacon Light.

II. And be it further enacted, That for the Support of the said Beacon Light, there shall be levied upon every Coaster coming into the said Port of Saint Andrews within the Inner Bay of Passamaquoddy, under the Burthen of One hundred Tons, the Sum of One Penny per Ton for each and every Year, to be collected in the same Manner as in and by an Act, intituled *An Act for the better securing of the Navigation of the Inner Bay of Passamaquoddy*, is directed; which Sums, when collected, shall be applied towards the Support of the Beacon Light aforesaid.

## CAP. VIII.

An Act to amend the Act for the Appointment of Town or Parish Officers in the several Counties in this Province.

Passed 19th March 1833.

**WHEREAS** the Punishment provided in the 'Act



‘Act made and passed in the Twenty sixth Year 26 G. 3, C. 25.  
 ‘of the Reign of King George the Third, inti-  
 ‘tuled *An Act for the Appointment of Town or*  
 ‘*Parish Officers in the several Counties in this*  
 ‘*Province*, has not been found sufficient to prevent  
 ‘Constables from Misbehaviour and Neglect of  
 ‘Duty in the Execution of their Offices;’

Be it therefore enacted by the Lieutenant Go-  
 vernor, Council and Assembly, That in Addition  
 to the Penalty in the said Act prescribed for Mis-  
 behaviour or Neglect of Duty of any Constable  
 appointed or hereafter to be appointed under and  
 by virtue of the said Act, in any Parish or Town  
 of any County in this Province, it shall and may  
 be lawful for the Justices of the Peace for the  
 several Counties of this Province, at any of their  
 General or Special Sessions, to dismiss any Con-  
 stable theretofore appointed by them from his  
 Office, for any Misbehaviour or Neglect of Duty  
 therein, and appoint any other Person whom they  
 may think proper, in the Room and Stead of such  
 offending Constable.

Justices in Ses-  
 sions may dis-  
 miss Constables,  
 and appoint  
 others in their  
 Stead.

## CAP. IX.

An Act to authorize the Justices of the Peace of the County of  
 Gloucester to assess the said County for the Erection of Lock-  
 up-houses at Campbelltown and Dalhousie in the said County.

*Passed 19th March 1833.*

‘**WHEREAS**, by reason of the great Extent  
 ‘of the County of Gloucester, the Removal to  
 ‘the County Gaol of Persons committed for  
 ‘Breaches of the Peace and other Offences, is of-  
 ‘tentimes very expensive and inconvenient; For  
 ‘Remedy whereof;’

I. Be it enacted by the Lieutenant Governor,  
 Council and Assembly, That the Justices of the  
 Peace of the said County or the major Part of  
 them, at any General Sessions of the Peace here-  
 after to be holden, be and they are hereby authori-  
 zed

Justices may  
 contract for  
 building Two  
 Lock-up-  
 houses,

zed and empowered to contract and agree with able and sufficient Workmen for building and finishing a Lock-up-house or House of Correction at Campbelltown, on the River Ristigouche in the said County, and another Lock-up-house or House of Correction at Dalhousie in the said County; and to agree for such Sum or Sums of Money as to them may seem meet, in order to carry this Object into Effect; and the said Justices or the Major Part of them at their General Sessions as aforesaid, are hereby authorized and empowered to make a Rate and Assessment on the said County, for a Sum not exceeding Sixty Pounds, for defraying the Expense of the Erection and finishing of the said Lock-up-houses or Houses of Correction, and to make such Rules and Regulation for the Management of the said Lock-up-houses or Houses of Correction as to them may seem meet.

Assess not exceeding £60,

And make Rules for the Management of the Houses.

Persons arrested near the River Ristigouche may be committed to either House.

II. And be it further enacted, That it shall and may be lawful for the High Sheriff of the said County or for any other Officer having legal Custody of any Person or Persons who shall or may be arrested at or near the said River Ristigouche, in all Cases in which the said Sheriff or other Officer could legally lodge the said Person or Persons in the Common Gaol of the said County, to commit the said Person or Persons to either of the said Lock-up-houses or Houses of Correction, until the said Person or Persons can be removed to the said County Gaol; Provided always, nevertheless, that no Person under civil Arrest shall be detained in the said Lock-up-houses or Houses of Correction or either of them for any Space of Time exceeding Forty eight Hours.

Proviso.

Assessment to be levied as other County Rates.

III. And be it further enacted, That the said Sum of Sixty Pounds, so to be assessed, shall be assessed, collected and paid agreeably to any Acts in Force for the assessing, collecting and levying of County Rates.

## CAP. X.

An Act for altering the Time of holding One of the additional Terms of the Inferior Courts of Common Pleas of the County of Gloucester.

*Passed 19th March 1833.*

**W**HEREAS the Time appointed for holding the April Term of the Inferior Court of Common Pleas of the County of Gloucester has been found inconvenient; For Remedy whereof,

Be it enacted by the Lieutenant Governor, Council and Assembly, That the said April Term of the said Inferior Court of Common Pleas appointed to be held on the Second Tuesday in April in each and every Year, shall hereafter be held on the First Tuesday in April in each and every Year, any Law to the contrary thereof notwithstanding: Provided always, that no Process shall abate or be discontinued by reason of the Alteration of the said Term, but shall and may be proceeded upon, heard and determined at the Time herein appointed, in the same Manner as they might have been proceeded upon had no Alteration been made.

April Term to be held on the First Tuesday.

No Process to abate.

## CAP XI.

An Act to alter and amend the Charter of the City of Saint John.

*Passed 19th March 1833.*

**W**HEREAS in and by the Charter of the City of Saint John the Appointment of Chamberlain of the said City is to take place in Manner following; that is to say, *The Mayor, Recorder and Three or more Aldermen and Three or more of the Assistants of the said City for the Time being, on the said First Tuesday in April in every Year forever hereafter, shall and may in Common Council name and appoint One fit Person, being a Freholder or Freeman and an Inhabitant of the said City, to be Treasurer or Chamberlain of the said City for the Year ensuing: And whereas the Mayor, Aldermen and Commonalty*

Preamble.

‘ Commonalty of the said City, in Common Council convened; have by their Petition represented that the Word *or* has by Mistake been omitted in the said Charter, whereby in Case of the Absence either of the Mayor or Recorder, at any Time when the annual Appointment of Chamberlain should take place, the same Chamberlain must continue in Office for another Year, although in all other Cases the Presence of the Mayor or Recorder in Common Council is by the said Charter declared to be sufficient;’

Chamberlain may be appointed by the Mayor, or Recorder, and Three Aldermen and Three Assistant Aldermen.

Be it therefore enacted by the Lieutenant Governor, Council and Assembly, That in all future Appointments of a Chamberlain for the City of Saint John, under and by virtue of the said Charter, it shall not be necessary for both the Mayor and Recorder of the said City to be present, but the same shall be made by the Mayor or Recorder and Three or more Aldermen and Three or more Assistant Aldermen of the said City, in Common Council, according to the Terms of the said Charter, except where the same is herein and hereby altered.

## CAP. XII.

An Act for the Incorporation of *The New Brunswick Mining Company.*

*Passed 19th March 1833.*

Preamble.

‘ **W**HEREAS a Petition has been presented to the General Assembly by and on behalf of the several Persons whose Names are herein after set forth, stating among other Matters, that they had united together for the Purpose of working the Mines of Coal and other Mines and Minerals within the Province, whereof they might obtain Grants or Leases from His Majesty; and that it was deemed essential to their proceeding with such an Undertaking that they should be incorporated by Act of Assembly, and praying that

‘that an Act may pass for that Purpose: And  
 ‘Whereas it is considered that the opening and  
 ‘working such Mines and Minerals will be of  
 ‘great public Advantage to the Inhabitants of  
 ‘this Province, and that all reasonable Encourage-  
 ‘ment ought to be given to such Adventure;’

I. Be it enacted by the Lieutenant Governor,  
 Council and Assembly, That the Honorable John  
 Saunders and George Shore, Robert Parker,  
 Hugh Johnston, Elisha D. W. Ratchford, Zal-  
 mon Wheeler, Thomas L. Nicholson, John A.  
 Beckwith, John Wilson, Henry Chubb, Mo-  
 ses H. Perley, Thomas Robson, William  
 Bookwood, James Harris, Thomas Allen, Wil-  
 liam Emsley, Thomas Griffith, John Woodley,  
 Henry G. Clopper, Justin Spahn, George E.  
 Ketchum, William Sprague, E. N. Kendal, John  
 Tank, James Ratchford, Thomas Jones, Henry  
 Cook, Townsend Coffin, Nehemiah Merritt, Hen-  
 ry Gilbert, James Hay, John Boyd, H. Bowyer  
 Smith, Ralph M. Jarvis, James Fraser Junior,  
 Neville Parker, Charles Hazen, John Ward Ju-  
 nior, James Kirk, William Leavitt, George G.  
 Gilbert, Thomas M. Hazen, Stephen Wiggins,  
 James Whitney, Thomas L. Langen, Henry  
 Blaksley, Thomas Leavitt, Robert L. Hazen,  
 Samuel Stephen, George A. Nagel, Thomas Bar-  
 low, Robert W. Crookshank, George Merritt,  
 Ewen Cameron, Joseph Whitburn, Robert F.  
 Hazen, Beverley Robinson, George D. Robinson,  
 Isaac Woodward Junior, John G. Woodward,  
 Isaac Ketchum, Benjamin Gale, Hiram Smith,  
 John R. Partelow, Thomas Sandall, Frederick  
 A. Wiggins, Lionel Anderson, John Kerr, Ed-  
 ward L. Jarvis, William H. Robinson, John M.  
 Robinson, Thomas Cox, Isaac L. Bedell, Char-  
 les R. Jarvis, Charles Merritt, William Flaherty,  
 Robert Ray, John Robertson, Ezekiel Barlow  
 Junior, The Honorable William Black, Charles  
 H. Grocock, Edward Lowe, John Johnston,  
 Alexander

Persons herein  
 named and  
 their Successors  
 incorporated by  
 the Name of  
*The New  
 Brunswick  
 Mining Com-  
 pany.*

Alexander Wedderburn, William Scammell, Henry John Chubb, Thomas Chubb, George James Chubb, William J. Gilbert, Ann Gilbert, Staninus Jones, Thomas Nisbet, John Hooper, William Hammond, John Hammond, Charles D. Everitt, James Hendricks, John V. Thurgar, John Wishart, Daniel Scovil, Samuel Scovil, Henry J. Jarvis, George A. Lockhart, William Mackay, Daniel Moore, John W. M. Irish, Daniel J. Mc-Lauchlan, William H. Bowyer, Thomas S. Estey, George E. Frink, John Walker, Richard Sands, William S. Sands, John M. Wilmot, George Thompson, John Moyes, John Ferguson, Moses Vernon, Brook Wheeler, Lewis Bliss, and William Wiley, and all and every such other Person and Persons as shall from Time to Time become Proprietors of Shares in the Corporation hereby established, their Successors, Executors, Administrators and Assigns, shall be and they are hereby erected into a Company, and declared to be a Body Politic and Corporate, by the Name of *The New-Brunswick Mining Company*, and by that Name shall have Succession and a Common Seal, and by that Name, shall and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court or Courts of Law or Equity or other Places whatsoever, and be able and capable in Law to have, hold, purchase, get, receive, take, possess and enjoy Houses, Lands, Tenements, Hereditaments, Mines, Minerals, and Rents, in Fee Simple, Leasehold, or otherwise, and also Goods and Chattels and all other things, real, personal, and mixed, and also to give, grant, sell, let, assign or convey the same or any Part thereof, and to do and execute all other Things in and about the same, as shall and may be thought necessary or proper for the Benefit and Advantage of the said Company; and also that the said Company or the major Part of them, shall from Time to Time and

By that Name  
may sue and be  
sued, and

Hold real and  
personal Estate.

Bye Laws for  
the Government  
of Company to  
be made.

and at all Times have full Power, Authority and Licence to constitute, ordain, make and establish such Bye Laws and Ordinances as may be thought necessary for the good Rule and Government of the said Corporation; provided such Bye Laws and Ordinances be not contradictory or repugnant to the Laws and Statutes of the Province, and those in Force within the same.

II. And be it further enacted, That the Capital or Joint Stock of the said Corporation shall consist of current Money of the Province, to the Amount, in the First Instance and at the Commencement of the said Corporation, of Ten thousand Pounds, which shall be divided into One thousand Shares of Ten Pounds each, to be vested in and belong to the several Persons before named, according to the Proportion set out in the Schedule to this Act; and that Ten *per Cent.* of the said Capital Stock shall be paid in within Twelve calendar Months after the passing of this Act, at such Time and Place as the President and Directors of the said Company may appoint, and the Residue in such Parts or Instalments as may be required by the said President and Directors for the Service of the Company, at such Times and Places as they may appoint, at least One Month's Notice being by them previously given for all such Payments in the Royal Gazette, and Two of the Newspapers published in the City of Saint John.

£20,000 in Shares of £10 each to be the Capital at the Commencement.

Ten *per Cent.* to be paid in Twelve Months, and Residue when required.

III. And be it further enacted, That a general Meeting of the Members or Stockholders of the said Company, or the major Part of them, shall take Place on the last Tuesday in April next, or on some Day between that Day and the First Day of June next, at the City of Saint John, (Twenty one Days' previous Notice of such Meeting being published in the Manner above mentioned,) for the Purpose of making, ordaining and establishing such Bye Laws, Ordinances and Regulations for

A general Meeting to be held at Saint John for making Bye Laws and choosing Directors.

the good Order and Management of the Affairs of the Corporation as they shall deem necessary, and for the Purpose of choosing Thirteen Directors, being Stockholders and Members of the said Corporation, under and in pursuance of the Rules and Regulations herein after made and provided; which Directors so chosen shall serve until the First annual Meeting for the Choice of Directors, and shall have full Power and Authority to manage the Concerns of the said Corporation, and shall commence the Operations of the said Company, subject, nevertheless, to the Rules and Regulations hercin after made and provided.

Annual Meeting  
for Choice of  
Directors.

IV. And be it further enacted, That there shall be a general Meeting of the Stockholders and Members of the said Corporation to be annually holden at the City of Saint John, on the last Tuesday in April in each and every Year, or on some Day between that Day and the First Day of June in each Year, of which Meeting there shall be given at least Twenty one Days' previous Notice published in Manner above mentioned; at which Meeting there shall be chosen, by a Majority thereof, Thirteen Directors who shall continue in Office for One Year, or until others are chosen in their Room; in the Choice of which the Stockholders and Members of the said Corporation shall vote according to the Rules herein after mentioned; and the Directors, when chosen, shall at their First Meeting after their Election choose out of their Number a President: Provided always, that Seven of the Directors in Office, shall be re-elected at such Meeting for the next ensuing Year, of which the President shall always be One.

Directors to  
choose a Presi-  
dent.

Directors to ap-  
point Officers  
and Servants.

V. And be it further enacted, That the Directors for the Time being shall have Power to engage and appoint such Surveyor or Surveyors, Overseer or Overseers, Agent or Agents, Clerks, Miners, Labourers and Servants, as they or the major Part of them shall think necessary for executing



cuting the Business of the said Corporation, and shall allow them such Compensation for their respective Services as to them shall appear reasonable and proper; all which, together with the Expenses for exploring, sinking Shafts and Pits, mining, draining, and other Contingencies, shall be defrayed out of the Funds of the Corporation: and the said Directors shall likewise exercise such other Powers and Authorities, for the well regulating the Affairs of the said Corporation, as shall be prescribed by the Bye Laws and Regulation of the same.

All Expenses to be paid from the Corporate Funds.

VI. And be it further enacted, That not less than Seven Directors shall constitute a Board for the Transaction of Business, of which the President shall always be One, excepting in Case of Sickness or necessary Absence, in which Case the Directors present may choose One of their Members as Chairman in his Stead; that the President shall vote at the Board as a Director, and in Case of an equal Number of Votes being for and against any Question before them, the President or Chairman shall have a casting Vote.

Seven Directors to form a Board for Business.

President to have a casting Vote.

VII. And be it further enacted, That no Person shall be eligible as a Director, unless such Person is a Stockholder, and holding not less than Ten Shares of the Capital or Stock of the said Corporation, and is of the full Age of Twenty one Years.

Qualification of Directors.

VIII. And be it further enacted, That the Number of Votes to which each Stockholder shall be entitled on every Occasion when in conformity to the Provisions of this Act the Votes of the Stockholders are to be given, shall be in Proportion of One to each Share; Provided that no Person shall be entitled to a greater Number than Fifty Votes; and provided also, that no Person under the Age of Twenty one Years, shall be entitled to vote at any Meeting of the Stockholders.

Each Share under Fifty to entitle to a Vote.

Provisoos.

IX. And be it further enacted, That all Stockholders qualified to vote, resident within the Province

Stockholders may vote by Proxy.

vince or elsewhere, may vote by Proxy, provided such Proxy be a Stockholder, and do produce sufficient Authority from his Constituent or Constituents; and that such Authority shall be in Writing signed by the Constituent or Constituents in the Presence of One or more credible Witness or Witnesses, and shall be according to the Form in the Schedule, or in Words of the like Effect; Provided also, that if the Constituent or Constituents reside without the Limits of the Province, the Execution of the Appointment shall be attested by a Notary Public.

Vacancies in  
Board of Direc-  
tors to be filled  
up.

X. And be it further enacted, That the Directors be and they are hereby authorized to fill up any Vacancy that shall be occasioned in the Board by the Death, Resignation, Transfer of Stock, or Absence from the Province for Three Months, of any of its Members, but that in Case of the Removal of a Director by the Stockholders for Misconduct or Maladministration, his Place shall be filled up by the said Stockholders; and the Person so chosen by the Directors or Stockholders shall serve until the next succeeding annual Meeting of the Stockholders.

Shares to be  
Assignable.

XI. And be it further enacted, That the Shares in the said Stock shall be assignable and transferable according to the Rules and Regulations that may be established in that Behalf, but no Assignment or Transfer shall be valid or effectual unless such Assignment or Transfer shall be entered and registered in a Book to be kept by the Directors for that Purpose, nor until such Person or Persons, so making the same, shall previously discharge all Debts actually due or payable by him or them to the said Corporation; that in no Case shall any fractional Part of a Share, or other than a complete Share or Shares, be assignable or transferable: that whenever any Stockholders shall transfer in Manner aforesaid all his Stock or Shares in the said Company, he shall cease to be a Member of the said Corporation.

XII. And be it further enacted, That the Directors shall make half yearly or yearly Dividends, as may to them appear most proper, of all the Profits arising from the Sales of Coal, or other Metals, or Minerals, or otherwise, deducting from the Produce of Coals, Metals, or Minerals, or other Profits, the Charges of Freight, Carriage and Sale, Charges of Management, and all such other Charges and current Expenses as may appear to them properly chargeable against the Income of the Company.

Dividends of Profits to be made.

XIII. And be it further enacted, That notwithstanding any real Estate which the Corporation may at any Time own or possess, the Shares and Interest of the Stockholders of and in the Stock, Funds, Property and Estate of the said Corporation shall be, and shall be held, deemed and taken to be, personal Property to all Intents and Purposes whatsoever.

Shares and Interest in the Corporate Funds to be deemed personal Property.

XIV. And be it further enacted, That the Books, Papers, Correspondence, and all other Matters and Things belonging to the said Corporation, shall at all Times be subject to the Inspection of the Directors, or any of them; but no Stockholder not a Director, shall inspect the Account of any Individual or corporate Body with the said Company.

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

XV. And be it further enacted, That the Directors shall, at the general Meeting to be holden in every Year, lay before the Stockholders, for their Information, an exact and particular Statement of the then State of the Affairs and Business of the said Company, agreeably to the several Regulations and Rules made therefor, so as the same do contain a true Account of the Whole of the Affairs of the said Company; which Statement shall be signed by the Directors, and attested by the Secretary; and a Duplicate thereof in like Manner signed and attested shall be transmitted to the Secretary of the Province, for the Information

A Statement of the Affairs of the Corporation to be submitted at the Annual Meeting.

Duplicate for the Governor and Legislature.

formation of His Excellency the Lieutenant Governor or Commander in Chief for the Time being, and the Legislature of the Province ; Provided always, that the rendering of such Statement shall not extend to give any Right to the Stockholders, not being Directors, to inspect the Account of any Individual or Individuals with the said Corporation.

Committee of Legislature to have Access to the Books, &c.

XVI. And he it further enacted, That any Joint Committee hereafter to be appointed by the Honorable the Legislative Council and the House of Assembly, for the Purpose of examining into the Proceedings of the said Corporation, shall, either during the Session or Prorogation of the General Assembly, have free Access to all the Books and Accounts of the same.

A General Meeting may be called by the Stockholders or Directors, at any Times, on due Notice.

XVII. And be it further enacted, That any Number of Stockholders, not less than Twenty, who together shall be Proprietors of Two hundred and fifty Shares shall have Power at any Time, by themselves or their Proxies, to call a general Meeting of the Stockholders, for Purposes relating to the Business of the said Corporation, giving at least Thirty Days' previous Notice in the Royal Gazette, and at least Two Newspapers published in the City of Saint John, and specifying in such Notice the Time and Place of such Meeting, with the Objects thereof; and the Directors or any Seven of them shall have the like Power at any Time, upon observing the like Formalities, to call a general Meeting as aforesaid.

Joint Stock alone responsible for the Corporation Debts.

XVIII. And be it further enacted, That the Joint Stock or Property of the said Corporation shall be alone responsible for the Debts and Engagements of the said Corporation, and that no Person or Persons who shall or may have Dealings with the said Corporation shall, on any Pretence whatsoever, have Recourse against the separate Property of any present or future Member

or Members of the said Corporation, or against their Person or Persons, further than may be necessary to secure the faithful Application of the Funds of this Corporation.

XIX. 'And whereas previous to the uniting together of the Subscribers to this Company, an Association had been formed at Fredericton for the Purpose of exploring the Country, with a view to ascertain the Extent and Nature of Districts in which Coal might be found, and sundry Excavations were made and Works carried on by such Association; and it was agreed that the Subscribers to the Stock of the present Company, should become vested with the Rights and Property, and subject to the Liabilities of the said Association; and that any of the Members of the Association might unite themselves to this Company, and should in that Case have Credit in the Stock of this Corporation for so much as they might have paid and advanced to the former Association, with Interest; and that the present Company should pay, to such Members of the former Association as were desirous of withdrawing from the Adventure, the Sum advanced by them, with Interest: And whereas the Honorable Thomas Baillie, William F. Odell, Esquire, and John T. Smith have signified their Desire to withdraw from the Adventure;' Be it enacted, That there shall be paid to the said Honorable Thomas Baillie, William F. Odell, and John T. Smith, out of the Funds of the Corporation, the Sum of Twenty five Pounds each, together with Interest from the Time of their advancing such Monies up to the Time of Payment, and that on such Payment being made, they shall cease to have any Interest in the Property or Rights of the said Association; and that the other Members of the said Association, (to wit,) The Honorable John Saunders and George Shore, Robert Parker, Hugh Johnston, Elisha D. W. Ratchford, Zalmon

Members of former Mining Association to be repaid their Advances or have Credit in this Corporation, as herein specified.

Zalmon Wheeler, Thomas L. Nicholson, John A. Beckwith, John Wilson, Henry Chubb, William Sprague, Moses H. Perley, Thomas Robson, William Bookwood, James Harris, Thomas Allen, William Emsley, Thomas Griffith, John Woodley, Henry G. Clopper, Justin Spahn, George E. Ketchum, E. N. Kendal and John Tank, shall have Credit for the Monies respectively advanced by them to such Association, with Interest, in Payment of the First Instalment of the said Stock of the said Corporation, and if the Amount for which they are so entitled to have Credit shall exceed the said Instalment, the Balance or Overplus shall be paid to them out of the Funds of the Corporation.

On Default of Payment of Shares, Directors to sell the same.

XX. And be it further enacted, That if any of the Shareholders herein named shall neglect or refuse to pay all or any Part of the Share or Shares subscribed by him, and payable as herein directed, it shall and may be lawful for the Directors of the said Company for the Time being, forthwith after such Neglect or Refusal, to sell and dispose of the Share or Shares in the Payment of which such Default shall be made, to the best Advantage; and the said Directors shall thereupon, out of the Monies arising from the Sale thereof, pay over to such Shareholder the Amount actually paid in by him (if any) on such Share or Shares, deducting First therefrom Ten *per Cent.* on the Amount of his said Share or Shares, to be retained by the Company in lieu of all other Expenses incurred by such Default: Provided always, that if any Loss shall arise on the Sale of such Share or Shares, no greater Sum shall be paid to the said Shareholder than that at which such Share or Shares shall be so sold, deducting therefrom Ten *per Cent.* as aforesaid.

Capital may be increased to £30,000.

XXI. And be it further enacted, That it shall and may be lawful for the said Shareholders at any general Meeting or any special Meeting for that

that Purpose to be called, and of which due Notice of not less than Thirty Days shall be First given in the Royal Gazette, and at least Two Newspapers published in the City of Saint John, to increase the said Capital or joint Stock of the said Company, by any Sum not less than Five thousand Pounds at any One Time, until the said Capital or joint Stock shall amount to Thirty thousand Pounds; which last mentioned Sum the said Capital or joint Stock in the Whole shall never exceed; and all which said additional Capital or joint Stock, shall also be divided into Shares of Ten Pounds each, and paid in lawful current Money at such Time or Times either in full or by such Instalments as the said Stockholders or the Directors of the Company for the Time being may appoint.

**XXII.** And be it further enacted, That all the said additional Shares to be so made and added to the said Capital or joint Stock of the said Company, shall be sold and disposed of at public Auction to the highest Bidder or Bidders, at such Time or Times, Place or Places, and on such Terms as the Directors for the Time being shall appoint and direct; and of which said Sale or Sales, and of the said Time and Place thereof, public Notice shall be First given in the Royal Gazette, Two or more Newspapers published in the City of Saint John, and One Paper at least (if any) published at Saint Andrews in the County of Charlotte, and in the County of Northumberland, respectively, for at least Thirty Days previous to such Sale; and that the said Shares shall not be sold in Lots of more than Five Shares each.

Additional Shares to be sold by public Auction.

**XXIII.** And be it further enacted, That any Advance or Premium at which the said Shares may be sold, First deducting thereout the Charge of such Sale, shall be considered as added to the Capital of the Company, and applied to the Use

Premium on additional Shares to be added to the Capital.

of such Company in the same Manner as the original or increase Capital; and the new Shareholders shall have an equal proportionable Interest in this Addition with the old Shareholders.

On Default of Payment, Shares to be resold.

**XXIV.** And be it further enacted, That in Case of Default of Payment of any of the said Shares, and the Advance or Premium at which they may have been sold, within the Time fixed for the Payment thereof, it shall and may be lawful for the Directors of the said Company for the Time being forthwith to sell and dispose of the said Shares in the Payment of which Default shall be so made, at their Discretion, to the best Advantage, and any Advance or Premium thereon shall be applied as above mentioned to the Increase of the Capital, and not divided as Part of the Profits of the said Company.

Increased Stock, not exceeding £10,000, sold before Jan. 1834 exempted from Duty.

**XXV.** 'And whereas it may be found expedient 'to increase the said Capital Stock during the 'current Year and before any Profits can be derived from the Operation of the Company;' Be it further enacted, That the Sale of any increased Stock, not exceeding Ten thousand Pounds, made in pursuance of the foregoing Provision, on or before the First Day of January which will be in the Year of our Lord One thousand eight hundred and thirty four, shall be exempt from the Duty imposed by the Law of the Province on Sales by Auction.

Act to be deemed public.

**XXVI.** And be it further enacted, That this Act shall be accepted and taken and reputed to be a public Act, of which all and every the Judges and Justices of this Province, in all Courts, and all other Persons, shall take Notice on all Occasions whatsoever, as if it were a public Act of Assembly relating to the whole Province; any Thing herein contained to the contrary thereof in any Wise notwithstanding.

Limitation.

**XXVII.** And be it further enacted, That this Act shall continue and be and remain in Force for  
and



and during the Term of Thirty Years, from the First Day of April which will be in the Year of our Lord One thousand eight hundred and thirty three.

### FORM OF PROXY.

I, A. B. of [*Place of Residence and Profession or Occupation of the Stockholder*] Holder of \_\_\_\_\_ Shares in the Capital or joint Stock of The New Brunswick Mining Company, do hereby nominate, constitute and appoint C. D. of \_\_\_\_\_, also a Stockholder in the said Company, in my Name, and in my Absence, to vote or give my Assent or Dissent to any Business, Matter or Thing, relating thereto, which shall be proposed at any general or special Meeting of the Stockholders of the said Company or any Adjournment thereof, at all Times hereafter, until I shall revoke this Appointment by Notice in Writing under my Hand to the Secretary or Clerk of the said Company. In Witness whereof I have hereunto set my Hand the \_\_\_\_\_ Day of \_\_\_\_\_ in the Year of our Lord One thousand eight hundred and \_\_\_\_\_.

A. B.

Signed in Presence of

E. F.

G. H.

}

Schedule of Subscribers to the New Brunswick Mining Company, with Number of Shares subscribed by each.

NAMES OF SUBSCRIBERS.	NUMBER OF SHARES.	No.	Subscribers' Names and Number of Shares.
John Saunders,	Thirteen	13	John.
George Shore,	Five	5	
Robert Parker,	Ten	10	
Hugh Johnston,	Ten	10	
Elisha D. W. Ratchford,	Ten	10	
Zalmon Wheeler,	Ten	10	
Thomas L. Nicholson,	Ten	10	
John A. Beckwith,	Ten	10	

Subscribers'  
Names and  
Number of  
Shares, Con-  
tinued

John Wilson,	Five	5
Henry Chubb,	Ten	10
Moses H. Perley,	Ten	10
Thomas Robson,	Five	5
William Bookwood,	Three	3
James Harris,	One	1
Thomas Allan,	One	1
William Emsley,	One	1
Thomas Griffith,	One	1
John Woodley,	One	1
Henry G. Clopper,	Five	5
Justin Spahn,	Ten	10
George E. Ketchum,	Five	5
William Sprague,	Two	2
E. N. Kendal,	Five	5
John Tank,	Two	2
James Ratchford,	Ten	10
Thomas Jones,	Ten	10
Henry Cook,	Ten	10
Townsend Coffin,	Five	5
Nehemiah Merritt,	Ten	10
Henry Gilbert,	Ten	10
James Hay,	Ten	10
John Boyd,	Ten	10
H. Boyer Smith,	Ten	10
Ralph M. Jarvis,	Ten	10
James Fraser, Junior,	Ten	10
Neville Parker,	Ten	10
Charles Hazen,	Ten	10
John Ward, Junior,	Ten	10
James Kirk,	Ten	10
William Leavitt,	Ten	10
George G. Gilbert,	Ten	10
Thomas M. Hazen,	Ten	10
Stephen Wiggins,	Ten	10
James Whitney,	Ten	10
Thomas L. Langen,	Ten	10
Henry Blakslee,	Ten	10
Thomas Leavitt,	Ten	10
Robert L. Hazen,	Ten	10

Beverly

			10	Subscribers'
			10	Names and
			10	Number of
			10	Shares, Con-
			10	tinued.
Beverly Robinson,	Ten		10	
George D. Robinson,	Ten		10	
Isaac Woodward, Junior,	Ten		10	
John G. Woodward,	Ten		10	
Isaac Ketchum,	Ten		10	
Robert F. Hazen,	Ten		10	
Samuel Stephen,	Five		5	
George A. Nagel,	Ten		10	
Thomas Barlow,	Ten		10	
Robert W. Crookshank,	Ten		10	
George Merritt,	Ten		10	
Ewen Cameron,	Ten		10	
Joseph Whitburn,	Five		5	
Benjamin Gale,	Five		5	
Hiram Smith,	Ten		10	
John R. Partelow,	Ten		10	
Thomas Sandal,	Ten		10	
Frederick A. Wiggins,	Ten		10	
Lionel Anderson,	Ten		10	
John Kerr,	Ten		10	
Edward L. Jarvis,	Ten		10	
William H. Robinson,	Ten		10	
John M. Robinson,	Ten		10	
Thomas Cox,	Three		3	
Isaac L. Bodell,	Ten		10	
Charles R. Jarvis,	Ten		10	
Charles Merritt,	Ten		10	
William Flaherty,	Ten		10	
Robert Ray,	Five		5	
John Robertson,	Ten		10	
Ezekiel Barlow, Junior,	Ten		10	
William Black,	Ten		10	
Charles H. Grocock,	Ten		10	
Edward Lowe,	Ten		10	
John Johnston,	Ten		10	
Alexander Wedderburn,	Ten		10	
William Scammell,	Ten		10	
Henry John Chubb,	Five		5	
Thomas Chubb,	Five		5	
George James Chubb,	Five		5	

William

Subscribers' Names and Number of Shares, <i>Con- tinued.</i>		
William J. Gilbert,	Ten	10
Ann Gilbert,	Ten	10
Stannus Jones,	Five	5
Thomas Nisbet,	Five	5
John Hooper,	Five	5
William Hammond,	Ten	10
John Hammond,	Ten	10
Charles D. Everitt,	Five	5
James Hendricks,	Ten	10
John V. Thurgar,	Ten	10
John Wishart,	Ten	10
Daniel Scovil,	Ten	10
Samuel Scovil,	Five	5
Henry J. Jarvis,	Five	5
George A. Lockhart,	Ten	10
William Mackay,	Ten	10
Daniel Moore,	Ten	10
John W. M. Irish,	Ten	10
Daniel J. McLaughlin,	Ten	10
William H. Bowyer,	Five	5
Thomas S. Estey,	Ten	10
George E. Frink,	Ten	10
John Walker,	Ten	10
Richard Sands,	Ten	10
William S. Sands,	Ten	10
John M. Wilmot,	Ten	10
George Thomson,	Five	5
John Moyes,	Five	5
John Ferguson,	Five	5
Moses Vernon,	Five	5
Brock Wheeler,	Five	5
Lewis Bliss,	Five	5
William Wiley,	Seven	7

One thousand Shares of Ten } Total, 1000  
 Pounds each.

## CAP. XIII.

An Act to provide for more effectually repairing the Streets and Bridges in the City of Saint John.

*Passed 19th March 1833.*

**W**HEREAS the Mayor, Aldermen and Commonalty of the City of Saint John, by the Charter of the said City ratified by an Act of the General Assembly, are authorized and empowered to make, lay out, alter, amend and repair the Streets, Highways and Bridges in and throughout the said City and the Vicinity thereof, and also beyond the Limits of the said City on either Side thereof throughout the County of Saint John: And Whereas in accordance with the Petition of the Mayor, Aldermen and Commonalty of the said City of Saint John, it is expedient that the Powers of the said Mayor, Aldermen and Commonalty of the said City respecting the Streets, Highways and Bridges as aforesaid, should not extend beyond the Limits of the said City; And Whereas it is just and equitable that the Freemen and Inhabitants of the said City should do and perform Days' Work as the other Inhabitants of the Province, for the Purpose of completing and amending the public Roads and Bridges of the said City;

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the Second Year of the Reign of His present Majesty, intituled *An Act further to continue the Acts relative to Streets and Highways in the City and County of Saint John*, be and the same is hereby repealed.

2 W. 4, C. 31,  
repealed.

II. And be it enacted, That the Powers given in and by the Charter of the City of Saint John relative to the Streets, Highways and Bridges of the City and County of Saint John, shall not extend or be construed to extend to give the Mayor, Aldermen and Commonalty of the said City Authority to make, lay out, alter, amend and repair the

Power of the Corporation of the City as to Streets &c. restricted to those within the City.

the said Streets, Highways and Bridges in and throughout any Part of the said County of Saint John; Provided that Nothing herein contained shall extend to alter or abridge the Powers of the said Mayor, Aldermen and Commonalty of the said City to make, lay out, alter, amend and repair the said Streets, Highways and Bridges in and throughout the Limits of the said City of Saint John, according to the Provisions of the Charter; and provided also that all Roads, Streets, and Highways heretofore laid out, and which are now used as such, and also all public Bridges heretofore built and now used as such, shall be and the same are hereby deemed and established to be the public Roads, Streets, Highways and Bridges of the said City and County, and shall continue so to be until the same shall be altered by the proper Authorities.

Males of Sixteen  
Years and up-  
wards to work  
on the Streets  
of the City.

Scale.

III. And be it enacted, That all Freemen and other Male Inhabitants of the said City, of the Age of Sixteen Years and upwards, shall perform Labour on the Streets and Highways of the said City, at and after the following Rates; (that is to say,) Hired Servants, common Labourers, licensed School Masters, Apprentices, and other Persons under the Age of Twenty one Years, Two Days; Journeymen Mechanics, and other Persons not coming within the Description of Persons before designated, whose whole Property, real and personal, may not exceed One hundred Pounds, Three Days; all persons whose real and personal Property may exceed One hundred Pounds and not exceed Two hundred and fifty Pounds, Four Days; exceeding Two hundred and fifty Pounds and not exceeding Four hundred Pounds, Five Days; exceeding Four hundred Pounds and not exceeding Seven hundred and fifty Pounds, Six Days; exceeding Seven hundred and fifty Pounds and not exceeding One thousand Pounds, Seven Days; exceeding One thousand

thousand Pounds, Eight Days; exceeding Two thousand Pounds and not exceeding Five thousand Pounds, or whose yearly Income, from whatever Source arising, exceeds Three hundred Pounds, Twelve Days; exceeding Five thousand Pounds, or whose yearly Income exceeds Five hundred Pounds, Sixteen Days; and all other Male Inhabitants of the Age of Twenty one Years who may not be included in any of the foregoing Description of Persons, Four Days; Provided always, that upon Application to the Mayor, Recorder and Aldermen of the said City, or any Two of them, they shall and may, at their Discretion, lessen the Number of Days' Work to be performed by any poor or indigent Person.

Corporation may lessen the Work of poor Persons.

IV. And be it enacted, That it shall be the Duty of the Assessors of Rates for the City of Saint John, on or before the Tenth Day of May in each Year, to make the Assessment of Statute Labour on the Freemen and Inhabitants of the said City, according to the Scale herein before mentioned, if required so to do by the said Mayor, Aldermen and Commonalty; or the said Mayor, Aldermen and Commonalty may, if they think fit, nominate and appoint Three or more fit Persons to be Assessors for that Purpose, who shall be duly sworn to the Discharge of their Duty, and liable to like Penalties for Refusal to act, or Neglect of Duty, as other Assessors in the said City.

Assessors of Rates to assess the Labour, if required.

Corporation may appoint Assessors.

V. And be it enacted, That in case any Person in the City of Saint John shall deem himself aggrieved by any Assessment made under this Act, it shall and may be lawful for him to appeal to the Common Council of the said City, who shall examine into the Merits of the said Appeal, and whose Decision shall be final: Provided that a Memorandum of every such Appeal shall be entered in the Common Clerk's Office, within Fifteen Days after the Appellant shall have received Notice of the said Assessment, with an Affidavit

Persons aggrieved by Assessment may appeal to the Common Council.

annexed, in the Form following or to that Effect :

“ I ———, resident in ———, do make Oath that all the Property, real and personal, owned by me, or by any other Person in Trust for me, or for my Use, whatsoever and wheresoever, does not exceed ——— in Value, and that my yearly Income does not exceed ——— (or, in case of the Person appealing being among the *First Class of Persons who are to pay but Two Days, the Affidavit shall be that he is a hired Servant, common Labourer, licensed School Master, Apprentice, or Person under the Age of Twenty one Years*). Sworn the ——— Day of ——— 183—, before ——— Justice of the Peace.” And in case the Appeal be allowed, the Rate shall be amended accordingly, and the Common Council may in their Discretion direct the Collector or Collectors to repay, out of the Monies collected by him, the Amount overcharged, or to make Allowance therefor in the Labour of the next Year in case the Appellant should have performed the whole Labour assessed prior to hearing the Appeal.

Collectors may receive Money in lieu of Labour.

VI. And be it enacted, That if any Person assessed for Statute Labour shall prefer paying Money to doing such Labour, it shall and may be lawful for the Collector or Collectors to be appointed by the Mayor, Aldermen and Commonalty, within the City of Saint John, to take and receive the same at and after the Rate of Two Shillings and Six Pence per Day, for each Day's Labour required to be done by such Person; and no Person whosoever shall be permitted to work by Substitute.

No Substitutes allowed.

Corporation to appoint Surveyors.

VII. And be it enacted, That the Mayor, Aldermen and Commonalty of the said City in Common Council convened, are hereby authorized and required, on the Third Tuesday in March, or within the next Four successive Days, in each and every Year, to appoint, by Warrant or Warrants



rants under the Common Seal of the said City, One or more fit Person or Persons to be a Surveyor or Surveyors of the Highways for the said City, assigning to him or them in such Warrants the Limits of the District within and over which he or they shall exercise the Duties and Powers incident to his or their Office, both with respect to the Times and Places where the Work is to be performed and the Persons to be summoned to perform such Work; and in case of the Refusal of any such Person or Persons to accept of such Office, or in case of any Vacancy by Death or Removal, or other Incapacity of such Surveyor or Surveyors to perform the Duties of his or their Office, the said Mayor, Aldermen and Commonalty are authorized and required in like Manner to appoint another or others in his or their Place.

VIII. And be it enacted, That it shall be the Duty of the Common Clerk of the said City, immediately after the making of any Appointment as aforesaid, to deliver or transmit to the said Surveyor to Surveyors, so appointed, his or their Warrant or Warrants of Appointment; and that each and every Person so appointed shall, within Fourteen Days after receiving the same Warrant, be duly sworn to the faithful Performance of the Duties of his or their Office, before the Mayor, Recorder or either of the Aldermen of the said City, which Oath they are hereby severally authorized and required to administer, and to endorse a Certificate thereof upon each of the said Warrants of Appointment.

IX. And be it enacted, That each and every Person so to be appointed who shall neglect and refuse to accept of the Office of Surveyor as aforesaid, and to take the Oath herein before required within the Time limited as aforesaid, or shall neglect or refuse to do and perform any of the Duties herein required of him, shall for each and every Offence forfeit and pay the Sum of

Three

Common Clerk  
to deliver the  
Warrants of Ap-  
pointment.

Surveyors to be  
sworn.

Neglect or Re-  
fusal to accept  
the Office and  
take the Oaths  
of Surveyors.

Penalty.

Three Pounds, to be recovered before any One of His Majesty's Justices of the Peace, by and in the Name of the Chamberlain of the said City, on the Oath of One or more credible Witness or Witnesses, or on Confession, and levied with Costs of Prosecution by Warrant of Distress and Sale of the Goods and Chattels of the Offender, and to be laid out on the Highways, Streets and Bridges of the said City.

Duty of Surveyors.

X. And be it enacted, That it shall be the Duty of the several Surveyors of Highways within the said City, appointed by the Mayor, Aldermen and Commonalty as aforesaid, on or before the Fifteenth Day of May in each and every Year, to make out, and transmit to the Chamberlain of the said City, Lists of all Persons within their respective Districts who are by Law liable to work upon the Highways, Streets and Bridges, and after the Assessment List is handed to them, to summon the said Persons to work and superintend them, and from Time to Time, in each and every Year, to render to the Collector or Collectors of Taxes for the said City, Lists of all Persons who may be Defaulters, and the said Collector or Collectors shall forthwith proceed to recover the Sums due from such Defaulters; and the said Surveyor or Surveyors, and Collector or Collectors, shall render to the Chamberlain of the said City all their Lists and Accounts in complete Order, on or before the First Day of December in each and every Year, under the Penalty, for every Default, of Ten Pounds.

Surveyors and Collectors to account to the Chamberlain.

Corporation may direct Surveyors to work at any particular Place.

XI. Provided always, and be it enacted, That whenever the said Mayor, Aldermen and Commonalty shall direct any Surveyor to work in a particular Part of, or any particular Place or Bridge within his District, or to take any Number of Persons belonging to his District out of such District into the next adjacent District, it shall be the Duty of the said Surveyor to attend

to the same, and perform such Duty so required of him.

XII. And be it enacted, That the said Chamberlain of the said City shall keep an Account of the Monies received by him by virtue of this Act, separate and distinct from the Accounts of other Funds in his Hands, and obey all Orders of the Common Council of the said City for the Expenditure thereof; and on or before the First Day of April in each Year, shall make out an Account, with Vouchers, of all Monies received and paid by him as aforesaid, and lodge the same with the Clerk of the said Common Council, together with the Lists and Accounts which he may have received from the said Surveyors and Collectors, to be laid before the said Common Council.

Chamberlain to keep separate Accounts of Monies under this Act, to be laid before the Common Council.

XIII. And be it enacted, That every Person, when called upon by the Surveyor of any District within the said City, shall within Twenty four Hours give and render to the said Surveyor a particular Account and Statement, in Writing, containing the Names of all Persons who may be in his, her, or their Employ, or who may be resident in the House kept or occupied by such Person or Persons, and who may be liable to perform Labour on the Highways; such Statement to contain not only the Names of Persons belonging to his, her, or their Family, but also the Names of any Boarders, Lodgers and domestic Servants who may be liable as aforesaid; and if any such Person or Persons shall neglect or refuse to render such Account, when so called upon, or shall give or render a false or incorrect Account or Statement, he or she shall forfeit and pay the Sum of Five Pounds, to be sued for and recovered, by and in the Name of the Chamberlain of the said City, in the City Court of the City of Saint John, or before any One Justice of the Peace in and for the City and County of Saint John, for the Use of the said Mayor, Aldermen and Commonalty,

Lists of Persons liable to work on the Roads to be furnished when called for by the Surveyors.

Penalty.

alty, to be by them specially applied in making, altering, and repairing the Roads within the said City.

Persons summoned and not appearing to pay Two Shillings and Six Pence per Day.

XIV. And be it enacted, That if any Person or Persons when so summoned to labour as aforesaid by the Surveyors of their respective Districts, shall neglect or refuse to appear agreeably to such Summons, he or they shall be taken to have made their Election to pay at and after the Rate of Two Shillings and Six Pence per Day, according to the Number of Days they may be assessed, and if he or they shall neglect or refuse to pay the same when required by the Collectors within the City, the same may be recovered by and in the Name of the Chamberlain of the said City for the Time being, before the City Court, or before any One Justice of the said City and County, and when recovered applied to the Use of the said Mayor, Aldermen and Commonalty, for the making, altering, and repairing the Roads within the said City; and if any Person who shall appear agreeably to such Summons, and being under the Directions of such Surveyor, shall refuse or neglect to work, or shall not work in such Manner as to satisfy such Surveyor, he is hereby empowered to dismiss such Person from the Work, and the Chamberlain shall proceed against him in the same Manner as herein before directed to be done against Persons neglecting to appear and labour after being duly summoned, to be recovered, used and applied as in the Case last aforesaid.

Recovery.

Persons not working satisfactorily to be dismissed and proceeded against.

#### CAP. XIV.

An Act to authorize the Justices of the Peace for the County of Carleton to assess the said County for erecting a Court House and Gaol therein.

*Passed 19th March 1833.*

‘**WHEREAS** it is necessary that a Court House and Gaol should be erected in the County of Carleton;’

I.

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That the Justices of the Peace for the said County, at any General Sessions of the Peace hereafter to be holden, or at any Special Sessions to be for that Purpose convened, or the major Part of them, be and they are hereby authorized and empowered to contract and agree with able and sufficient Workmen, for building and finishing a Court House and Gaol in the said County, and to agree for such Sum and Sums of Money as they may deem meet in order to carry this Object into Effect; and the said Justices are hereby authorized and empowered to make a Rate and Assessment of a Sum not exceeding Seven hundred and fifty Pounds, at such Times and in such Proportions as they shall deem meet, for the erecting and finishing a Court House and Gaol in the same County; the said Sum to be assessed, levied, collected, and paid in such Proportion and in such Manner as any other County Rate can or may be assessed, levied, collected and paid, under and by virtue of any Act or Acts in Force in this Province for assessing, levying and collecting Rates for public Charges.

Justices in Sessions may contract for building a Court House and Gaol,

and assess not exceeding £750.

II. Provided always, and be it further enacted, That no special Session shall be held for any of the Purposes of this Act unless Five Justices at least are present at the same.

Five Justices to form a Special Session.

### CAP. XV.

An Act to amend the Act relating to the several Churches in this Province in Connexion with the Church of Scotland.

*Passed 19th March 1833.*

**W**HEREAS the Fifth Section of an Act passed in the Second Year of the Reign of His present Majesty, King William the Fourth, intituled *An Act to repeal all the Laws now in Force relating to Saint Andrews Church, in the City of Saint John, and for incorporating certain*

Preamble.

2 W. 4, c. 18.

*'tain Persons Pewholders of the said Church, and  
'of the several Churches erected or to be erected  
'in this Province in Connexion with the Church  
'of Scotland, is found to be defective and in need  
'of Amendment;'*

2 W. 4, c. 18,  
s. 5, repealed.

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That the said Fifth Section of the said recited Act be and the same is hereby repealed.

Trustees may  
sell or hire the  
Pews, and let  
for a Term of  
Years the Lands  
&c. belonging  
to the several  
Churches.

II. And be it enacted, That the said Trustees of Saint Andrews Church, and of the several and respective Churches already erected, and also of all other Churches which may hereafter be erected within this Province, in Connexion with the Church of Scotland, chosen and appointed in Manner and Form provided by the said Act, or the major Part of them, assembled upon due Notice publicly given, shall have full Power and Authority to sell, let or hire the Pews of the said Churches respectively, and let or hire for a Term not exceeding Twenty one Years the Lands, Tenements and Hereditaments mentioned in the said recited Act, or any other Lands, Tenements or Hereditaments which shall or may come into their Possession for the Use and Benefit of the said Churches respectively, and to take and use all such other lawful Ways and Means as they in their Discretion shall think best adapted for the Benefit and Advantage of the said Churches respectively: Provided always, that Nothing herein contained shall be construed to permit the said Trustees of the said Churches respectively to sell or dispose of the said Lands, Tenements and Hereditaments, or any Part thereof, absolutely, or for any greater Estate than the Term of Twenty one Years as aforesaid.

## CAP XVI.

An Act to authorize the Justices of the Peace for the County of Northumberland to make Rules and Regulations respecting the Bass Fishery in that County.

*Passed 19th March 1833.*

**WHEREAS** it is necessary that an Act should be made and passed, authorizing the Justices of the Peace in the County of Northumberland to make Rules and Regulations respecting the Manner in which Bass shall be taken in the Rivers in that County, and to impose such Fines and Penalties as they may deem proper to enforce the Performance of such Rules and Regulations;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, That it shall and may be lawful for the Justices of the Peace in the County of Northumberland, in their General Sessions, to make such Rules and Regulations as they may deem proper respecting the Bass Fishery in any of the Rivers of said County, and also to enforce the Rules and Regulations so to be made, by such Fines and Penalties as may be imposed, not exceeding for any One Offence the Sum of Three Pounds, to be recovered before any One of His Majesty's Justices of the Peace for the said County, to be levied by Warrant of Distress and Sale of the Offender's Goods and Chattels, and for Want thereof, to commit such Offender to the common Gaol of the County for a Term not exceeding Twelve Days, unless the Fine, Costs and Charges be sooner paid: Provided always, that such Regulations are not contrary to, and do not interfere with, the Regulations and Restrictions contained in any Act of Assembly.

Justices in Sessions may make Regulations for the Bass Fisheries, and enforce them by Fines not exceeding £5.

Recovery:

II. And be it further enacted, That this Act shall continue and be in Force until the First Day of April which will be in the Year of our Lord One thousand eight hundred and thirty five.

Limitation:

## CAP. XVII.

An Act to divide the Parish of Kent, in the County of Carleton, into Five Towns or Parishes.

Passed 19th March 1833.

Preamble.

‘**WHEREAS** the Parish of Kent, in the County of Carleton, is so extensive and populous as to render the Performance of the Duties of the Parish Officers therein inconvenient and burthensome;’

Parish of Kent  
divided into Five  
Parishes.

Be it enacted by the Lieutenant Governor, Council and Assembly, That the said Parish of Kent shall be and the same is hereby divided into Five Towns or Parishes; which Towns or Parishes shall be and hereby are named and bounded in the Manner herein after mentioned and described, any Law to the contrary notwithstanding :

Boundaries of  
Kent,

The First Town or Parish to be called, known and distinguished by the Name of *Kent*, and to be abutted and bounded as follows: *Southerly*, by the Northern boundary Line of the Parish of Brighton; *Westerly*, by the River Saint John; *Northerly*, by a Line running due East from the said River Saint John, at the Division Line between the Lots Numbers Forty and Forty one, granted to John Marro, nearly opposite to the Mouth of the River De Chute; and *Easterly*, by the boundary Line of the said County of Carleton.

Wicklow,

The Second Town or Parish to be called, known and distinguished, by the Name of *Wicklow*, and to be abutted and bounded as follows: *Southerly*, by the Northern boundary Line of the Parish of Wakefield; *Easterly*, by the River Saint John; *Northerly*, by the River De Chute, following the Course of the said River to the boundary Line of the said County; and *Westerly*, by the boundary Line of the said County of Carleton.

Perth,

The Third Town or Parish to be called, known and distinguished, by the Name of *Perth*, and to be abutted and bounded as follows: *Southerly*, by the Northern boundary Line of the said Parish

of



of Kent; *Westerly*, by the River Saint John; *Northerly*, by a Line running due East from the Mouth of Little River, where it empties into the River Saint John; and *Easterly*, by the boundary Line of the said County of Carleton.

The Fourth Town or Parish to be called, known *Andover*, and distinguished, by the Name of *Andover*, and to be abutted and bounded as follows: *Southerly*, by the River De Chute aforesaid; *Easterly*, by the River Saint John; *Northerly*, by a Line running due West from the Point which divides the Grant to Alexander Stewart and the Military Reserve on the River Saint John; and *Westerly*, by the boundary Line of the said County of Carleton.

The Fifth Town or Parish to embrace all that Part of the said County of Carleton, which lies to the Northward of the said Two last described Towns or Parishes, on both Sides of the River Saint John, and to be called, known and distinguished, by the Name of *Madawaska*.

**CAP. XVIII.**

An Act further to amend the Act relating to the Support and Relief of confined Debtors.

*Passed 19th March 1838.*

**I. BE** it enacted by the Lieutenant Governor, Council and Assembly, That it shall and may be lawful for either the Mayor or Recorder of the City of Saint John to carry into Execution the several Provisions of the Act for the Support and Relief of confined Debtors, and the several Acts in Amendment and Continuation thereof, as fully and completely as any Two Justices of any of the Inferior Courts of Common Pleas for the several Counties of this Province, might or could do by virtue of the several Acts aforesaid.

Mayor or Recorder of the City of Saint John may execute the Laws relative to confined Debtors.

**II.** 'And whereas no Judge of His Majesty's ' Supreme

‘Supreme Court of Judicature of this Province,  
 ‘and no Judge of the Inferior Court of Common  
 ‘Pleas of the County of Gloucester, resides with-  
 ‘in Fifty Miles of the Shire Town of the said  
 ‘County of Gloucester, where the common Gaol  
 ‘of the said County is situated, by reason where-  
 ‘of great Delay and Inconvenience may be en-  
 ‘dured by unfortunate Persons confined in the  
 ‘said Gaol, in making Application for and obtain-  
 ‘ing the Relief intended by the Acts of this Pro-  
 ‘vince made and passed for the Relief of insol-  
 ‘vent confined Debtors; for Remedy whereof,’  
 Be it further enacted, That it shall and may be  
 lawful from henceforth, for any Three of His Ma-  
 jesty’s Justices of the Peace of the said County  
 of Gloucester to receive all such Examinations  
 and make all such Orders touching or concerning  
 any Person or Persons confined or who may be  
 hereafter confined in the said County Gaol, or on  
 the Limits of the same, and who shall or may make  
 Application for the Benefit of the said Acts made  
 for the Relief of insolvent confined Debtors, as  
 Two Judges, or a Judge and a Justice of the  
 Peace, could or might lawfully receive or make  
 in all Matters in any Wise appertaining or con-  
 cerning the Acts of the General Assembly of this  
 Province made for the Relief of insolvent confined  
 Debtors.

Three Justices  
 of the Peace in  
 Gloucester may  
 examine &c.  
 confined Debt-  
 ors in that  
 County.

Debtors may  
 apply for Sup-  
 port immediate-  
 ly after being  
 confined.

III. And be it further enacted, That every con-  
 fined Debtor may make Application for Support  
 under and by virtue of the said Act, of which this  
 is an Amendment, immediately or at any Time  
 after the said Debtor may be put in Confinement,  
 instead of waiting Fourteen Days, the Time now  
 required by the said Act.

[Limitation.]

IV. And be it further enacted, That this Act  
 shall continue in Force so long as the said Act to  
 which this is an Amendment and no longer.

CAP. XIX.

An Act in Addition to an Act for making Process in Courts of Equity effectual against Persons who reside out of this Province, and cannot be served therewith.

Passed 19th March 1833.

**WHEREAS** it frequently happens that Persons resident without the Limits of the Province, are necessary Parties, Defendants, in Suits in the Court of Chancery, brought for the Foreclosure or Redemption of Mortgages on Lands situate in the Province, and for other Matters : And Whereas Doubts have arisen whether the Provisions of an Act passed in the Forty eighth Year of the Reign of His late Majesty King George the Third, intituled *An Act for making Process in Courts of Equity effectual against Persons who reside out of this Province, and cannot be served therewith*, extend to Persons who have never been resident within the Province; and it is deemed expedient to make further and other Regulations relative to Non-residents;

Preamble.

48 G. 3, C. 2.

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That if in any Suit which hath been or hereafter shall be commenced in the said Court of Chancery, any Defendant or Defendants against whom any Subpœna or other Process shall issue, shall not cause his, her or their Appearance to be entered upon such Process, within such Time and in such Manner as according to the Rules of the Court the same ought to have been entered, in case such Process had been duly served, and it shall be made to appear, on Affidavit to the Satisfaction of the said Court, that such Defendant or Defendants do not reside within the Province, but have a known Place of Residence elsewhere, which shall be stated in such Affidavit, then and in such Case the said Court may make an Order directing and appointing such Defendant or Defendants to appear

Defendants in the Court of Chancery, resident without the Province, failing to enter Appearance according to Rule, Court may make an Order for Appearance at a certain Day.

Copy of Order  
to be published  
and served on  
Defendant.

appear at a certain Day therein to be named; and a Copy of such Order shall, within Fourteen Days after such Order made, be inserted in the Royal Gazette, published by the King's Printer in this Province, and shall continue to be inserted in the same Gazette for so long a Time as the Court shall direct, not less than Three Months; and a Copy of such Order shall, within One Year next after the making of the same, be served on the Defendant or Defendants, either personally or by leaving the same at the Residence of the said Defendant or Defendants with some Person belonging to the Family or living in the House of the said Defendant or Defendants; and if such Defendant or Defendants do not appear within the Time limited by such Order, or within such further Time as the Court shall appoint, then, on Proof made of such Publication and Service of such Order as aforesaid, the Court being satisfied of the Truth thereof may order the Plaintiff's Bill to be taken *pro confesso*, and make such Decree thereon as shall be thought just and proper, and may thereupon issue Process to compel the Performance of such Decree as is in and by the said recited Act provided: Provided always, that if the Defendant or Defendants reside in the United Kingdom or any other Part of Europe, or in the West Indies, such Service shall be made at least Three calendar Months before the Day therein named for Appearance; and if the Defendant or Defendants reside in any Part of the United States of America, or in any of the British North American Colonies, such service shall be made at least Two calendar Months before the Day of Appearance; and if the Defendant or Defendants reside in any other Part of the World, such Service shall be made at least Six calendar Months before the Day of Appearance.

If Defendant  
do not appear,  
Plaintiff's Bill  
to be taken *pro  
confesso*.

Proviso as to  
Service.

Proof of Service  
to be made by

II. And be it enacted, That Proof of such Service may be made by Affidavit or Affidavits, to  
be

be taken and subscribed before any Judge of the Court of King's Bench, Common Pleas, or Exchequer, or before the Lord Chancellor, Master of the Rolls, or Vice Chancellor, or any Master of the High Court of Chancery, or Mayor of any City, Borough, or Town Corporate in England or Ireland; before any Lord of Session or other Superior Judge, or any Provost or other Chief Magistrate of any City, Borough, or Corporate Town in Scotland; before any Judge of the Supreme or Superior Court or Master of the Rolls in any British Colony; or before any Superior Court, or any Judge thereof, in the United States of America, or any other Foreign Country: Provided always, that such Affidavit or Affidavits, if taken in any Foreign Country, be authenticated by a Certificate under the Hand and Seal of the British Ambassador, Envoy, Minister, Consul, or Vice Consul, and, if taken within any Part of the British Dominions, by a Certificate under the Hand and Seal of some Public Notary, to the Satisfaction of the said Court of Chancery.

Affidavits taken  
as herein direct-  
ed.

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## CAP. XX.

An Act to continue and amend the Acts relating to Statute Labour on Roads.

*Passed 19th March 1833.*

**I. BE** it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the First Year of the Reign of His Majesty King William the Fourth, intituled *An Act to repeal all the Acts now in Force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes in this Province, and to make more effectual Provision for the same*; and also an Act made and passed in the Second Year of the same Reign, intituled *An Act to amend the Law relative to Statute Labour*

1 W. 4, C. 35,  
and

2 W. 4, C. 3.  
(2d. Sess.)

continued till  
1st April 1836,  
except as herein  
repealed.

*Labour, so far as the same relates to the Parish of Fredericton in the County of York, be and the same are hereby severally continued, except as herein after repealed, and shall, together with the Amendments herein after made, be and remain in full Force until the First Day of April which will be in the Year of our Lord One thousand eight hundred and thirty six.*

II. 'And whereas it is considered expedient to 'alter the Scale of Labour provided for by the 'Sixth Section of the said First mentioned Act;' Be it therefore further enacted, 'That the said Sixth Section of the said First recited Act be and the same is hereby repealed; and in lieu thereof,

III. Be it enacted, That the Highways, Roads, Streets and Bridges within each County, shall be cleared, maintained and repaired by the Inhabitants thereof; and that all Male Inhabitants of the Age of Sixteen Years and upwards shall work either in Person or by able and sufficient Men in their Stead, in each and every Year, provided with such necessary Implements as shall be directed by the respective Surveyors, the Number of Days, allowing Eight Hours to each Day, herein after provided; (that is to say,) Licensed Parish School Masters, actually employed as such, Apprentices and Persons under the Age of Twenty one Years, Two Days; Journey-men Mechanics, hired Servants and common Labourers, Three Days; all Persons whose real and personal Estate may be estimated at One hundred Pounds and not exceeding Three hundred Pounds, Five Days; exceeding Three hundred Pounds and not exceeding Five hundred Pounds, Six Days; exceeding Five hundred Pounds and not exceeding One thousand Pounds, Eight Days; exceeding One thousand Pounds and not exceeding Two thousand Pounds, Ten Days; exceeding Two thousand Pounds and not exceeding

1 W. 4, C. 33,  
s. 6, repealed

Males of the  
Age of Sixteen  
Years and up-  
wards to work  
on the High-  
ways &c. as  
herein specified.

exceeding Three thousand Pounds, Twelve Days; and all exceeding Three thousand Pounds, Sixteen Days; and also all Persons whose yearly Income may exceed Three hundred Pounds, Twelve Days; and all other Male Inhabitants who do not come within any of the foregoing Description of Persons, shall work Four Days.

IV. And be it further enacted, That the Twenty fourth Section of the said First recited Act be and is hereby repealed; and in-lieu thereof,

1 W. 4, C. 33,  
s. 24 repealed.

V. Be it further enacted, That the said Commissioners shall not while in such Office be required to do any Work on the Highways; and where any Surveyor is required to superintend work more than Six Days, he shall be entitled to receive Five Shillings for every Day beyond that Time, out of any Monies collected by virtue of said Act, or if no such Money or an insufficient Amount be collected or on Hand, such Surveyor shall be compensated by crediting the Amount so due him for extra Work towards his next Year's Statute Labour, as if he paid the same in Money.

Commissioners  
not required to  
work.

Surveyors re-  
quired to work  
more than Six  
Days to be paid.

VI. 'And whereas by the Thirteenth Section of said First recited Act it is provided, that the Fines and Forfeitures thereby imposed shall be sued for, recovered and applied as is directed by the Eleventh Section thereof, instead of the Tenth Section, to which it should have referred; Be it therefore enacted, That the Fines and Forfeitures imposed by the said Thirteenth Section, and also all other Fines and Forfeitures mentioned in any other Section of said Act, not specially applied, shall be sued for, recovered and applied as is directed in and by the said Tenth Section of said First recited Act.

Fines to be re-  
covered and ap-  
plied as in 1 W.  
4, C. 33, s. 10.

## CAP. XXI.

An Act to prevent the Importation and Spreading of infectious Distempers in the City of Saint John.

Passed 19th March 1833.

Preamble.

**WHEREAS** the several Acts relative to the Importation and Spreading of infectious Distempers in the City of Saint John, have by Experience been found inadequate;

10 & 11 G. 4.,  
C. 2.

1. W. 4, C. 35  
and

2 W. 4, C. 2,  
repealed.

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the Tenth and Eleventh Years of the Reign of His late Majesty King George the Fourth, intituled *An Act to repeal all the Acts now in Force relative to the Importation and Spreading of infectious Distempers in the City of Saint John, and to make more effectual Provision for preventing the same*; and also an Act made and passed in the First Year of the Reign of His present Majesty, intituled *An Act to amend an Act, intituled An Act to repeal all the Acts now in Force relative to the Importation and Spreading of infectious Distempers in the City of Saint John, and to make more effectual Provisions for preventing the same*; and also an Act made and passed in the Second Year of the Reign of His present Majesty, intituled *An Act further to amend the Act relative to the Importation and Spreading of infectious Distempers in the City of Saint John, and to extend the Provisions thereof*, be and the same are hereby repealed.

Vessels herein described not to proceed further into the Harbour of Saint John than specified Lines, until inspected and permitted by an appointed Physician.}

II. And be it enacted, That no Vessel arriving in or near the Harbour of Saint John, having on board the small Pox, yellow Fever, or other pestilential or contagious Distemper, or coming from any Port or Place infected with any such Distempers, or at or near which any such Distempers at the Time of her Departure were known or supposed to prevail, or from any Port or Place in the West Indies, South America, the United States of America, from Boston and the Southward



ward of Boston, Bermuda, Africa, or the Mediterranean, or having Passengers on board from any Port or Place in the World (save and except in this Province, Canada, Nova Scotia, Prince Edward Island, Newfoundland, and the United States of America to the Northward of Boston), between the First Day of May and the First Day of November in any Year, or on board of which said Vessel any Person during the Voyage had been sick or had died of any such Distemper, shall come, proceed, or be navigated or conducted further or higher up into the Harbour of Saint John than a Line running from the West Point of Partridge Island Westerly until it meets Negro Town Point, and East from the Eastern Point of Partridge Island and extending till it reaches the Shore to the Northward of Black Point, or, in case the Mayor, Aldermen and Commonalty of the City of Saint John in Common Council convened shall by their Order or Notice in Writing grant Permission, further or higher up than a Line to run from the Breakwater to Sand Point in Carleton, until such Vessel shall have been duly inspected and examined by the Physician or Physicians to be for that Purpose appointed as herein after mentioned, nor until the said Physician or Physicians shall signify his or their Consent and Permission, in Writing, that such Vessel may proceed without Danger to the Inhabitants of the said City; and if on such Inspection and Examination as aforesaid, the said Physician or Physicians shall consider that Danger is likely to result to the Inhabitants of the said City, from permitting the said Vessel to proceed further than the said outer Line, or inner Line if so ordered by the said Common Council, or if the said Physician or Physicians shall be directed by the said Common Council so to do, he or they shall order the said Vessel to be brought to anchor without the outer Line aforesaid, or the said inner Line if so established

Physician may order Vessel to be brought to anchor for a Time not exceeding Three Days, to be fixed by the Common Council, unless the Vessel shall be ordered to perform Quarantine.

established for that Purpose by the said Common Council, and remain there for such Space of Time, not exceeding Three Days, to be fixed by the said Common Council, unless the said Common Council of the said City shall ordain and direct that the said Vessel shall perform Quarantine; in which Case the Master or Commander of such Vessel shall either cause the same to remain in the Place where she was First brought to anchor under the Orders of the visiting Physician or Physicians as aforesaid, or shall forthwith cause the said vessel with all the Persons, Goods, and Cargo on board thereof, to be removed to, and to anchor at such Place and for such Length of Time, not exceeding Forty Days, as the said Common Council may think proper to direct and appoint; and the same Vessel, with the Persons, Goods or Cargo, or either of them, a Committee of the said Common Council, consisting of the Mayor or Recorder and not less than Two of the Aldermen of the said City, may at any Time discharge from the said Quarantine; and during the Time such Vessel shall be detained by the said Physician or Physicians as aforesaid, or shall be performing such Quarantine, the Master or Commander thereof shall not permit or suffer any Intercourse between the Persons on board the said Vessel and the Shores on either Side of the said Harbour, or within the County of Saint John, or between the said Vessel and any other Vessel or Vessels in near the said Harbour, except under the Direction of the said Physician or Physicians; and the Master or Commander of any such Vessel who shall bring such Vessel further up than either of the Lines aforesaid without the Permission in Writing of the Physician or Physicians aforesaid, and if the inner Line, without the Permission of the said Common Council in Addition thereto, and the Master or Commander of any such Vessel, and all and every other Person or Persons

No Intercourse allowed with such Vessels except under the Direction of the Physician.

Proceeding further into the Harbour than specified Lines, disobeying Orders, or holding Intercourse.

Persons belonging to and being on board such Vessel, who shall disobey any such Orders and Directions, as aforesaid, or shall neglect to execute and perform the same, or who shall come on Shore, or go on board of any other Vessel or Vessels within or near to the said Harbour, or shall presume to bring or put, or aid or assist in bringing or putting on Shore or on board any other Vessel or Vessels as aforesaid, any Person or any Goods from any such Vessel so detained by such Physician or Physicians as aforesaid, or which shall be ordered to perform Quarantine as aforesaid, without the Licence and Permission of the said Physician or Physicians being for that Purpose First obtained, and the Permission of the said Common Council, shall for each and every Offence forfeit and pay the Sum of Two hundred Pounds of current Money of the Province of New Brunswick, or to be imprisoned for a Time not exceeding Twelve Months, in case the same shall not be paid.

Penalty.

III. And be it enacted, That the Master or Commander of every Vessel having on board the small Pox, yellow Fever, or other pestilential or contagious Distemper, or coming from any Port or Place infected with such Distempers, or at or near which any such Distempers at the Time of her Departure were known or supposed to prevail, or from any Port or Place in the West Indies, South America, the United States of America, from Boston and the Southward of Boston, Bermuda, Africa, or the Mediterranean, or having Passengers on board from any Port or Place in the World (save and except in this Province, Canada, Nova Scotia, Prince Edward Island, Newfoundland, and the United States of America to the Northward of Boston), between the First Day of May and the First Day of November in any Year, or on board of which said Vessel any Person during the Voyage had been sick, or had died of any

Described Vessels to hoist a Signal on coming abreast of Partridge Island.

If detained or ordered into Quarantine and other Signal to be hoisted.

any such Distemper, before coming abreast of Partridge Island, at the Entrance of the Harbour of Saint John, shall cause the said Vessel's Ensign, or such other Colour as shall be on board, to be hoisted in the Larboard main Rigging, and shall continue the said Signal so hoisted until the said Vessel shall have been inspected and examined by the said Physician or Physicians, and a Licence be had from him or them to remove the same, and if detained by the said Physician, or ordered into Quarantine, shall hoist such other Signal as the said visiting Physician shall give to the Master or Commander for that Purpose, or any Signal which may be on board, and continue the same hoisted during the Day Time in such Part of the Vessel as may be directed, so long as detained, in order to give Notice of the Detention of the said Vessel under this Act, under the Penalty of Twenty Pounds for each and every Offence.

Penalty.

Landing within the City and County of Saint John from Vessels before coming into Harbour.

IV. And be it enacted, That no Master or Commander of any Vessel arriving in the Bay of Fundy, and having on board any pestilential or contagious Distemper, or in any Particular circumstanced as in the Second and Third Sections of this Act specified, shall land, or suffer or permit to be landed, any Person or Persons whomsoever, or himself land from the said Vessel, on any Part or Place whatever within the City and County of Saint John, until he shall bring the said Vessel into the Harbour of Saint John, in order that he may comply with the several Requisitions of this Act, under the Penalty of Two hundred Pounds.

Penalty.

Instructions to be furnished to the Branch Pilots.

V. And be it enacted, That the several Branch Pilots belonging to the City of Saint John, shall be furnished with printed Instructions containing a Notice to the following Effect, viz: 'That no Vessel having the small Pox, yellow Fever or other pestilential or contagious Distemper on board, or having come from any Place infected  
' with

‘ with any such Distempers, or at or near which any  
‘ such Distempers were known or supposed to  
‘ prevail at the Time of her Departure, or from  
‘ any Port or Place in the West Indies, South  
‘ America; the United States of America, from  
‘ Boston and the Southward of Boston, Bermuda,  
‘ Africa, or the Mediterranean, or having Passen-  
‘ gers on board from any Port or Place in the  
‘ World (save and except in this Province, Canada,  
‘ Nova Scotia, Prince Edward Island, Newfound-  
‘ land, and the United States of America to the  
‘ Northward of Boston), between the First Day  
‘ of May and the First Day of November in any  
‘ Year, or on board of which any Person had been  
‘ sick or had died of any such Distempers during  
‘ the Voyage, shall proceed or be navigated fur-  
‘ ther or higher up into the Harbour than a Line  
‘ running Westerly from the Western Point of  
‘ Partridge Island till it meets Negro Town Point,  
‘ and East from the Eastern Point of Partridge  
‘ Island, and extending till it reaches the Shore to  
‘ the Northward of Black Point, or to the North-  
‘ ward of a Line running Westwardly from the  
‘ Break Water to Sand Point in Carleton, in case  
‘ the said inner Line shall be permitted by the  
‘ said Common Council; and that the Master or  
‘ Commander of any such Vessel shall not go or  
‘ put on Shore or on board of any other Vessel, or  
‘ suffer any other Person to go or put on Shore or  
‘ on board any other Vessel, any Person or Goods  
‘ out of the said Vessel, until such Vessel shall  
‘ have been inspected and examined by the Phy-  
‘ sician or Physicians, and his or their Licence for  
‘ that Purpose obtained, under the Penalty of  
‘ Two hundred Pounds; and further, that the  
‘ said Master or Commander shall cause the said  
‘ Vessel’s Ensign, or such other Colour as shall  
‘ be on board, to be hoisted in the Larboard main  
‘ Rigging, before the said Vessel shall come a-  
‘ breast of Partridge Island, and shall continue  
‘ the

‘ the same so hoisted until Leave be granted by  
 ‘ the said Physician or Physicians to remove the  
 ‘ same, under the Penalty of Twenty Pounds ;  
 ‘ and further, that no Master or Commander of  
 ‘ any Vessel arriving in the Bay of Fundy, and  
 ‘ having on board any pestilential or contagious  
 ‘ Distemper, or in any Particular circumstanced  
 ‘ as herein before in the said Notice mentioned,  
 ‘ shall land or suffer or permit to be landed, any  
 ‘ Person or Persons whomsoever, or himself land,  
 ‘ from the said Vessel, on any Part or Place  
 ‘ whatever within the City and County of Saint  
 ‘ John, until he shall bring the said Vessel into the  
 ‘ Harbour of Saint John, in order that he may  
 ‘ comply with the several Requisitions of this Act,  
 ‘ under the Penalty of Two hundred Pounds for  
 ‘ such Offence :’ And it shall be the duty of the  
 said Pilots on First boarding every Vessel coming  
 or intending to come into the Harbour of Saint  
 John, to read such Notice to the Master or Com-  
 mander of such Vessel, or communicate to him  
 the Purport and Effect of such Notice ; and any  
 Branch Pilot who shall neglect his Duty in this  
 Respect, shall for the First Offence forfeit and  
 pay the Sum of Ten Pounds, and for the Second  
 Offence in Addition to the Penalty of Ten Pounds  
 be prevented for ever after from holding a Branch :  
 and if any Person or Persons, whether Pilots or  
 others, shall come or be put on Shore from any  
 such Vessel, unless by the Direction of the said  
 Physician or Physicians, it shall and may be law-  
 ful for the Mayor or any One of the Aldermen of  
 the said City, or of the Justices of the Peace for  
 the City and County of Saint John, to cause such  
 Person or Persons to be apprehended and carried  
 back to such Vessel, or to such other Place as  
 may be appointed for the Reception of Persons  
 under such Circumstances, so as to prevent the  
 Spread of Infection ; and if any such Person should  
 be a Pilot, he shall forfeit and pay the Sum of  
 Twenty Pounds.

Instructions to  
 be read or Pur-  
 port communi-  
 cated to Mas-  
 ters of Vessels.

Penalty.

Persons landing  
 except by Direc-  
 tions of the  
 Physician may  
 be carried to  
 the Vessel or  
 other appointed  
 Place.

Penalty if a  
 Pilot.

VI. And be it enacted, That the Mayor, Aldermen and Commonalty of the said City in Common Council convened be and they are hereby authorized and required, at the usual Time of appointing Charter Officers in every Year, and oftener if need be, to nominate and appoint One or more Physician or Physicians, who shall have Power and Authority, and whose Duty it shall be, to go on board, visit, inspect and examine all Vessel arriving in the Harbour of Saint John, and on board of which such Signal shall have been so hoisted in the Larboard main Rigging as aforesaid, or on board of any other Vessel which may be suspected of having on board the small Pox, yellow Fever, or other pestilential or contagious Distemper, and to make full Inquiry and Examination into the State of the Health of all Persons on board any such Vessels, or who have been on board during any Part of the Voyage, and whether the said Vessel came from or near or touched at any Place infected with any of the Distempers aforesaid, or at or near which at the Time of her Departure any such Distempers were known or supposed to prevail: and if the said Physician or Physicians, on such Inspection and Examination, shall consider that no Danger is likely to result to the Inhabitants of the said City, from suffering such Vessel to proceed into the Harbour, and he or they have no Order to the contrary from the Common Council of the said City, he or they shall give a Licence in Writing to the Master or Commander of such Vessel for that Purpose, and thereupon such Vessel may proceed; but if the said Physician or Physicians should entertain any Doubts as to such Danger, then he or they shall immediately require the Master or Commander of such Vessel to bring the said Vessel to anchor without the outer Line aforesaid, or the said inner Line if appointed by the Common Council aforesaid; and the said Physician or Physicians shall

Physicians to be annually appointed to inspect Vessels]

Their Duty.

Powers.

thereupon forthwith make a Report thereof in Writing to the Mayor, or, in his Absence, the Recorder of the said City, with his or their Opinion or Advice relative thereto : and any Master or Commander of any such Vessel who shall refuse to give, or who shall not give to such Physician or Physicians, a full, true and accurate Statement and Report of the State of Health of all Persons on board the said Vessel, or who have been on board thereof during any Part of the Voyage, and of all and every the Particulars aforesaid, shall forfeit and pay the Sum of Two hundred Pounds : and the said Physician or Physicians who shall be guilty of any unnecessary Delay in going on board, inspecting and examining any such Vessel as aforesaid, or any other Breach of his or their Duty specified in this Act, shall be by them displaced from Office, which may also be done by the said Common Council in their Discretion, in any Case where they shall conceive the public Good requires it : and such Physician or Physicians who shall go on board, visit, inspect and examine any such Vessels as aforesaid, shall for each and every such Visit, Inspection and Examination, be entitled to demand and receive from the Master, Owner or Consignee of such Vessel so visited, inspected and examined, according to the following Scale ; (to wit,)

For Vessels under One hundred Tons Burthen, the Sum of Seventeen Shillings and Six Pence ;

For ditto of One hundred Tons and under Two hundred Tons, Twenty Shillings ;

For ditto of Two hundred Tons and under Three hundred Tons, Twenty five Shillings ;

For ditto of Three hundred and more than Three hundred Tons, Thirty Shillings ;

the said Sums to be sued for and recovered in any Court competent to take Cognizance of the same : Provided always, That in case it shall be found necessary

Master refusing to give a Report, or giving a false Report of Health of Persons on board.

Penalty.

Physicians guilty of a Breach of Duty to be displaced from Office.

Fees.



necessary for the said Physician or Physicians to make more than One Visit on board any such Vessel or Vessels, he or they shall be entitled to receive One Third only of the aforementioned Rates for every additional Visit so made according to the Size of the Vessel.

VII. And be it enacted, That no Person or Persons whosoever, other than the Physician or Physicians appointed as aforesaid, shall go on board any Vessel so arriving as aforesaid, which shall have such Signal so hoisted in the Larboard main Rigging as aforesaid, or which having come to anchor shall continue to have such Signal so hoisted as aforesaid, or which shall be lying at anchor before being licensed to come up the Harbour, or before or after being ordered into Quarantine as aforesaid, under the Penalty of Twenty Pounds for each and every Offence: and if any Person or Persons other than the Physician or Physicians aforesaid shall go on board any such Vessel, then and in such Case the Master or Commander, or any Person in charge of such Vessel for the Time being, is hereby authorized and required to keep and detain such Person or Persons on board the said Vessel until such Licence as aforesaid be given for the said Vessel to proceed, or until the Expiration of such Time as she shall be detained by the said Physician or Physicians, or be lying in Quarantine, or an Order from the said Common Council or a Committee thereof as aforesaid, for that Purpose to be obtained on Report of the said Physician or Physicians; and if any Person or Persons so having unlawfully gone on board any such Vessel as aforesaid, shall go on Shore or depart from said Vessel before such Licence as aforesaid, or before the Expiration of the said Time the said Vessel shall be so detained by the said Physician, or the Time appointed for the said Vessel to perform Quarantine, or Permission be given for him or them to depart as aforesaid,

Going on board of Vessels having Signal hoisted, or before being licensed to proceed.

[Penalty.]

Such Persons to be detained.

Departing from the Vessel after having unlawfully gone on board.

aforesaid, then and in such Case every such Person or Persons so offending as aforesaid, and the Master or Commander of any such Vessel so permitting such Person or Persons to go on Shore or to depart from the said Vessel, and every other Person aiding and assisting therein, shall for each and every Offence severally forfeit and pay the Sum of Fifty Pounds; and it shall and may be lawful for the Mayor, or Deputy Mayor, or any One of the Aldermen of the said City, or One of the Justices of the Peace for the said City and County, to cause such Person or Persons to be carried back to such Vessel, or to such other Place as may be appointed by the Mayor, Aldermen and Commonalty of the City of Saint John in Common Council convened, for the Reception of Persons under such Circumstances, so as to prevent the Spread of the Infection.

[Penalty.]

Such Persons may be carried back to Vessel or other appointed Place.

Persons may be landed from Vessels before or during the Performance of Quarantine.

VIII. And be it enacted, That before and during the Time any such Vessel shall be ordered to perform Quarantine as aforesaid, it shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John in Common Council convened, if on the Report of the Physician or Physicians aforesaid it shall be judged expedient, to order and direct that the Persons on board such Vessel, whether Passengers or otherwise, may be landed therefrom and conveyed to Partridge Island, or such other Place or Places as may be appointed for the Reception of Persons under such Circumstances, in order to facilitate the Recovery of those who are infected, to prevent the spreading of Disease among such Persons so on board such Vessel, or any other such Purpose, and have the Vessel cleansed and fumigated; and the Persons so landed as aforesaid shall remain at such Place or Places so appointed as aforesaid until they are restored to Health and their Clothes thoroughly cleansed, if diseased, under the Direction of the Physician or Physicians aforesaid,

aforesaid, and his or their Certificate be obtained that they may safely proceed to the City without Danger to the Inhabitants thereof, to be laid before the said Committee of the said Common Council of the said City, and their Order had for Liberty to leave such Place or Places as aforesaid: and the said Vessel from which the said Persons shall be so landed shall be thoroughly cleansed and purified as far as convenient under the Direction of the said Physician or Physicians, and when so cleansed and purified, the said Physician or Physicians shall report the same to the Mayor or Deputy Mayor, or in case of his Absence, the Recorder, who shall lay the same before the said Committee of the said Common Council of the said City, who may in their Discretion grant a Licence or Order for the Liberation of the said Vessel from Quarantine as aforesaid; and in case any Person or Persons shall depart from the Place or Places to which they may have been conveyed from the said Vessel, without the Order of the said Committee of the said Common Council for that Purpose had as aforesaid, it shall and may be lawful for the Mayor, Recorder or any One of the Aldermen of the said City, or One of the Justices of the Peace for the City and County of Saint John, to cause such Person or Persons to be apprehended and carried back to the Place or Places whence he or they may have have so departed, or to be otherwise disposed of so as to prevent the Spread of the Infection.

IX. And be it enacted, That if any Persons from any Ship or Vessel, before or whilst the said Vessel is performing Quarantine as aforesaid, shall be landed by the Order of the said Mayor, Aldermen and Commonalty in Common Council convened, either at Partridge Island or any other Place or Places to which by the Authority of this Act they may be conveyed, it shall and may be lawful

Vessel to be purified under Direction of Physician, and discharged by an Order of Committee of Common Council.

Persons departing without Permission, from Place to which they may have been conveyed, may be carried back &c.

Corporation may appoint special Constables to prevent Intercourse.

lawful for the said Mayor, Aldermen and Commonalty so convened, to appoint such and so many special Constables, and so often as may be found expedient, to prevent Intercourse with the said Person so landed, and the said Constables or any of them, at any Time when the said Mayor, Aldermen and Commonalty so convened shall think proper, to displace and discharge, and another or others, if need be, to put in their Room: and the said Constables are hereby authorized and empowered to prevent all Intercourse between the Persons so landed and Persons from the Shores on either Side of the Harbour, or from any Part of the City and County of Saint John, and those which may remain on board the Vessel, or between the said Persons so landed and any Vessel in the said Harbour, except under the Direction and by the Order of the said Common Council of the said City; and no Person or Persons other than the Physician or Physicians appointed as aforesaid, or some Person or Persons by the said Common Council authorized for that Purpose, shall be permitted to have any Intercourse with the Persons so landed as aforesaid, under the Penalty of Twenty Pounds for each and every Offence; and if any Person or Persons other than the said Physician or Physicians, or any Person or Persons so by the said Common Council authorized for that Purpose, shall have any Intercourse with the Persons so landed, then and in such Case the Constable or Constables appointed as aforesaid are hereby authorized and required to keep and detain such Person or Persons at the Place or any One of the Places appointed as aforesaid for the said Persons as aforesaid to be kept, until Permission be had from the said Common Council for him, her or them to depart; and if any such Person or Persons so having unlawfully had Intercourse with the said Persons so landed as aforesaid, shall depart from the Place so appointed

Persons unlawfully holding Intercourse made liable to a Penalty, and to be detained.

as aforesaid, before such Permission as aforesaid shall have been given for him, her or them to depart, every Person so offending shall forfeit and pay the Sum of Fifty Pounds; and it shall and may be lawful for the Mayor of the said City, or Recorder, or any One of the Aldermen thereof, or One of the Justices of the Peace for the said City and County, to cause such Person or Persons to be apprehended and carried back to the Place whence he, she or they may have so departed, or to be otherwise disposed of so as to prevent the Spread or Danger of Infection.

X. And be it enacted, That if any Disease of an infectious, contagious, or pestilential Nature should break out among any Persons landed or coming into any Part of the City and County of Saint John, whether contrary to the Provisions of this Act or otherwise, or on board of any Vessel which shall be in the Harbour or at any of the Wharves of the said City, either with or without Permission of the visiting Physician or Physicians, or other proper Authority under this Act, it shall and may be lawful for the said Committee of the said Common Council, to order and direct the Removal of the said Person or Persons so diseased, and any other Person or Persons by or among whom it may be feared the Infection may spread, to some proper Place as far as conveniently may be, to prevent communicating the Infection to others, and also to remove the said Vessel so having the said Infection on board to the Quarantine Ground.

Infectious Diseases breaking out among Persons landed, or on board of any Vessel in the Harbour.

Persons and Vessels to be removed.

XI. And be it enacted, That all the Penalties and Forfeitures herein before mentioned may be prosecuted, sued for and recovered in the Supreme Court, or in the Inferior Court of Common Pleas for the said City and County of Saint John, by Action of Debt, Bill, Plaint or Information, by any One who shall prosecute for the same within Forty five Days after the Commission of the Offence,

Mode of recovering Penalties and Forfeitures.

fence, and when recovered shall be paid One Moiety to the Person so suing and prosecuting, and the other Moiety to be paid into the Treasury of the Province for the Use and Support of the Government thereof; and if no Person shall so sue and prosecute within Forty five Days, that then the said Penalties and Forfeitures shall be sued for and recovered by Information of His Majesty's Attorney General in the said Supreme Court, and when recovered to be paid after deducting the Costs and Charges of Prosecution into the said Treasury for the Use aforesaid; and all and every Person and Persons guilty of a Breach of any One or more of the Provisions of this Act before specified, shall and may be arrested and held to Bail according to the Practice of the said Courts, for the Penalty or Penalties accruing by reason of such Breach or Breaches thereof, at the Suit of the Person herein before entitled to sue for the same, by virtue of an Order for that Purpose to be obtained under the Hand of any Judge of either of the said Courts, on proper Affidavits being laid before him, satisfactorily establishing the Breach of all or any of the Provisions aforesaid, which Order any One of the Judges of the said Courts is hereby authorized to grant; and in Default of giving such Bail, such Person or Persons so as aforesaid ordered to be held to Bail shall be committed to Prison, or to such other Place within the said City and County, in case he or they should be infected with any such infectious, contagious or pestilential Distemper aforesaid, as the said Mayor, Aldermen and Commonalty of the said City shall order, to prevent the spreading of such Distemper, to await his or her Trial.

## CAP. XXII.

An Act to continue the Act to provide for the Expenses of the Judges holding the Circuit Courts and Courts of Oyer and Terminer in this Province, and of the Clerk in those Courts.

*Passed 19th March 1833.*

**BE** it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the Seventh Year of the Reign of His late Majesty King George the Fourth, intituled *An Act to provide for the Expenses of the Judges holding the Circuit Courts and Courts of Oyer and Terminer in this Province, and of the Clerk in those Courts*, be and the same is hereby continued and declared to be in full Force for Two Years.

7 G. 4, c. 18,  
continued.

## CAP. XXIII.

An Act to authorize the Justices of the Peace in the County of Northumberland to levy an Assessment upon the Inhabitants of the said County to discharge the Debts due from the said County.

*Passed 19th March 1833.*

**WHEREAS** the Justices of the Peace for the County of Northumberland have heretofore levied the whole Sum which they were empowered to raise by Assessment: And Whereas the same has been insufficient to discharge the Debts due from said County;

Preamble.

Be it therefore enacted by the Lieutenant Governor, Council and Assembly, That the said Justices of the Peace for the said County of Northumberland, at any General Sessions of the Peace hereafter to be holden, be and they are hereby authorized and empowered to make further Rate and Assessment of any Sum not exceeding Six hundred Pounds, as they in their Discretion may think necessary, for the Purpose of discharging the Debts due from the said County of Northumberland; the same to be assessed, collected and paid agreeably to any Acts in Force for the assessing, collecting and levying of County Rates.

Justices of Northumberland in Sessions may assess not exceeding £600, to discharge County Debts.

## CAP. XXIV.

An Act for the further Amendment of the Acts relative to the Great Roads of Communication.

*Passed 19th March 1833.*

Preamble.

3-G. 4, c. 31.

‘ **WHEREAS** Doubts have arisen upon the  
 ‘ Construction of the Sixteenth Section of an Act  
 ‘ passed in the Third Year of the Reign of His late  
 ‘ Majesty King George the Fourth, intituled  
 ‘ *An Act to repeal all the Laws now in Force re-*  
 ‘ *lating to the Establishment, Regulation and Im-*  
 ‘ *provement of the Great Roads of Communica-*  
 ‘ *tion through the Province, and to make more*  
 ‘ *effectual Provision for the same, which directs*  
 ‘ that the Five Freeholders who are to set and ap-  
 ‘ praise the Value of any improved Lands through  
 ‘ which any Alteration of a great Road may be  
 ‘ required, shall be nominated and appointed by  
 ‘ the nearest Justice of the Peace;’

Freeholders to appraise Damages for Alterations of Roads may be nominated by any neighbouring disinterested Justice in the County.

Justices and Freeholders may belong to either County where Alteration is on the Borders of Two Counties.

I. Be it declared and enacted by the Lieutenant Governor, Council and Assembly, That when any Alteration in any of the great Roads is required to be carried through any improved Lands, and the Supervisor or Supervisors cannot agree with the Owner as to the Amount of the Value and Damages to be paid therefor, the Five disinterested Freeholders to set and appraise such Value and Damages may be nominated and appointed by any neighbouring disinterested Justice of the Peace of the County in which such Alteration lies, to whom Application may be made by the Supervisor for that Purpose; and that in case the Alteration lies on the Border of Two adjacent Counties, so as to extend into both, or to render it doubtful as to which of the Two Counties the said Alteration may be situate in, the Justice of the Peace and the said Freeholders may belong to either County, and the Proceedings had by them shall be as valid and effectual as any Proceedings which may now be had, under and by virtue of said recited Act, before Freeholders duly appointed by the nearest Justice.

II.



II. ' And Whereas no Provision is made in the existing Acts for the Government of the Supervisor in the Disposal of the Money in Case of Tender and Refusal of the appraised Value and Damages occasioned by the Alteration in any great Road going through improved Lands; ' Be it further enacted, that if the Person or Persons, who may be found entitled thereto, and to whom such Tender may have been made, shall not apply for the same within the Space of Six calendar Months after such Tender, the Supervisor or Supervisors shall pay the same into the Province Treasury, to be disposed of under the Direction of the Legislature; and that the Treasurer or Deputy Treasurer to whom such Payment shall be made shall be accountable for the same, and shall give to such Supervisor or Supervisors a Receipt for the Amount so paid, which shall be a sufficient Discharge to such Supervisor or Supervisors for the same.

Supervisors to pay into the Province Treasury, Damages tendered and not applied for.

III. Provided always, and be it further enacted, That this Act shall not have any retrospective Operation.

No retrospective Operation.

CAP. XXV.

An Act to authorize the Justices of the Peace for the County of Sunbury to levy an Assessment to enable them to erect a Court House in said County.

*Passed 19th March 1833.*

' **WHEREAS** it is necessary and expedient that the Justices of the Peace for the County of Sunbury should be authorized and empowered to levy a Sum by Assessment on the said County, for the Purpose of erecting a Court House in said County;'

Preamble.

Be it therefore enacted by the Lieutenant Governor, Council and Assembly, That the Justices of the Peace for the said County be and they are hereby authorized and empowered, at any General Sessions

Justices in Sessions may assess not exceeding £400 for erecting a Court House.

sions of the Peace to be hereafter holden, to issue their Warrant for assessing a Sum, not exceeding Four hundred Pounds, for the Purpose of erecting a Court House in the said County; the same Sum to be assessed, levied, collected and paid in such Proportion, and in the same Manner, as any other County Rates can or may be assessed, levied, collected and paid under and by virtue of any Act or Acts in force in this Province for assessing, levying and collecting of Rates for public Charges.

### CAP. XXVI.

An Act to continue and amend the Act for regulating Assessments in this Province.

*Passed 19th March 1833.*

1 W. 4, c. 26,  
as herein altered  
continued.

**I.** **BE** it enacted by the Lieutenant Governor, Council and Assembly, that an Act made and passed in the First Year of the Reign of His present Majesty, intituled *An Act to regulate Assessments in this Province*, be and the same is hereby continued, save and except so much of the said Act as is hereby repealed, altered or amended, and together with this Act declared to be in Force until the First Day of April in the Year One thousand eight hundred and thirty five.

1 W. 4, c. 26,  
in Part repealed.

**II.** And be it enacted, That the Preamble and the First, Second, Fourth, Fifth and Seventeenth Sections of the said herein before recited Act, be and the same are hereby repealed; and in lieu thereof,

Mode of making  
Assessments.

**III.** Be it enacted, That from and after the passing of this Act, all Sums of Money to be assessed and raised for any County, Town or Parish Charges and Expenses, under or by virtue of any Act or Acts of Assembly for that Purpose to be made, shall be assessed, levied and raised in Manner following; (that is to say,) every such Sum together with the Expenses of assessing and collecting the same shall be assessed at the best

Discretion of the Assessors, in just and equal Proportion upon the said Inhabitants of such Town or Parish, according to the Means and Ability of the said Inhabitants, whether the same shall arise from Property, real or personal, belonging to such Inhabitants, or from Incomes derived from any Profession, Business, Trade or Occupation, Interest of Money, Salary or any other Source whatsoever: Provided always, that the Proprietors of real or personal Estate whereon there may be Mortgages or Incumbrances, shall not be assessed for any greater Sum as the Value of their Property, than the Difference between the Amount of such Mortgages, Incumbrances, and the real Value of the said Property; and Holders of such Mortgages or Incumbrances shall be assessed for the Amounts due or appearing to be due thereon; and provided also, that no Person shall be assessed for the Value or in respect of real Property for which he is liable to be assessed in another Town or Parish as a Non-resident.

IV. And be it enacted, That the said Assessors or the major Part of them shall, after they have made their Assessment as aforesaid, and entered in a Book or List the Names of the Persons rateable, the Amount at which each Person is assessed, the real Estate of Non-residents, the Rate thereon *per Cent.* and the total Assessment, transmit a Copy of the same to the Clerk of the Peace, to be filed in his Office; and in Towns or Parishes where there are Two or more Collectors of Rates, the Assessors, or the major Part of them, shall subdivide the said Assessment into as many Parts as there are Collectors, and indorse on each, or if there shall be but One Collector, indorse on the entire Assessment, a Precept under their Hands in the Form or to the Effect following; (that is to say,)

Copy of the Assessment Roll to be transmitted to the Clerk of the Peace, to be filed.

Assessment to be subdivided, and Precept to be indorsed.

Form of Precept.

‘To A. B. One of the Collectors of Rates in  
 ‘the Town or Parish of \_\_\_\_\_, or to  
 ‘any other Collector of Rates in the  
 ‘Town or Parish of \_\_\_\_\_.

‘You are hereby required forthwith to collect  
 ‘from the several Persons named in the annexed  
 ‘Assessment the Sums set against their Names  
 ‘respectively, under the last Column thereof, inti-  
 ‘tuled, *total assessment*, amounting in the Whole  
 ‘to the Sum of \_\_\_\_\_, and to pay  
 ‘the same when collected into the Hands of \_\_\_\_\_  
 ‘\_\_\_\_\_, County Treasurer (*or Overseer of*  
 ‘*the Poor or otherwise, as the Case may be*).

‘Given under our Hands the \_\_\_\_\_ Day  
 ‘of \_\_\_\_\_, in the Year of our  
 ‘Lord \_\_\_\_\_.’

Appeal may be  
 made, by Per-  
 sons thinking  
 themselves over-  
 rated, to the  
 Sessions, who  
 may relieve.

V. And be it enacted, That any Person thinking himself or herself aggrieved and overrated, may by himself, herself, or by his or her Agent, appeal to the Justices of the Peace at their next general Sessions after Demand made upon such Person for the Amount assessed; and the said Justices shall examine into the Appeal, and if the same shall be supported to their Satisfaction, by the Affidavit or Affidavits of the Party complaining, or of any other Person or Persons in addition thereto, or on his Behalf, give such Relief as they may think just, either by directing the Sum overrated and paid, to be repaid, or that such Person shall be considered, and the Sum so overrated be allowed in any future Assessment of his or her Property or Income, or both.

Assessment  
 made legal al-  
 though it exceed  
 the amount of  
 the Warrant.

VI. ‘And whereas it is difficult in all Cases for  
 ‘the Assessors to apportion the Rate and Assess-  
 ‘ment to be by them made so as to amount to the  
 ‘exact Sum required to be assessed;’ Be it en-  
 ‘acted, That any Assessment made or to be made  
 under and by virtue of this Act shall be deemed  
 legal, although the Sum may exceed the Amount  
 of their Warrant; provided the same be not more  
 than *Ten per Cent.* on the whole Sum. VII.

VII. And be it enacted, That Nothing in this Act shall extend or be construed to extend to any Lands or Funds belonging to any Body Corporate, or to any public Institutions for Religion or Literature, or any Buildings for public Worship, or Property or Funds belonging thereto, or to any religious Society.

Property exempted from Assessment.

## CAP. XXVII.

An Act for regulating the Salmon Fisheries in the County of Gloucester.

*Passed 19th March 1833.*

**WHEREAS** the Laws now in Force for regulating Fisheries have been found insufficient for the Protection of the Fisheries in the County of Gloucester; for Remedy whereof,

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the Thirty third Year of the Reign of His late Majesty King George the Third, intituled *An Act for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province*; and also another Act made and passed in the Thirty fourth Year of the same Reign, intituled *An Act to explain and amend An Act intituled An Act for regulating the Fisheries in the different Rivers, Coves and Creeks of this Province*; and also another Act made and passed in the Thirty ninth Year of the same Reign, intituled *An Act for regulating the Fisheries in the County of Northumberland*; and also an Act made and passed in the Fiftieth Year of the same Reign, intituled *An Act for the further Regulation of the Fisheries, and for preventing their Decay*; and also another Act made and passed in the Sixtieth Year of the same Reign, intituled *An Act to prevent the taking of Fish in the different Harbours and Rivers of this Province with Drift Nets*,

33 G. 3, c. 9,

34 G. 3, c. 3,

39 G. 3, c. 5,

50 G. 3, c. 20,

and 60 G. 3, c. 21, so far as they relate to the County of Gloucester, and

so far as the said several Acts relate to that Part of this Province now known as the County of Gloucester; and also an Act made and passed in the First Year of His present Majesty's Reign, intituled *An Act to authorize the Justices of the Peace of the County of Gloucester to make Rules and Regulations respecting the taking of Fish in the different Harbours, Rivers and Creeks in the said County*, be and the same are hereby repealed.

1 W. 4, c. 11,  
repealed.

Erecting  
Hedges, Weirs  
&c. contrary to  
this Act, or  
placing Seines  
&c. so as to ob-  
struct the Course  
of Salmon.

Penalties and  
Recovery.

Application.

No drift Nets or  
Seines to be  
used.

II. And be it further enacted, That from and after the passing of this Act, if any Person or Persons shall presume to erect or set up any Hedge, Wear, Fish Garth, Net or other Incumbrance in any of the Rivers, Coves or Creeks of the said County of Gloucester, contrary to the Provisions of this Act, or of any Rules and Regulations to be made under the Authority herein after given, or shall place any Seine or Seines, Net or Nets, or other Device, across any River, Cove or Creek in the said County, in such Manner as to obstruct or injure the natural Course of Salmon in any River or Place where they usually go, such Person or Persons shall forfeit and pay the Sum of Ten Pounds, 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 of the said County, to be levied with Costs by Warrant of Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) to such Offender, and Twenty Pounds for the Second Offence, to be recovered with Costs by Action of Debt, Bill, Plaint or Information in any Court of Record in this Province, and Fifty pounds for the Third and every subsequent Offence, to be recovered with Costs in the Manner last mentioned; which Penalties, on Conviction, shall be paid, One Half to the County Treasurer, for the Use of the said County, and the other Half to the Informer.

III. And be it further enacted, That from and after

after the passing of this Act, no Person or Persons shall use any Drift Net or Nets, Seine or Seines, for the taking of any Fish by drifting or sweeping in any of the Harbours, Creeks, Coves or Rivers of the said County of Gloucester, or at the Entrance of any of the said Harbours, Creeks, Coves or Rivers; and any Person so using; or being directly or indirectly concerned in using, any such Drift Net or Nets, Seine or Seines, for the Purposes aforesaid; shall for each and every Offence forfeit and pay the Sum of Ten Pounds, 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 of the said County, to be levied with Costs by Warrant or Distress and Sale of the Offender or Offenders' Goods and Chattels, rendering the Overplus (if any) to such Offender or Offenders; and if on the Trial of the said Offence it shall be proved to the Satisfaction of the said Two Justices, that the said Offender or Offenders is or are not possessed of sufficient Goods and Chattels whereon to levy the said Penalty; and if the said Offender or Offenders on Conviction shall not forthwith pay the same to the Satisfaction of the said Two Justices, then and in such Case it shall and may be lawful for the said Two Justices, and they are hereby directed and empowered, by Mittimus under their Hands and Seals, to commit the said Offender or Offenders to close Confinement in the common Gaol of the said County, or some lawfully established Lock-up-house in the said County, there to remain without Bail or Mainprize, for a Period not less than Ten Days, nor more than Forty Days, unless the said Penalty and Costs shall be sooner paid; which Penalty when received shall be paid, One Half to the County Treasurer for the Use of the said County, and the other Half to the Informer.

Penalty.

Application.

IV. And be it further enacted, That no fishing Stand

Length of Nets  
and Breadth of

T

unincumbered  
Channel in the  
Ristigouche and  
Eel Rivers.

Stand between Bonne Amie Rocks and the First Island above Old Church Point, in the Ristigouche River, shall exceed One hundred and fifty Fathoms of Bar Net, or Twenty Fathoms of Swing Net, and that Fifty Fathoms of Channel shall be left open and unincumbered; and that at and above the said First Island, One Third of the said Rivers shall be left open and unincumbered, which open or unincumbered Spaces shall in all Cases include the main Channel; and that no fishing Stand in Eel River, in the said County, shall exceed Two hundred Fathoms of Bar Net, or Twenty Fathoms of Swing Net; and if any Net or the Pickets for the same, shall be set or put up to extend into either of the said Rivers farther than is hereby directed, the Owner or Owners thereof shall forfeit and pay the sum of Five Pounds for every Day the same may remain so set up; which Fine shall be sued for, levied and appropriated in like Manner as is provided for in the Second Section of this Act.

Penalty.

No Net to remain in any of the Rivers, Coves, &c. after 20th July.

V. And be it further enacted, That no Net shall be allowed to remain set, in any of the Rivers, Coves, Creeks or Harbours of the said County, after the Twentieth Day of July in each and every Year, under a Penalty on the Owner or Owners of such Nets of Ten Pounds for each Day the same may be allowed to remain set after that Time; which Penalty shall be sued for, recovered and applied as is directed in and by the Second Section of this Act.

Penalty.

No Salmon to be killed in the Ristigouche, its Branches, or in Eel River after 15th August.

VI. And be it further enacted, That no Person or Persons whatsoever shall spear or kill Salmon in the River Ristigouche, or any of its Branches, or in Eel River, by any Device or under any Pretence, after the Fifteenth Day of August in each and every Year, under a Penalty of Five Pounds for each and every Salmon so taken; which Penalty shall be recovered with Costs, by the Oath of One or more credible Witness or Witnesses, before

Penalty.



before any One of His Majesty's Justices of the Peace of the said County, to be levied by Warrant of Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) to such Offender or Offenders; and if on the Trial of such Complaint it shall appear to the Satisfaction of such Justice, that the Person or Persons convicted of the said Offence is or are unable to pay the said Penalty, it shall and may be lawful for the said Justice to commit the said Person or Persons to close Confinement in the common Gaol of the said County, or some legally authorized Lock-up-house, there to remain for a Space of Time not less than Five Days nor more than Twenty Days, unless the said Penalty shall be sooner paid; and the said Penalty when received shall be paid over, One Half to the Informer or Informers, and the other Half to the County Treasurer, for the Use of the County.

Application.

VII. And be it further enacted, That no fishing Stand in any of the Rivers, Coves, Creeks or Harbours within the said County, shall be fished at any Time between Sunset on Saturdays and Sunrise on Mondays, under a Penalty of Five Pounds; and all Salmon Pickets shall be drawn or removed previous to the First Day of August in each and every Year, under the like Penalty of Five Pounds; which Penalty shall be recovered, levied and appropriated in like Manner as is provided in and by the Second Section of this Act.

No fishing between Sunset on Saturdays and Sunrise on Mondays.

VIII. And be it further enacted, That His Majesty's Justices of the Peace of the said County of Gloucester, at their General Sessions, shall and may make such Rules and Regulations for the further Protection of the Fisheries, as well of Salmon as of other Fish, in all Rivers, Coves, Creeks and Harbours in the said County, and shall direct and establish Places in the several Rivers, Coves, Creeks and Harbours in the said County

Justices in Sessions to make further Rules for the Protection of the Fisheries.

County at which Nets for the taking of Salmon shall and may be set up, and also shall regulate the Length of such Nets; and they are hereby authorized and empowered to enforce due Obedience to such Rules and Regulations by the Imposition of such Fine, not to exceed Ten Pounds for each Offence, or such Imprisonment not exceeding Twenty Days, as they in their Discretion may see fit: Provided that the said Rules and Regulations so to be made be not contrary to or inconsistent with the Provisions of this Act.

Overseers of the Fisheries to be appointed, and sworn.

IX. And be it further enacted, That the said Justices of the Peace of the said County in their General Sessions may, and they are hereby authorized and required to appoint One or more fit and proper Person or Persons to be Overseers of the Fisheries for each Town, Parish or District in the said County; and such Overseer or Overseers, within Ten Days after his or their Appointment, shall go before the nearest Magistrate and be sworn faithfully to perform the several Duties of the said Office.

Duty of Overseers.

X. And be it further enacted, That it shall be the Duty of the said Overseers respectively to furnish themselves with Copies of this Act, and of the Rules and Regulations of the said Justices to be made under the Authority hereof, and immediately on the Commencement of the Fishing Season in each and every Year, and as often as they or any of them shall deem necessary, or upon Information to be to them or any of them given, to examine the several Rivers, Coves and Creeks in their respective Towns, Parishes or Districts, and if they or any of them shall discover that any of the Provisions of this Act, or of any of the Rules and Regulations to be made by Authority hereof, has been in any Wise contravened, it shall and may be lawful for the said Overseer or Overseers and they are hereby required to take such Measures for immediately preventing the same, and

and prosecuting the Offender and Offenders to Conviction, as the said Overseer or Overseers shall deem necessary.

XI. And be it further enacted, That if any Person or Persons hereafter nominated Overseer or Overseers of the Fisheries in the said County, shall refuse to serve, or having taken upon himself or themselves the said Office of Overseer or Overseers of the Fisheries shall wilfully or knowingly delay, neglect or refuse to perform the Duty by this Act, or by any Rules and Regulations to be made under the Authority hereof, enjoined and required, he or they shall forfeit and pay the Sum of Ten Pounds, to be sued for, recovered and applied in the same Manner as is provided for in and by the Second Section of this Act.

Refusing to serve as, or neglecting to perform the Duty of Overseer.

Penalty.

XII. And be it further enacted, That if any Person or Persons so to be appointed shall refuse to act, or shall die, or leave the said County, it shall and may be lawful for the said Justices or any Two of them to appoint any other Persons *pro Tempore*, to be entitled to the same Immunities, and subject to the same Liabilities, and to act in all Respects as Overseer or Overseers of the Fisheries until the next General Sessions of the Peace of the said County, at which the Justices shall take the said Appointment or Appointments into Consideration, and confirm or annul the same, as they or a Majority of them shall see fit.

Appointment of Overseers *pro Tempore* in case of Vacancy.

XIII. And be it further enacted, That the said Overseers of the Fisheries, at every General Session of the Peace to be holden for the said County, shall exhibit to the Court their respective Accounts of Costs and Charges by them or any of them incurred in the Performance of the several Duties hereby imposed upon them, and shall give Credit for such Monies as they or any of them shall have received on the Conviction of any Offender or Offenders under the Provisions of this Act; and if it shall appear to the Satisfaction of

Ovcrseers to render Accounts of Costs and Charges in Performance of their Duty to the Sessions, who may order further Remuneration.

the

the said Justices, or of a Majority of them, that such Overseer or Overseers is or are entitled to any further Remuneration, it shall and may be lawful for the said Justices or a Majority of them, to order the same to be paid out of the County Treasury.

Present Regulations respecting Fisheries to be in Force until others are made under this Act.

XIV. And be it further enacted, That all Rules and Regulations respecting Fisheries in the several Creeks, Coves, Rivers and Harbours of the said County, made by the said Justices, and now in Operation, by virtue of any Law of this Province, shall be and remain in full Force and Effect until further and other Rules and Regulations shall be made by the said Justices or a Majority of them under the Authority to them given by this Act, any Thing in this Act to the contrary thereof notwithstanding.

Limitation.

XV. And be it further enacted, That this Act shall be in Force and continue for Two Years and no longer.

## CAP. XXVIII.

An Act for the Establishment and Regulation of Boards of Health in the several Counties of this Province.

*Passed 19th March 1833.*

2 W. 4, c. 5.  
(2d Session.)  
repealed.

I. **BE** it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed at the last Session of the General Assembly, intituled *An Act to prevent the spreading of infectious or pestilential Distempers*, be and the same is hereby repealed.

Governor, with Advice of Council, may appoint Boards of Health for Counties or Districts, and alter the same when necessary.

II. And be it enacted, That the Lieutenant Governor or Commander in Chief of this Province, by and with the Advice of His Majesty's Council, shall have full Power and Authority in all Times of public Alarm from, or Dread of the Approach of that awful Disease, the Cholera, or of any other infectious or pestilential Distemper, or of the actual Appearance or Prevalence of any of the said Diseases:

Diseases within this Province, to make, constitute and establish such and so many Boards of Health for the several Counties in this Province, or for particular Districts in the said Counties, to consist of such and so many Persons, being Residents of the said Counties or Districts wherein the said Boards of Health shall be constituted, as the said Lieutenant Governor or Commander in Chief by and with the Advice aforesaid may think proper and suitable, and the said Boards, or any of them, at any Time or Times to dissolve, and new ones to constitute in their Room, and to add to the Numbers of those established, or displace therefrom such and so many of the Members thereof as he may deem to be necessary.

III. And be it enacted, That the Mayor and Recorder shall always form Two of the Members of the Board of Health for the City of Saint John, or such District in the County of Saint John as shall include the said City of Saint John, and the said Mayor, or in his Absence the Recorder, or in the Absence of both, such Person as shall be nominated for that Purpose in the Commission constituting the Board, shall be Chairman thereof; and for the other Counties or Districts in the Province, in the Commissions constituting the said Boards of Health, the Chairman shall be nominated in like Manner; and immediately after the Appointment thereof the several Members shall be sworn to the faithful Discharge of their Duty by and before the several Clerks of the Peace for the said Counties respectively, and shall thereupon sign their Names on the Rolls to be for that Purpose kept in their several Offices: and the said Boards of Health thus constituted and sworn shall respectively meet from Time to Time, and at all Times when necessary, for the Performance of the Duties required by this Act, at the several Court Houses of the said Counties respectively, or at such other Places as they may judge most advisable,

Mayor and Recorder to be Members of the Board of the District including the City of Saint John.

Chairmen of Boards to be nominated in the Commissions.

Members to be sworn.

Boards to meet and manage all Business touching the public Health.

advisable, and then and there, by a Majority of Votes of those present at any appointed Meeting, decide all Questions and manage all Business touching the public Health; and any Five of the said Board, the whole being duly notified, or in any urgent Case, without Notification, shall be a sufficient Number of Members to proceed to Business; and the said Boards, may nominate a Clerk for each of them respectively; and any Orders made by the said Boards respectively, and signed by their Chairman, and countersigned by their Clerks, shall be sufficient to enforce the Power and Authority of the said Boards.

Boards to appoint Clerks.

Orders signed by Chairman and Clerk to enforce Authority.

Quarantine Laws to be enforced by the Boards of Health during their Continuance.

Physicians, Pilots and Constables to execute their Duties under the Boards.

Boards empowered to make Regulations for the Preservation of the public Health.

IV. And be it enacted, That during the Continuance of the said Boards, and until they are respectively dissolved, all the Quarantine Laws heretofore made from Time to Time, or hereafter to be made by the General Assembly, for the City of Saint John, or any other Parts or Places within the Province, shall be enforced by the said respective Boards of Health for the several Districts, and not by any Person or Persons in the said several and respective Quarantine Laws in that Behalf mentioned, save and except Physicians, Pilots, and Constables therein specified, who shall execute their Duties under the said Boards respectively, and under the like Pains and Penalties as therein prescribed in case of Disobedience, any Thing in the said respective Quarantine Laws to the contrary notwithstanding.

V. And be it enacted, That the said Boards respectively shall and may have full Power and Authority, at any and at all Times, to make such Rules and Regulations for the Preservation of the public Health, and the Prevention of infectious, contagious, pestilential and malignant Distempers, with such Penalties and Forfeitures in case of any Breach or Breaches thereof, as they may deem necessary for that Purpose; but such Penalties and Forfeitures shall not in any One Case exceed the Sum of One hundred Pounds. VI.

VI. And be it enacted, That the said Boards respectively shall and may have full Power and Authority either by themselves or their Committees, or other Persons appointed by the said Boards, and any Constable or Constables and Person or Persons acting in their Aid, to enter into and upon all Houses, Buildings, Yards, Inclosures, or Lands not inclosed, within the Bounds of their several and respective Jurisdictions, and remove or cause to be removed therefrom every Thing which may by the said Boards or their Committees, or Persons appointed by them as aforesaid, be considered offensive, noxious, or likely to cause the Spread of any such Diseases or Distempers, or injure the public Health; and the Houses, Buildings, Goods, and Inclosures, or Lands uninclosed, of the Poor or of Persons who will not immediately attend to their Directions, to fumigate, cleanse, and use such other Means for purifying as they shall deem necessary to preserve the Health of the Inhabitants; and the said Boards of Health respectively may cause any Avenue, Street, Alley, or other Passage whatever, to be fenced up, or otherwise inclosed, if they shall think the public Safety requires it, and adopt suitable Measures for preventing all Persons whomsoever from going to any Part of the City, Town, Parish or District so inclosed.

Boards or Persons acting under them may enter Houses &c. and remove any Thing likely to injure the public Health.

Boards may fence up any Street, and prevent Intercourse with District inclosed.

VII. And be it enacted, That the said Boards of Health respectively may in their Discretion prohibit or regulate the internal Intercourse by Land or Water between the Counties or Districts for which they are respectively appointed, and any other Part or Place within the Province, and may direct that all Persons who shall come into the said Counties or Districts contrary to their Prohibitions or Regulations shall be apprehended and conveyed to the Vessel or Place whence they last came, or beyond the Confines of their respective Districts, or, if sick, that they

Boards may regulate Intercourse by Land or Water and adopt Measures to prevent the Spread of Disease.

be conveyed to such Hospital or other Place as the several Boards may appoint; and may adopt prompt Measures to prevent the Spread of any contagious or pestilential Disease, when it shall appear to their Satisfaction that any Person within their Districts is afflicted with a Disease of that Character; and may forbid and prevent all Communication with the House or Family so infected, except by Means of Ministers of the Gospel, Physicians, Nurses, or Messengers to carry the necessary Advice, Medicines and Provisions to the afflicted, and to exercise all such Powers, whenever a contagious or pestilential Disease shall appear in their said several Districts, as in their Judgment the Circumstances of the Case and the public Good shall require.

Vessels or Boats at Wharves may be ordered to the Quarantine Ground, and Persons or Articles landed therefrom may be seized and removed.

VIII. And be it enacted, That the said Boards of Health respectively, whenever in their Judgment the public Health shall require it, may order any Vessel or Boat at the Wharves of any of the Seaport Towns in their Districts, or in any Part of the Waters of such Districts, to the Quarantine Ground, or other Place of Safety, and may require all Persons, Articles, or Things landed or introduced into any of such respective Districts from such Vessel, to be seized and returned on board, or removed to the Quarantine Ground, or other Place of safe Deposit; and in case the Master, Owner, or Consignee of the Vessel cannot be found, or shall refuse or neglect to obey the Order of Removal, the said Boards of Health respectively shall have Power to remove the Vessel at the Expense of such Master, Owner, or Consignee; and no Vessel or Person, or any Goods or Articles so ordered or sent out, shall return or be brought back to or within any Part of the District from which they were sent, without a written Permit from the said respective Boards of Health; and if any Cargo, or Part of a Cargo, or Matter or Thing, within any of the said Districts respectively

Any Cargo dangerous to the public Health



tively shall be found putrid, or dangerous to the public Health, the same may be destroyed or removed; such Removal when ordered shall be to the said Quarantine Ground, or to such other Place as the said Boards for the respective Districts may order.

may be destroyed or removed.

IX. And be it enacted, That the said several Boards of Health shall have full Power and Authority, to hire or build One or more suitable House or Houses in their respective Districts for which they may be appointed, for a public Hospital or Hospitals, for the Reception of such diseased Persons as it may be found necessary to send thereto, and to furnish the same with all Things necessary for the Cure, Comfort, and Convenience of such Persons, and to provide a Physician or Physicians, Nurse or Nurses, and other Persons to attend the sick and diseased therein, and Conveyances or Means to carry such diseased Persons to and from the said Hospital or Hospitals, and Medicines and all other necessary Things for the Purposes aforesaid, and also to provide all proper Means for the Interment of the Dead, under such Regulations as the public Safety may require; and it shall and may be lawful for the said Boards of Health respectively to appoint Committees of any Three Members of each Board, whose particular Duty it shall be to carry into Execution all the Orders of the Board respecting the Matters contained in this Section, and who shall and may sue and be sued jointly, or the Survivors or Survivor of them, for any Contract or Engagement entered into by them, in Fulfilment of their Duties herein before in this Section specified; and in order to defray the Expenses incurred by the said several Boards of Health respectively or their said Committees, in and about the Execution of this Section, or of any Part of this Act, the Lieutenant Governor or Commander in Chief of the Province is hereby authorized and empowered, by and with the

Boards may hire or build Houses for Hospitals, furnish the same, and provide Physicians, Nurses &c.

Committee to execute Orders of the Boards.

Governor in Council may grant a Warrant on the Treasury for Expenses

not exceeding  
£500 to One  
Board, in One  
Year.

the Advice of His Majesty's Council, to grant a Warrant on the Treasurer of the Province for the Payment thereof, so soon as the same shall be ascertained by the said Committees or Boards respectively, and certified by the said Boards to be correct: Provided always, that the said Lieutenant Governor or Commander in Chief shall in no Case grant a Warrant or Warrants for a larger Sum or Sums in the Whole, in any One Year, in favor of any One Board, than the Sum of Five hundred Pounds.

Diseased Per-  
sons not able to  
provide necessa-  
ry Advice, Medi-  
cines &c. may  
be removed to  
public Hospital.

X. And be it enacted, That the said Boards of Health shall have full Power and Authority to remove to the said public Hospital or Hospitals all Persons found within the Districts for which they shall severally be appointed, who shall be afflicted with any such contagious or pestilential Diseases as aforesaid, and who shall not be of sufficient Ability to provide for themselves, or cannot be provided with such necessary Advice, Medicines, Attendance, Food, Lodging, or Clothing as such Diseases may require, and the same Persons to keep there until they are cured, cleansed and purified, and may be safely discharged.

Violating, or  
refusing or ne-  
glecting to obey,  
or opposing Or-  
ders of Boards.

XI. And be it enacted, That whosoever shall violate the Orders or Directions of the said Boards of Health, or either of them, or who shall or may refuse, or wilfully neglect or omit to act in Obedience to or in Conformity with such Orders or Directions, or shall resist, oppose or obstruct the lawful Execution of any such Orders or Directions as aforesaid, or the Members of the said Boards of Health, their Committees or Persons appointed by them, or any Constable or Constables, or other Person or Persons acting in their Aid in the Execution of their Duty, shall for every Offence be deemed guilty of and punishable as for a Misdemeanor, and shall incur and become liable to a Penalty not exceeding One hundred Pounds, and not less than Five Pounds, for every such Offence.

Penalty.

XII.

XII. And be it enacted, That all the Penalties and Forfeitures herein before mentioned, or authorized to be ordained and imposed, may be prosecuted, sued for and recovered in the Supreme Court, or in any of the Inferior Courts of Common Pleas, or in case of any Penalty being for Five Pounds or under, before any Two Justices of the Peace for the said Counties respectively, in this Province, by Action of Debt, Bill, Plaint or Information, by any Three Members of the said Boards of Health respectively to be appointed by the said Boards for that Purpose, who shall prosecute for the same within Forty five Days after the Commission of the Offence, and when recovered shall be paid, after deducting the Costs and Charges of Prosecution, into the Treasury of the Province for the Use and Support of the Government thereof ; and if no Person shall so sue and prosecute within the said Forty five Days, that then the said Penalties and Forfeitures shall be sued for and recovered by Information of His Majesty's Attorney General in the said Supreme Court, and when recovered, to be paid, after deducting the Costs and Charges of Prosecution, into the said Treasury for the Use aforesaid : and all and every Person and Persons who may become liable to pay any such Penalty or Penalties, Forfeiture or Forfeitures, shall and may be arrested and held to Bail, according to the Practice of the said Courts respectively, for such Penalty or Penalties, Forfeiture or Forfeitures, at the Suit of the Persons herein before mentioned and entitled to sue for the same, by virtue of an Order for that Purpose to be obtained under the Hand of any Judge of either of the said Courts, on proper Affidavits being laid before him, satisfactorily establishing the Liability to pay the Penalty or Penalties, Forfeiture or Forfeitures aforesaid, which Order any One of the Judges of the said Courts is hereby authorized to grant ; and in Default of giving

Recovery of  
Fines and For-  
feitures.

giving such Bail, such Person or Persons so as aforesaid ordered to be held to Bail, shall be committed to Prison, or to such other Place as any of the said Boards of Health respectively for any District where the Offender may be taken, may order for the public Safety.

Limitation.

XIII. And be it further enacted, That this Act shall continue and be in Force until the First Day of April in the Year of our Lord One thousand eight hundred and thirty five and no longer.

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### CAP. XXIX.

An Act to amend the Law relative to the Sale of spirituous Liquors by Tavernkeepers and Retailers, within the County of Saint John, and for the more effectual Prevention and Punishment of Drunkenness.

*Passed 19th. March 1833.*

Preamble.

1 W. 4, c. 24.

**WHEREAS** in and by an Act of Assembly made and passed in the First Year of the Reign of His present Majesty, intituled *An Act to regulate Inns, Taverns, and Houses for selling strong or spirituous Liquors, and to repeal all the Laws now in Force relating to the same*, the Justices of the Peace for the City and County of Saint John are authorized and empowered to grant Licences to such and to so many Persons as they in their Discretion shall think fit, to keep a Tavern or Inn, within the County of Saint John, and to receive for each Licence so granted a Sum not exceeding Ten Pounds: And Whereas it is deemed expedient, that the Number of Tavern Licences within the said County of Saint John should be regulated and limited by Law;

Number of Licences to keep Tavern in the County of Saint John limited to Thirty five.

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That the Number of Licences to be granted by the Justices of the Peace of the said City and County of Saint John, to keep a Tavern or Inn within the said County of Saint John, without the Bounds of the said City, shall not in the Whole exceed Thirty five, to be divided and

and apportioned as follows; (that is to say,) a Number not exceeding Twenty five within the Parish of Portland; a number not exceeding Seven within the Parish of Lancaster; and a Number not exceeding Three within the Parish of Saint Martins.

II. And be it further enacted, That no Tavern-keeper, or Innkeeper within the said County of Saint John, shall suffer or allow any Person not being a Member of the Family of such Tavern-keeper or Innkeeper, or living or boarding in the House, to drink any Wine, strong Beer, Ale, Brandy, Rum, or other spirituous Liquor, mixed or unmixed, within the said Tavern or Inn on the Lord's Day, commonly called 'Sunday,' under the Penalty of Two Pounds for each and every Offence, to be recovered, levied and applied as directed in and by the said last mentioned Act.

No Person not a Member of the Family or boarding in the House of the Tavernkeeper to be allowed to drink Wine &c. therein on the Sabbath.

Penalty.

III. And be it further enacted, That the Penalty for selling any Wine, Brandy, Rum, Beer, Ale, or any strong Liquors whatsoever, in any Quantity less than Five Gallons, within the County of Saint John, without Licence, shall be Ten Pounds for each and every Offence, to be recovered, levied and applied as directed in and by the said Act.

Selling Wine, Brandy, &c. in Quantities less than Five Gallons.

IV. And Whereas in and by a certain other Act passed in the said First Year of His Majesty's Reign, intituled *An Act to repeal the Act now in Force against the Profanation of the Lord's Day, commonly called 'Sunday,' and for the Suppression of Immorality, and to make other Provisions in lieu thereof*, every Person convicted of Drunkenness is liable to forfeit and pay a Sum not less than Five Shillings, nor more than Twenty Shillings, at the Discretion of the Justice before whom the said Conviction shall take place: And Whereas it sometimes happens that Persons are found in such a State of Intoxication as to render them incapable of immediately appearing before a Justice, in order to their being

1 W. 4, c. 38.

‘being convicted of the said Offence, and more efficient Regulations are necessary for the Prevention of the said Offence within the County of Saint John;’ Be it therefore further enacted, That any Justice of the Peace of the City and County of Saint John, shall have Power and Authority to commit any Person who may be found in a State of Drunkenness, in any Part of the County of Saint John, to the Custody of any Constable of the Parish wherein the Offender may be found; and that it shall be the Duty of such Constable thereupon to take and detain such drunken Person in his keeping, in some convenient Place, until he becomes sober, and then to take him before the said or some other Justice, who shall thereupon have full Power to examine into such Offence, and to proceed to the Conviction and Punishment of the said Offender, in the Manner directed by the said Act, without any Summons for that Purpose being First served on the said Offender; and if the Place where any Offender shall be so found in a state of Drunkenness be in or within Five Miles of the City of Saint John, the Constable to whose Custody he shall have been so committed may carry him to the common Gaol or House of Correction within the said City of Saint John, in order that he may be there detained, until he is in a proper State to be carried before the Justice; but no Person shall be detained under this Section for any longer Space of Time, than Forty eight Hours before he is carried before a Justice of the Peace as hereby directed.

Persons in a State of Drunkenness may be committed to the Custody of a Constable, detained until sober, and then taken before a Just. ce.

No Person to be detained longer than Forty eight Hours.

Limitation.

V. And be it enacted, That this Act shall continue and be in Force for Three Years from the First Day of April next, and no longer.

## CAP. XXX.

An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy.

Passed 19th March 1833.

**I.** **BE** it enacted by the Lieutenant Governor, Council and Assembly, That the Second Section of an Act made and passed in the Second Year of His Majesty's Reign, intituled *An Act to provide for maintaining Light Houses within the Bay of Fundy*, be and the same is hereby repealed.

2 W. 4, c. 9, s. 2, repealed.

**II.** And be it enacted, That there be and are hereby granted to the King's Most Excellent Majesty, his Heirs and Successors, for the Support of the several Light Houses already erected, or which may hereafter be erected, upon any of the Coasts of the Bay of Fundy, or upon any of the Islands or Rocks in or adjacent thereto, a Duty of Four Pence per Ton for each and every Ton which each and every Vessel shall admeasure agreeably to their Registers, which shall arrive at any Port or Place within the Bay of Fundy, excepting Coasters and fishing Vessels and new Vessels not registered; and for registered Coasters and fishing Vessels as defined and described in and by the Act to which this Act is an Amendment, when under Thirty five Tons, Twelve Shillings *per Annum*; from Thirty five to Fifty Tons, Twenty five Shillings *per Annum*; from Fifty to Seventy five Tons, Thirty Shillings *per Annum*; and for all such Vessels over Seventy five Tons, Thirty five Shillings *per Annum*; Provided always, that Vessels arriving from any Port or Place without the Bay of Fundy shall not be liable to pay the Duties herein imposed more than once, notwithstanding they may in order to complete their Voyages have occasion to visit several Ports or Places within the said Bay; and provided also, that no Ship or Vessel shall be liable to pay the Light Duties herein imposed more than Six Times in any One Year.

Duty imposed on Vessels arriving at any Port within the Bay of Fundy.

Scale.

Duties to be collected and applied as in 2 W. 4, c. 9.

III. And be it enacted, That the several Rates and Duties imposed by this Act shall be levied, collected, paid, received, recovered and applied as directed in and by the Provisions of the Act to which this Act is an Amendment.

## CAP. XXXI.

An Act relating to Parish Schools.

Passed 19th March 1833.

**WHEREAS** the Laws now in force for the Encouragement of Parish Schools in this Province require Amendment;

Three Trustees of Schools for each Parish to be annually appointed by the Sessions.

I. Be it enacted by the Lieutenant Governor, 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 nominate and appoint Three fit Persons to be Trustees of Schools for the several Towns and 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 the Reign of His Majesty King George the Third, intituled *An Act for the Appointment of Town or Parish Officers in the several Counties of this Province*, and of another Act made and passed in the Third Year of the Reign of His late Majesty King George the Fourth, intituled *An Act in addition to an Act, intituled An Act for the Appointment of Town or Parish Officers in the several Counties in this Province*.

To be sworn, and subject to the same Rules &c. as other Parish Officers.

Trustees to divide their Parishes into Districts, and visit

II. And be it enacted, That it shall be the Duty of the said Trustees to divide their respective Parishes into as many School Districts as may from



from Time to Time be found convenient or necessary; and when the Inhabitants of any such District shall provide or build a proper School House for the Use and Purpose of a School, and do, by and with the Consent and Approbation of said Trustees, agree with a Person or Persons duly licensed as by His Majesty's Royal Instructions is directed, to teach in the same Six Months or One Year, such Trustees are hereby required to visit and inspect such School at least Twice during the said Period, and to inquire into the Order, and direct the Discipline and Regulation of such School; and in case such Teacher should refuse or neglect to comply with such Rules and Regulations, or may otherwise be guilty of Misconduct, the said Trustees may in their Discretion discharge and displace any such Teacher: Provided always, that whenever such Trustees may displace any such Teacher, they shall make report thereof, with the Cause of such Dismissal, to the Justices in their next General Sessions, in order that a Statement thereof may be transmitted by such Justices to the Secretary's Office for the Information of the Lieutenant Governor or Commander in Chief of this Province, provided the said Justices shall be of Opinion that there was sufficient Cause for such Dismissal.

III. And be it enacted, That the said Trustees may and they are hereby authorized to admit into any such School such Number of Free Scholars, being Children of indigent Persons, as they may think proper.

IV. And be it enacted, That when any School may have been kept, pursuant to Agreement, by a Person duly licensed and employed as aforesaid, for the Space of Six Months or One Year, to the Satisfaction of such Trustees, in a School House built or provided for that Purpose, and the Inhabitants of the District have subscribed and paid towards the Support of said School, if kept by Agreement

and direct the Discipline of Schools;

May displace Teachers for Misconduct and report to the Sessions.

Trustees may admit Free Scholars.

Trustees to certify Schools to Sessions when kept as herein specified.

Agreement as aforesaid for Six Months, Ten Pounds, or if kept Twelve Months, Twenty Pounds, or have furnished the said Teacher with Washing, Boarding and Lodging during such Period in lieu of such Subscription, or in case of a female Teacher that Five Pounds for a School taught Six months, or Ten Pounds for a School taught Twelve Months have in like Manner been subscribed and paid, or Board, Washing and Lodging found and provided for the Teacher in lieu thereof as aforesaid, that then it shall and may be lawful for such Trustees to make a Certificate thereof in the Form following, viz :

Form of Certificate.

‘ We the Trustees of Schools in and for the Parish of \_\_\_\_\_, in the County of \_\_\_\_\_, do hereby certify to the Court of the General Sessions of the Peace in and for the said County, that in and for the said Parish of \_\_\_\_\_, the following Schools have been established and kept; (that is to say,)

‘ In District Number One a School House has been built or provided for the Use and Purpose of a School, that A. B. a Male (or Female), duly licensed as by His Majesty’s Royal Instructions is directed, has been employed as a Teacher in the same, and has actually taught therein for the Period of \_\_\_\_\_ Months, from the \_\_\_\_\_ Day of \_\_\_\_\_ to \_\_\_\_\_ One thousand eight hundred and thirty \_\_\_\_\_ to our Satisfaction, and that the Inhabitants of such District have subscribed and paid the Sum of \_\_\_\_\_ (or have furnished the said Teacher during the said Period with Board, Washing and Lodging in lieu thereof), towards the Support of the said School.

‘ C. D. } Trustees.  
‘ E. F. }

Justices in Sessions to certify once a year to the Lt. Govern-

V. And be it enacted, That the said Justices at their General Sessions shall and they are hereby required once in each and every Year to certify

tify to His Excellency the Lieutenant Governor or Commander in Chief for the Time being, the Number of Schools kept in the several Parishes of their respective Counties, the Names of the Teachers employed, and the Number of Scholars whether Male or Female taught therein, and the Amount subscribed as aforesaid, agreeably to the Form herein after prescribed; upon which Certificate there shall be allowed and paid towards the Support of such School, a Sum of Money at and after the Rate of Twenty Pounds *per Annum* for each School taught by a Schoolmaster named in such Certificate, (that is to say,) for a School kept Six Months pursuant to Agreement as aforesaid Ten Pounds, and for a School kept One Year Twenty Pounds, and for each School taught by a Schoolmistress for the Term of One Year Ten Pounds, and for Six Months pursuant to Agreement as aforesaid Five Pounds; the same to be drawn from the Treasury of the Province by Warrant from His Excellency the Lieutenant Governor or Commander in Chief for the Time being, in favour of the Trustees of Schools of the respective Parishes mentioned in such Certificates, to be applied toward the Support of said School according to the true Intent and Meaning of this Act: Provided nevertheless, that no larger Sum than One hundred and sixty Pounds shall be paid out of the Treasury of this Province for Schools kept in any Parish in any One Year; and provided that no County in the Province shall be entitled to receive a larger Sum from the Province Treasury in any One Year than would arise from an Average of One hundred and twenty Pounds for each and every Parish in such County; and provided also, that no more than Two Female Schools shall be included in such Certificate for any One Parish in One Year; and provided also, that when the whole Sum allowed for any One Parish pursuant to this Act is not sufficient

nor the Number of Schools, Teachers' Names and Amount subscribed.

Allowances herein specified to be drawn from the Province Treasury for each School.

No larger Sum than £160 to be paid for Schools in any Parish in One Year.

No County to draw more than the Average of £120 for each Parish.

Female Schools limited to Two in a Parish. Trustees to apportion Money among the Schools when

sufficient

Sum allowed for the Parish is not sufficient to give each School the Amount before specified.

ufficient to afford each School the above Allowance, by reason of the great Number of Schools in the Parish, that the Trustees be and are hereby authorized to apportion the whole Sum among all the Schools in the Parish according to the Nature of their respective Claims, whether Male or Female, yearly or half yearly Schools.

VI. And be it enacted, That the Certificate mentioned in the next preceding Section shall be in the Form following; (that is to say,)

Form of Certificate of Sessions.

‘ At a Court of General Sessions of the Peace held at \_\_\_\_\_, in and for the County of \_\_\_\_\_, on the \_\_\_\_\_ Tuesday in \_\_\_\_\_ One thousand eight hundred and thirty \_\_\_\_\_.

‘ Present.

‘ A. B. }  
‘ C. D. } Esquires, Justices.  
‘ E. F. }

‘ The said Court of General Sessions of the Peace do hereby certify to His Excellency the Lieutenant Governor (*or Commander in Chief for the time being*), that in the Parish of \_\_\_\_\_ in the said County, the following Schools have been reported by the Trustees of Schools in said Parish, viz :

‘ In District Number One a School House has been built or provided for the Use and Purpose of a School, that A. B., Master (*or Mistress*), a competent Person duly licensed as by His Majesty’s Royal Instructions is directed, has been employed as a Teacher in the same for the Period of \_\_\_\_\_ Months, from the \_\_\_\_\_ Day of \_\_\_\_\_ One thousand eight hundred and \_\_\_\_\_, and that the Sum of \_\_\_\_\_ Pounds has been subscribed and paid, or the Teacher furnished with Board, Washing and Lodging by the Inhabitants of said District in lieu of such Subscription, toward the Support of said School during said Period.

‘ In

‘ In District Number Two [*here proceed in the same Form, and so on for all other Schools in the Parish*].’

‘ A. B. Clerk.’

VII. And be it 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 their respective Counties for all Monies by them received, disbursed and distributed for their respective Schools, and shall be subject to such Rules and Orders as the said Courts shall from Time to Time make, touching the Funds of the said Schools or the Application thereof.

Trustees to account annually with the Sessions for Monies received and disbursed by them.

VIII. And be it enacted, That all Teachers of Schools in this Province, once every Six Months during the Period they may be employed to teach School, shall render to the Clerks of the Peace in the several and respective Counties, to be laid before the General Sessions, a true and correct Account of the Number of male and female Scholars taught by them respectively, with their Names and Ages; and in Case of the Neglect or Refusal of any Teacher so to do, he shall forfeit all Claim to the Provincial Bounty.

Teachers to render to the Clerks of the Peace semi-annual Statements of the Number, Names and Ages of Scholars, male and female.

IX. And be it enacted, That the Justices of the Peace for the several Counties in this Province, shall once in each and every Year make Return to His Excellency the Lieutenant Governor, or Commander in Chief for the Time being, of the Names of the Teachers employed in their respective Counties, the Number of Children male and female taught in the respective Schools, for the Purpose of being laid before the Legislature.

Justices to make Return to the Lieutenant Governor of the Names of Teachers and Number of Children, to be laid before the Legislature.

X. ‘ And whereas Difficulties have frequently arisen from the School House being the Property of Private Individuals, as built on their Land;’ Be it further enacted, That the Justices of the Peace in their respective Counties, and also the Trustees of Schools in their several Parishes, shall

Justices and Trustees to endeavour to cause School Houses to be built on public Ground.

as much as in them lie endeavour to cause the School Houses to be built on the public Ground of any County, or on Property conveyed to the Justices of the Peace for that Purpose, who are hereby empowered to receive Conveyances of the same, and to hold the same for the Use of such Schools: and that no School House shall be removed from One Part of a Parish to another Part without the Order of the Justices in their General Sessions, to be made, if they should so think fit, upon the Application and with the Consent of the Trustees and Proprietors.

Removal of  
Schools.

4 G. 4, c. 25,

9 & 10 G. 4, c.  
22, and

1 W. 4, c. 30,  
repealed.

Reservation for  
Schools not cer-  
tified, and Trus-  
tees now in Of-  
fice,

XI. And be it enacted, That an Act made and passed in the Fourth Year of the Reign of His late Majesty King George the Fourth, intituled *An Act for the Encouragement of Parish Schools in this Province*; also an Act made and passed in the Ninth and Tenth Years of the said Reign, intituled *An Act in Amendment to the Act for establishing Parish Schools*; also an Act passed in the First Year of His present Majesty's Reign, intituled *An Act to continue the Acts for the Encouragement of Parish Schools in this Province*, be and the same are hereby repealed; saving nevertheless, that all Schools established and in Operation at the Time of passing this Act, which may not be finished nor certified agreeably to the Provisions of the said Acts, shall be kept until the Expiration of the Year contracted or agreed for, and be subject and entitled in all Respects to the same Regulations, Certificate and Encouragement; as if the said Acts had not been repealed; and all Trustees appointed by virtue of said Acts shall continue in their said Offices, and shall have in all Respects the like Powers, Duties and Authority so far as respects the said Schools so in Operation as aforesaid, until the same shall be finished and certified respectively; and also that the Trustees now in Office, under and by virtue of the Provisions of the Acts now in Force, shall

he

be to all Intents and Purposes Trustees to carry into effect the Provisions of this Act, until the making of the annual Appointment of Town or Parish Officers.

XII. And be it further enacted, That this Act shall continue and be in Force until the First Day of April in the Year One thousand eight hundred and thirty six.

Limitation.

### CAP. XXXII.

An Act to prevent Nuisances within the City of Saint John and Parish of Portland in the County of Saint John.

*Passed 19th March 1833.*

1. **BE** it enacted by the Lieutenant Governor, Council and Assembly, That from and after the passing of this Act, if any Hog or Hogs, Swine, Horse or Horses, Ox or Oxen, Sheep, Goat or Goats, Dog or Dogs, shall be found going at large, except under unavoidable Circumstances, within the said City of Saint John, or Parish of Portland, within such bounds as the Justices of the Peace for the City and County of Saint John in their General or Special Sessions may from Time to Time appoint, on any of the Roads, Highways, Streets, Squares or Alleys thereof, the Owner or Owners thereof shall forfeit and pay the Sum of Ten Shillings for each and every Hog or other Animal as aforesaid so found going at large, One Half to the Overseers of the Poor for the said City in case the Offence shall happen there, or to the Overseers of the Poor for the said Parish in case the Offence shall happen there, and One Half to the Informer, to be recovered together with Costs of Prosecution upon Conviction before any One of His Majesty's Justices of the Peace for the said City and County of Saint John, and to be levied of the Goods and Chattels of the Owner or Owners of such Hog or Hogs, or other

No Hogs, Swine, Horses, Oxen, Sheep, Goats, or Dogs, to go at large within such Bounds in the City of Saint John or Parish of Portland as the Justices in Sessions may appoint.

Penalty.

Application.

Recovery.

When Owner is not known Hog Reeve to impound and advertise, and when not claimed to sell.

Animal or Animals as aforesaid; and in case the Owner or Owners of such Hog or Hogs or other Animal or Animals aforesaid shall not be known, then it shall be the Duty of any Hog Reeve or Hog Reeves of the said City or Parish to impound such Hog or Hogs or other Animals as shall be found so going at large; and it shall be the Duty of the Pound Keeper or Pound Keepers of the said City and Parish respectively, upon any Hog or Hogs or other Animals as aforesaid being so impounded, to advertise the same in Three public Places in the said City and Parish respectively; and in case the Owner or Owners of such Hog or Hogs, or other Animal or Animals, shall not within Six Days after such Advertisement being put up as aforesaid pay the said Fine for each Animal so impounded, together with the accustomed Fees and Charges for keeping the same, it shall and may be lawful for the said Pound Keeper to sell such Hog or Hogs or other Animal or Animals as aforesaid at public Auction, and apply the Money arising therefrom towards Payment of the said Fine and Charges, and all other Expenses, and to pay the Overplus (if any) to the Owner or Owners thereof, whenever such Owner or Owners shall appear and demand the same; and in case such Owner or Owners shall not appear and demand the same within Six Months after such Hog or Hogs or other Animal or Animals shall have been so impounded, then the said Overplus shall be paid to the said Overseers of the Poor for the Use of the Poor of the said City or Parish, according to the Place where the Offence shall be committed.

Handsleds &c. of Persons coasting down the hilly Parts of the City, or Parish of Portland, may be seized and destroyed.

II. And be it further enacted, That from and after the passing of this Act, no Person or Persons whosoever shall be permitted to coast or ride down any of the hilly Parts of the said City of Saint John, or such Parts of the Parish of Portland within the County of Saint John as may be prohibited

ed



ed by the Justices of the Peace for the said City and County at any General or Special Sessions, on any Handsled or Sleds, or other Vehicle or Vehicles; and in case any Person or Persons whosoever shall be found coasting on any such Sled or Sleds, Vehicle or Vehicles, down such hilly Parts of the said City or Parish as shall be prohibited by the said Justices as aforesaid, it shall and may be lawful for the Mayor, or any One of the Aldermen, or Assistants of the said City, or any One of the Justices of the Peace for the said City and County, or any Person or Persons to be appointed or authorized by them or either of them, or any Constable of the said City or City and County, to seize, take and destroy the said Sled or Sleds, Vehicle or Vehicles on which such Person or Persons may be found coasting as aforesaid.

III. And be it further enacted, That no Person or Persons whosoever shall sell or expose to sell any bad or unwholesome dead Meats, Poultry or other Provisions, within the said City or County; and in case any such bad or unwholesome dead Meats, Poultry or other Provisions, shall be sold or exposed to Sale as aforesaid, it shall and may be lawful for the said Mayor, or any One of the Aldermen or Assistants of the City aforesaid, within the said City, or any One of the Justices of the Peace for the City and County aforesaid, within the said County, or any Person or Persons to be authorized or appointed by them or either of them, to seize, take and destroy the said bad or unwholesome dead Meats, Poultry or other Provisions aforesaid.

Unwholesome  
dead Meats &c.  
exposed for Sale  
may be seized  
and destroyed.

## CAP. XXXIII.

An Act to explain an Act, intituled *An Act for the more summary Punishment of Persons guilty of maliciously killing, maiming, disfiguring or otherwise injuring Cattle.*

*Passed 19th March 1833.*

Preamble.

10 & 11 G. 4,  
c. 22.

Justices may  
tax and award  
Costs on Con-  
victions had or  
to be had under  
10 & 11 G. 4,  
c. 22.

‘**WHEREAS** Doubts have arisen whether  
‘Persons convicted under the Act made and pas-  
‘sed in the Tenth and Eleventh Years of the  
‘Reign of His late Majesty King George the  
‘Fourth, intituled *An Act for more summary*  
‘*Punishment of Persons guilty of maliciously*  
‘*killing, maiming, disfiguring or otherwise injur-*  
‘*ing Cattle*, are liable for the Costs of Prosecu-  
‘tion; For Remedy whereof,’

Be it declared and enacted by the Lieutenant Governor, Council and Assembly, That in all Cases of Convictions already had or which hereafter may be had before any Justices of the Peace, against any Person, under and by virtue of said Act, it is and shall be lawful for such Justices to tax and award Costs of the Prosecution for such Conviction agreeably to the Scale established by the Act now in Force for the Recovery of small Debts, and to issue Execution therefor together with the Damages assessed by such Justice.

## CAP. XXXIV.

An Act to authorize the Justices of the Peace for the County of Charlotte to assess the Inhabitants of Saint Stephen in the said County for the Purpose therein mentioned.

*Passed 19th March 1833.*

Justices in Ses-  
sion may assess  
the Inhabitants  
of Saint Ste-  
phen not ex-  
ceeding £90 to  
pay Purchase of  
reserved Land  
at Milltown.

**BE** it enacted by the Lieutenant Governor, Council and Assembly, That the Justices of the Peace for the said County, at any General Sessions of the Peace hereafter to be holden, or the major Part of them, be and they are hereby authorized and empowered to make a Rate and Assessment on the Inhabitants of Saint Stephen in the said County of Charlotte, of any Sum not exceeding

exceeding Ninety Pounds, for the Purpose of paying the Purchase Money of the reserved Land at Milltown in the said Parish of Saint Stephen recently sold at public Sale; the said Sum to be assessed, levied, collected and paid in such Proportion and in the same Manner as any other Parish Rates can or may be assessed, levied, collected and paid, under any Act or Acts in Force in this Province for assessing, levying and collecting of Rates in this Province for public Charges.

## CAP. XXXV.

An Act to enable the Chancellor, President and Scholars of King's College at Fredericton in the Province of New Brunswick, to assign a certain Mortgage and mortgaged Premises therein mentioned.

*Passed 19th March 1833.*

**W**HEREAS by a certain Indenture of Mortgage bearing Date the Twenty second Day of August, *Anno Domini* One thousand eight hundred and fifteen, and made between Thomas Wetmore of the County of York and Province of New Brunswick, Esquire, since deceased, of the One Part, and the Governor and Trustees of the late College of New Brunswick of the other Part, it was witnessed that for valuable Consideration therein mentioned the said Thomas Wetmore thereby granted, bargained and sold unto the said Governor and Trustees of the said late College of New Brunswick, and their Successors, all that Messuage and Tract of Land situate, lying and being in the Parish of Kingsclear in the County of York, containing One thousand one hundred and ninety Acres, with the usual Allowance for Roads and Waste, theretofore granted by the Crown by Letters Patent under the Seal of the Province of New Brunswick, bearing Date the Tenth Day of June *Anno Domini* One thousand seven hundred and ninety

Preamble.

Recital of Mortgage, Thomas Wetmore, Esq. to the College of New Brunswick.

‘ ninety one, to the Honorable Edward Winslow,  
 ‘ and by the said Edward Winslow sold and con-  
 ‘ veyed to the said Thomas Wetmore, bounded  
 ‘ Northly on the River Saint John, Easterly by a  
 ‘ Lot granted to one Cornelius Anderson, Wester-  
 ‘ ly partly by Land reserved for the Use of the  
 ‘ Crown and partly by a Lot granted to the late  
 ‘ William Garden, and Southerly by ungranted  
 ‘ Land, together with all Houses, Out houses,  
 ‘ Barns, Fences and Improvements thereon, and  
 ‘ the Appurtenances thereto belonging, and also  
 ‘ all the Estate, Right, Title, Interest, Claim and  
 ‘ Demand whatsoever of the said Thomas Wet-  
 ‘ more, of, in and to the same, to hold the same  
 ‘ unto the said Governor and Trustees of the late  
 ‘ College of New Brunswick and their Successors  
 ‘ to their only proper Use and Behoof forever, sub-  
 ‘ ject nevertheless to a Proviso for Redemption of the  
 ‘ same Premises in the said recited Indenture of  
 ‘ Mortgage contained, upon the Payment by the  
 ‘ said Thomas Wetmore, his Heirs, Executors, Ad-  
 ‘ ministrators or Assigns unto the said Governor and  
 ‘ Trustees of the said late College of New Bruns-  
 ‘ wick or their Successors, of the Sum of Five hun-  
 ‘ dred and twenty Pounds of lawful Money of  
 ‘ New Brunswick, with Interest, One Year after  
 ‘ Date of the said Indenture of Mortgage, accord-  
 ‘ ing to the Condition of a certain Bond or Obl-  
 ‘ gation bearing even Date with the said Mort-  
 ‘ gage, and in the said Mortgage mentioned: And  
 ‘ Whereas by the Operation of an Act of the Gen-  
 ‘ eral Assembly of this Province made and passed  
 ‘ in the Ninth and Tenth Years of the Reign of His  
 ‘ late Majesty King George the Fourth, intituled  
 ‘ *An Act for the Endowment of King’s College at*  
 ‘ *Frederickton in the Province of New Brunswick,*  
 ‘ *and also to make new Provisions for the Estab-*  
 ‘ *lishment and Support of Grammar Schools*  
 ‘ *throughout the Province,* all the Estate, Right,  
 ‘ Title and Interest of, in, and to the said in Part  
 ‘ recited

‘recited Mortgage and mortgaged Premises be-  
 ‘came and is fully vested in the said Chancellor,  
 ‘President and Scholars of King’s College in the  
 ‘Province of New Brunswick aforesaid : And  
 ‘Whereas the said Chancellor, President and  
 ‘Scholars of King’s College at Fredericton in  
 ‘the Province of New Brunswick are desirous  
 ‘of selling and disposing of the said in Part recit-  
 ‘ed Mortgage and mortgaged Premises for the  
 ‘Principal and Interest now due thereon, in order  
 ‘to call in the Monies secured thereby, for the  
 ‘Purpose of assisting in paying off certain Debts  
 ‘now due from the said College;’

Be it enacted by the Lieutenant Governor,  
 Council and Assembly, That the said Chancel-  
 lor, President and Scholars of King’s College at  
 Fredericton, New Brunswick, be and they are here-  
 by fully authorized and empowered to grant, bar-  
 gain, sell, assign, transfer and set over all the  
 Estate, Right, Title, and Interest of them, the  
 said Chancellor, President and Scholars of  
 King’s College in Fredericton, of and into the  
 said in Part recited Indenture of Mortgage, and  
 of, in and to all and singular the Lands, Tene-  
 ments and Hereditaments therein conveyed, or  
 meant, mentioned or intended so to be, unto any  
 Purchaser or Purchasers they may find for the  
 same for the Consideration of the full Principal  
 and Interest due thereon, to hold the same and  
 every Part thereof unto such Purchaser or Purchas-  
 ers, his or their several and respective Heirs, Execu-  
 tors, Administrators and Assigns for ever, in as  
 full, ample and beneficial a Manner to all Intents  
 and Purposes as the said Chancellor, President  
 and Scholars now hold or heretofore have held and  
 enjoyed the same, subject however to the Proviso  
 or Condition of Redemption in the said Indenture  
 reserved and contained.

Corporation of  
 King’s College  
 authorized to  
 assign their In-  
 terest in the re-  
 cited Mortgage  
 and Premises.

## CAP. XXXVI.

An Act to empower the Rector, Church Wardens and Vestry of Christ's Church in the Parish of Fredericton to assign certain Mortgages and mortgaged Premises.

*Passed 19th March 1833.*

Preamble.

Recital of Mortgage from Mark Needham.

WHEREAS by a certain Indenture of Mortgage bearing Date the Thirty first Day of May in the Year of our Lord One thousand eight hundred and twenty eight, and made between Mark Needham of Fredericton aforesaid, Merchant, and Isabel his Wife, of the One Part, and the said Rector, Church Wardens and Vestry of the other Part, after reciting that the said Mark Needham by his Bond or Obligation bearing even Date therewith, stood bound to the said Rector, Church Wardens and Vestry in the penal Sum of Four hundred Pounds of lawful Money, of the Province of New Brunswick, conditioned for the Payment of Two hundred Pounds of like lawful Money, on or before the First Day of May next ensuing the Date thereof, it was witnessed that the said Mark Needham and Isabel his Wife, for the Considerations therein mentioned, did grant, bargain, sell, alien, release and confirm unto the Rector, Church Wardens and Vestry aforesaid, their Successors and Assigns, a certain Lot or Piece of Land in the said Indenture particularly described, and subject nevertheless to a Proviso or Condition of Redemption in the said Indenture contained, that if the said Mark Needham should pay or cause to be paid unto the said Rector, Church Wardens and Vestry, or their Successors or Assigns, on or before the Thirty first Day of May next ensuing the Date of the said Indenture, the Sum of Two hundred Pounds of such lawful Money as aforesaid, with lawful Interest, that the same Indenture and the Bond therein mentioned should cease and determine and become void: And Whereas by a certain other Indenture of Mortgage

Recital of Mortgage from

‘ gage

' gage made and bearing Date the Eighteenth  
 ' Day of June in the Year of our Lord One thou-  
 ' sand eight hundred and twenty eight, between  
 ' Henry Smith of Fredericton aforesaid, Esquire,  
 ' and Hannah Winslow Smith his Wife, of the  
 ' One Part, and the said Rector, Church War-  
 ' dens and Vestry of the other Part, after reciting  
 ' that the said Henry Smith, by his Bond or Oblig-  
 ' ation bearing even Date therewith, stood bound  
 ' to the said Rector, Church Wardens and Vestry  
 ' in the penal Sum of Two hundred Pounds, con-  
 ' ditioned for the Payment of One hundred Pounds  
 ' with lawful Interest on or before the Eighteenth  
 ' Day of June next ensuing the Date of the same  
 ' Indenture, and also reciting that Richard Dib-  
 ' blee of Fredericton aforesaid, Merchant, stood  
 ' bound to the said Rector, Church Wardens and  
 ' Vestry in the penal Sum of Four hundred  
 ' Pounds, conditioned for the Payment of Two  
 ' hundred Pounds with lawful Interest on or be-  
 ' fore the said Eighteenth Day of June then next  
 ' ensuing, it was witnessed that the said Henry  
 ' Smith for the Considerations therein mentioned  
 ' did grant, bargain and sell, alien, release and  
 ' confirm unto the said Rector, Church Wardens  
 ' and Vestry, and their Successors and Assigns,  
 ' certain Lots, Pieces and Tracts of Land in the  
 ' same Indenture particularly described, but sub-  
 ' ject to a Proviso or Condition of Redemption in  
 ' the same Indenture contained, that if the said  
 ' Henry Smith should well and truly pay, or cause  
 ' to be paid, to the said Rector, Church Wardens  
 ' and Vestry, their Successors or Assigns, on or  
 ' before the Eighteenth Day of June next ensuing  
 ' the Date thereof, the Sum of Three hundred  
 ' Pounds with lawful Interest, that the same In-  
 ' denture and every Thing therein contained, and  
 ' the Bonds therein mentioned, should cease, de-  
 ' termine, and become utterly void: And Where-  
 ' as Nathaniel Allen Coster hath agreed with the

Henry Smith,  
Esquire.

‘said Rector, Church Wardens and Vestry for  
 ‘the absolute Sale and Assignment to him of the  
 ‘Lands, Tenements and Hereditaments described  
 ‘and comprised in the above recited Indentures;’

Corporation of  
 Christ's Church  
 in Fredericton  
 authorized to as-  
 sign their Inter-  
 est in the recit-  
 ed Mortgages  
 and Premises to  
 Nathaniel Allen  
 Coster.

Be it therefore enacted by the Lieutenant Go-  
 vernor, Council and Assembly, That the said  
 Rector, Church Wardens and Vestry be and  
 they are hereby fully authorized and empowered to  
 grant, bargain, sell, assign, transfer and set over  
 unto the said Nathaniel Allen Coster, his Heirs,  
 Executors, Administrators and Assigns, all and  
 singular the Lands, Lots, Pieces, Parcels or  
 Tracts of Land, Tenements and Hereditaments,  
 and all and singular the Premises comprised in  
 the said in Part recited Indenture of Mortgage,  
 together with their and every of their Rights, Mem-  
 bers and Appurtenances, and all the Estate,  
 Right, Title and Interest of the said Rector,  
 Church Wardens and Vestry, of, in, to or out of  
 the same, together with the said several Indentures  
 of Mortgage, and the several Bonds therein men-  
 tioned, to hold the same to the said Nathaniel Al-  
 len Coster, his Heirs, Executors, Administrators  
 and Assigns, in as full, ample and beneficial a Man-  
 ner, to all Intents and Purposes, as the said Rec-  
 tor, Church Wardens and Vestry now hold or  
 heretofore have held and enjoyed the same, sub-  
 ject nevertheless to the Proviso or Condition of  
 Redemption in the said several Indentures reserv-  
 ed and contained.



## CAP. XXXVII.

An Act in Addition to and in Amendment of an Act, intituled *An Act to repeal an Act, intituled, An Act for the better Security of the Navigation of certain Harbours in the County of Northumberland, and to make more effectual Provision for the better Security of the Harbours in the Counties of Northumberland, Kent and Gloucester.*

Passed 19th March 1833.

**WHEREAS** by the Law now in Force for Preamble.  
 ' the Security of the Navigation of the Harbours  
 ' and Rivers in the Counties of Northumberland,  
 ' Kent and Gloucester, the Number of Commis-  
 ' sioners of Buoys and Beacons to be appointed to  
 ' any One Port or Harbour in the said Counties  
 ' respectively is not limited: And Whereas there  
 ' is no Provision in the said Laws requiring the  
 ' Commissioners of Beacons and Buoys in the said  
 ' Counties to give Security for the faithful Dis-  
 ' charge of their Duty, and the due Application  
 ' of the Monies coming into their Hands by virtue  
 ' of their said Office: And Whereas there is no  
 ' Provision by the said Laws for regulating the  
 ' Time of putting down and taking up the Buoys  
 ' and Beacons in the respective Harbours and Ri-  
 ' vers in the said Counties, at the opening and  
 ' shutting up of the Navigation; for Remedy  
 ' whereof,'

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That the Second Section of an Act made and passed in the Tenth and Eleventh Years of the Reign of His late Majesty King George the Fourth, intituled *An Act to repeal an Act, intituled, An Act for the better Security of the Navigation of certain Harbours in the County of Northumberland, and to make more effectual Provision for the better Security of the Harbours in the Counties of Northumberland, Kent and Gloucester,* be and the same is hereby repealed.

10 & 11 G. 4,  
c. 16, s. 2, re-  
pealed.

II. And be it enacted, That the Lieutenant Governor or Commander in Chief for the Time be-  
ing

Governor to ap-  
point Commis-

Commissioners of Buoys  
and Beacons.

ing shall and he is hereby authorized and empowered to appoint One or more, not exceeding Three, fit and proper Persons to each Bay, Harbour, Port or River in the said several Counties where Beacons and Buoys are required, Residents of the respective Ports to which he or they shall be appointed, as Commissioner or Commissioners of Buoys and Beacons, whose Duty it shall be to erect, build, rebuild, replace and support in his or their several and respective Bays, Harbours, Rivers and Ports of the said Counties, such a Number of Buoys and Beacons as he or they or the Major Part of them shall think necessary for the Safety and Convenience of the Navigation of the same.

Their Duty.

III. And be it enacted, That such Commissioner or Commissioners on his or their Appointment shall, before he or they shall enter upon the Duties of his or their respective Office, enter into a Bond to His Majesty, His Heirs and Successors, with Two sufficient Sureties to be approved of by the Deputy Treasurer of the Port or Place to which such Commissioner or Commissioners shall be appointed as aforesaid, in the penal Sum of Three hundred Pounds, conditioned for the faithful Performance of such Duties, and for his or their duly accounting for and faithfully applying all such Monies as he or they may receive by virtue of his or their Office, and for the Payment to the Deputy Treasurer of the District of such surplus Monies as may from Time to Time remain in the said Commissioner or Commissioners' Hands, agreeably to the Provisions of an Act made and passed in the Second Year of the Reign of His present Majesty, intituled *An Act to empower the Deputy Treasurer at Miramichi to recover from the Commissioners of Buoys and Beacons for the County of Northumberland the Balance of Monies now remaining in their Hands.*

Commissioners  
to enter into  
Bonds for the  
faithful Perform-  
ance of their  
Duties.

2 W. 4. c. 14.

IV. And be it enacted, That the said Commissioner or Commissioners of Beacons and Buoys of the respective Bays, Harbours, Rivers and Ports in the said Counties shall annually as soon after the opening of the Navigation as practicable cause the necessary Beacons and Buoys to be erected, replaced or put down in the most fit and proper Places for the Protection of the Navigation of the Bays, Rivers and Harbours in the said Counties for which such Commissioner or Commissioners may be respectively appointed; and that the said Commissioner or Commissioners shall not in any Case presume to remove or take up for the Winter any Beacons or Buoys so put down or placed as aforesaid, until the Twentieth Day of November in each and every Year, or so soon after as the said Commissioner or Commissioners or a Majority of them shall deem expedient.

Beacons and Buoys to be annually replaced after the opening of the Navigation, and taken up on or after the Twentieth Day of November.

V. And be it enacted, That this Act shall continue and remain in full Force and Effect so long as the Act of which it is an Addition and an Amendment continues and remains in Force, and no longer.

Limitation.

### CAP. XXXVIII.

An Act to alter the Names of certain Parts of Three Parishes in the County of York, and to erect Two separate Parishes therein.

*Passed 19th March 1833.*

‘**W**HEREAS by the Division of the County of York, and the Erection of the upper Part thereof into the County of Carleton, it is expedient to alter the Names of Parts of the Parishes of Woodstock and Northampton, thereby left in the County of York, and to erect Two separate Parishes therein;’

Preamble.

Be it enacted by the Lieutenant Governor, Council and Assembly, That from and after the

Passing

*Dumfries*  
erected from

Part of Wood-  
stock and Prince  
William ;

Passing of this Act, that Portion of the Town or Parish of Woodstock within the said County of York, and that Part of the Parish of Prince William which lies between the said Portion of the Parish of Woodstock and the lower Lines of Lots Numbers One hundred and forty three and One hundred and forty four, as described in the Prince William Grant, and which bound the upper Line of the Glebe thereto adjoining and reserved in the said Grant, be crected into a separate and distinct Parish, and that the same shall be called, known and distinguished by the Name of *Dumfries*; and that Portion of the said Town or Parish of Northampton, within the said County of York, shall be called, known and distinguished by the Name of *Southampton*; any Law, Usage or Custom. to the contrary notwithstanding.

*Southampton,*  
from Part of  
Northampton.



ANNO PRIMO

GULIELMI QUARTI REGIS.

CAP. L.

An Act for the Division of the County of York into Two Counties, and to provide for the Government and Representation of the new County.

*Passed 31st March 1831.*

**WHEREAS** from the great Extent of the present County of York, it is necessary and expedient that the same be divided into Two Counties;

Preamble:

I. Be it therefore enacted by the President, Council and Assembly, That all that Part of the said County which lies to the Northward and Westward of a Line commencing at the Monument situate at the Source of the Cheputneticook, and running by the true Meridian a due East Course till it strikes Eel River, thence following the several Courses of the said Eel River to its Junction with the River Saint John, thence crossing the said River Saint John, North Forty five Degrees East, till it strikes the Division Line between the County of Northumberland and the said

County of York divided, and Carleton erected, as herein described.

said County of York, be and the same is hereby erected into a County, separate and distinct from the said County of York, and shall be called and known by the Name of the County of *Carleton*; and that the Residue thereof which lies below the boundary Line of the said County of *Carleton*, as is described in this Act, shall comprise the County of York.

Establishment of Courts of Justice, Justices and other Officers in the new County.

II. And be it further enacted, That the like Courts of Justice shall be erected and established, and the like Justices and other Officers be constituted and appointed in the said new County, as are now erected and established, constituted and appointed in the said County of York, and with the like Powers and Authorities.

Terms of the Court of Sessions and Common Pleas.

III. And be it further enacted, That the Courts of General Sessions of the Peace, and Inferior Courts of Common Pleas, shall be holden in the Shire Town of the said new County, Twice in every Year at the Times following, (that is to say,) on the First Tuesdays in January and June, and continue until the Business shall be finished, not exceeding Five Days, and that Two additional Terms of the said Inferior Courts of Common Pleas for the said County shall be holden as follows, (that is to say,) on the First Tuesdays in March and October, and continue until the Business be finished, not exceeding Five Days; at which additional Terms no Jury shall be summoned.

*Woodstock* to be the Shire Town.

IV. And be it further enacted, That the Town of *Woodstock*, in the said County of *Carleton*, shall be forever hereafter the Shire Town of the said County, and that a Court House and a Gaol shall be erected in the said Shire Town, in like Manner, and by such and the like Ways and Means, as such Buildings have been or may be erected in other Counties in the Province, and in such Place within the said Shire Town, above the *Madusnikik* River, as the Governor or Commander

Court House, Gaol and public Offices to be erected there.

mander in Chief for the Time being shall direct; and that all the public Offices in the said new County, shall be kept at the Places so to be directed and determined upon by the Governor or Commander in Chief for the Time being.

V. And be it further enacted, That in the said Shire Town shall be erected and established a Registry of Deeds, Conveyances, Wills, Mortgages, Memorials of Judgment or Recognizances, for the said County, to be managed and executed by a Register, to be constituted in like Manner and under and subject in all Respects to the like Laws, Rules and Regulations as any other Registry in any other County of the Province; and that all Deeds, Conveyances, Wills, Mortgages, Memorials of Judgment or Recognizances, which may affect any Lands, Tenements or Hereditaments in the said County, shall be entered and registered at full Length in the said Registry, provided the same Deeds or other Documents have not been before registered in the said County of York.

A Registry of Deeds &c. established.

VI. And be it further enacted, That the several Parishes of the said County of York, in whole or in part comprised within the said new County, shall continue by their respective Names to be the Parishes of the said new County until altered by the General Assembly; and that the Town or Parish Officers to be hereafter annually appointed for the said new County, shall in all Respects possess the same Powers as the like Officers in any other County: Provided always, that the Powers and Authorities of the present or any other Officers appointed or to be appointed by the Court of General Sessions of the Peace for the said County of York, shall continue until after the First General Session of the Peace shall be holden in and for the said new County.

Powers of Parish Officers to be the same as in other Counties.

VII And be it further enacted, That all Actions now depending, or which hereafter may be brought

Actions in Common Pleas brought before

Commencement of this Act to be determined in the County of York.

Assessments made before the Commencement of this Act to be proceeded in.

Exception.

New County to send One Member to the General Assembly.

Freeholds registered in York to entitle to Votes in the new County.

New County not to be considered as established until the Commissions &c. are issued, and His Majesty's Ap- probation be declared.

brought in the Inferior Court of Common Pleas for the said County of York, before this Act shall go into Operation, shall be there proceeded in and finally determined, although the Parties may reside, or the Causes of Action may have arisen, in the said new County; and that all Rates and Assessments which have been or which hereafter may be made on the Inhabitants of that Part of the said County of York hereby erected into a separate County, before the Commencement of the Operation of this Act, shall be proceeded in, and collected and paid, and the Accounts finally settled, as if this Act had not been made, any Thing herein contained to the contrary notwithstanding: provided always, that no Assessment shall be made upon the Inhabitants of the said new County for the Purpose of erecting a Court House, Gaol or other public Building within the said County of York.

VIII. And be it further enacted, That the said new County shall be entitled to send One Member to serve in the General Assembly of this Province, to be elected by the Freeholders in like Manner, and subject to the like Laws, Rules and Regulations, under which other Members are elected in any other County; and that all such Freeholders whose Title Deeds may have been registered in the County of York before this Act shall go into Operation, shall be entitled to vote, without having their Deeds registered anew in the said new County: provided always, that no Writ shall be issued for the Election of such Member until there shall be a general Election for the Province.

IX. And be it further enacted, That the said new County shall not be deemed to be erected and established until the Commissions shall be issued for erecting the said Courts of Justice, and appointing the several Justices and other Officers for the said new County, and the same shall be notified



notified by Proclamation of the Governor or Commander in Chief for the Time being : provided always, that this Act shall not be in Force until His Majesty's Royal Approbation be thereunto had and declared:

This Act was confirmed and finally enacted by an Order of the King in Council dated 30th May 1832, and published and declared in the Province on 19th September 1832.





ANNO SECUNDO

GULIELMI QUARTI REGIS.

CAP. XXXVI.

An Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants.

*Passed 27th February 1832.*

**W**HEREAS the Practice of landing Passengers and Emigrants from the United Kingdom, who are in a destitute and diseased Condition, has become extremely burthensome, and sometimes dangerous to the Health of the Inhabitants of this Province: And Whereas such Distress and Distress are often occasioned by the Practice of taking on board Ships in the Ports of the United Kingdom more Passengers and Emigrants than can be comfortably accommodated: And Whereas it is just and expedient that the Inhabitants of this Province should be relieved from some of the heavy Burthens thus imposed upon them;

Preamble.

Masters of Vessels arriving from the United Kingdom to pay Five Shillings for each Passenger when the Vessel is sanctioned by His Majesty's Government to take Emigrants to the North American Colonies; and Ten Shillings when not so sanctioned.

I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly, That the Master or Person having charge of any Ship or Vessel which may arrive at any Port or Place in this Province, from any Port or Place in the United Kingdom, with Passengers and Emigrants, shall at the Time of reporting such Ship or Vessel pay to the Treasurer of the Province, or any Deputy Treasurer at the Port or Place where such Ship or Vessel may arrive, the sum of Five Shillings for each and every such Passenger and Emigrant when the Master or Person having charge as aforesaid shall make it appear by a Certificate from the Officers of the Customs at the Port of Clearance in the United Kingdom, that such Ship or Vessel had the Sanction of His Majesty's Government to take out Passengers and Emigrants to the North American Colonies, and when no such Certificate is produced to the said Treasurer or Deputy Treasurer, as the Case may be, then and in such Case the Master or Person having charge of such Ship or Vessel as aforesaid, shall pay to the said Treasurer, or Deputy Treasurer, the Sum of Ten Shillings for each and every Passenger and Emigrant on board such Ship or Vessel; all which Sum or Sums the said Treasurer and Deputy Treasurers respectively are hereby authorized and required to demand and receive: Provided always, that Two Children each being under the Age of Fourteen Years, or Three Children each being under the Age of Seven Years, or One Child being under the Age of Twelve Months with the Mother of such Child, shall in all such Cases be computed as One Person for the Purpose of this Act.

Proviso as to Children.

Separate Accounts to be kept of the Money arising under this Act.

II. And be it further enacted, That the Treasurer of the Province, and Deputy Treasurers respectively, shall keep a separate Account of all Monies received under and by virtue of this Act; which Sums so received shall be applied from  
Time

Time to Time, by Grants of the Legislature, towards relieving destitute and diseased Passengers and Emigrants, and in assisting them to reach their several Places of Destination within the Province, and paid by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the Time being.

Application of Money.

III. And be it further enacted, That upon the Refusal or Neglect of the Master or Person having charge of any Ship or Vessel arriving with Passengers and Emigrants as aforesaid to pay the Sum or Sums for each and every Passenger and Emigrant as aforesaid, it shall and may be lawful to and for the Treasurer or Deputy Treasurer, as the Case may be, to sue for and prosecute the same, before any Two of the Magistrates of the County where the Vessel may be, and on Conviction the said Magistrates shall and may levy the same by Warrant of Distress under their Hands and Seals, directed to any Sheriff, Marshal or Constable at or near the Place where the said Vessel may be, and by Sale, under the said Warrant, of the Guns, Boats, Tackle, Apparel and Furniture of such Ship or Vessel, and the Overplus (if any) of such Distress and Sale, after deducting the Costs, shall be paid to the Master or Person having charge of such Ship or Vessel.

Mode of recovering the Duty in Case of Neglect or Refusal to pay.

IV. And be it further enacted, That this Act shall not be in Force or come into Operation until His Majesty's Royal Assent be First thereunto had and declared.

Act suspended until His Majesty's Approbation be declared.

This Act was confirmed and finally enacted by an Order of the King in Council dated 30th May 1832, and published and declared in the Province on 19th September 1832.