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ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. I.

AN ACT to continue an Act passed in the Ninth Year of the Reign of Her present Majesty, entitled "An Act for granting to Her Majesty certain Duties on Goods, Wares and Merchandise, imported into this Colony and its Dependencies."

[Passed, 22d December, 1848.]

WHEREAS an Act was passed in the Ninth year of the Reign of Her present Majesty, entitled "An Act for granting to Her Majesty certain Duties on Goods, Wares, and Merchandise imported into this Colony and its Dependencies," which, as was therein declared, was to continue and be in force for the period of Eighteen Calendar Months from and after the Fifth day of July, in the Year One Thousand Eight Hundred and Forty-six: And whereas, by an Act passed in the Tenth Year of the Reign of Her Majesty, the said Act was to continue and be in force until the last day of December in the present year One Thousand Eight Hundred and Forty-eight: And whereas it is expedient that the said Act should be continued for a further period:

Preamble.

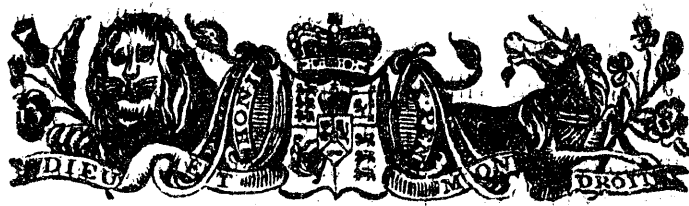
I.—*Be it therefore enacted*, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, that the said first-recited Act, and every clause, matter and thing therein contained, shall be and the same is hereby continued in full force and effect for Twelve Calendar Months from and after the last day of December in this present year One Thousand Eight Hundred and Forty-eight, anything in the said Act to the contrary notwithstanding.

9th Vic. c. 1, continued until 31st December, 1849.

II.—*And be it further enacted*, that this and the said Act may be repealed, altered or amended, by any Act or Acts to be passed in the present Session of the Legislature.

Act may be repealed &c. in this Session.

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ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. II.

AN ACT to Repeal certain Duties of Customs.

[Passed 23d April, 1849.]

WHEREAS by an Act passed in the Session of the Imperial Parliament, holden in the Eighth and Ninth Years of the Reign of Her present Majesty, entitled "An Act to regulate the Trade of British Possessions abroad; certain Duties of Customs set forth in a certain Table in the said Act contained, are imposed upon the Importation into any of the British Possessions in America, or into the Island of Mauritius, of the several articles therein mentioned, not being the growth, produce or manufacture of the United Kingdom, or of the British Possessions therein enumerated, and a certain Duty of Ten Pounds for every One Hundred Pounds of the value thereof, is imposed upon the Importation thereinto of certain Sugar refined in Bond, in the United Kingdom: And whereas by a certain other Act of the Imperial Parliament passed in the Ninth and Tenth Years of Her present Majesty's Reign, entitled "An Act to enable the Legislatures of certain British Possessions to reduce or repeal certain Duties of Customs, reciting among other things as is hereinbefore recited, it was enacted, that if and whenever the Legislature or other proper Legislative Authority of any of the said British Possessions in America or the Mauritius, should make or pass any Act or Ordinance, Acts or Ordinances, reducing or repealing all or any of the said Duties of Customs so imposed as aforesaid by the said first recited Act upon any Articles Imported into such Possession; and if Her Majesty by and with the advice of Her Privy Council should assent to such Act or Ordinance, Acts or Ordinances, such Duties of Customs should upon the Proclamation of such Assent in the Colony or at any time thereafter, which might be fixed by such Act or Ordinance, be so reduced or repealed in such Possession, as if such reduction or repeal had been effected by an Act or Acts of the Imperial Legislature, any thing in any Act to the contrary thereof notwithstanding: And Whereas it is expedient to repeal all the said Duties of Customs so imposed as aforesaid, so far as respects the Importation into this Colony of the Articles chargeable therewith from the time hereinafter mentioned.

Act when to come
in operation.

I.—*Be it therefore enacted*, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, that from and after the Fifth day of July, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty-nine, or in case Her Majesty's Assent hereto shall not then have been signified as hereinafter mentioned, then upon any day thereafter to be named in the Proclamation signifying such Assent, this Act shall come into and be in operation.

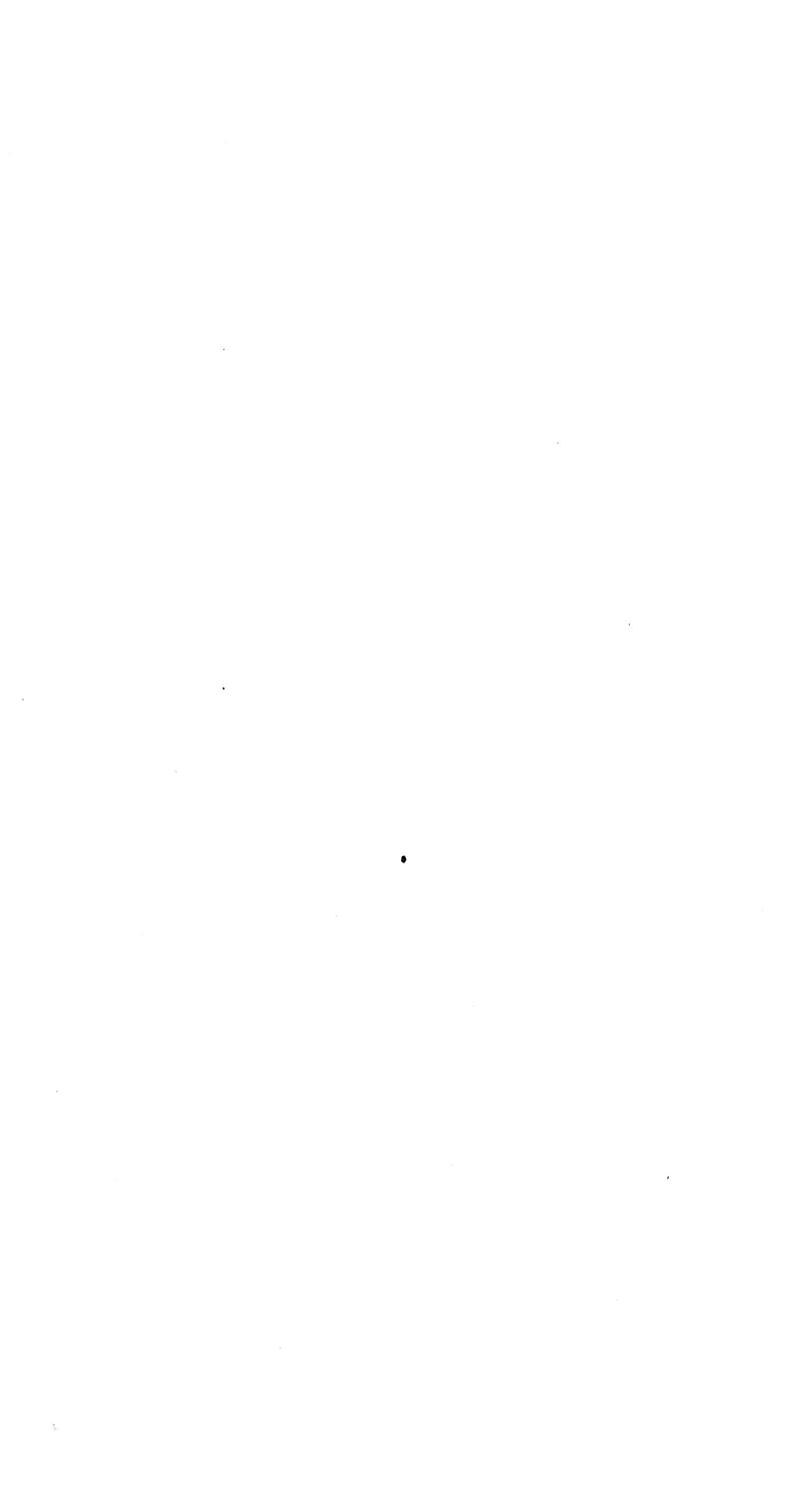
Repeal of Duties
imposed by Act
of Imperial Parli-
ament, 8th & 9th
Vic. cap. 92.

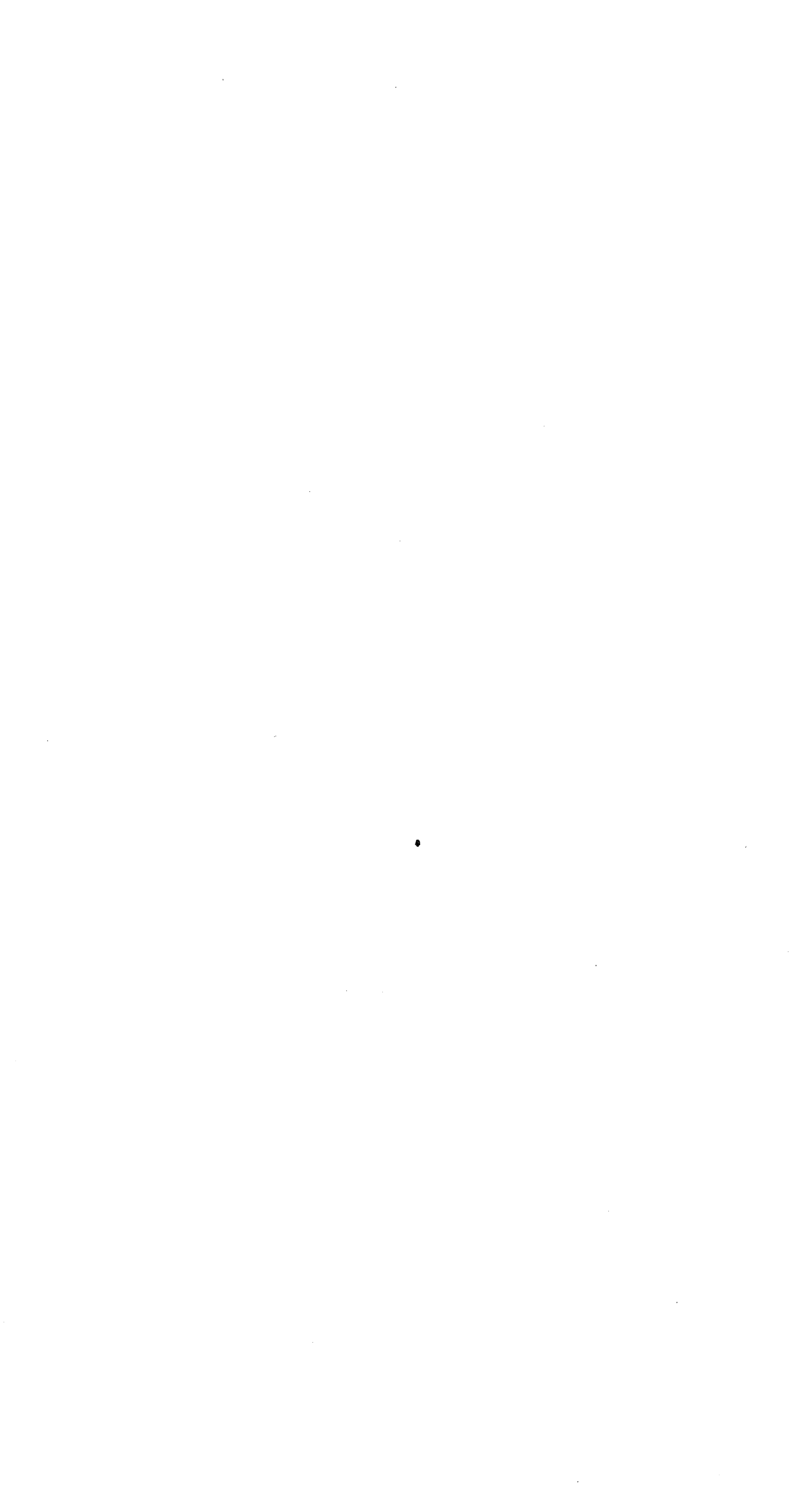
Proviso

II.—*And be it further enacted*, that from and after the day on which this Act shall come into operation, all and singular the said Duties of Customs so imposed by the said first herein-recited Act, so far as respects the levying and collection thereof upon and from any article previously chargeable therewith imported or brought into this Colony, shall be and the same is hereby respectively repealed; and thereafter no Duties of Customs shall be levied or collected upon or from any of the articles in the said Act mentioned, and thereby made chargeable with Duty, as aforesaid: *Provided always*, that the repeal of the said Duties, or any of them, shall not be construed to revive any Duty or Duties of Customs upon the said articles, or any of them, imposed by any Act or Acts of the Imperial Parliament passed previously to the said recited Act of the Eighth and Ninth Years of Her Majesty's Reign.

Time of no force
until after Her
Majesty's Assent.

III.—*And be it further enacted*, that nothing herein contained shall be of any force or effect until Her Majesty, by and with the advice of Her Privy Council shall have assented hereto, and such assent shall have been signified by Proclamation in the *Royal Gazette* of this Colony, nor until a day to be in such Proclamation fixed for the commencement thereof.







ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. III.

AN ACT for granting to Her Majesty certain Duties on Goods, Wares and Merchandise, imported into this Colony and its Dependencies.

[Passed 23d April, 1849.]

MAY IT PLEASE YOUR MAJESTY :—

WE, Your Majesty's most dutiful and loyal Subjects, the Commons of preamble. Newfoundland, in General Assembly convened, towards raising the necessary Revenue to defray Your Majesty's public expenses in this Colony, have freely and voluntarily resolved to give and grant unto Your Majesty the Duties hereinafter mentioned ; and do therefore beseech Your Majesty that it may be enacted, and

Be it therefore enacted, by the Governor, Council, and Assembly, in Duties imposed. Legislative Session convened, that upon, from, and after the day appointed for this Act to come into operation, and during the continuance thereof, and instead and in lieu of all other Duties whatsoever and howsoever denominated (save and except as hereinafter provided), there shall be raised, levied, collected, and paid unto Your Majesty, Your Heirs and Successors, for the use of the Colony and the support of the Government thereof, and other public purposes within the same, for and upon all Goods, Wares, and Merchandise, imported or brought into this Colony on and after the time when this Act shall come into operation, and during the continuance thereof, the several respective Duties inserted, described, and set forth in figures in the Table of Duties hereinafter contained, denominated Table of Duties, opposite to and against the respective Articles in the said Table mentioned, described, and enumerated, and according to the value, number, or quantity, of such article therein specified.

Table of Duties.

TABLE OF DUTIES.

ARTICLES.	DUTIES IN STERLING MONEY.		
	£	s.	d.
Apples, the Barrel	0	1	6
Bacon and Hams, the Cwt.	0	5	0
Beef, salted and cured, the Barrel, not exceeding Two Hundred Pounds	0	2	0
Bread or Biscuit, the Cwt.	0	0	3
Butter, the Cwt.	0	2	0
Cattle, Neat, each	0	5	0
Sheep, Calves, and Pigs, each	0	1	0
Cheese, the Cwt.	0	5	0
Cigars, the Thousand	0	5	0
Cocoa, the Cwt.	0	5	0
Coffee, the Cwt.	0	5	0
“ Imported direct from any British Possession in the West Indies, of which it is the produce or manufacture, or from the United Kingdom, the Cwt.	0	2	6
Coals, the Ton	0	1	0
Fish of Foreign taking or curing, dried or salted, the Cwt.	0	2	0
Flour, the barrel, not exceeding in weight 196 pounds	0	1	6
Horses, Mares, and Geldings, each	0	10	0
Lumber, the Thousand Feet, one inch thick	0	2	6
Molasses, the Gallon	0	0	1½
“ Imported direct from any British Possession in the West Indies, of which it is the produce or manufacture, or from the United Kingdom, the Gallon	0	0	1
Oatmeal or Indian Meal, the Barrel not exceeding in Weight Two Hundred Pounds	0	0	6
Pork, the Barrel not exceeding Two Hundred Pounds Weight	0	3	0
Salt, the Ton	0	0	6
Shingles, the Thousand	0	1	0
Spirits:—			
Brandy, Whiskey, Gin, Cordials, or other Spirits not herein defined or enumerated, and not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater strength, and for any greater or less quantity than a Gallon, the Gallon	0	3	0
Rum, not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater strength and for any greater or less quantity than a Gallon, the Gallon	0	1	0
“ Imported direct from any British Possession in the West Indies, of which it is the Produce or Manufacture, or from the United Kingdom, the Gallon	0	0	6
Sugar, Loaf and Refined, the Cwt.	0	7	6
Bastard, the Cwt.	0	5	0
Unrefined, the Cwt.	0	5	0
“ “ Imported direct from any British Possession in the West Indies, of which it is the Produce or Manufacture, or from the United Kingdom, the Cwt.	0	2	6
Tea, the Pound	0	0	3
Timber, including Balk and Scantling, the Ton	0	1	6
Tobacco, Manufactured and Leaf, the Pound	0	0	2
Tobacco Stems, the Cwt.	0	2	0
Wines, in Bottles, the Gallon	0	3	0
All other Wines, the Gallon	0	2	0

	£	s.	d.	Table of Duties-- continued.	
Clocks and Watches, Furniture manufactured of Wood, Ale, Porter, Beer, Cider, Perry, Oil, Blubber, Furs and Skins, the produce of Creatures living in the Sea	For every £100 of the Value	}	10	0	0
Candles, of all kinds, for every £100 of the Value			7	10	0
Goods, Wares and Merchandise, not otherwise enumerated, described, or charged with Duty in this Act, and not herein exempt from Duty,	For every £100 of the Value	}	5	0	0

EXEMPTIONS.

Table of Exemptions.

Printed Books, Pamphlets, Maps and Charts, Coin and Bullion, Hemp, Flax, and Tow, Lime and Lime Stone, Manure of all kinds, Provisions of every description imported or supplied for Her Majesty's Land or Sea Forces, Rice Feed, Refuse of Rice, Seed of all kinds, Vegetables of all sorts fresh, Mules and Asses.

Provided always, that nothing herein contained shall be construed to repeal, alter, or make void, the Twenty-second Section of a certain Act passed in the Tenth Year of Her present Majesty's Reign, entitled, "An Act to amend an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, entitled 'An Act to regulate the Re-building of the Town of Saint John's, and the Drainage and Sewerage of the same, and to Repeal certain Acts therein mentioned.'"

II.—*And be it further enacted*, that the several Duties hereinbefore imposed and in the said Table or Schedule mentioned, shall be paid by the Importer or Importers of such Articles respectively, and shall be collected and secured by means of and under the Regulations and Penalties, and in the way and manner, provided by any Act or Acts of the General Assembly of this Colony for collecting the Revenues of this Colony.

III.—*And be it further enacted*, that upon the Entry of any Timber, Lumber, or Shingles, subject to Duty by this Act, and which may hereafter be Imported into this Island or its Dependencies, the Master or Commander of the Vessel in which such Timber, Lumber, or Shingles, may be Imported, shall, in case any dispute shall arise as to the quantity thereof, produce to the Collector or other Principal Officer in charge of the Port or District, a Certificate from some one of the Sworn Surveyors of Lumber appointed by Law, of the true Measurement and Contents of such Timber, Lumber, or Shingles, respectively.

IV.—*And be it further enacted*, that the Collector, or other Proper Officer at the Port where any Vessel having on board any Cattle shall arrive, shall, upon the application of the Importer or Importers thereof, permit the immediate landing of the same, provided that at the time of Entry of such Vessel, due Entry of and Payment of the Duties herein imposed upon such Cattle shall be made.

V.—*And be it further enacted*, that all Sums of Money granted or imposed either as Duties, Penalties, or Forfeitures, by this or any Act or Acts of the General Assembly of this Colony, shall be deemed and are hereby declared to be Sterling money of Great Britain, and shall be received and taken in Sterling Money of Great Britain, or in Foreign Coins at such rates as they are now received at in payment of Colonial Duties in this Colony, and that all such Duties shall be paid and received according to Imperial Weights and Measures now by Law established in this Island; and that in all cases where such Duties are imposed according to any specific quantity or any specific value, the same shall be deemed to apply in the same proportion to any greater or less quantity or value.

Duties to be paid
to Treasurer
Quarterly.

VI.—*And be it further enacted*, that all Monies arising from the Duties by this Act imposed shall be remitted and paid by Quarterly payments by the Collector at the Port of Saint John's into the hands of the Treasurer of this Colony, and shall be paid, applied, and appropriated to such purposes, and no other, as are or may be expressed or contained in the several Acts of the General Assembly of this Colony from time to time in force.

Royal Yacht Club
Yachts, exempted
from Local Dues.

VII.—*And be it further enacted*, that all Yachts sailing under Warrant of the Lords of the Admiralty, as belonging to the Royal Yacht Club, shall be exempted, on view of the said Warrant, from the payment of all Local Dues whatever.

Importer may
Warehouse Goods
upon first entry,
under certain
Rules, &c.

VIII.—*And be it further enacted*, that it shall be lawful for the Importer of any Goods subject to the duties hereby imposed, to Warehouse such Goods upon the first Entry thereof, under and according to such Rules, Regulations, and Conditions, as shall be prescribed by any Act of the General Assembly of this Colony, that may be passed concerning the Warehousing of Goods, and without payment of Duty upon such first Entry thereof.

Drawback allowed
on certain Arti-
cles, under cer-
tain regulations.

IX.—*And be it further enacted*, that there shall be allowed on the Exportation from this Island and its Dependencies to the United Kingdom, to any other British Possession, or to any Foreign Port or Place, of any Goods, Wares, or Merchandize, the Import Duties on which were chargeable and paid according to the Tale, Guage, Weight or Measure thereof, a Drawback of the full Duties which shall have been so paid, as aforesaid: *Provided*, that on every such Exportation the Exporter of such Goods, Wares, or Merchandize, shall, before the same shall be laden on board any Ship or Vessel, give Notice, in Writing, of such intended Export, and shall deliver to the Collector or other Principal Officer in charge of the Port or District, an account specifying the several Articles intended to be Exported, their nature, quantity, and quality, and shall annex to the said account an Affidavit that the full Duties on such Goods, Wares, or Merchandize, were paid at the time of the Importation thereof, and setting forth the date of such Importation, the name of the Importing Vessel, of the Master thereof, and of the Place whence such Goods, Wares, or Merchandize, were Imported, which account shall, on the Clearance of such Goods, Wares, or Merchandize, be signed by the Collector, or other Officer, aforesaid; and on the production of a Certificate under the hand of the Collector of Her Majesty's Customs at the Port of Importation in the United Kingdom, or of the Collector of the Duties in such other British Possession, or under the hand and seal of the British Consul or Vice Consul in such Foreign Port or Place, or if there be no Consul or Vice Consul in such Foreign Port or Place, then under the hands and seals of Two well-known Merchants, of the actual and due landing of the several Articles specified in such account aforesaid, at such Port in the United Kingdom, or in such British Possession, or in such Foreign Port or Place, such Exporter shall be entitled to receive the Drawback herein granted: *Provided always*, that no Drawback shall be allowed on any such Goods, Wares, or Merchandize, unless the same shall be Exported in Boats or Vessels exceeding in burthen Forty Tons of registered tonnage, and unless such Drawback shall exceed the amount of Three Pounds on each Article so exported, and be claimed within One Year from the day of shipment aforesaid: *Provided nevertheless*, that the aforesaid Collector, or other proper Officer, may allow a further time for the production of such Certificate, on reasonable cause.

Remuneration to
Officers of Cus-
toms, for Collec-
tion of Duties.

X.—*And be it further enacted*, that there shall be allowed and paid to the Collector at the Port of Saint John's, and other Officers of Her Majesty's Customs, in the said Colony, hereinafter mentioned, and to defray all other expenses of remuneration for the collection of the Colonial Revenue, and charges incidental thereto, the sums set opposite to the names of the

said several Officers for the period during which this Act shall be in operation, viz. :—

- To the Collector at Saint John's, Five Hundred Pounds. Salaries.
 The Landing and Tide Surveyor at Saint John's, Two Hundred and Fifty Pounds.
 Two Landing Waiters at Saint John's, each Two Hundred Pounds.
 First Clerk and Warehouse Keeper at Saint John's, Two Hundred Pounds.
 Second Clerk at Saint John's, One Hundred and Fifty Pounds.
 Two Lockers at Saint John's, each Twenty Pounds, and when employed Three Shillings per diem.
 The Sub-Collector at Lamaline, One Hundred Pounds.
 The Sub-Collector at Fogo, One Hundred Pounds.
 The Sub-Collector at La Poile, One Hundred Pounds.
 The Sub-Collector at Greens Pond, One Hundred Pounds.
 The Sub-Collector at Gaultois, One Hundred Pounds.
 The Preventive Officer at Bay of Bulls, Fifty Pounds.
 The Tide Waiters at Saint John's, Six Hundred and Two Pounds, Nineteen Shillings and Eight Pence.
 The Preventive Boat and Crew, One Hundred and Eighty-six Pounds, Thirteen Shillings and Four Pence.
 Stationery, Printed Forms, Postages, and other Incidental Expenses, Fifty Pounds.

XI.—*And be it further enacted*, that from and after the Fifth day of July, in this Year of Our Lord One Thousand Eight Hundred and Forty-nine, or in case the Act passed during the present Session of the General Assembly, entitled "An Act to Repeal Certain Duties of Customs," shall not previously to the said Fifth day of July have come into operation, then from and after the day when such Act shall come into operation, this Act shall come into and be in operation and shall remain and continue in operation for One Year thence ensuing, and no longer. Act when to come into operation.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. IV.

AN ACT to provide for the Regulation, Management, and Collection, of all Duties Granted to Her Majesty, Her Heirs, or Successors, on Goods, Wares, and Merchandise, imported into this Island and its Dependencies.

[Passed 23d April, 1849.]

WHEREAS it is expedient and necessary that the Officers appointed Preamble. to Collect the Duties now granted or that may hereafter be granted to Her Majesty Her Heirs or Successors, on Goods, Wares and Merchandise, Imported into this Island and its Dependencies, should have full cognizance of all Ships coming into any Port or Place therein, and of all Goods on board, or which may have been on board, such Ship.

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that the Master of every Ship arriving in any Port or Place in this Island or its Dependencies, whether laden or in ballast, shall come directly, and before bulk is broken, to the Office of the Collector of the said Duties, of the Port or District where he arrives, and there make a Report in writing, to the said Collector or other proper Officer, of the arrival and voyage of such Ship, stating her Name and Tonnage, the name of the Master, and the number of the Crew of such Ship, and whether she be laden or in ballast, and if laden, the Marks, Numbers and Contents of every Package and Parcel of Goods on board, and where the same were respectively laden, and where and to whom Consigned, and where any and what Goods, if any, had been unladen during the voyage, as far as any such particulars can be known to him; and the Master shall further answer all such questions concerning the Ship and Cargo, and the Crew and the Voyage, as shall be demanded of him by such Officer; and if Ship and Cargo to be Reported on Arrival. Particulars of Report.

- any Goods be unladen from any Ship before such Report be made, or if the Master fail to make such Report, or make an untrue Report, or do not truly answer to the questions demanded of him, he shall forfeit the sum of One Hundred Pounds; and if any Goods be not Reported, such Goods shall be Forfeited.
- Penalty for false Report.**
- Master to deliver manifest.**
- Particulars of manifest.**
- Goods not manifested forfeited.**
- Officers may board Ships;**
- To have free access to all parts; may seal and secure Goods, and open Locks.**
- Goods concealed forfeited.**
- If Seal &c. be broken, Master to forfeit a sum not exceeding £100.**
- Entry of Goods to be unladen.**
- Forfeiture.**
- Goods subject to ad-valorem Duties.**
- II.—*And be it enacted*, that the Master of every Ship shall, at the time of making such Report, deliver to the said Collector or other proper Officer, a Manifest of the Cargo of such Ship; and every such Manifest shall set forth the Name and Tonnage of the Ship, the Name of the Master, and the Place or Places where the Goods, if any, were respectively taken on board, and of the Place or Places for which they are respectively destined, and shall contain a particular account and description of all the Packages on board, with the Marks and Numbers thereon, and of the sorts of Goods, and of the different kinds of each sort contained therein, to the best of the Master's knowledge and belief; and the particulars of such Goods as are stowed loose; and the names of the respective Consignees, so far as the same can be known to the said Master; and to such particular account shall be subjoined a general Account or Recapitulation in words at length, of the total number of the Packages of each sort, describing the same by their usual names, or by such description as the same can be known by, and the different Goods therein, and also the total quantities of the different Goods stowed loose; and that all Goods not so Manifested shall be Forfeited.
- III.—*And be it enacted*, that it shall be lawful for the Tide Surveyor, or other Proper Officer, to board any such Ship arriving at any Port or Place in this Island or its Dependencies, and freely to stay on board until all the Goods laden therein shall have been duly delivered from the same; and such Officers shall have free access to every part of the Ship; with power to fasten down Hatchways, and to Mark any Goods before landing, and to Lock up, Seal, Mark, or otherwise secure, any Goods on board such Ship; and if any place, or any box or chest be locked, and the keys be withheld, such Officers, if they be of a degree superior to Tidesmen or Boatmen, may open any such place, box or chest, in the best manner in their power, and if any Goods be found concealed on board of any such Ship, they shall be Forfeited; and if the Proper Officer shall place any Lock, Mark, or Seal upon any Goods on board any such Ship, and such Lock, Mark, or Seal, be wilfully opened, altered, or broken, before due delivery of such Goods, or if any such Goods be secretly conveyed away, or if the Hatchways, after having been fastened down by such Officer, be opened, the Master of such Ship shall Forfeit a sum not exceeding One Hundred Pounds.
- IV.—*And be it enacted*, that no Goods shall be unladen from on board any Ship, in any Port or Place in this Island or its Dependencies, until due Entry shall have been made of such Goods, and Warrant granted for the unloading of the same; and that no Goods shall be so unladen, except at some Place at which an Officer is appointed to attend the unloading of Goods, or at some place for which a Sufferance shall be granted by the Collector, or other principal Officer of the Port or District, for the unloading of such Goods; and that no Goods shall be so unladen except in the presence, or with the permission, in writing, of the proper Officer; and that all Goods unladen contrary to the regulations of this Act shall be forfeited.
- V.—*And be it enacted*, that whenever Goods are entered to pay Duty according to the value thereof, such value shall be stated in the Entry, and shall be affirmed by the declaration of the Importer, or his known Agent, written upon the Entry and attested by his signature; and if any person shall make such declaration, not being the Importer or Proprietor of such Goods, nor his Agent duly authorised by him, such person shall forfeit the Sum of One Hundred Pounds; and such declaration shall be

Duplicates of such Bill, in which all Sums and Numbers may be expressed in figures; and the particulars to be contained in such Bill of Entry, shall be Written and arranged in such form and manner, and the number of Duplicates shall be such, as the Collector or other Principal Officer shall require; and such Person shall, at the same time, pay down or otherwise secure all Duties due upon the said Goods; and the Collector, or other Proper Officer, shall thereupon grant his Warrant for the unloading of such Goods.

Entry not to be valid if Goods be not properly described in it.

IX.—*And be it enacted*, that no Entry nor any Warrant for the landing of any Goods or for the taking of any Goods out of any Warehouse, shall be deemed valid, unless the particulars of the Goods and Packages in such Entry shall correspond with the particulars of the Goods and Packages purporting to be the same in the Report and Manifest of the Ship, or in the Certificate, or other Document, where any is required, by which the Importation or Entry of such Goods is authorised, nor unless the Goods shall have been properly described in such Entry by the denominations and with the characters and circumstances according to which such Goods are charged with Duty or may be Imported; and any Goods taken or delivered out of any Ship or out of any Warehouse by virtue of any Entry or Warrant not corresponding or agreeing in all such respects, or not properly describing the same, shall be deemed to be Goods landed, or taken without due Entry thereof, and shall be Forfeited.

Entry by Bill of Sight.

X.—*And be it enacted*, that if the Importer of any Goods shall make and subscribe a Declaration before the Collector, or other Proper Officer, that he cannot, for want of full information, make perfect Entry thereof, it shall be lawful for the Collector, or other Proper Officer, to receive an Entry by Bill of Sight for the Packages or Parcels of such Goods by the best description that can be given, and to grant a Warrant thereupon, in order that the same may be landed and secured to the satisfaction of the Proper Officer, and at the expense of the Importer, and may be seen and examined by such Importer in the presence of the Proper Officers; and within Three Days after the Goods shall have been so landed, the Importer shall make a perfect Entry thereof, and pay down or otherwise secure all Duties due thereon, and in default of such Entry, such Goods shall be secured by the Proper Officer; and if the Importer shall not within One Month after such landing, make perfect Entry of such Goods, and pay down, or otherwise secure the Duties due thereon, together with charges of Removal and Warehouse Rent, such Goods shall be sold for the payment thereof, and the overplus, if any, shall be paid to the Proprietor of the Goods.

Duties to be paid or secured within three days.

Samples may be taken.

XI.—*And be it enacted*, that it shall and may be lawful for the Proper Officers to take such Samples of any Goods as shall be necessary for ascertaining the amount of any Duties payable on the same, and that all such Samples shall be disposed of and accounted for in such manner as the Governor or Officer Administering the Government for the time being, shall, with the advice of Her Majesty's Council, direct.

Bond may be taken for Duties over £25.

XII.—*And be it enacted*, that in cases where the Duty set forth in any Entry shall not amount to Twenty-five Pounds, the Collector or other Proper Officer shall forthwith collect the same before granting his Warrant for the removal of the Articles Imported; and in case such Duty shall amount to Twenty-five Pounds, then such Collector or Officer aforesaid, shall be at liberty to secure the said Duties by taking Bond from the Importer, Owner, or Consignee, to Her Majesty, Her Heirs, and Successors, with two sufficient Securities for the payment thereof, in Four Months from the date of such Bond.

XIII.—*And be it enacted*, that no Goods shall be Imported into this Island and its Dependencies, as being Imported from Places beyond the

Seas, if any advantage attach to such distinction, unless such Goods appear by the Cocket, Clearance, or other proper Document for the same, to have been duly Shipped and Cleared Outwards at the Port of Exportation.

Goods Imported from Places beyond the Seas must appear in Cockets &c. in certain cases.

XIV.—*And be it enacted*, that the surplus Store or Stores remaining unconsumed on board of any Ship arriving from Ports beyond the Seas in this Island or its Dependencies, shall be subject to the same Duties, Restrictions and Regulations as the like sort of Goods shall be subject to when Imported by way of Merchandise: *Provided always*, that if it shall appear to the Collector or Principal Officer in charge of the Port or District where such Ship shall arrive, that the quantity or description of such Stores is not excessive or unsuitable under all the circumstances of the voyage, such Stores, if not landed, shall be Duty Free.

Surplus Stores in certain cases to be treated as Imported by way of Merchandise.

XV.—*And be it enacted*, that every Importer of any Goods shall, within Twenty Days after the arrival of the Importing Ship, make due Entry of such Goods, and land the same; and in default of such Entry and landing, it shall be lawful for the Proper Officers to land and convey such Goods to the Crown's Warehouse; and if the Duties due upon such Goods be not paid within Three Months after such Twenty Days shall have expired, together with all charges of Removal and Warehouse Rent, the same shall be Sold, and the Produce thereof shall be applied, first to the Payment of Freight and Charges, and next of the Duties, and the overplus, if any, shall be paid to the Proprietor of the Goods, or any other Person authorised to receive the same.

If Goods be not Entered in Twenty Days Officers may land and secure them.

Duties not paid within Three Months, Goods to be Sold.

XVI.—*And be it enacted*, that if any Goods, Wares, or Merchandise, which are rated to pay Duty according to the Tale, Weight, Guage, or Measure thereof, shall receive damage during the voyage, an abatement of such Duties shall be allowed in proportion to the damage so received; provided proof be made to the satisfaction of the Officer in charge of the Port or District in which the Vessel importing such Goods, Wares, or Merchandise, shall have arrived, that such damage was received after such Goods, Wares, or Merchandise, were shipped, and before they were landed in this Island or its Dependencies, and that such abatement be claimed at the time of the first examination of such Goods, Wares, or Merchandise.

Duty may be remitted on Damaged Goods.

XVII.—*And be it enacted*, that upon such claim as aforesaid, the Officers appointed to superintend the landing of such Goods, Wares, or Merchandise, shall examine the same with reference to such damage, and shall thereupon state the amount of damage received, and make a proportionate abatement of Duties accordingly: *Provided*, that if such Officers be incompetent to estimate such damage, or if the Importer of such Goods, Wares, or Merchandise, be not satisfied with the abatement made by them, the Collector or other Principal Officer in charge of the Port or District, shall appoint two disinterested Merchants experienced in the nature and value of such Goods, Wares, or Merchandise, to examine the same, and to report, in Writing, the amount of damage so received as aforesaid, and an abatement of Duties shall thereon be made in proportion to the amount of damage thus ascertained.

Amount of Duty to be remitted—how settled.

XVIII.—*And be it enacted*, that whenever and so often as any Goods, Wares, or Merchandise, subject to Duty, shall be Reported for Importation at a Port or Place within this Island or its Dependencies, other than the Port or Place at which the Importing Ship shall first arrive, or for Exportation, such Goods, Wares, or Merchandise, shall be subject and be under, and liable, to all the Rules and Regulations, Forms, and Restrictions, that the like Articles are subject and liable to, when Exported from the Warehouse.

Goods reported for Exportation.

Governor may
appoint Ware-
housing Ports.

And Whereas it is expedient to empower the Governor to constitute and appoint, from time to time, such Ports in this Island and its Dependencies, as occasion may require, to be Warehousing Ports for such Goods as may be legally Imported into such Ports respectively; and it is necessary to make Regulations for the appointing of Proper Warehouses at such Ports, and for the lodging and securing of Goods therein:—

XIX.—*Be it therefore enacted*, that it shall be lawful for the Governor or Officer Administering the Government for the time being, by and with the advice of Her Majesty's Council, to constitute and appoint any Port in this Island or its Dependencies, to be a Warehousing Port for the purposes of this Act; and for the Collector of any Port so constituted and appointed, by notice in Writing under his hand, to appoint from time to time such Warehouses at such Port as shall be approved by him for the Warehousing and securing of Goods therein, and also in such Notice to declare what sort of Goods may be so Warehoused, and also by like Notice to revoke or alter any such appointment or declaration: *Provided always*, that every such Notice shall first be transmitted to the Colonial Secretary, and be published in such manner as the Governor, or Officer Administering the Government for the time being, shall direct.

Goods may be
Warehoused
without payment
of Duty.

XX.—*And be it enacted*, that it shall be lawful for the Importer of any such Goods into the said Ports, to Warehouse the same in the Warehouses so appointed, without payment of any Duty on the first Entry thereof; subject nevertheless to the Rules, Regulations, Restrictions and Conditions hereinafter contained.

Stowage of Goods
in the Warehouse.

Locking &c
Warehouses.

Carrying Goods
to and from Ware-
houses.

XXI.—*And be it enacted*, that all Goods so Warehoused shall be stowed in such parts or divisions of the Warehouse, and in such manner as the Collector aforesaid shall direct, and that the Warehouse shall be locked and secured in such manner, and shall be opened and visited only at such times, and in the presence of such Officers, and under such Rules and Regulations, as the said Collector shall direct; and that all such Goods shall, after being landed upon Importation, be carried to the Warehouse, or shall, after being taken out of the Warehouse for Exportation, be carried and Shipped, under such Rules and Regulations as the Collector of the Port shall direct.

Bond upon Entry
of Goods to be
Warehoused.

XXII.—*And be it enacted* that upon the Entry of any Goods to be Warehoused, the Importer of such Goods, instead of paying down, or otherwise securing the Duties due thereon, shall give Bond, with two sufficient Securities to be approved of by the Collector of the Port, in Treble the Duties payable on such Goods, with condition for the safe depositing of such Goods in the Warehouse mentioned in such Entry, and for the payment of all Duties due upon such Goods, or for the Exportation thereof, according to the first account taken of such Goods upon the landing of the same; and with 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 Entry for Exportation; and with further condition, that the whole of such Goods shall be so cleared from such Warehouse, and the Duties upon any deficiency of the quantity according to such first account, shall be paid within Two Years from the date of the first Entry thereof; and if after such Bond shall have been given, the Goods or any Part thereof shall be sold or disposed of, so that the original Bonder shall be no longer interested in or have any control over the same, it shall be lawful for the said Collector to direct fresh Security to be given by the Bond of the new Proprietor or other Person having control over such Goods, with his sufficient Sureties, and to cancel the Bond given by the original Bonder of such Goods, or to exonerate him to the extent of the fresh security given.

Purchaser of
Goods may give
Bond in lieu of
original Bond.

XXIII.—*And be it enacted*, that if any Goods which have been Entered to be Warehoused shall not be duly carried into 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 and Shipped, or shall afterwards be relanded, except with the permission of the Proper Officer, such Goods shall be Forfeited.

Goods not duly Warehoused &c to be forfeited.

XXIV.—*And be it enacted*, that upon the Entry and Landing of any Goods to be Warehoused, the Proper Officer shall take a particular Account of the same, and shall Mark the Contents on each Package, and shall enter the same in a Book to be kept for that purpose; and no Goods which have been so Warehoused shall be taken or delivered from the Warehouse, except upon due Entry and under the care of the Proper Officer for Exportation, or upon due Entry and payment of Duty for Home Use; and whenever the whole of the Goods Warehoused under any Entry shall be cleared from the Warehouse, or whenever further Time shall be granted for any such Goods to remain Warehoused, an Account shall be made out of the Quantity upon which the Duties have been paid, and of the Quantity Exported, and of the Quantity (to be then ascertained) of the Goods still remaining in the Warehouse, as the case may be, deducting from the whole the quantity contained in any Original Package, if any, which may have been abandoned for Duties; and if upon such Account there shall in either case appear to be any Deficiency of the Original Quantity, the Duty payable upon the Amount of such Deficiency shall then be paid.

Account of Goods to be taken on landing.

XXV.—*And be it enacted*, that it shall be lawful for the Collector of the Port, under such Regulations as he shall see fit, to permit moderate Samples to be taken without Entry of any Goods so Warehoused, and without Payment of Duty, except as the same shall eventually become payable, as on a Deficiency of the Original Quantity.

Samples may be taken.

XXVI.—*And be it enacted*, that it shall be lawful for the Collector of the Port, under such Regulations as he shall see fit, to permit the Proprietor or other Person having control over the Goods so Warehoused, to sort, separate and pack and repack any such Goods, and to make such lawful alterations therein, or Arrangements and Assortments thereof, as may be necessary for the Preservation of such Goods, or in order to the Sale, Shipment, or legal Disposal of the same, and also to permit any Parts of such Goods so separated to be destroyed, without prejudice to the claim for Duty upon the whole Original Quantity of such Goods: *Provided always*, that it shall be lawful for any Person to abandon any Original Package for the Duties, without being liable to any Duty upon the same.

Goods may be sorted and repacked.

Duty due on first quantity.

Original packages may be abandoned for Duty.

XXVII.—*And be it enacted*, that all Goods Warehoused at any Warehousing Port in this Island or its Dependencies, being first duly entered, may be delivered, under the authority of the proper Officer, without payment of Duty, except on any deficiency thereof, for the purpose of removal to another Warehouse Port therein, under Bond, to the satisfaction of such Officer, for the due arrival and re-Warehousing such Goods at such other Port.

Goods Warehoused may be delivered for removal without payment of Duty.

XXVIII.—*And be it enacted*, that all Goods which have been so Warehoused or re-Warehoused shall be duly cleared, either for Exportation or for Home Consumption, within Two Years from the day of the first Entry for the Warehousing thereof; and if any such Goods be not so cleared, it shall be lawful for the Collector of the Port or District to cause the same to be Sold, and the produce shall be applied, first to the payment of the Duties, next of Warehouse Rent and other charges, and the overplus, if any, shall be paid to the Proprietor: *Provided always*, that it shall

All Goods to be cleared within Two Years, or Sold.

Further time may be lawful for the said Collector to grant further time for any such Goods to remain Warehoused, if he shall see fit to do so.

Bond on Entry for Exportation.

XXIX.—*And be it enacted*, that upon the Entry Outwards of any Goods, to be Exported from the Warehouse, the Person Entering the same shall give security by Bond in Treble the Duties of Importation on the quantity of such Goods, with Two sufficient Sureties, to be approved by the Collector of the Port or District, that the same shall be landed at the Place for which they are Entered Outwards, or be otherwise accounted for to the satisfaction of the said Collector.

Carriages, &c used in removing Goods liable to forfeiture, forfeited.

Persons assisting in removal of Goods liable to forfeiture, liable to treble value or £100.

XXX.—*And be it enacted*, that all Vessels, Boats, Carriages, and Cattle, made use of in the removal of any Goods liable to Forfeiture under this Act, shall be Forfeited, and every Person who shall assist, or be otherwise concerned in the Unshipping, Landing, or Removal, or in Harboursing of such Goods, or into whose hands or possession the same shall knowingly come, shall forfeit Treble the value thereof, or the Penalty of One Hundred Pounds, at the election of the Officers appointed, or to be appointed, under this Act; and the Averment in any Information or Libel to be exhibited for the Recovery of such Penalty, that the Officer proceeding has elected to Sue for the Sum mentioned in the Information, shall be deemed sufficient Proof of such election without any other or farther evidence of such fact.

Goods, Vessels, &c. liable to forfeiture, may be seized by Officers.

Obstructing Officers, Penalty £200.

Obstructing Officers by force.

XXXI.—*And be it enacted*, That all Goods, and all Ships, Vessels, and Boats, and all Carriages, and all Cattle, liable to Forfeiture under this Act, shall be and may be seized and secured by any Officer appointed under this Act, or other Person employed for that purpose; and any Person who shall in any way hinder, oppose, molest, or obstruct, any Officer, or any Person employed as aforesaid, in the exercise of his Office or Employment, or any Person acting in his aid or assistance, shall, for every such offence, forfeit the Sum of Two Hundred Pounds; and if any Person shall, by force or violence, assault, resist, oppose, molest, hinder, or obstruct, any Officer appointed under this Act, or other Person employed as aforesaid, in the exercise of his Office or Employment, or any Person acting in his aid or assistance, such Person being convicted thereof, shall be adjudged a Felon, and shall be proceeded against as such, and punished at the discretion of the Court before whom such Person shall be tried.

Officers making Collusive Seizures or taking Bribes, and Persons giving Bribes, subject to Penalties.

XXXII.—*And be it enacted*, that if any Officer appointed under this Act, or any Person duly employed for the prevention of Smuggling, shall make any Collusive Seizure, or deliver up, or make any Agreement to deliver up, or not to Seize, any Vessel, Boat, Carriage, or any Cattle or Goods, liable to Forfeiture under this Act, or shall take any Bribe, Gratuity, Recompense, or Reward, for the neglect or non-performance of his Duty, every such Officer or other Person shall forfeit, for every such Offence, the sum of Five Hundred Pounds; and every Person who shall give, or offer, or promise to give, or procure to be given, any Bribe, Recompense or Reward to, or shall make any collusive Agreement with, any such Officer or Person, as aforesaid, to induce him in any way to neglect his Duty, or to do, conceal, or connive, at any thing whereby the provisions of this Act may be evaded, shall forfeit the Sum of Two Hundred Pounds.

Seized Goods, if unclaimed for a Month, to be condemned and dealt with accordingly.

XXXIII.—*And be it enacted*, that all Vessels, Boats, Goods, and other things which shall be seized as Forfeited under this Act, shall be deemed and taken to be condemned, and may be dealt with in the manner directed by Law in respect of Vessels, Boats, Goods, and other things seized and duly condemned for breach of the provisions of this Act, unless the person from whom such Vessels, Boats, Goods, and other things shall have been seized, or the Owner of them, or some person authorised by him,

shall, within One Calendar Month from the day of seizing the same, give Notice in writing to the Person or Persons seizing the same, or to the Officer in charge of the nearest Port or District, that he claims the said Vessel, Boat, Goods, or other things, or intends to claim them.

XXXIV.—*And be it enacted*, that under the authority of a Writ of Assistance granted by the Supreme Court of Justice or Court of Vice Admiralty having Jurisdiction in this Island and its Dependencies, (who are hereby authorised and required to grant such Writ of Assistance, upon application made to them for that purpose by the Principal Officer appointed under this Act,) it shall be lawful for any Officer appointed under this Act, taking with him a Peace Officer, to enter any Building or other Place in the Day-time, and to search for, and seize, and secure, any Goods liable to Forfeiture under this Act, and, in case of necessity, to break open any Doors, and any Chests or other Packages, for that purpose; and such Writ of Assistance, when issued, shall be deemed to be in force during the whole of the Reign in which the same shall have been granted, and for Twelve Months from the conclusion of such Reign.

Writ of Assistance to search for Goods liable to Forfeiture.

XXXV.—*And be it enacted*, that all Vessels, Boats, Goods, and other Things, which shall be Seized as liable to Forfeiture under this Act, shall be forthwith delivered into the custody of the Officer in charge of the Port where the same shall have been Seized; and such Officer, after condemnation of such Vessels, Boats, and other Things, shall cause them to be Sold by Public Auction to the Highest Bidder: *Provided always*, that it shall be lawful for the Governor, or Officer Administering the Government for the time being, of this Island and its Dependencies, by and with the advice of Her Majesty's Council, to order such Vessels, Boats, Goods and other Things, or the Proceeds of such Sale, to be restored in such manner and upon such conditions as he shall, by and with the advice of Her Majesty's Council, think fit to direct.

Goods seized to be delivered to, and secured by, Officer in charge of nearest Port or District.

XXXVI.—*And be it enacted*, that all Penalties and Forfeitures incurred, and Monies granted, under this Act, shall be deemed and are hereby declared to be Sterling Money of Great Britain, and shall and may be prosecuted, sued for, and recovered in any Court of Record, or of Vice Admiralty, having Jurisdiction in this Island and its Dependencies.

Jurisdiction for Prosecution of Seizure and Penalties.

XXXVII.—*And be it enacted*, that no Suit shall be commenced for the recovery of any Penalty or Forfeiture under this Act except in the name of the Principal Officer appointed under this Act, or in the Name of Her Majesty's Attorney-General for this Island and its Dependencies.

Suits to be commenced in name of Officers.

XXXVIII.—*And be it enacted*, that if any Goods shall be seized for non-payment of the Duties due thereon, or any other cause of Forfeiture, and any dispute shall arise whether the Duties have been paid on the same or whether the same have been lawfully Imported, the Proof thereof shall lie on the Owner or Claimant of such Goods, and not on the Officer by whom the same shall have been Detained or Seized.

Onus Probandi to lie on Party.

XXXIX.—*And be it enacted*, that no Claim to any Thing Seized under this Act, and returned into any of Her Majesty's Courts for Adjudication, shall be admitted, unless such Claim be entered in the Name of the Owner, with his Residence and Occupation, nor unless Oath to the Property in such Thing be made by the Owner or by his Attorney or Agent by whom such claim shall be entered, to the best of his Knowledge and Belief; and any Person making a false Oath thereto, shall be deemed guilty of a Misdemeanor, and shall be liable to the Pains and Penalties to which such Persons are liable to for a Misdemeanor.

Claim to Things seized to be entered in the name of the owner.

XL.—*And be it enacted*, that no Person shall be admitted to enter a Claim to any thing Seized in pursuance of this Act, until sufficient Security shall be given in the Court where such Seizure is prosecuted, in a Penalty not exceeding Sixty Pounds, to answer and pay the Costs occa-

No person to be admitted to enter claim for any thing seized unless security be first given.

sioned by such Claim; and in default of giving such Security such Things shall be adjudged to be Forfeited and Condemned.

A month's notice to be given to officers.

XLI.—*And be it enacted,* that no Writ shall be sued out against, nor a Copy of any Process served upon, any Officer appointed under this Act, or other Person as aforesaid, for anything done in the exercise of his Office, until One Calendar Month after Notice in writing shall have been delivered to him, or left at his usual place of abode, by the Attorney or Agent of the Party who intends to sue out such Writ or Process, in which Notice shall be clearly and explicitly contained the cause of the Action, the Name and Place of Abode of the Person who is to bring such Action, and the Name and Place of Abode of the Attorney or Agent; and no Evidence of the Cause of such Action shall be produced, except of such as shall be contained in such Notice; and no Verdict shall be given for the Plaintiff unless he shall prove on the Trial that such Notice was given; and in default of such Proof the Defendant shall receive in such Action a Verdict and Costs.

Actions to be brought within Three Months of the cause of them.

XLII.—*And be it enacted,* that every such Action shall be brought within Three Calendar Months after the cause thereof, and shall be laid and tried in the Place or District where the facts were committed; and the Defendant may plead the general issue, and give the special matter in Evidence; and if the Plaintiff shall become nonsuited, or shall discontinue the Action, or if upon a Verdict or Demurrer, Judgment shall be given against the Plaintiff, the Defendant shall receive Treble Costs, and have such Remedy for the same as any Defendant can have in other cases where Costs are given by Law.

Judge may certify probable cause of Seizure.

XLIII.—*And be it enacted,* that in case any Information or Suit shall be brought to Trial, on account of any Seizure made under this Act, and a Verdict shall be found for the Claimant thereof, and the Judge or Court before whom the cause shall have been tried, shall certify on the Record that there was probable cause of Seizure, the Claimant shall not be entitled to any Costs of Suit, nor shall the person who made such Seizure be liable to any Action, Indictment, or other Suit or Prosecution, on account of such Seizure; and if any Action, Indictment, or other Suit or Prosecution, shall be brought to Trial against any Person on account of such Seizure, wherein a Verdict shall be given against the Defendant, the Plaintiff, besides the things seized, or the value thereof, shall not be entitled to more than Two Pence Damages, nor to any Costs of Suit, nor shall the Defendant in such Prosecution be fined more than One Shilling.

Officer may tender amends.

XLIV.—*And be it enacted,* that it shall be lawful for such Officer, within One Calendar Month after such Notice, to tender amends to the Party complaining, or his Agent, and to plead such tender in bar to any Action, together with other Pleas; and if the Jury shall find the amends sufficient, they shall give a Verdict for the Defendant; and in such case, or in case the Plaintiff shall become non-suited, or shall discontinue his Action, or Judgment shall be given for the Defendant, upon Demurrer, then such Defendant shall be entitled to the like Costs as he would have been entitled to in case he had pleaded the general issue only: *Provided always,* that it shall be lawful for such Defendant, by leave of the Court where such Action shall be brought, at any time before issue joined, to pay Money into Court, as in other Actions.

Judge may certify probable cause of Action.

XLV.—*And be it enacted,* that in any such Action, if the Judge, or Court before whom such Action shall be tried, shall certify upon the Record that the Defendant or Defendants in such Action acted upon probable cause, then the Plaintiff in such Action shall not be entitled to more than Two Pence Damages, nor to any Costs of Suit.

Recovery and application of penalties.

XLVI.—*And be it enacted,* that all Penalties and Forfeitures recovered under this Act shall be paid into the hands of the Collector of the Port of

Saint John's, and shall be divided, paid and applied as follows, that is to say : after deducting the Charges of Prosecution and Sale, and the amount of Duty from the produce thereof, One Moiety of the net produce shall be paid by the said Collector to the Person who shall Inform for the same, and the other Moiety to the Officer who shall Seize and Sue for the same ; *Provided* that when the said Officer who shall so Seize and Sue for the same, shall also be the Informer, he shall be entitled to and paid the full Net Produce.

XLVII.—*And be it enacted*, that all Actions or Suits for the recovery of any of the Penalties or Forfeitures imposed by this Act, may be commenced or prosecuted at any time within Three Years after the Offence committed by reason whereof such Penalty or Forfeiture shall be incurred ; any Law, Usage, or Custom, to the contrary thereof notwithstanding.

And Whereas it is expedient and necessary to provide for the due Collection, Safe Keeping and Management of the Duties granted to Her Majesty, Her Heirs and Successors, as aforesaid, and for the appointment of Proper Persons to give effect to the several provisions of this Act :

XLVIII.—*Be it therefore enacted*, that it shall be lawful for the Governor, or Officer Administering the Government for the time being, to appoint Proper Persons to execute the duties of the several Offices necessary to the due Collection and Management of the Revenue now levied, or which may hereafter be levied, on Goods, Wares, and Merchandise, Imported into this Island and its Dependencies, that is to say :—

The Collector	Saint John's,
Landing and Tide Surveyor	“
Two Landing Waiters	“
First Clerk and Warehouse Keeper	“
Second Clerk	“
Two Lockers	“
Sub-Collector at Lamaline,	
“ Fogo,	
“ Lapoile,	
“ Greenspond,	
“ Galtois,	
Preventive Officer at Bay of Bulls,	
Tide Waiters,	
Boat and Hands.	

XLIX.—*And be it enacted*, that it shall be lawful for the Governor, or Officer Administering the Government for the time being, by and with the advice of Her Majesty's Council, to appoint, from time to time, such Additional or Extra Officers as shall, in consequence of the Repeal of Imperial Duties, be necessary for the due Security and Collection of the Revenue, and to grant to such Additional or Extra Officers so appointed such Salaries or Allowances as may be deemed reasonable : *Provided always*, that no Salary or Allowance so granted shall exceed in amount the Salary or Allowance payable to the like Officer : *Provided also*, that a Copy or Copies of the Warrant or Warrants appointing such Extra or Additional Officer or Officers shall be laid before the Legislature, if then in Session, or if not then in Session, then within One Month from the commencement of its next following Session.

L.—*And be it enacted*, that if any Officer, Clerk or other Person, acting in any Office or Employment under this Act, shall take or receive any Fee, Perquisite, Gratuity or Reward, whether Pecuniary or of any other sort or description whatever, directly or indirectly, from any Person (not

being a Person duly appointed to some Office under this Act) on account of any thing done or to be done by him in or in anywise relating to his said Office or Employment, except such as he shall receive under any order or permission of the Governor or Officer Administering for the time being the Government of this Island and its Dependencies, any such Officer so offending shall, on proof thereof to the Governor, or Officer Administering the Government, be dismissed from his Office; and if any Person (not being a Person duly appointed to some Office under this Act) shall Give, Offer, or Promise to Give, any such Fee, Perquisite, Gratuity or Reward, such Person, for every such Offence, shall Forfeit the Sum of One Hundred Pounds.

Declaration on admission to Office.

LI.—*And be it enacted*, that every Person who shall be appointed to any Office or Employment under this Act shall, at their respective admission thereto, make the following declaration, that is to say,—“I, A. B., do declare that I will be true and faithful in the Execution, to the best of my knowledge and power, of the Trust committed to my Charge and Inspection; and that I will not require, take or receive, any Fee, Perquisite, Gratuity or Reward, whether Pecuniary or of any sort or description whatever, either directly or indirectly, for any Service, Act, Duty, Matter or Thing, done or performed, or to be done or performed, in the Execution or Discharge of any of the duties of my Office or Employment, on any account whatever, other than my Salary, and what is or shall be allowed me by Law, or by any Special Order of the Governor or Officer Administering the Government of this Island and its Dependencies.”

Officers to give security by bond.

LII.—*And be it enacted*, that the several Officers appointed as aforesaid, shall enter into, and they are hereby required to give, such Security by Bond, to Her Majesty, Her Heirs and Successors, with Two sufficient Sureties, for the due Collection and Safe Keeping of such Public Monies as may come into their Hands, and for their good conduct in their respective Offices and Employments, as the Governor or Officer Administering the Government for the time being, shall, by and with the advice of Her Majesty's Council, deem reasonable and necessary.

Officers not liable to serve Parochial and other local Offices.

LIII.—*And be it enacted*, that no Person appointed to any Office or Employment under this Act, shall, during the time of his Acting in such Office or Employment, be compelled to serve in any Corporate or Parochial or other Public Office or Employment, or to serve on any Jury or Inquest; any Law, Usage, or Custom, to the contrary thereof notwithstanding.

Holidays.

LIV.—*And be it enacted*, that no Day shall be kept as a Public Holiday by the Officers appointed under this Act, except Christmas Day and Good Friday in every year, and any Days appointed by the Governor or Officer Administering the Government for the time being of this Island and its Dependencies, by Proclamation, for the purpose of a General Fast, or General Thanksgiving, and also such days as shall have been or shall hereafter be appointed for the Celebration of the Birth-days of Her Majesty and of Her Successors.

Governor to appoint board to audit the accounts of Collectors.

LV.—*And be it enacted*, that it shall be lawful for the Governor or Officer Administering the Government for the time being, to nominate One Member of Her Majesty's Council, and Two Members of the House of Assembly, who shall constitute a Board of Audit, and who shall have power to Audit the Accounts of the Collectors appointed under this Act, and finally to settle and close the Accounts of such Collectors: *Provided always*, that such Accounts so Audited, shall be laid before the Legislature in each Session, within One Month from the commencement thereof.

Proviso.

LVI.—*And be it enacted*, that wherever the several Terms or Expressions following, occur in this Act or in any Act of the General Assembly

of this Island, the same shall be construed respectively in the manner hereinafter directed; that is to say, the term "Collector" or terms "Collector or Sub-Collectors of Her Majesty's Customs," shall be construed to mean the Principal or other Proper Officer appointed under this Act; that the Term "Ship" shall be construed to mean "Ship or Vessel" generally; that the Term "Master" of any Ship, shall be construed to mean the Person having or taking charge of such Ship; that the Term "Her Majesty" shall be construed to mean "Her Majesty, Her Heirs and Successors;" and that the Term "Warehouse" shall be construed to mean any place, whether House, Shed, Yard, Timber Pond, or other place, in which Goods, entered to be Warehoused, may be Lodged, Kept, and Secured.

LVII.—*And be it enacted*, that from and after the Fifth Day of July, in this Year of Our Lord One Thousand Eight Hundred and Forty Nine, or in case the Act passed during the present Session of the General Assembly, entitled "An Act to Repeal certain Duties of Customs," shall not, previously to the said Fifth Day of July, have come into operation, then from and after the Day when such Act shall have come into operation, this Act shall come into and be in operation.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. V.

AN ACT to Regulate the Importation of Books into this Colony, and to Protect the British Author.

[Passed 23d April, 1849.]

WHEREAS it is expedient to Regulate the Importation, into this Colony, of Books entitled to the Law of Copyright in Great Britain, and to protect the British Author : Preamble.

Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, that from and after the time when this Act shall go into operation it shall be lawful to Import all Books, of whatsoever nature or kind, and from whatever Country the same shall be Imported, save and except the Books first Composed, Written, or Published, in Great Britain, and protected by the Laws of Copyright passed by the Imperial Parliament, now in force, and as hereafter provided ; and that the same shall be admitted Free of Duty into this Colony. Books, except Reprints of British Works protected by Imperial Copyright Laws, to be duty free.

II.—*And be it enacted*, that upon the Importation of any Reprint of any Book or Review, Bound or in Covers, of whatsoever nature or kind the same may be, first Composed, Written, or Published, in the United Kingdom of Great Britain and Ireland, and protected, at the time of Importation, by the Acts of the Imperial Parliament to enforce the Law of Copyright, whether Imported from the United States or other Foreign Countries, there shall be paid an ad valorem Duty, upon the bona fide price of such Reprints, of Twenty per cent. : *Provided always*, that such Duties shall not be paid on Newspapers, or other regular Periodicals, containing Extracts only from such Books or Reviews, as aforesaid : And after Collection of the proper Duties the same shall be paid over to the Author or Authors of the said Book or Books, Review or Reviews, or to the Proprietor or Proprietors of the said Copyright or Copyrights, in such manner and by such means as Her Majesty shall be pleased to direct : *Provided* Reprints of Books protected by Copyright Laws to pay an ad valorem duty of £20 per cent.
Not to apply to Periodicals containing only extracts from protected works.
Application of Duties.
Proviso.

Proviso.

also, that before the Reprint of any Book or Review be made liable to such ad valorem Duty, as aforesaid, the said Book or Review shall have been duly Registered, according to the provisions of the Imperial Act made in the Fifth and Sixth Years of Her Majesty's Reign, entitled "An Act to amend the Law of Copyright."

Penalties for infringement of Act.

III.—*And be it enacted*, that after this Act shall go into operation it shall not be lawful for any Person to Import, or Bring, or cause to be Imported or Brought, into this Colony, for Use, Sale, or Hire, any Reprint referred to in the said Second foregoing Clause, and therein and thereby made liable to Duty, contrary to the true intent or meaning of this Act, or knowingly to Sell, Publish, or Expose to Sale, or Let to Hire, or have in his Possession, for Use, Sale, or Hire, any such Reprint; and every such Reprint so Imported, or Bought, Sold, Published, or exposed for Sale, shall be Forfeited and Sold, One Half the proceeds thereof to be applied to the use of the Officers of the Customs seizing the same, and the other Half to the Author or Proprietor of the Copyright; and further, every Person so offending, being duly convicted thereof before any Two Justices of the Peace, in the District where the Seizure is made, shall, for every such offence, Forfeit the Sum of Five Pounds, and double the value of every Copy of such Book or Reprint which he shall so Import or cause to be Imported into this Colony, or shall knowingly Sell, Publish, or Expose to Sale, or Let to Hire, or shall have in his Possession for Sale or Hire, contrary to the true intent and meaning of this Act; Two Pounds of such Penalty, after deducting expense of Prosecution, to be paid to the use of such Officers of Customs, and the remainder of the Penalty to the use of the Proprietor of the Copyright; and the said double value of such Book or Reprint, and the said respective proportions of the proceeds of the Sale of such Book or Reprint, and of such Penalty, shall be paid over and remitted in the way and manner as in the Second foregoing Clause of this Act provided.

Recovery of Penalties and application thereof.

Meaning of certain Terms used in this Act.

IV.—*And be it enacted*, that in the construction of this Act, the word Book or Reprint shall be construed to mean and include every Volume, Part or Division of a Volume, Pamphlet, Sheet of Letter Press, Sheet of Music, Map, Chart, or Plan, separately Published; and the word Copyright shall be construed to mean the sole and exclusive liberty of Printing or otherwise multiplying Copies of such Volume, Part or Division of a Volume, Pamphlet, Sheet of Letter Press, Sheet of Music, Chart, or Plan, separately published, as aforesaid.

Reprints to be stamped on entry.

V.—*And be it enacted*, that at the time of the Entry of any Reprint of any Book or Review, as aforesaid, it shall be lawful for the Officers passing such Reprint, to Stamp the same; and the Collector of Revenue at St. John's, shall furnish to the several Officers who may require the same, the form of Stamps necessary for such service.

Suspending clause.

VI.—*And be it enacted*, that this Act shall not go into operation until Her Majesty's assent, in Council, be obtained thereto, and be signified by Publication in the Royal Gazette of this Colony.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. VI.

AN ACT to Continue and Amend an Act passed in the Third Year of the Reign of Her Present Majesty, entitled "An Act to Amend several Acts now in force respecting Light Houses, and to make further provision for the said Light Houses, and to Consolidate the Laws respecting the same."

[Passed 23d April, 1849.]

WHEREAS an Act was passed in the Third Year of the Reign of Her present Majesty, entitled "An Act to Amend several Acts now in force respecting Light Houses, and to make further provision for the said Light Houses, and to Consolidate the Laws respecting the same;" which, as therein provided, was to continue in force for the period of Three Years, and thence to the end of the then next Session of the General Assembly: *And whereas*, by subsequent Acts of the Legislature, the said recited Act has been from time to time continued, and will shortly expire, and it is expedient that the same should be continued for a further period:

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that the said recited Act, save as is hereinafter provided, shall be, and the same is hereby continued, in full force and effect, for the period of Two Years, and thence until the end of the then next Session of the Legislature.

II.—*And be it enacted*, that on the Thirty-first Day of December next, one of the Commissioners appointed under the Authority of the said Act shall vacate his Office, and another in his stead shall be appointed in manner therein provided; and that in each succeeding year one other of the said Commissioners shall vacate his said Office, and another shall in like manner be appointed in his stead, and so on from year to year during the continuance of this Act.

Preamble.

3rd Vic. Cap. 5, continued (except as herein provided) for two years, and to the end of then next Session.

One Commissioner to vacate his office on the 31st December, and in each succeeding year, and another to be appointed in his stead.

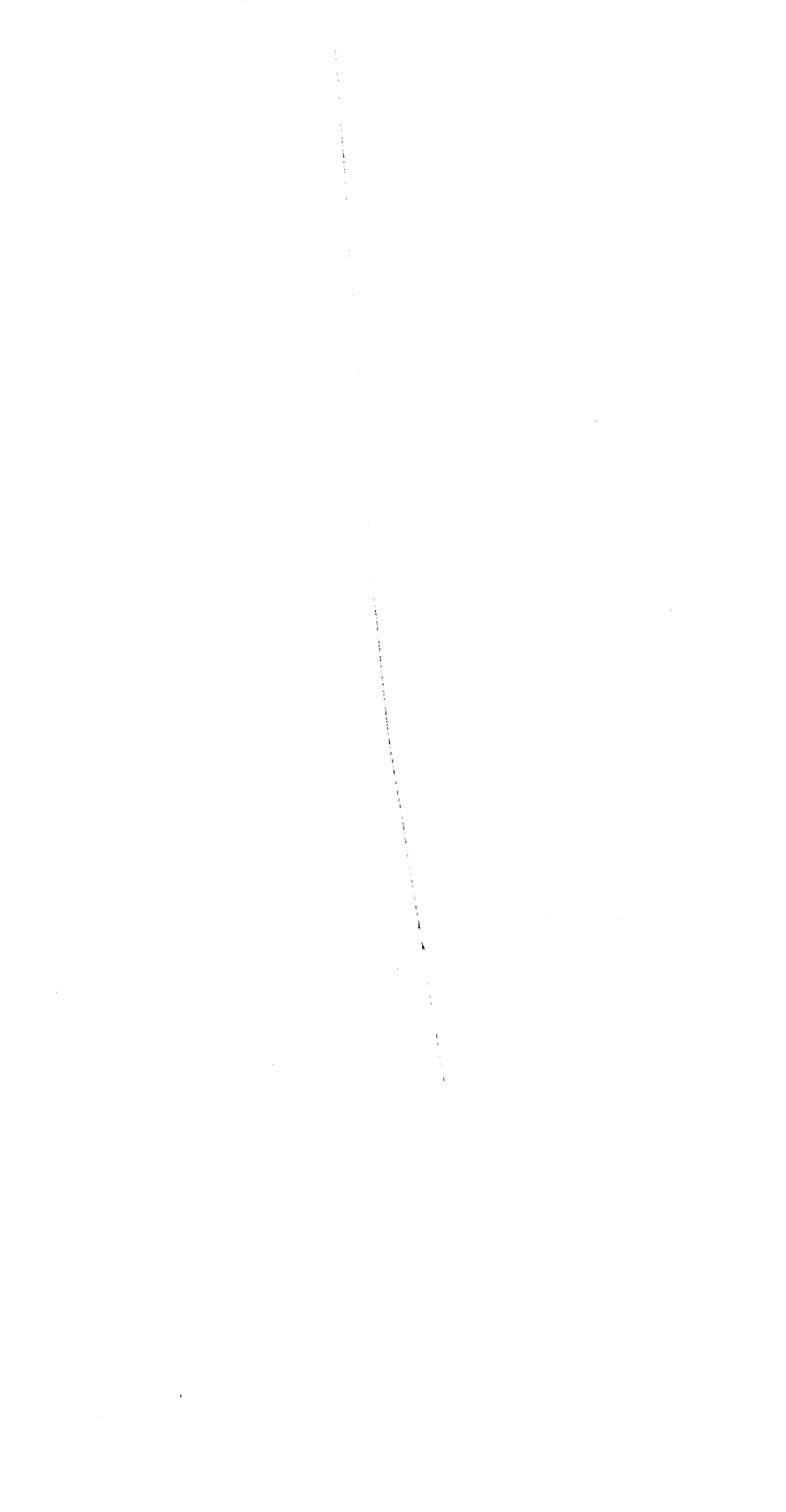
The Collector to be appointed under the Customs' Management Act to have same authority as the Collector under the 3d Vic. Cap. 5.

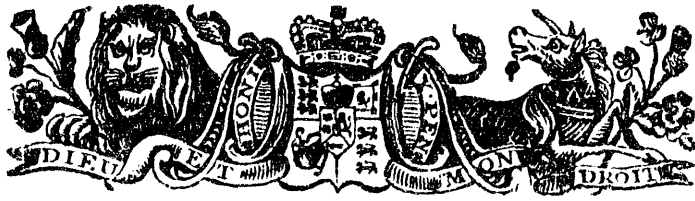
Proviso.

Monies levied under the said Act to be paid in Sterling Money, or in Foreign Coins at same rate as received for Colonial Duties.

III.—*And be it further enacted*, that all the Power and Authority in and by the said recited Act vested in the Collector of Her Majesty's Customs, therein mentioned, shall, from and after such time as a certain Act passed during the Present Session of the Legislature, entitled "An Act to provide for the Regulation, Management, and Collection, of all Duties Granted to Her Majesty, Her Heirs and Successors, on Goods, Wares, and Merchandise, Imported into this Island and its Dependencies," shall come into operation, be vested in the Collector to be appointed under and by virtue of the said last-mentioned Act: *Provided always*, that no remuneration shall be made to any Person or Persons concerned in the Collection of the Dues Imposed by the said first-mentioned Act, other than the Sub-Collectors or other Persons appointed in the Outports for such purpose, who shall receive Five per Centum on the amounts by them respectively Collected.

IV.—*And be it further enacted*, that all Monies levied under the said Act shall be paid in Sterling Money or in Foreign Coins at the rate at which they are now received in payment of Colonial Duties.





ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. VII.

AN ACT to Repeal in part an Act passed in the Eighth Year of the Reign of Her Present Majesty, entitled "An Act to Continue and Amend an Act passed in the Fourth Year of the Reign of Her Present Majesty, entitled 'An Act to Regulate the Packing and Inspection of Pickled Fish for Exportation from this Colony.'"

[Passed 23d April, 1849.]

WHEREAS an Act was passed in the Eighth Year of the Reign of Her present Majesty, entitled "An Act to continue and amend an Act passed in the Fourth Year of the Reign of Her present Majesty, entitled 'An Act to Regulate the Packing and Inspection of Pickled Fish for Exportation from this Colony;'" And whereas it is expedient to amend the same :

Be it therefore enacted, by the Governor, Council, and Assembly, in Legislative Session convened, that so much of the said recited Act as imposes a Duty upon the Exportation from this Colony, to any part of the British Dominions, of Herrings in Bulk, whether Fresh, Salted, or Pickled, be and the same is hereby Repealed.

II.—*And be it further enacted*, that the Master of every Vessel in which any such Herrings, as aforesaid, shall be intended to be Exported from this Colony, shall, before any such Vessel shall be Cleared outwards, enter into a Bond to Her Majesty for the Payment of a sum equal to the Duties liable to be charged upon the Cargo of the said Vessel under the said recited Act, upon Herrings Exported in Bulk from this Colony ; which said Bond shall be cancelled upon the production, within One Year after the date of the said Bond, to the Officer in this Colony appointed to receive Duties, of a Certificate, from some Person duly qualified to grant the same at the Port where such Vessel shall Enter and Discharge her Cargo, that such Herrings have been landed within the British dominions.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. VIII.

*AN ACT for the further amendment of the Law,
and the better advancement of Justice.*

[Passed 23d April, 1849.]

WHEREAS there is no remedy provided by law for injuries to the real estate of any person deceased, committed in his lifetime, nor for certain wrongs done by a person deceased, in his lifetime, to another, in respect of his property, real or personal: For remedy thereof,—

Preamble.

Be it enacted, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, and by the authority of the same, that an action of trespass, or trespass on the case, as the case may be, may be maintained by the executors or administrators of any person deceased, for any injury to the real estate of such person, committed in his lifetime, for which an action might have been maintained by such person, so as such injury shall have been committed within six calendar months before the death of such deceased person, and provided such action shall be brought within one year after the death of such person; and the damages, when recovered, shall be part of the personal estate of such person; and further, that an action of trespass, or trespass on the case, as the case may be, may be maintained against the executors or administrators of any person deceased, for any wrong committed by him in his lifetime to another, in respect of his property real or personal, so as such injury shall have been committed within six calendar months before such person's death, and so as such action shall be brought within six calendar months after such executors or administrators shall have taken upon themselves the administration of the estate and effects of such person; and the damages to be recovered in such action shall be payable in like order of administration, as the simple contract debts of such person.

Executors may bring actions for injuries to the real estate of deceased;

and action may be brought against executors for an injury to property, real or personal, by their testator.

II.—*And be it further enacted*, That no plea in abatement for the non-joinder of any person, as a co-defendant, shall be allowed in any Court of Common Law, unless it shall be stated in such plea that such person

Restriction as to plea in abatement for non-joinder of defendant.

is resident within the jurisdiction of the Court, and unless the place of residence of such person shall be stated with convenient certainty in an affidavit verifying such plea.

Reply of plaintiff to plea in abatement of non joinder.

III.—*And be it further enacted*, That to any plea in abatement in any Court of Law, of the non-joinder of another person, the plaintiff may reply that such person has been discharged by bankruptcy or insolvency and certificate, or under an Act for the relief of insolvent debtors.

Provision in the case of subsequent proceedings against the person named in a plea in abatement.

IV.—*And be it further enacted*, That in all cases in which, after such plea in abatement, the plaintiff shall, without having proceeded to trial upon an issue thereon, commence another action against the defendant or defendants in the action in which such plea in abatement shall have been pleaded, and the person or persons named in such plea in abatement, as joint contractors, if it shall appear by the pleadings in such subsequent action, or on the evidence at the trial thereof, that all the original defendants are liable, but that one or more of the persons named in such plea in abatement, or any subsequent plea in abatement, are not liable as a contracting party or parties, the plaintiff shall nevertheless be entitled to judgment, or to a verdict and judgment, as the case may be, against the other defendant or defendants who shall appear to be liable; and every defendant who is not so liable shall have judgment, and shall be entitled to his costs as against the plaintiff, who shall be allowed the same as costs in the cause against the defendant or defendants who shall have so pleaded in abatement the non-joinder of such person: *Provided*, that any such defendant who shall have so pleaded in abatement, shall be at liberty on the trial to adduce evidence of the liability of the defendants named by him in such plea in abatement.

Misnomer not to be pleaded in abatement.

V.—*And be it further enacted*, That no plea in abatement for a misnomer shall be allowed in any personal action, but that in all cases in which a misnomer would, but for this Act, have been by law pleadable in abatement in such actions, the defendant shall be at liberty to cause the declaration to be amended at the costs of the plaintiff, by inserting the right name, upon a Judge's summons founded on an affidavit of the right name; and in case such summons shall be discharged, the costs of such application shall be paid by the party applying, if the judge shall think fit.

Initials of names may be used in certain cases.

VI.—*And be it further enacted*, That in all actions upon bills of exchange or promissory notes, or other written instruments, any of the parties to which are designated by the initial letter or letters, or some contraction of the Christian or first name or names, it shall be sufficient in every affidavit to hold to bail, and in the process or declaration, to designate such persons by the same initial letter or letters, or contraction of the Christian or first name or names, instead of stating the Christian or first name or names in full.

Action of debt on simple contract against executor.

VII.—*And be it further enacted*, That an action of debt on simple contract shall be maintainable in any Court of Common Law against any executor or administrator.

Written or printed documents to be admitted without proof, in certain cases.

VIII.—*And be it further enacted*, That at any time after the passing of this Act either party in any action pending in any of the superior Courts, after plea pleaded and a reasonable time before trial, may give notice in writing to the other of his intention to adduce in evidence certain written or printed documents; and unless the adverse party shall consent by indorsement on such notice, within forty-eight hours, to make the admission specified, the party requiring such admission may call on the party required by summons to shew cause before a Judge why he should not consent to such admission, or in case of refusal to be subject to pay the costs of proof; and unless the party required shall expressly consent to make such admission, the Judge shall (if he think the application reasonable) make an order that the costs of proving any docu-

ment specified in the notice which shall be proved at the trial to the satisfaction of the Judge or other presiding officer, certified by his indorsement thereon, shall be paid by the party so required, whatever may be the result of the cause: *Provided*, that if the Judge shall think the application unreasonable he shall indorse the summons accordingly: *Provided also* that the Judge may give such time for inquiry or examination of the documents intended to be offered in evidence, and give such directions for inspection and examination, and impose such terms upon the party requiring the admission, as he shall think fit.

IX.—*And be it further enacted*, That it shall be lawful for the defendant in all personal actions (except actions for assault and battery, false imprisonment, libel, slander, malicious arrest or prosecutions, criminal conversation, or debauchery of the plaintiff's daughter or servant), by leave of any Court of Record where such action is pending, or of a Judge of any such Courts, to pay into Court a sum of money by way of compensation, or amends, in such manner and under such regulations as to the payment of costs, and the form of pleading, in so far as the same shall be applicable, as are now or may be adopted in that behalf in the practice of the Court of Queen's Bench.

Defendant to be allowed to pay money into Court in certain actions by a Judge's order.

X.—*And whereas* great expense is often incurred, and delay or failure of justice takes place, at trials, by reason of variances between writings produced in evidence and the recital or setting forth thereof upon the record upon which the trial is had, in matters not material to the merits of the case; and also by reason of variances as to some particular or particulars between the proof and the record or setting forth on the record or document on which the trial is had, of contracts, customs, names, and other matters or circumstances not material to the merits of the case, and by the mis-statement of which the opposite party cannot have been prejudiced, and the same cannot be amended at the trial; and whereas it is expedient to allow such amendments as hereinafter mentioned, to be made on the trial of the cause; *be it therefore enacted*, that it shall be lawful for any Court of Record holding plea in civil actions, if such Court shall see fit so to do, to cause the record, writ, or document, on which any trial may be pending before any such Court, in any civil action or any information in the nature of a quo warranto, or proceedings on a mandamus, when any variance shall appear between any matter in writing or in print produced in evidence, and the recital or setting forth thereof upon the record whereon the trial is pending, or between the proof and the recital, or setting forth on the record, writ, or document, on which the trial is proceeding, of any contract, custom, name, or other matter, in any particular or particulars in the judgment of such Court not material to the merits of the case, and by which the opposite party cannot have been prejudiced in the conduct of his action, prosecution or defence, to be forthwith amended by such officer of the Court, or otherwise, both in the part of the pleadings where such variance occurs and in every other part of the pleadings which it may become necessary to amend, on such terms as to payment of costs to the other party, or postponing the trial to be had before the same or another Jury, or both payment of costs and postponement, as such Court shall think reasonable; and in case such variances shall be in some particular or particulars in the judgment of such Court not material to the merits of the case, but such as that the opposite party may have been prejudiced thereby in the conduct of his action, prosecution, or defence, then such Court shall have power to cause the same to be amended upon payment of costs to the other party, and withdrawing the record or postponing the trial, as aforesaid, as such Court shall think reasonable; and after any such amendment the trial shall proceed, in case the same shall be proceeded with, in the same manner in all respects, both with respect to the liability of witnesses to be indicted for perjury and otherwise, as if no such va-

Allowing amendment to be made on the record in certain cases.

riance had appeared; and the order for amendment shall be entered on the roll or other document on which the trial shall be had.

Power to the Court or Judge to direct the facts to be found specially.

XI.—*And be it further enacted*, That the said Court shall and may, if they think fit, in all such cases of variance, instead of causing the record or document to be amended as aforesaid, direct the jury to find the fact or facts according to the evidence, and thereupon such finding shall be stated on such record or document; and notwithstanding the finding on the issue joined, the said Court shall, if they shall think the said variance immaterial to the merits of the case, and the mis-statement such as could not have prejudiced the opposite party in the conduct of the action or defence, give judgment according to the very right and justice of the case.

Power to state a special case without proceeding to trial.

XII.—*And be it further enacted*, That it shall be lawful for the parties in any action or information after issue joined, by consent and by order of any Judge of any such Court of Record as aforesaid, to state the facts of the case in the form of a special case for the opinion of the Court, and to agree that a judgment shall be entered for the plaintiff or defendant by confession or by *nonle prosequi*, immediately after the decision of the case, or otherwise, as the Court may think fit, and judgment shall be entered accordingly.

Witnesses not to be excluded from giving evidence by incapacity from interest.

XIII.—*And whereas* the enquiry after truth in Courts of Justice is often obstructed by incapacities created by the present law, and it is desirable that full information as to the facts in issue, both in criminal and in civil cases, should be laid before the persons who are appointed to decide upon them, and that such persons should exercise their judgment on the credit of the witnesses adduced, and on the truth of their testimony: *Be it therefore further enacted*, That no person offered as a witness shall hereafter be excluded by reason of incapacity from interest, from giving evidence, either in person or by deposition, according to the practice of the Court, on the trial of any issue joined or of any matter or question, or on an inquiry arising in any suit, action, or proceeding, civil or criminal, in any Court, or before any Judge, Jury, Sheriff, Coroner, Magistrate, Officer, or person having by law or by consent of parties, authority to hear, receive, and examine evidence; but that every person so offered, may and shall be admitted to give evidence on oath, or solemn affirmation in those cases wherein affirmation is by law receivable, notwithstanding that such person may or shall have an interest in the matter in question, or in the event of the trial of any issue, matter, question, or inquiry, or of the suit, action, or proceeding, in which he is offered as a witness: *Provided*, that this act shall not render competent any party to any suit, action, or proceeding, individually named in the record, or any lessor of the plaintiff or tenant of premises sought to be recovered in ejectment, or the landlord or other person in whose right any defendant in replevin may make cognizance, or any person for whose immediate and individual benefit any action may be brought or defended, either wholly or in part, or the husband or wife of such persons respectively, nor any person then undergoing sentence upon conviction of any crime which would now incapacitate him from being a witness: *Provided*, that in Courts of Equity any defendant to any cause pending in any such Court may be examined as a witness on the behalf of the plaintiff or of any co-defendant in any such cause, saving just exceptions; and that any interest which such defendant so to be examined may have in the matters, or any of the matters, in question in the cause, shall not be deemed a just exception to the testimony of such defendant, but shall only be considered as affecting or tending to affect the credit of such defendant as a witness.

Preamble.

In courts of equity defendant may be examined on behalf of the plaintiff for any co-defendant.

XIV.—*And be it further enacted*, That wherever in any legal proceedings whatever, legal proceedings may be set out, it shall not be necessary to specify that any particular persons who acted as jurors had made affirmation instead of oath, but it may be stated that they served as jurymen in the same manner as if no Act had passed for enabling persons to serve as jurymen without oath.

In legal proceedings not necessary to state that jurors made affirmation.

XV.—*And be it further enacted*, That if any witness shall be objected to as incompetent on the ground that the verdict or judgment in the action on which it shall be proposed to examine him would be admissible in evidence for or against him, such witness shall nevertheless be examined; but in that case a verdict or judgment in that action in favor of the party on whose behalf he shall have been examined, shall not be admissible in evidence for him or any one claiming under him, nor shall a verdict or judgment against the party on whose behalf he shall have been examined, be admissible in evidence against him or any one claiming under him.

Witnesses interested solely on account of the verdict, to be admissible.

XVI.—*And be it further enacted*, That the name of every witness objected to as incompetent on the ground that such verdict or judgment would be admissible in evidence for or against him, shall, at the trial, be endorsed on the record or document on which the trial shall be had, together with the name of the party on whose behalf he was examined, by some officer of the Court, at the request of either party, and shall be afterwards entered on the record of the judgment; and such indorsement or entry shall be sufficient evidence that such witness was examined, in any subsequent proceedings in which the verdict or judgment shall be offered in evidence.

Direction to endorse the name of the witness on the record.

XVII.—*And be it further enacted*, That in every action brought by any executor or administrator, in right of the testator or intestate, such executor or administrator shall, unless the Court in which such action is brought, or a Judge of any such Court, shall otherwise order, be liable to pay costs to the defendant in case of being nonsuited, or a verdict passing against the plaintiff, and in all other cases in which he would be liable if such plaintiff were suing in his own right upon a cause of action accruing to himself; and the defendant shall have judgment for such costs, and they shall be recovered in like manner.

Executors suing in right of testator to pay costs.

XVIII.—*And be it further enacted*, That where several persons shall be made defendants in any personal action, and any one or more of them shall have a nolle prosequi entered as to him or them, or upon the trial of such action shall have a verdict pass for him or them, every such person shall have judgment for and recover his reasonable costs, unless in the case of a trial the judge before whom such case shall be tried, shall certify upon the record under his hand that there was a reasonable cause for making such person a defendant in such action.

One or more of several defendants in any action having a nolle prosequi or a verdict shall have costs.

XIX.—*And be it further enacted*, That in all writs of scire facias the plaintiff obtaining judgment on an award of execution shall recover his costs of suit upon a judgment by default, as well as upon a judgment after plea pleaded or demurrer joined; and that where judgment shall be given either for or against a plaintiff, or for or against a defendant, upon any demurrer joined in any action whatever, the party in whose favor such judgment shall be given shall also have judgment to recover his costs in that behalf.

Plaintiff in scire facias and plaintiff or defendant on demurrer to have costs.

XX.—*And be it further enacted*, That it shall be lawful for the executors or administrators of any lessor or landlord to distrain upon the lands demised for any term, or at will, for the arrearages of rent due to such lessor or landlord in his lifetime, in like manner as such lessor or landlord might have done in his lifetime.

Executors of lessor may distrain for arrears in his life-time.

Arrears may be distrained for within six months after determination of term.

XXI.—*And be it further enacted*, That such arrearages may be distrained for after the end or determination of such term or lease at will, in the same manner as if such term or lease had not been ended or determined: *Provided*, that such distress be made within the space of six calendar months after the determination of such term or lease, and during the continuance of the possession of the tenant from whom such arrears became due; *Provided also*, that all and every the powers and provisions in the several statutes made relating to distresses for rent, shall be applicable to the distresses so made as aforesaid.

Submission to arbitration by Rule of Court, &c. not to be revocable without leave of the Court.

XXII.—*And whereas* it is expedient to render references to arbitration more effectual; *be it further enacted*, that the power and authority of any arbitrator or umpire appointed by or in pursuance of any rule of Court or Judge's order, in any action now brought, or which shall be hereafter brought, or by or in pursuance of any submission to reference containing an agreement that such submission shall be made a rule of any of Her Majesty's Courts of Record in this Island, shall not be revocable by any party to such reference without the leave of the Court by which such rule or order shall be made, or which shall be mentioned in such submission, or by leave of a Judge; and the arbitrator or umpire shall and may and is hereby required to proceed with the reference notwithstanding any such revocation, and to make such award although the person making such revocation shall not afterwards attend the reference, and that the Court, or any Judge thereof, may from time to time enlarge the term for any such arbitrator making his award.

Power to compel the attendance of witnesses.

XXIII.—*And be it further enacted*, That when any reference shall have been made by any such rule or order as aforesaid, or by any submission containing such agreement as aforesaid, it shall be lawful for the Court by which such rule or order shall be made, or which shall be mentioned in such agreement, or for any Judge, by rule or order to be made for that purpose, to command the attendance and examination of any person to be named, or the production of any documents to be mentioned, in such rule or order; and the disobedience to any such rule or order shall be deemed a contempt of Court, if, in addition to the service of such rule or order, an appointment of the time and place of attendance in obedience thereto, signed by one at least of the arbitrators, or by the umpire before whom the attendance is required, shall also be served either together with or after the service of such rule or order: *Provided always*, that every person whose attendance shall be so required shall be entitled to the like conduct money and payment of expenses and for loss of time, as for and upon attendance at any trial: *Provided also*, that the application made to such Court or Judge for such rule or order shall set forth the town or place where such witness is residing at the time, or satisfy such Court or Judge that such person cannot be found: *Provided also* that no person shall be compelled to produce, under any such rule or order, any writing or other document that he would not be compelled to produce at a trial, or to attend at more than two consecutive days to be named in such order.

Power for the arbitrators under a Rule of Court to administer an oath.

XXIV.—*And be it further enacted*, That when in any rule or order of reference, or in any submission to arbitration containing an agreement that the submission shall be made a rule of Court, it shall be ordered or agreed that the witnesses upon such reference shall be examined upon oath, it shall be lawful for the arbitrators or umpire, or any one arbitrator, and he or they are hereby authorised and required to administer an oath to such witnesses, or to take their affirmation in cases where affirmation is allowed by law instead of oath; and if, upon such oath or affirmation, any person making the same shall wilfully and corruptly give any false evidence, every person so offending shall be deemed and taken to be guilty of perjury, and shall be prosecuted and punished accordingly.

XXV.—*And whereas* great delay and inconvenience, or a failure of justice, is sometimes occasioned by reason of the absence from the colony of the defendant, or defendants, or some one or more of the defendants, in actions at law and suits in equity commenced by any process other than process of attachment: For remedy thereof *be it further enacted*, That in all actions at law or suits in equity which may hereafter be brought or commenced, and wherein the plaintiff shall proceed by any process other than process of attachment, and a copy of the writ or other process, with a notice of the intent and meaning of the service of such writ or process, and (in actions at law commenced by writ of summons) a copy of the plaintiff's declaration, shall be duly served upon the known agent of any absent defendant or defendants, or upon such one or more of the defendants in any such action or suit, being a partner or partners of such absent defendant or defendants as shall be within this colony, and a copy of the writ or other process, with an affidavit of the service thereof, and (in actions at law commenced by writ of summons as aforesaid) the original declaration, shall have been duly returned and filed, it shall be lawful for the plaintiff to enter an appearance for such absent defendant or defendants, and to proceed thereon in like manner as if such absent defendant or defendants had been personally served with such writ or other process.

Process in actions commenced otherwise than by attachment, to be served on agent or partner of absent defendant.

And judgment to be had thereon.

XXVI.—*And be it further enacted*, That in all actions or suits which may hereafter be commenced by any process other than process of attachment against two or more joint contractors or joint debtors, any one or more of whom shall be absent from or not resident in this colony, and shall not have any known agent as aforesaid, or shall not be the partner or partners of any defendant or defendants who shall be within this colony, the plaintiff or plaintiffs may file his or their declaration against such of the said joint debtors or joint contractors as have been duly served with process, and may suggest in such declaration that the other joint debtor or debtors or joint contractor or contractors (naming him or them) was or were absent from the colony, and without the jurisdiction of the Court, at the time of issuing the process and at the time of filing such declaration; and thereupon the plaintiff or plaintiffs may proceed according to the usual practice of the Court, to obtain judgment against the defendant or defendants who shall have been so duly served with process; and it shall be lawful for the plaintiff or plaintiffs, after judgment recovered as aforesaid, to take out execution thereon, and to cause the same to be levied on the joint property, if any, of such joint debtors or joint contractors, or upon the body, or the lands, goods, debts or effects of the defendant or defendants against whom judgment shall have been recovered as aforesaid: *Provided always*, that final judgment shall not in any such case be signed against any such joint debtor or joint contractor, until the plaintiff or plaintiffs shall make it appear to the satisfaction of the Court that all reasonable means have been taken to discover the place of residence of any such absent joint contractor or contractors or joint debtor or debtors, and to apprize him, her, or them, of such action or suit having been so instituted as aforesaid, or that such absent joint contractor or contractors or joint debtor or debtors have been apprized of the institution of such action or suit, and the said Court shall be of opinion that he, she, or they, could reasonably have appeared thereto.

In actions against joint contractors, absence of one or more to be suggested, and proceedings had against parties within the jurisdiction.

Proviso.

XXVII.—*And be it further enacted*, That if any such joint debtor or joint contractor, being absent as aforesaid, and not served with mesne process, shall come into the colony, and within the jurisdiction of the Court, before the final determination of the action or suit against the other joint contractor or contractors, joint debtor or debtors, and shall apply to the Court, or a Judge thereof, to be admitted to appear to defend the said action, the Court or Judge shall admit him accordingly, and

Absent party returning during the pendency of the cause, to be made defendant.

shall cause such amendment to be made in the proceedings as may in such case be necessary.

Proceedings to be had in certain cases against absent party returning after final judgment.

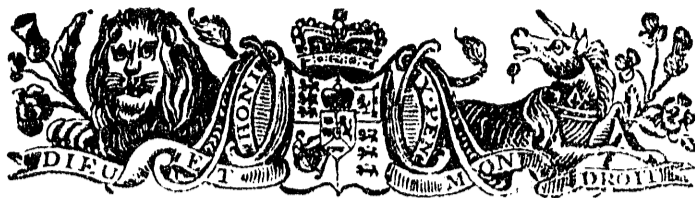
XXVIII.—*And be it further enacted*, That if any such absent joint contractor or joint debtor shall come into the Colony after final judgment given in any such cause, it shall be lawful for the plaintiff or plaintiffs, in case he or they shall not have received full satisfaction on such judgment, to sue out a writ of scire facias against such last mentioned joint contractor or joint debtor, requiring him to appear and show cause why execution should not be had against him, his lands, goods, debts, or effects, to satisfy the said judgment or whatever may remain due thereon; and such defendant shall be allowed to plead either in bar to the original action or suit, or in answer to the said scire facias, and thereupon the Court shall proceed to try and determine the same, and to give judgment as in other causes instituted by such writ.

Proviso.

XXIX.—*Provided always, and be it further enacted*, That nothing herein contained shall be construed to affect or prevent any proceedings instituted, or which may be instituted, against any absent or absconding debtors, pursuant to the Acts in such case made and provided.

Summary jurisdiction in cases not exceeding £10 sterling.

XXX.—*And whereas* it is expedient to afford a summary jurisdiction in cases not exceeding ten pounds sterling, in the superior Courts of Record in this colony: *be it therefore enacted*, that in all cases arising ex contractu, where the amount sought to be recovered shall not exceed ten pounds sterling, it shall and may be lawful for the judges of the said Courts respectively, to hear and determine all such cases in a summary manner; and that in such cases it shall not be necessary to file any issue or default roll or enter up any postea or judgment, but that such cases shall proceed upon the original writ, (which shall contain a brief statement of the cause of action), and other proceedings as filed in Court, when the parties shall be at issue; and that a memorandum of the judgment of the said Courts respectively shall be entered in the record books of the proceedings of the same: *Provided* that in all cases to or exceeding five pounds sterling it shall be lawful for the plaintiff or defendant to require a jury for the trial of such cause: *Provided* that such trial by a jury shall be upon the original writ, and other pleadings in manner hereinbefore provided: *Provided also*, that no costs for such jury shall be taxed, unless the judge who tried the cause shall certify under his hand, on the back of the writ, that there was reasonable cause for praying such jury.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. IX.

AN ACT for facilitating Proceedings in cases of Distress and Replevin.

[Passed 23d April, 1849.]

WHEREAS the proceedings directed and required by the law of Preamble. England in cases of Replevin cannot be carried into full effect by reason of the absence of County Courts, and are otherwise unsuited to the condition and circumstances of this Island; and it is expedient to provide a more simple and practicable course of procedure in such cases:

Be it therefore enacted, by the Governor, Council, and Assembly of Sheriffs and their sworn bailiffs to be appointed by them to grant replevins. Newfoundland, in legislative session convened, and by the authority of the same, that as well the sheriffs of the several districts of this Island, as their sworn bailiffs to be appointed by them at convenient places within their respective districts, and for whom and for whose acts the sheriffs shall respectively be responsible, shall be and they are hereby authorised to make replevies and deliverances of distresses in the manner hereinafter directed; and the said sheriffs shall from time to time respectively notify and publish in the Newfoundland Royal Gazette the names and places of residence of all such sworn bailiffs, who shall have authority to make such replevies and deliverances as aforesaid, in the sheriff's name, and in the same manner as the sheriff may and ought to do.

II.—*And be it further enacted*, That in all cases of distresses for rent or otherwise, the person or persons whose goods shall be distrained, and who shall be desirous of replevying the same or any part thereof, shall enter into a bond to the sheriff of the district, with one or more sufficient sureties, to the satisfaction of the sheriff or the bailiff by whom the said bond shall be taken, which bond shall be in the form set forth in the schedule to this act annexed; and the penalty of such bond shall be a sum sufficient to cover the value of the cattle or goods distrained, if taken for any other cause than for rent, and if taken for rent, then in a sum double the value of the cattle or goods distrained; and upon the execution of such bond, the said sheriff, or such bailiff as aforesaid in Sheriff to take bond from parties replevying.

the name of the sheriff, shall forthwith issue his warrant to replevy the cattle or goods so distrained as aforesaid, which warrant shall be in the form in the schedule hereto annexed set forth; and it shall be lawful to execute such warrant at any time before the actual sale of any such cattle or goods so to be distrained, as may by law be sold in pursuance of any such distress.

Bond may be assigned by sheriff, and avowant may sue thereon if forfeited.

III.—*And be it further enacted*, That the sheriff or bailiff taking any replevin bond shall, at the request and costs of the avowant or person making cognizance, assign such bond to the avowant or person aforesaid by indorsing the same and attesting it under his hand and seal in the presence of two or more credible witnesses, in the form set forth in the schedule to this Act; and if the bond so taken and assigned be forfeited, the avowant, or person making cognizance, may bring an action and recover thereon in his own name, and the Court wherein such action shall be brought may, by a rule of the same Court, give such relief to the parties upon such bond as may be agreeable to justice and reason; and such rule shall have the nature and effect of a defeasance of such bond.

Declaration when and how to be filed and served, and proceedings thereon.

IV.—*And be it further enacted*, That the party obtaining a replevy of cattle or other goods, so to be distrained as aforesaid, shall, on or before the first day of the then next term or sittings of the Court to be mentioned in such warrant of replevin, or if such Court be sitting, then within four days after the execution of such warrant of replevin, file in Court and also serve, or cause to be served, upon the person avowing or making cognizance, or upon his agent or attorney, a declaration in the usual form in such cases: to which declaration the defendant shall enter an appearance, and shall also plead, avow, or make cognizance thereto, without any demand of plea, or rule to plead, within the first four days of the term or sittings of the Court aforesaid; or if such declaration be served in term time, then within four days after service of a copy thereof, as aforesaid; and the plaintiff shall, to every such plea, avowry, or cognizance, plead or demur, within two days after service of a copy thereof, without any demand of plea or rule to plead, unless the Court, or a Judge thereof, shall in any such case otherwise order; and thereupon, subject to the provisions hereinbefore contained, such further and other proceedings shall be had as are now used and practised in cases of replevin: *Provided*, that it shall not be necessary in any case to execute a writ of enquiry of damages before the Sheriff, but all such damages shall be assessed in the usual manner before the Court, or a Judge of the Court, in which any such action may be pending.

No writ of enquiry to be executed, but damages to be assessed before the Court.

Particulars of rent distrained for to be furnished:

V.—*And be it further enacted*, That in all cases of distresses for rent, the person making any such distress shall deliver to the person in possession of the premises for the rent of which such distress shall be made, or in case there shall not be any person found in possession shall affix on some conspicuous part of such premises, a particular in writing of the rent demanded, specifying the amount thereof, the time or times when the same accrued, and the person by whom or by whose authority such distress is made.

Fees to replevin bailiff.

VI.—*And be it further enacted*, that every outport bailiff, who shall make any replevin in manner directed under the first section of this Act shall be entitled to receive the following fees, *videlicet*:—

For making out and executing each warrant to replevy—five shillings.

“ Milage for executing the same—per mile, sixpence.

“ Taking any bail bond—two shillings and six pence.

And that no fee shall be received by any other person authorised to grant replevin under this Act.

SCHEDULE.

Schedule.

REPLEVIN BOND.

KNOW all men by these presents, that we, A. B., of
 G. A. of _____, and T. R. of _____, are jointly and
 severally held and firmly bound to G. H., Esq., Sheriff of the
 District, in the sum of £ _____ (a sufficient sum to cover the
 value of the cattle or goods distrained, if taken damages feasant, or if for
 rent then double the value of the cattle or goods taken,) to be paid to the
 said Sheriff or his certain attorney, executors, administrators, or assigns;
 for which payment to be well and truly made, we bind ourselves, and each
 and every of us, our and each and every of our heirs, executors and ad-
 ministrators, firmly by these presents. Sealed with our seals.—Dated
 this _____ day of _____ A. D. 18 _____.

The condition of this obligation is such, that if the above bounden A.B.
 do appear at the next term or sittings of the _____ Court to be
 holden at _____ for the said District, (or if it be in term time then
 say in this present term of the _____ Court at _____) and
 do then and there prosecute his suit with effect and without delay against
 C.D. for the taking and unjustly detaining of his cattle, goods and chat-
 tels, to wit, (state the cattle or goods distrained) and do make return of
 the said cattle, goods and chattels, if a return thereof shall be adjudged;
 that then this present obligation shall be void and of none effect, or else
 to be and remain in full force and virtuc.

Sealed, &c.

A.B. (L.S.)

G.A. (L.S.)

T.R. (L.S.)

ASSIGNMENT OF REPLEVIN BOND, TO BE INDORSED ON THE BOND.

KNOW all men by these presents, that I, G.H., Esquire, Sheriff of the
 district of Newfoundland, have, at the request of the above
 named C.D. the avowant, (or the person making cognizance) assigned
 over unto him, the said C. D., this replevin bond, according to the
 statute in such case made and provided.

Dated, &c.

G. H.

WARRANT TO REPLEVY.

_____ DISTRICT, }
 To Wit. }

G. H., Esq., Sheriff of the _____ district of Newfoundland, to
 and _____ and to every of them, jointly and sever-
 rally, greeting:

Whereas A.B. hath found me sufficient security, as well for prosecu-
 ting his suit with effect against C.D. for taking and unjustly detaining his
 cattle, goods and chattels, to wit, (set out the cattle or goods) which
 the said C.D. hath taken and unjustly detains, as it is said; as also for
 making return thereof, if return thereof shall be adjudged; therefore on
 behalf of the said A.B. I command you jointly and severally that without
 delay you replevy, and cause to be delivered to the said A.B. his said
 cattle, goods and chattels, and that you immediately summon the said C.D.
 to appear at the next term of the Supreme Court (or Central, Northern,

Schedule.

or Southern Circuit) to be holden at _____ in and for the said district (or as the case may be) to answer the said A.B. in the plea aforesaid; and in what manner you shall have executed this precept certify to me at the time and place aforesaid under the peril attending the neglect thereof.

Given under my seal this _____

day of _____

A. D.

G. H., sheriff.

(Or if granted by a bailiff, say "by L.H., one of the bailiffs of the said sheriff according to the form of the statute.")



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XII.

AN ACT to dispense with the present mode of Registering Crown Grants, and to render valid certain Grants heretofore issued.

[Passed 23rd April, 1849.]

WHEREAS an Act was passed in the Seventh Year of Her present Majesty, entitled "An Act to make provision for the Sale of Ungranted and Unoccupied Crown Lands within the Island of Newfoundland and its Dependencies, and for other purposes:" And whereas it is expedient to dispense with the necessity of Registering, in the Offices of the Chief Clerks or Registrars of the Supreme or Circuit Courts, such Grants as shall issue under the Great Seal of this Colony by virtue and under authority of the said Act:

Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, that from and after the passing of this Act it shall not be necessary, in order to confirm and make good the Title of any Person or Persons to whom any such Grant shall be made, to cause the same to be Registered in the Offices of the Chief Clerks and Registrars of the Supreme, Northern or Southern Circuit Courts of this Island, or either of them, any Act or Acts to the contrary notwithstanding; and that hereafter no clause or provision shall be inserted in any such Grant requiring the same to be Registered in any such Office or Offices; and that no Grant heretofore issued shall be rendered invalid for want of such Registration.

II.—*And be it further enacted*, That before any such Grant shall hereafter be issued to any Person or Persons, a Record of the same shall be made and preserved in the Office of the Surveyor General of the Colony, which Record shall and may be inspected by any Person or Persons desiring to examine the same.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XIII.

AN ACT to prohibit Interments within the Town of St. John's.

[Passed 23d April, 1849.]

WHEREAS it is essential to the Preservation of the Health of the Inhabitants of the Town of Saint John's, that the respective Burial Grounds now used within the said Town should be Closed, and that Interments of the Bodies of Deceased Persons within the Limits and Boundaries hereinafter mentioned should be Prohibited, from and after a time to be appointed for that purpose: *And whereas* other Burial Grounds have been provided in situations more suitable:

Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, in General Assembly convened, and by the authority of the same, that from and after such time as shall be named by His Excellency the Governor and Council, and publicly notified in the *Royal Gazette* of this Colony, all and every the Burial Grounds situate and lying within the Limits and Boundaries hereinafter mentioned, shall cease to be used for the Interment therein of the Bodies of Deceased Persons; and that from and after the time to be appointed and notified in manner hereinafter provided, it shall not be lawful for any Person or Persons whomsoever, to Inter the Body of any Deceased Person within the Boundaries and Limits following; that is to say,—Commencing at the Southern End of the Gas Works Fire-break, thence following the direction of the said Fire-break North Westerly, Sixteen Hundred and Fifty Feet, more or less, until it intersects the Road leading to Monday's Pond; thence running North Easterly in a straight line, Seven Thousand Three Hundred Feet, more or less, to the Bridge over the Stream running from Upper Long Pond, and situate on the Old Portugal Cove Road near Rennie's Mill; thence from the said Bridge, following the course of the said Stream Two Thousand Eight Hundred Feet, more or less, Easterly, to the North West Angle of a Lot of Land granted to the Lord Bishop of Newfoundland, and appropriated as a Cemetery; thence following the Western

Preamble.

All burial grounds lying within certain limits of the town of St. John's, prohibited from being used as cemeteries after a time to be named by the Governor and Council.

Boundary Line of the said Cemetery, Southerly, Five Hundred and Seventy-six Feet, more or less, to the South West Angle thereof; thence following the Southern Boundary of the said Cemetery, Easterly, Four Hundred and Fifty-six Feet, more or less, to its South Eastern Angle, and thence in a straight line to the junction of the Roads leading to Quidi Vidi; thence following the direction of the last-named Road, Easterly, to the Stream running from George's Pond; thence following the direction of the said Stream, Southerly, to the Ordnance Boundary Line; thence following the direction of the said Boundary Line, Westerly and Southerly, to the Shore; and thence following the windings of the Shore, Westerly, to the place of commencement: Save and Excepted always thereout the Ground granted to the Right Reverend Bishop Fleming, and described in a certain Grant thereof, bearing date the Thirtieth day of June Anno Domini One Thousand Eight Hundred and Thirty-eight.

The burial grounds now in use to remain under care and management of the Clergy &c. of the Churches or Congregations to which they belong

II—*And be it further enacted*, That the said Burial Grounds now used and situate within the limits aforesaid, shall remain under the Care, Management, Direction, and Control, of the Clergy, Church Wardens, Trustees or Committees respectively for the time being, of the Churches or Congregations to which the same respectively belong, and in whom the said respective Burial Grounds are at present by Law or Custom vested: and shall be Fenced, Protected, Planted, and Managed, in such ways and manner, and during such times and under such Regulations and Restrictions, as the Clergy, Church Wardens, Trustees, or Committees, of the respective Churches or Congregations to which the said Burial Grounds belong, shall from time to time direct and establish concerning the same.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XIV.

AN ACT to enable the Members of the Independent or Congregational Church to Revive certain Trusts, and for other purposes.

[Passed 23d April, 1849.]

WHEREAS in and by a certain Deed bearing date the Twenty-fifth Preamble: day of June Anno Domini One Thousand Seven Hundred and Ninety, made between Andrew Barns of the one part, and Richard Miller, George Kemp, Thomas Crew, John Brown, James Bayley, John Kemp, William Budden, junior, Richard Ledgard, William Budden, Gilbert Tullock, John Jones, Nathan Parker, Wallis Lang, Henry Phillips, Edward Freeman, and Joseph Lowman, Trustees therein named, of the other part; certain Lands and Premises situate in the Town of Saint John's, in this Island, were conveyed and assured to the said Trustees, for the purpose of erecting thereon a Place of Public Worship for the Members and Congregation of the Independent or Congregational Church: *And whereas* in and by a certain other Deed bearing date the Fifteenth day of June, Anno Domini One Thousand Eight Hundred and Ten, certain other Land, Messuage and Premises, with the Appurtenances, situate in Saint John's aforesaid, were conveyed, assigned, and assured, by Henry Andrews and Elizabeth Andrews, to one Nathan Parker, and one James Melledge, Trustees therein named, for the use and benefit of the Church aforesaid: *And whereas* a certain other Messuage and Premises, with the Appurtenances, situate in Saint John's aforesaid, were, by a certain Deed bearing date the Eighth day of June, Anno Domini One Thousand Seven Hundred and Ninety-one, conveyed and assured by one Edward Freeman for the use and benefit of the said Church: *And whereas* by reason of the death of the several Trustees in the said several Deeds named and described, the provisions of the said several Trusts have become entirely inoperative, and the parties interested therein are without remedy either at Law or in Equity: *And whereas* Petition has been made to the Legislature in its present Session, by the Members and Congregation of the said Church, for remedy and redress in the premises:

Members of the Congregational Church may, at a public meeting, appoint nine persons as Trustees,

For remedy whereof, *be it enacted*, by the Governor, Council, and Assembly, in General Assembly convened, that it shall and may be lawful for the Members of the said Church, and being Communicants therein, at a Public Meeting of the said Members to be held for the purpose, which Meeting shall be called by the Minister of the said Church for the time being, at the request of at least Ten Members of the said Church, being Communicants as aforesaid, by the vote of a majority to consist of not less than Two-thirds of such Communicants present at such Meeting, to nominate and appoint Nine Persons as Trustees, for the purpose of carrying into effect the object, and intent, and the provisions, of the said hereinbefore recited Trusts, and the purposes of this Act.

Trustees, &c., may sell or dispose of Church Property.

II.—*And be it further enacted*, that the said Trustees so nominated and appointed as aforesaid, or the Majority of them, by and with the consent and approbation of not less than Two-thirds of the said Members of the said Church, being Communicants therein, then resident in Saint John's aforesaid, and signified under their Hands and Seals, shall have, and are hereby declared to have, full power and authority to Sell and Dispose of all, or any part or parts, of the said Lands, Messuages and Premises, with the Appurtenances, recited and described in the said several Deeds of Trust herein-before referred to, or Mortgage the same, as may at any time be found requisite and necessary: *Provided always*, that all Monies arising from such Sale or Mortgage shall be applied solely and exclusively for the purpose of obtaining, by purchase or otherwise, a suitable Piece of Land, or Premises, and erecting thereon a Church for the use and benefit of the said Congregation, and for no other use or purpose whatsoever.

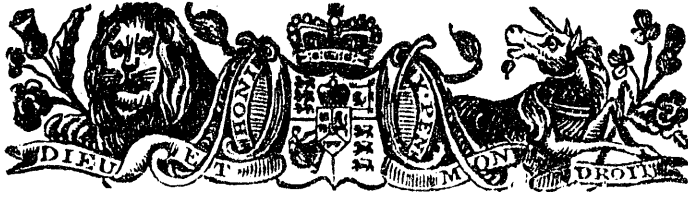
Proviso.

Authority vested in Trustees, &c., to give good title in law to Lands, &c., sold by them.

III.—*And be it further enacted*, that the said Trustees so nominated and appointed as aforesaid, or a Majority of them, by and with the consent and approbation of Two-thirds at least of the said Members of the said Church, and being Communicants therein, then present in Saint John's aforesaid, signified under their Hands and Seals, upon the receipt of any Monies arising from the Sale or Mortgage of the said Lands, Messuages, and Premises, in the said several recited Deeds, or any of them, or any part or portion thereof, shall have, and are hereby declared to have, full power and authority to make and execute good and sufficient Title in Law, as far as the same can be made under and by virtue of the said several recited Deeds, and the powers and provisions of this Act, to the said Lands, Messuages, and Premises, or any part or portion thereof, to any Purchaser or Purchasers, or any Mortgagee or Mortgagees.

Vacancies in Trust—how filled up.

IV.—*And be it further enacted*, That when and so often as any Vacancy shall happen, by the Death, or Permanent Removal from the Colony, of any one or more of the said Trustees so nominated and appointed as aforesaid, that then, and in that case, it shall be lawful for the Members of the said Church, and being Communicants therein, at a Public Meeting of the said Members to be called and held for that purpose, to nominate and appoint some other Person or Persons, as the case may require, to fill up such Vacancy or Vacancies, which Meeting shall be called and held, and Appointments shall be made, in the way and manner prescribed by the First Section of this Act: *Provided nevertheless* that the Person or Persons so nominated and appointed to fill such Vacancy or Vacancies shall be Members of the said Church or Congregation, and not otherwise.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XV.

AN ACT to amend an Act passed in the Ninth and Tenth years of the Reign of Her present Majesty, entitled "An Act to regulate the Rebuilding of the Town of St. John's, and the Drainage and Sewerage of the same, and to repeal certain Acts therein mentioned;" and also an Act passed in the Tenth year of the Reign of Her Majesty, entitled "An Act to amend an Act passed in the Ninth and Tenth years of the Reign of Her present Majesty, entitled 'An Act to regulate the Rebuilding of the Town of St. John's, and the Drainage and Sewerage of the same, and to repeal certain Acts therein mentioned.'"

[Passed 23d April, 1849.]

WHEREAS an Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, entitled "An Act to Regulate the Rebuilding of the Town of Saint John's, and the Drainage and Sewerage of the same, and to repeal certain Acts therein mentioned": And whereas, by an Act passed in the Tenth Year of the Reign of Her Majesty certain portions of the said recited Act were repealed, and other provisions in lieu thereof substituted, and the same was otherwise amended: And whereas it is expedient further to amend the said Act: Preamble.

Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, that in such of the Streets in the said Town upon which, by the said recited Acts, Buildings or Erections of Brick, Stone, or other unflammable materials, are required to be erected, all Buildings or Erections of Wood that are now upon the said Streets, and which by the said first Act are declared Public Wooden erections on Streets where buildings of unflammable materials are required, may remain until Dec. 31st, 1850.

Nuisances from and after the First day of May, One Thousand Eight Hundred and Forty-nine, may and are hereby allowed to remain and be continued thereon until the Thirty-first day of December, in the Year of our Lord One Thousand Eight Hundred and Fifty, anything in the said recited Acts to the contrary notwithstanding; and that from and after the said last-mentioned period all such buildings and erections shall be deemed Public Nuisances, and shall and may be abated by such proceedings as in and by the said recited Act or Acts are prescribed concerning the same.

Proviso that sheds in certain Streets after 1st May, 1849 shall be removed back to lines prescribed by recited Acts.

II.—*Provided always, and be it further enacted*, That all Wooden Sheds or Erections, of what nature and kind soever, other than those temporarily used for the purposes of Building, that are encroachments upon the width of either Water Street or Duckworth Street, or either of the said Fire Breaks, in the said recited Acts mentioned, shall, after the First day of May next, in this present year, if not removed back to the Lines prescribed by the said recited Acts for the width of the said Streets and Fire Breaks respectively, be deemed and taken to be Public Nuisances, and shall be abated in manner provided by the Fourth Section of the first recited Act: *Provided further*, that it shall be lawful for the Governor, by and with the advice of the Council, to permit any such Shed to remain in its present position, where the encroachment upon the Street or Fire Break shall be to a trifling extent, or where, in the opinion of the Governor and Council, it shall be inexpedient to remove the same.

Proviso that Governor and Council may permit sheds to remain in present position.

No wooden shed to be erected within the limits of Water Street &c. nor in any part where prohibited from being erected.

III.—*And be it further enacted*, That from and after the passing of this Act it shall not be lawful to erect, place, or put, any Wooden Shed or Building of any kind or nature whatsoever, within the Lines and Boundaries prescribed by the said recited Acts for the width of Water Street, Duckworth Street, or the said Fire Breaks respectively, nor to Erect or Build any Wooden Shed or Building in any part of the said Town of Saint John's, where Wooden Buildings are by the said recited Acts prohibited from being Erected; and that every such Erection made contrary to the provisions of this Act shall be deemed and taken to be a Public Nuisance, and shall be dealt with in the manner provided by the last preceding Section.

Wooden sheds not to be enlarged by owner or occupier.

IV.—*And be it further enacted*, That from and after the passing of this Act it shall not be lawful for any Owner or Occupier of any Wooden Shed or Building, in any of the said Streets or Fire Breaks, respectively, to enlarge or extend the same; and in all cases of Parties offending herein, every such Shed or Building shall be forthwith abated as a Nuisance, in manner provided by the Second Section.

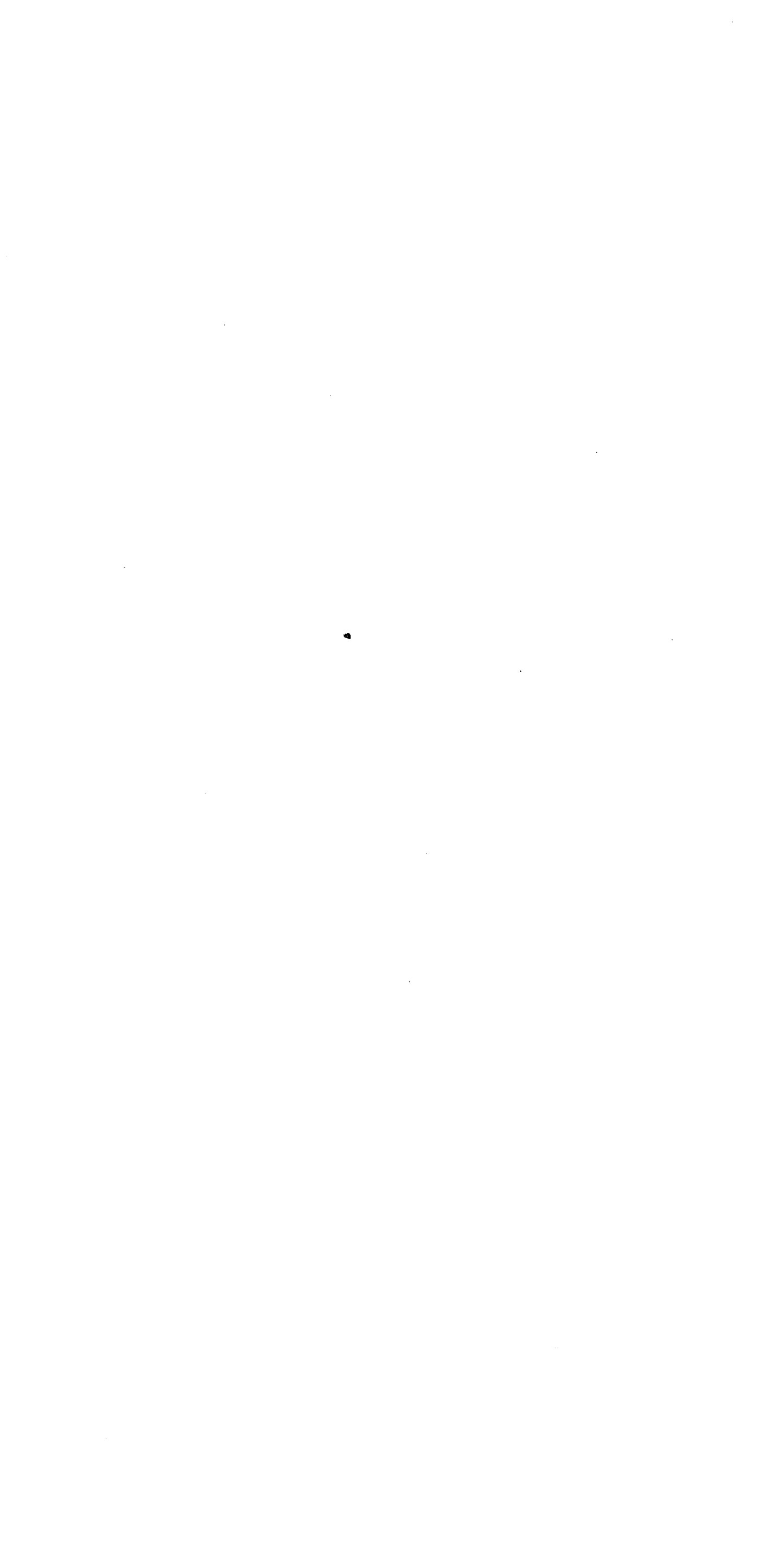
Part of Prescott Street Firebreak altered from prior Act.

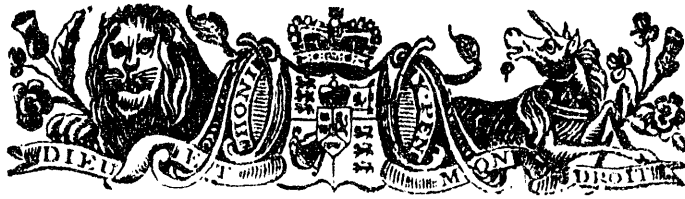
V.—*And be it further enacted*, That so much of the said recited Acts as relate to that part of Prescott Street Fire Break lying between Water Street and Duckworth Street, be and the same are hereby repealed; and that the Eastern side of McLarty's Lane shall be the Eastern side of the said Fire Break, and that the Western side of the said Fire Break shall be a straight line drawn from a point in Water Street distant Westwardly Eighty feet from the South-eastern corner of the said Fire Break, to a point on Duckworth Street Seventy feet distant Westwardly from the North-eastern corner of the said Fire Break.

One month's notice to quit, sufficient, if given within a month after passing of Act.

VI.—*Provided also, and be it further enacted*, That between the Landlords and Tenants of such temporary Wooden Sheds or Buildings as aforesaid, as are under Tenancy by the Year, a Notice to quit at the expiration of One Month from the delivering thereof shall be deemed sufficient, if such Notice be given within One Month after the passing of this Act: *Provided also*, that nothing herein contained shall be deemed to extend the term as between Landlord and Tenant in cases where the Tenancy is, by agreement, until the First day of May One Thousand Eight Hundred and Forty-nine.

Proviso.





ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XVI.

AN ACT to extend the practice of Vaccination to the Outports of this Colony.

[Passed 23d April, 1849.]

WHEREAS it is expedient to extend the practice of Vaccination in this Colony : Preamble.

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that from and after the passing of this Act, the Governor, for the time being, is authorized from time to time, as occasion may require, to procure, or cause to be procured, from some Vaccination Institution in London, such quantity of Vaccine Matter as may be sufficient to supply the Stipendiary Justices of the Peace, or others engaged in the relief of the Poor in the several Outport Districts of this Colony, for the Vaccination of all Persons resident within the same ; and that such Vaccine Matter shall be distributed under such rules and regulations as the Governor and Council may make and issue for that purpose ; and that the said Stipendiary Justices, and others engaged in the relief of the Poor, shall conform to all such rules and regulations, and cause the same to be strictly observed within their respective Districts, and shall transmit, when and so often, and in the manner required, a report to the Governor of the number of Persons successfully Vaccinated in their respective Districts aforesaid.

Governor to procure vaccine matter, to be distributed in the Outports under direction of Governor and Council.

II.—*And be it enacted*, That any Person who shall, from and after the passing of this Act, produce, or attempt to produce, in any Person, by Inoculation with Variolous Matter, or by wilful exposure to Variolous Matter, or to any Matter, Article, or Thing impregnated with Variolous Matter, or wilfully, by any means whatsoever, produce the disease of Small Pox in any Person in this Colony, shall be liable to be proceeded against and convicted summarily before two or more Justices of the Peace ; and for every such offence shall, upon conviction, be imprisoned in the common Gaol for any term not exceeding One Month.

Persons inoculating may be proceeded against summarily.

III.—*And be it enacted*, That after the passing of this Act it shall be lawful for the Governor for the time being, when he shall see fit, to cause to be issued throughout this Island a Proclamation inviting all Persons to avail themselves of the benefit of Vaccination, and warning them against the penal consequences of violating the law by the practice of Inoculation.

Governor may issue Proclamation under this Act.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XVII.

AN ACT to Suspend an Act passed in the Eighth Year of the Reign of Her present Majesty, entitled "An Act to Regulate the Making and Repairing of Roads, Streets and Bridges within this Colony," and to provide for the appropriation of Monies granted for such purposes.

[Passed 23d April, 1849.]

WHEREAS it is expedient to Suspend an Act passed in the Eighth Year of the Reign of Her present Majesty, entitled "An Act to Regulate the Making and Repairing of Roads, Streets and Bridges in this Colony," and to provide for the appropriation of Monies granted for such purposes :

Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, that the above recited Act, and the several clauses and provisions therein contained, shall be, and the same are, hereby Suspended for the period hereinafter provided for the continuance of this Act.

II.—*And be it further enacted*, That all Sums of Money that now are or may hereafter be granted by the Legislature, during the continuance of this Act, for the Construction, Repair, and Improvement, of Roads, Streets, and Bridges, in this Colony, shall and may be expended and appropriated by the Governor, or Person Administering the Government for the time being, by and with the advice of Her Majesty's Council, in the employment, in the several Districts of this Colony, of such Destitute Persons as may be capable of Labouring on such Roads, Streets or Bridges ; and that it shall and may be lawful for the Governor or Person Administering the Government for the time being, by and with the advice of Her Majesty's Council, from time to time to prescribe and make such Rules and Regulations, and appoint the Time and Season of the Year when such Work shall be performed, as they may deem best calculated for the effectual carrying out of the purposes of this Act: *Provided always*,

Preamble.

8th Vic. Cap. 3,
suspended during
this Act.

Monies granted for
Roads, &c., to be
expended by
Governor and
Council.

Proviso.

that any Sum or Sums of Money so granted for the Making, Constructing, or Repairing, of any Roads, Streets, or Bridges, shall be applied to the purpose or purposes for which so granted; but that should there be more than sufficient for the purpose of any such Grant, the surplus thereof shall be appropriated to the Making, Constructing or Repairing of any other Road, Street, or Bridge, in the same District for which the same may have been so granted, as the Governor, by and with the advice of Her Majesty's Council, may order and direct.

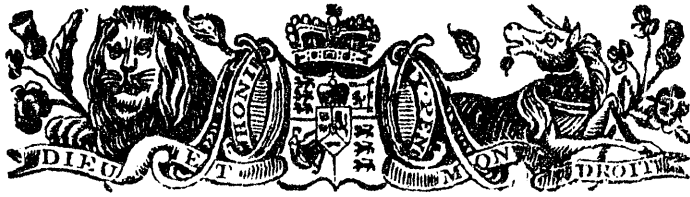
Monthly Returns
to be furnished the
Governor.

III.—*And be it further enacted,* That all Persons who shall be appointed to Superintend the Expenditure of any Sum or Sums of Money under the provisions of this Act, shall furnish Monthly, to the Governor, or Person Administering the Government for the time being, for the purpose of being Examined and Audited by Her Majesty's Council, full and detailed Statements and Accounts of the way and manner in which all and every such Sum and Sums of Money shall have been so expended; which Statements and Accounts, together with a copy of all Rules and Regulations that may be made by the Governor and Council, under the authority herein given, shall be laid before the Legislature within Twenty-one days after the commencement of the next Session.

Continuance of
Act.

IV.—*And be it further enacted,* That this Act shall continue and be in force for One Year, and no longer.





ANNO DUODECIMO

VICTORIÆ REGINÆ.

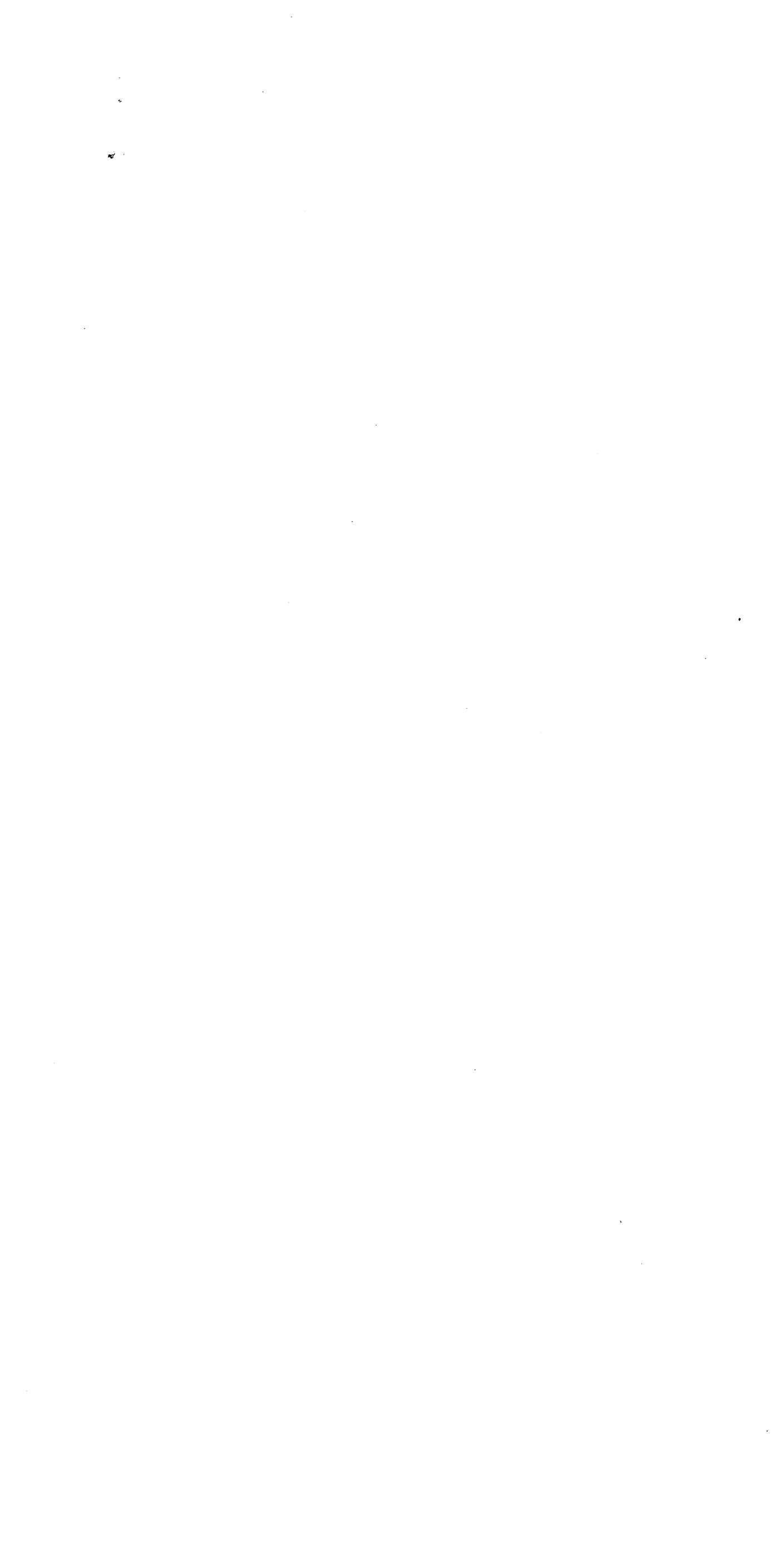
CAP. XVIII.

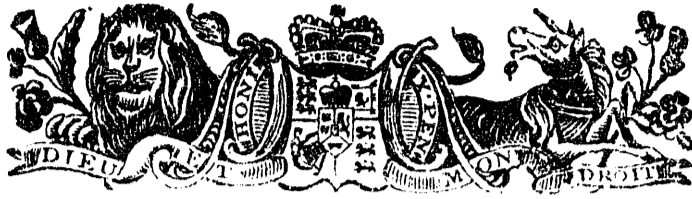
AN ACT for Granting to Her Majesty the Sum of Five Thousand Pounds for the Making and Repairing of Main Roads and Bridges in this Colony.

[Passed 23d April, 1849.]

WHEREAS it is expedient to provide for the internal Improvement Preamble.
of the Colony, by the Making and Repairing of Roads and Bridges
therein :

Be it therefore enacted, by the Governor, Council and Assembly, in The sum of £5000
Legislative Session convened, that from and out of such Monies as may granted for
from time to time remain in the hands of the Treasurer, unappropriated, making and re-
there be Granted to Her Majesty, Her Heirs and Successors, the Sum of pairing of Main
Five Thousand Pounds for the Opening, Making, and Repairing, of Main Roads, &c.
Roads and Bridges in this Colony ; which Sum shall be expended by the
Governor and Council in such of the Districts of this Colony, where Des-
titution may prevail, as they shall select for the purposes aforesaid.





ANNO DUODECIMO

VICTORIÆ REGINÆ.

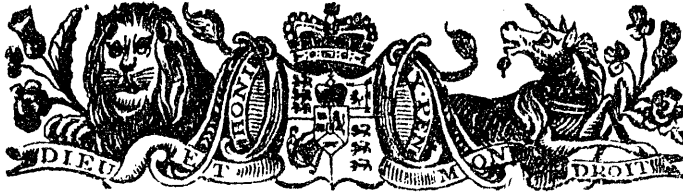
CAP. XIX.

AN ACT to authorize the raising by Loan a further Sum of Money for the Erection of a Colonial Building and Public Market House in the Town of St. John's.

[Passed 23d April, 1849.]

WHEREAS an Act was passed in the Sixth Year of the Reign of His late Majesty, entitled "An Act to authorise the Erection of a Colonial House in the Town of Saint John's, and the raising by Loan a Sum of Money for that purpose;" by the provisions whereof Nine Commissioners, to be thereunder appointed, or the major part in number of them, were authorised to raise by Loan a Sum of Money not exceeding, in the whole, the Sum of Fifteen Thousand Pounds, to be appropriated towards carrying into effect the provisions of the said Act: *And whereas*, by subsequent Acts of the General Assembly, the said recited Act has been amended, and a further Sum of Seven Thousand Pounds authorised to be raised in manner aforesaid, for the purposes of the said Act: *And whereas* the said Sums have been found insufficient for the purposes of the said Acts, and it is expedient that the Commissioners appointed under the same should be empowered to raise a further Sum for the said purposes:

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that it shall be lawful for the said Commissioners, or the major part of them in number, and they are hereby authorised and empowered, to raise by Loan on Public Advertisement for Tenders thereof, at the lowest rate of Interest, such further Sum of Money, not exceeding in amount the Sum of Four Thousand Pounds, as may be found necessary for the purposes of the said Acts; and such Monies shall be raised in like manner, and appropriated to the like ends, and repaid after the like times, as are expressed and declared in the said recited Acts, with respect to the aforesaid Sums of Fifteen Thousand Pounds and Seven Thousand Pounds respectively.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XX.

AN ACT to raise by Loan a Sum of Money for the General Purposes of the Colony.

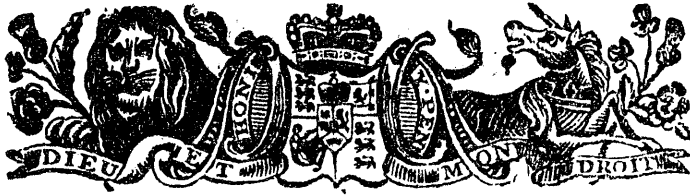
[Passed 23d April, 1849.]

WHEREAS an Act was passed in the Ninth and Tenth Years of the Preamble. Reign of Her present Majesty, entitled "An Act to authorise the Issue of Treasury Notes," which said Act has not been put into operation, and it is expedient to Repeal the same, and to provide means for the raising by Loan of an amount not exceeding Fifteen Thousand Pounds, to defray the Expense of the Civil Government, and for the General Improvement of the Colony :

Be it therefore enacted, by the Governor, Council and Assembly, in 9th & 10th Via. Cap. 5 repealed. Legislative Session convened, that the said recited Act and the several clauses, matters and things therein contained, shall be and the same are hereby Repealed.

II.—*And be it enacted*, That it shall and may be lawful for the Treasurer of this Colony, and he is hereby authorised, to raise by Loan, from Treasurer authorised to raise by loan the sum of £15,000, to be repaid out of public funds. such Person or Persons, or Bodies Corporate or Politic, as will advance the same, a Sum not exceeding in the whole Fifteen Thousand Pounds, to be applied to the general purposes of the Colony; which said Sum, with Interest thereon, shall be chargeable upon and repaid out of the Public Funds of this Colony, at the times following, that is to say—the Sum of Seven Thousand Five Hundred Pounds at the expiration of Five Years from the borrowing the same, and the Sum of Seven Thousand Five Hundred Pounds at the expiration of Ten Years from the time of borrowing thereof.

III.—*And be it further enacted*, That the said Loan shall be raised by Loan to be raised by public advertisement for Tenders. Public Advertisement for Tenders thereof, at the lowest rate of Interest, and that the Interest on the Money loaned shall be paid Half-Yearly, on the Thirtieth day of June, and Thirty-first day of December, in each year: *Provided nevertheless* that no Interest shall be payable for any part of such Loan, beyond the period appointed for the repayment of the same, under the provisions of this Act.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XXI.

AN ACT to Indemnify His Excellency Sir John Gaspard Le Marchant, for Monies advanced by him from the Colonial Treasury for the Service of the Colony.

[Passed 23rd April, 1849.]

WHEREAS it is necessary to Indemnify His Excellency Sir John Gaspard Le Marchant for sums of Money advanced by him from the Colonial Treasury for the Public Service, as hereinafter detailed : Preamble.

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that from and out of such Monies as may from time to time remain in the hands of the Colonial Treasurer, and unappropriated, there be Granted to Her Majesty, Her Heirs and Successors, the Sum of Seventeen Thousand Two Hundred and Thirty-six Pounds, Seventeen Shillings, and Twopence, to be appropriated as follows, that is to say— The sum of £17236 17 2 granted to Her Majesty to indemnify His Excellency Sir J. G. Le Marchant for monies advanced by him out of the Colonial Treasury.

Towards Indemnifying His Excellency Sir John Gaspard Le Marchant for the said Sum advanced by him out of the Colonial Treasury, partly on his own responsibility and partly with the concurrence of the Council and the House of Assembly, and expended by him for the Public Service, as follows, that is to say :

For Civil and Criminal Prosecutions, Two Hundred and Thirty-seven Pounds and Eleven Pence.

For Printing and Stationery, Four Hundred and Five Pounds, Two Shillings, and Eight Pence.

For Fuel and Light, Four Hundred and Thirty-eight Pounds, Sixteen Shillings, and Five Pence.

For Relief of the Poor, Sick and Lunatic Paupers, Eight Thousand Two Hundred and Seven Pounds, Three Shillings, and Five Pence.

For Postages and Incidentals, Ninety-two Pounds, Nine Shillings, and Five Pence.

For Repairs of Gaols and Gaol Expenses, Three Hundred and Eighty-two Pounds, Seven Shillings, and Eight Pence.

For Registration of Voters, One Hundred and Thirteen Pounds, Fifteen Shillings, and Four Pence.

For Salaries, including Ferries, Four Thousand Six Hundred and Sixty-four Pounds, Eleven Shillings, and Four Pence.

For Circuits, Seven Hundred and Twenty-seven Pounds, Fourteen Shillings, and Ten Pence.

For Coroners, One Hundred and Fifty-nine Pounds, and Six Shillings.

For Contingencies, One Hundred and Eighteen Pounds, Four Shillings, and Six Pence.

For Election Expenses, One Thousand Two Hundred and Twenty-five Pounds, Two Shillings, and Six Pence.

For Pensions, One Hundred and Fifty-nine Pounds, Two Shillings, and Six Pence.

For Night Watch, Saint John's, and Special Grants, Three Hundred and Fifteen Pounds, Nineteen Shillings, and Eight Pence.





ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XXII.

AN ACT for granting to Her Majesty a Sum of Money for Defraying the Expenses of the Civil Government of this Colony, for the Year ending Thirty-first day of December, One Thousand Eight Hundred and Forty-nine.

[Passed 23rd April, 1849.]

MAY IT PLEASE YOUR MAJESTY:—

We, Your Majesty's dutiful and loyal Subjects, the Commons of Newfoundland, having freely and voluntarily resolved to give and grant unto Your Majesty a Supply, to defray certain charges for the support of the Civil Government, for the Administration of Justice, and the General Improvement of this Colony, do humbly beseech Your Majesty that it may be enacted, and—

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that from and out of such Monies as shall from time to time remain in the hands of the Treasurer, and unappropriated, there be granted to Your Majesty, Your Heirs and Successors, the Sum of Twenty-seven Thousand Six Hundred and Twenty-four Pounds, Fifteen Shillings, and Eight Pence, which said Sum of Money shall be applied in payment of the following charges for the Year commencing on the First day of January One Thousand Eight Hundred and Forty-nine, and ending on the Thirty-first day of December in the same Year, that is to say :

The Sum of Four Thousand Two Hundred and Thirty-one Pounds, towards defraying the Salaries of the undermentioned Officers, as follows :

The Private Secretary to the Governor, Two Hundred Pounds.	Private Secretary.
The Clerk to the Executive Council, Two Hundred Pounds.	Clerk to Council.
Two Clerks in the Secretary's Office, Four Hundred Pounds.	Clerks Secretary's Office.
An Office Keeper to the Secretary's Office, Sixty Pounds.	Office Keeper.
A Messenger to the Secretary's Office, Sixty Pounds.	Messenger.

£27,024 15s. 8d.
for the year ending Dec. 31, 1849.

Salaries of—

Colonial Treasurer	The Colonial Treasurer, Five Hundred Pounds.
Clerk N. C. C.	The Clerk of the Northern Circuit Court, Two Hundred Pounds.
Do. S. C. C.	The Clerk of the Southern Circuit Court, Two Hundred Pounds.
Crier Supreme Court.	The Crier and Tipstaff of the Supreme Court, Sixty Pounds.
Police Magistrates	Three Police Magistrates for Saint John's, Nine Hundred Pounds.
High Constable.	The High Constable for Saint John's, Eighty Pounds.
Police Constables.	Eight Police Constables for Saint John's, Three Hundred and Sixty Pounds.
Gaoler St. John's.	The Gaoler for Saint John's, One Hundred and Fifty Pounds, in lieu of all Fees, which are to be accounted for and paid over to the Colonial Treasurer.
Gaol Surgeon.	The Gaol Surgeon for Saint John's, Forty Pounds.
Gaol Barber.	The Gaol Barber for Saint John's, Fifteen Pounds.
Gaol Surgeon, Harbor Grace.	The Gaol Surgeon for Harbor Grace, Thirty Pounds.
District Surgeon, St. John's.	The District Surgeon for Saint John's, One Hundred and Fifty Pounds.
Hospital Surgeon.	The Hospital Surgeon for Saint John's, One Hundred and Fifty Pounds.
Gate Keeper.	The Gate-keeper at Government House, Twenty-six Pounds.
Attorney General.	The Attorney-General, in lieu of his Fees of Office, Two Hundred and Fifty Pounds.
Solicitor General.	The Solicitor General, in lieu of his Fees of Office, Two Hundred Pounds.
Outport Magistrates.	The Sum of Two Thousand and Thirty Pounds, towards defraying the Salaries of the undermentioned Outport Magistrates, as follows : A Magistrate at Harbor Grace, One Hundred and Eighty Pounds. A Second Magistrate at Harbor Grace, One Hundred and Fifty Pounds. A Magistrate at Carbonear, One Hundred and Fifty Pounds. A Magistrate for Brigus and Port-de-Grave, One Hundred and Fifty Pounds. A Magistrate at Ferryland, One Hundred Pounds. A Magistrate at Bay Bulls, One Hundred Pounds. A Magistrate at Burin, One Hundred and Fifty Pounds. A Magistrate at Lamaline, One Hundred and Thirty Pounds. A Magistrate at Saint Mary's, One Hundred and Thirty Pounds. A Magistrate at Harbor Britain, One Hundred Pounds. A Magistrate at Grand Bank, One Hundred and Thirty Pounds. A Magistrate at Trinity, One Hundred and Fifty Pounds. A Magistrate at Bonavista, One Hundred and Fifty Pounds. A Magistrate for Twillingate and Fogo, One Hundred and Thirty Pounds. A Magistrate for Placentia, One Hundred and Thirty Pounds.
Outport Clerks of the Peace.	The Sum of Five Hundred and Eighty-five Pounds, towards defraying the Salaries of the undermentioned Outport Clerks of the Peace, as follows : A Clerk of the Peace at Harbor Grace, One Hundred and Fifty Pounds. A Clerk of the Peace at Carbonear, Sixty Pounds. A Clerk of the Peace for Brigus and Port-de-Grave, Sixty Pounds. A Clerk of the Peace at Ferryland, Sixty Pounds. A Clerk of the Peace at Placentia, Thirty-five Pounds. A Clerk of the Peace at Burin, Thirty-five Pounds. A Clerk of the Peace at Harbor Britain, Thirty-five Pounds. A Clerk of the Peace at Trinity, Sixty Pounds. A Clerk of the Peace at Bonavista, Forty-five Pounds. A Clerk of the Peace at Twillingate, Forty-five Pounds :

Provided that all Fees of Office received by the said Clerks of the Peace, shall be accounted for and paid over to the Colonial Treasurer.

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

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

A Gaoler at Ferryland, Twenty-five Pounds.

A Gaoler at Placentia, Twenty-five Pounds.

A Gaoler at Burin, Twenty-five Pounds.

A Gaoler at Trinity, Twenty-five Pounds.

The Sum of Nine Hundred and Fifty-four Pounds towards defraying Outport Constables the Salaries of the undermentioned Outport Constables, as follows :

Three Constables at Harbor Grace, One Hundred Pounds.

Three Constables at Carbonear, Seventy-five Pounds.

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

A Constable at Bay Roberts, Twelve Pounds.

A Constable at Ferryland, Twenty-five Pounds.

A Constable at Bay Bulls, Twenty-five Pounds.

A Constable at Burin, Twenty-five Pounds.

A Constable at Lamaline, Twelve Pounds.

A Constable at Saint Mary's, Twenty-five Pounds.

A Constable at Harbor Britain, Twelve Pounds.

A Constable at Grand Bank, Twelve Pounds.

Two Constables at Trinity, Thirty-seven Pounds.

A Constable at Bonavista, Twenty-five Pounds.

Three Constables at Twillingate and Fogo, Forty-nine Pounds.

A Constable at Placentia, Twenty-five Pounds.

A Constable at Bay-de-Verds, Twelve Pounds.

A Constable at Harbor Main, Twelve Pounds.

A Constable at Cat's Cove, Twelve Pounds.

A Constable at Western Bay, Twelve Pounds.

A Constable at South Shore, Twelve Pounds.

A Constable at Brigus, South, Twelve Pounds.

A Constable at Witless Bay, Twelve Pounds.

A Constable at Toad's Cove, Twelve Pounds.

A Constable at Renew's, Twelve Pounds.

A Constable at Cape Broyle, Twelve Pounds.

A Constable at Caplin Bay, Twelve Pounds.

A Constable at Aqualort, Twelve Pounds.

A Constable at Fermews, Twelve Pounds.

A Constable at Barren Island, Twelve Pounds.

A Constable at Merasheen, Twelve Pounds.

A Constable at Little Placentia, Twelve Pounds.

A Constable at Saint Lawrence, Twelve Pounds.

A Constable at Trepassey, Twelve Pounds.

A Constable at Catalina, Twenty-five Pounds.

A Constable at Perlican, Twelve Pounds.

A Constable at Heart's Content, Twelve Pounds.

A Constable at Hant's Harbor, Twelve Pounds.

A Constable at New Harbor, Twelve Pounds.

A Constable at Greenspond, Twelve Pounds.

A Constable at Exploits Bay, Twelve Pounds.

A Constable at Petty Harbor, Twenty Pounds.

A Constable at Portugal Cove, Twenty Pounds.

A Constable at Torbay, Twenty Pounds.

A Constable at King's Cove, Twelve Pounds.

A Constable at Tickle Cove, Twelve Pounds.

- A Constable at Salvage, Twelve Pounds.
- A Constable at Hermitage Bay, Twelve Pounds.
- A Constable at Burgeo Islands, Twelve Pounds.
- A Constable at Jersey Harbor, Twelve Pounds.

Ferries.

The Sum of Two Hundred and Sixty-two Pounds, toward defraying the Allowances of the following Ferrymen, that is to say :

- To Ferrymen at Manuels and Little Saint Lawrence, Ten Pounds each.
- To Ferrymen at Great Placentia, Salmonier, Portugal Cove, South Arm of Trinity, Twenty-five Pounds each.
- To Ferrymen between Burin and Spoon Cove, and between Belle Isle and Topsail, Twenty Pounds each.
- To Ferrymen at Biscay Bay and Aquaforte, Fifteen Pounds each.
- To a Ferryman at Malbay, Twelve Pounds.
- To a Ferryman at John's Pond, North Harbor and Salmonier, Thirty Pounds.

And Two Ferries at Holyrood, Thirty Pounds ; that is to say : For Two Boats to be stationed in the neighbourhood of Crawley's on the South Side, and the neighbourhood of Healy's on the North Side, of the Harbour,—Fifteen Pounds to be allowed each.

- Packet Boat and Messenger Boan-vista Bay.** The Sum of One Hundred Pounds towards defraying the Expense of the support of a Packet-Boat between Bonavista and South Side of Trinity Bay, and a further Sum of Twenty Pounds for a Messenger.
- Packet Boat Burin and Placentia.** The Sum of One Hundred and Twenty Pounds towards defraying the Expense of the support of a Packet-Boat between Burin and Placentia, and a further Sum of Thirty Pounds for a Messenger between the latter place and Saint John's.
- Messenger.**
- Commercial School Great Placentia.** The Sum of Forty Pounds towards the support of a Commercial School at Great Placentia.
- Presbyterian School, St John's.** The Sum of Forty Pounds for the support of the Presbyterian School at St. John's.
- Court Houses, &c.** The Sum of Two Hundred Pounds towards defraying the Ordinary Expenses of Court Houses and Gaols.
- Gaols.** The Sum of Six Hundred Pounds towards defraying the Expenses of Gaols.
- Printing and Stationery.** The Sum of Five Hundred Pounds towards defraying the Expenses of Printing and Stationery.
- Crown Prosecutions.** The Sum of Three Hundred Pounds towards defraying the Expenses of Crown Prosecutions.
- Coroners.** The Sum of One Hundred and Fifty Pounds towards defraying the Expenses of Coroners.
- Fuel and Light.** The Sum of Four Hundred and Fifty Pounds towards defraying the Expense of Fuel and Light, in Public Buildings.
- Incidentals.** The Sum of One Hundred and Twenty Pounds towards defraying Postages and other Incidental Expenses.
- Circuits.** The Sum of Two Hundred Pounds towards defraying the Expenses of Judges on Circuits, that is to say : The Sum of One Hundred Pounds to each of the Judges, to defray Expenses of each Circuit, in full of Table Money and means of Conveyance.
- Permanent Paupers.** The Sum of Two Thousand Eight Hundred Pounds towards defraying the Expense of the support of Permanent Paupers.
- Out-harbor Paupers.** The Sum of Four Hundred Pounds towards defraying the Expense of the support of Out-harbor Paupers.
- Lunatic Paupers.** The Sum of Seven Hundred and Fifty Pounds towards defraying the Expense of Lunatic Paupers.
- Sick Poor.** The Sum of Eleven Hundred Pounds towards defraying the Expense of Sick Poor in the Hospital.
- Registration of Voters.** The Sum of One Hundred and Fifty Pounds towards defraying Expenses of the Registration of Voters.

- The Sum of One Hundred Pounds towards the Relief of Shipwrecked Sealers. Shipwrecked Sealers.
- The Sum of One Hundred Pounds towards Clearing the Roads and Streets of Saint John's, from Snow. Clearing Streets, St. John's.
- The Sum of One Hundred Pounds towards carrying into effect the provisions of the Crown Lands Act. Crown Lands Act
- The Sum of One Hundred and Forty-three Pounds, Six Shillings and Eight Pence, towards defraying Expenses of Gas Lights, Saint John's. Gas Lights.
- The Sum of Twenty-five Pounds towards defraying Office Rent of Deputy Post Master, provided it be kept in a Stone Building. Deputy Post Master's Office Rent.
- The Sum of Thirty-six Pounds and Ten Shillings towards defraying Expense of Artillery-men at Fort Amherst. Artillerymen Fort Amherst.
- The Sum of Fifty Pounds towards payment of Duties on Wines Imported or Purchased for the use of the Military. Military Mess.
- The Sum of Twenty-five Pounds towards defraying the Expense of publishing an Almanac. Almanac.
- The Sum of Fifty Pounds towards defraying the Annual Allowance to the Widow of the late Mr. Blaikie. Mrs. Blaikie.
- The Sum of Forty Pounds to Matthew Stevenson, as Pension. M. Stevenson.
- The Sum of Thirty Pounds towards defraying Annual Allowance to the Widow of the late Mr. Holbrook. Mrs. Holbrook
- The Sum of Twenty Pounds towards defraying Annual Allowance to Lawrence Furlong. L. Furlong.
- The Sum of Nine Pounds, Two Shillings and Six Pence, to Patrick Burke, as Pension. P. Burke.
- The Sum of Ten Pounds to Robert Connell, as Gratuity in compensation for past services. R. Connell.
- The Sum of Three Hundred and Fifty Pounds towards defraying the Salary of the Chief Clerk and Registrar of the Supreme and Central Circuit Courts, together with the Sum of Fifty Pounds to defray the Salary of a Clerk Assistant; also the further Sum of Twenty Pounds for Stationery and other Incidentals; provided that all Fees and Perquisites received in, or in any way connected with, the said Office, shall be accounted for and paid over half yearly to the Colonial Treasurer. Chief Clerk Supreme and Central Circuit Courts.
- The Sum of Four Thousand and Two Hundred Pounds towards defraying Expense of Support of Casual Poor. Casual Poor.
- The Sum of Eighteen Pounds, Fourteen Shillings and Four Pence, to reimburse Lieutenant-Colonel Law for Duties paid on Articles of a Military character imported for the use of the Officers and Men of the Royal Newfoundland Companies. Return Duties— Lt.-Col. Law.
- The Sum of Three Pounds and Three Shillings to reimburse Lieutenant Jervois, Royal Engineers, for Duties paid on Personal Baggage. Do. Lt. Jervois.
- The Sum of Thirteen Pounds, Two Shillings and Eleven Pence, to reimburse Captain Kennedy, Royal Artillery, for Duties paid on Personal Baggage. Do. Captain Kennedy.
- The Sum of Four Pounds, Ten Shillings and Eleven Pence, to reimburse John Tunbridge, Esquire, Deputy Ordnance Storekeeper, for Duties paid on Personal Baggage. Do. Deputy Ordnance Storekeeper.
- The Sum of Five Pounds, One Shilling and Nine Pence, to reimburse Francis Brady, Esquire, for Duties paid on Wearing Apparel. Do. F. Brady, Esq.
- The Sum of Two Thousand Pounds towards the Rebuilding of the Presentation Convent, destroyed by the Fire of One Thousand Eight Hundred and Forty-six—One Thousand Pounds thereof to be paid this year, and the remaining Thousand next year. Presentation Convent.
- The Sum of One Hundred and Fifty Pounds towards defraying the Expense of Erecting a Safety Wharf at Little Placentia. Safety Wharf, Little Placentia.
- The Sum of Fifty Pounds towards the support of the Dorcas Society, Saint John's. Dorcas Society, St. John's.
- The Sum of Twenty-five Pounds towards the support of the Dorcas Society, Harbor Grace. Ditto, H. Grace.

Agricultural Society.	The Sum of One Hundred Pounds towards the support of the Agricultural Society.
Compensating John Woods.	The Sum of Seventy Pounds to John Woods, in compensation for taking down a House to arrest a fire in Albion Street.
Ditto James Woods.	The Sum of Sixty Pounds to James Woods, in compensation for taking down a House to arrest a fire in the locality aforesaid.
Sarah Dooley, remuneration.	The Sum of Thirty Pounds to Sarah Dooley, remuneration for services rendered by her late Husband in an attempt to rescue the Passengers and Crew of the Barbara.
Grist Mill, Harbor Grace.	The Sum of Three Hundred Pounds to be paid to any Person or Persons who may erect and build a Grist Mill at Harbor Grace or in its vicinity, for Grinding Wheat and Corn, subject to such conditions as His Excellency the Governor may deem it necessary to impose; the said Sum to be in full of all other claims upon this Colony; and the amount not to be paid in full until the said Mill be completely finished and fit for the purposes before mentioned.
St. John's Factory	The Sum of One Hundred Pounds towards the support of the Saint John's Factory.
Barracks, Harbor Grace. Proviso.	The Sum of One Hundred and Thirty Pounds towards defraying Expense in the Repairs of the Barracks at Harbor Grace, provided that the Contract be by Public Advertisement for Tender.
Cemetery, St. John's.	The Sum of Three Hundred Pounds for a Cemetery for the Interment of Deceased Members of the respective Congregations of Presbyterians in connection with the Established Church of Scotland, Presbyterians of the Free Church of Scotland, and other Presbyterians, Wesleyans, and Congregationalists, in Saint John's.
Night Watch.	The Sum of One Hundred Pounds towards the support of a Night Watch in Saint John's, provided that an equal amount be raised by contribution of the Inhabitants.
Phoenix Fire Company.	The Sum of Forty Pounds towards the support of the Phoenix Fire Volunteer Company.
Michael Brine, compensation.	The Sum of Forty-three Pounds, Six Shillings and Eight Pence, to Michael Brine, in compensation for the removal of Two Houses at the upper end of Prescott Street; provided that the said Houses be removed, and the Ground surrendered to the use of the Public, within One Month from the passing of this Act.
Breakwater Lamaline.	The Sum of One Hundred and Fifty Pounds towards the erection of a Breakwater at Lamaline.
Clearing Streets, St. John's.	The Sum of Thirty Pounds towards the Expense of Clearing the Streets of Saint John's from Filth and Rubbish.
Board of Control.	The Sum of Eighty Pounds, Eight Shillings and Eleven Pence, towards defraying certain Expenses incurred by the Board of Control for Two Years past.
Removal of Rock at Distress Cove.	The Sum of Twenty-five Pounds towards the removal of a Rock at Distress Cove, provided that the Governor shall be of opinion this amount can be judiciously expended for the purpose for which granted.
Grist Mill at Brigus.	The Sum of Two Hundred Pounds to be paid to such Person or Persons who will Erect a Grist Mill at Brigus or Neighbourhood, upon such conditions as the Governor may deem necessary to impose.
Archibald's Digest: Copies to Outport Magistrates.	The Sum of Twenty-five Pounds towards defraying cost of supplying the Outport Magistrates with copies of Archibald's Digest of the Laws of this Colony.
Court House, Harbor Britain.	The Sum of Two Hundred Pounds towards the Erection of a Court House at Harbor Britain, Fortune Bay.
Relief of the Poor at Burin and Ferryland, upon Message.	The Sum of Three Hundred Pounds towards the Relief of the Poor in Burin and Ferryland, appropriated by His Excellency the Governor upon Address from the House of Assembly of the date March Twentieth, Eighteen Hundred and Forty-nine.
Ditto Trinity, Bonavista, &c.	The Sum of Two Hundred and Fifty Pounds towards the Relief of the Poor in Trinity, Bonavista, Twillingate and Carbonear, appropriated

- by His Excellency upon Address from the House of Assembly of the date April Second, Eighteen Hundred and Forty-nine.
- The Sum of Four Hundred and Fifty Pounds towards the Relief of the Poor in Bonavista Bay, Trinity Bay, Conception Bay, and the District of Fogo, appropriated by His Excellency the Governor upon Address from the House of Assembly of the date April Tenth, Eighteen Hundred and Forty-nine. Relief of the Poor in Conception Bay, &c.
- The Sum of Fifty Pounds appropriated by Eighth Victoria, Cap. Fifteen, towards the Erection of a Wharf at Keels, and remaining in the Treasury undrawn, to be appropriated in the Making and Repairing of Streets in the same place, under the direction of His Excellency the Governor. Reappropriation of Grant for a Wharf at Keels.
- The Sum of Forty Pounds to the Saint John's Water Company, to defray Expense of keeping Fire Plugs in repair. Fire Plugs, St. John's Water Company.
- The Sum of One Hundred Pounds towards defraying Expense of procuring Portable Mills. Portable Mills.
- The Sum of Five Hundred Pounds to defray Unforeseen Contingencies. Contingencies.

II.—*And be it further enacted*, That the Monies hereinbefore granted shall be paid by the Colonial Treasurer in discharge of such Warrants as may from time to time be drawn by the Governor or Administrator of the Government for the time being, for the purposes of this Act, and that it shall not be lawful for the Colonial Treasurer to pay any Monies out of the Colonial Treasury, other than such as are granted in this Act or some other Act of the Legislature. Monies herein Granted—how paid.



ANNO DUODECIMO

VICTORIÆ REGINÆ.

CAP. XXIII.

AN ACT to provide for the Contingent Expenses of the Legislature.

[Passed 23rd April, 1849.]

WHEREAS it is expedient to provide for the Contingent Expenses of Preamble.
the Legislature during the present Session :

Be it therefore enacted, by the Governor, Council and Assembly, in £3,642 7s. 7d.
Legislative Session convened, that from and out of such Monies as shall granted for Con-
from time to time remain in the hands of the Treasurer, and unappropri- tingencies of Le-
ated, there be Granted to Her Majesty, Her Heirs and Successors, the gislature.
Sum of Three Thousand Six Hundred and Forty-two Pounds, Seven
Shillings and Seven Pence, to be applied towards Remunerating the Offi-
cers of the Legislature for their Services, and towards defraying the
Contingent Expenses of Her Majesty's Council and the House of Assem-
bly during the present Session, as follows :

The Clerk of Her Majesty's Council, for his Services during the present Council--Officers.
Session, One Hundred and Fifty Pounds.

The Master-in-Chancery attending Her Majesty's Council, for his Ser-
vices during the present Session, One Hundred Pounds.

The Usher of the Black Rod, for his Services during the present Session,
Eighty-five Pounds.

The Doorkeeper of Her Majesty's Council for his Services during the
present Session, Forty-five Pounds.

The Assistant Doorkeeper and Messenger of Her Majesty's Council, for
his Services, Twenty Pounds.

To Mr. W. J. Ward for Reporting and Publishing the Debates of Her
Majesty's Council, Forty Pounds.

To Mr. William R. Noad for furnishing to Her Majesty's Council a Plan
of the Town of Saint John's for the purpose of general reference,
Twenty-five Pounds.

For Printing the Journals of Her Majesty's Council, One Hundred and Printing Journals
and other Con-
Twenty Pounds. tingencies.

To the Clerk of Her Majesty's Council, to Defray the Contingent Ex-
penses of his Office, Ninety-seven Pounds, Nineteen Shillings and
Eleven Pence.

House of Assembly
— Speaker and
Officers.

To the Usher of the Black Rod, to defray the Contingent Expenses of his Office, Twenty-two Pounds, Three Shillings and Two Pence.

To the Honorable the Speaker of the House of Assembly, for his Services during the present Session, Two Hundred Pounds.

To the Clerk of the House of Assembly, for his Services, and for Indexing and Superintending the Printing of the Journals, during the present Session, Two Hundred Pounds.

To the Clerk Assistant for his Services during the present Session, One Hundred Pounds.

To the Sergeant-at-Arms, for his Services during the present Session, One Hundred Pounds.

To the Solicitor of the House of Assembly, for his Services during the present Session, One Hundred and Fifty Pounds.

To the Doorkeeper of the House of Assembly, for his Services during the present Session, Forty-five Pounds.

To the Messenger of the House of Assembly, for his Services during the present Session, Forty Pounds.

To the Under-Doorkeeper of the House of Assembly, for his Services during the present Session, Thirty-five Pounds.

To the Assistant Doorkeeper, Messenger and Attendant of the House of Assembly, for his Services during the present Session, Fifteen Pounds.

To the Librarian of the Legislature, Fifty Pounds.

Members.

To Fourteen Members of the House of Assembly (Speaker not included,) the Sum of Seven Hundred and Fourteen Pounds; being Forty-two Pounds each for Eight Members resident in Saint John's, and Sixty-three Pounds each for Six Outport Members not resident in Saint John's, for their attendance during the present Session.

Reporting, Printing and other Contingencies.

To the Reporter of the House of Assembly, for his Services during the present Session, One Hundred and Fifty Pounds.

To the Proprietor of the Morning Post Newspaper, for Publishing the Debates of the House of Assembly, Forty Pounds.

To the Police Constables for their attendance, Twenty Pounds.

To the Proprietor of the Patriot Newspaper, for Printing Bills and Miscellaneous Papers during the present Session, One Hundred and Eighty-three Pounds and Eight Shillings.

To the Proprietor of the Newfoundlander Newspaper, Estimate for Printing Journals and Appendix, of the House of Assembly, for the present Session, Two Hundred and Fifty Pounds.

To the Clerk of the House of Assembly to defray the Contingent Expenses of his Office pursuant to the Report of the Select Committee of the House of Assembly upon Contingencies, Two Hundred Pounds, Fifteen Shillings and Seven Pence.

To the Sergeant-at-Arms to defray the Contingent Expenses of his Office, pursuant to the Report of the Select Committee of the House of Assembly upon Contingencies, Fifty-nine Pounds and Eleven Pence.

To the Chairman of the Committee of Supply, Fifty Pounds.

To the Chairman of the Committee of Audit, Fifty Pounds.

The Sum of Two Hundred and Seventy-five Pounds towards defraying the Expense incurred in the Hiring and Fitting-up of a Temporary Building to accommodate both Branches of the Legislature during the present Session.

The Sum of Ten Pounds to George Anderson, for his Services as Doorkeeper at the commencement of the present Session.