

*The Hon. John A. Macdonald*

16

**ACTS**  
OF THE  
**GENERAL ASSEMBLY**  
OF  
**HIS MAJESTY'S PROVINCE**  
OF  
**NEW-BRUNSWICK,**  
PASSED IN THE YEAR  
**1825.**

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MDCCCXXV.

MAR 9 1909

ANNO REGNI

**GEORGIIV.**

*Britanniarum Regis, Sexto.*



**A**T the General Assembly of the Province of New-Brunswick, begun and holden at Fredericton, on the first day of February, Anno Domini, one thousand eight hundred and twenty-five, in the sixth Year of the Reign of our said Sovereign Lord George the Fourth, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, King, Defender of the Faith, &c. &c. being the fifth Session of the Eighth General Assembly, convened in the said Province.



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THE  
**A C T S**  
OF THE  
**GENERAL ASSEMBLY,**  
*&c.*

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**CAP. I.**

An ACT to amend an Act intituled, "An Act to provide for the better Support of the Poor in certain Parishes in the County of Northumberland.

*Passed 17th March, 1825.*

**W**HEREAS by the first Section of an Act passed in the 5th year of His Majesty's Reign, intituled "An Act to provide for the better support of the Poor in certain Parishes in the County of Northumberland," it is enacted, that the money for defraying the expence of erecting and finishing an Alms House and Work House in the Parish of Newcastle, shall be raised by an Assessment upon the Inhabitants of the Parishes of Newcastle, Chatham, Northesk, Ludlow, Alnwick, and Glenelg in the said County: *And whereas* it is expedient that

*Preamble.*  
*5. 5. 4. c. 23.*

the

the Inhabitants of the Parish of Nelson in the said County should pay a fair share of the money so to be raised by Assessment for the purpose aforesaid; and should participate with the other Parishes before mentioned, in all the benefits and advantages of the said Act,

Assessment to be made upon the Inhabitants of Nelson as well as upon the other Parishes, and all the provisions of the recited Act extended to that Parish.

*Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the Justices of the Peace for the County of Northumberland in their General Sessions, be, and they are hereby authorized and empowered to Assess the Inhabitants of the Parish of Nelson as well as the other Parishes in the said County, mentioned in the first Section of the Act to which this is an amendment, for the purpose of erecting and finishing the said Alms House and Work House, and all and singular the clauses and provisions of the said recited Act shall extend and be in force with regard to the said Parish of Nelson exactly in the same manner as if the said Parish of Nelson had been originally named in the same Act as one of the Parishes upon which such Assessment was to be made.

## CAP. II.

An ACT to authorize the Justices of the Peace in the County of York, to make Regulations respecting Carmen and Waggoners, and the lading and unlading of Vessels or Boats in the Parish of Fredericton.

*Passed 17th March, 1825.*

**W**HEREAS great inconvenience and delay has frequently occurred in the lading and unlading of Vessels and Boats in the Parish of Fredericton for want of pro-

Preamble.



per regulations for Waggoners and Carmen  
---For remedy whereof,

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That the Justices of the Peace for the County of York, be, and they are hereby authorized and empowered, from time to time, to make such Rules and Regulations for the lading and unlading of any Vessels or Boats, and for the government of all Carmen, Waggoners and Truckmen within the Parish Fredericton, and for establishing and fixing the Rates and Fares to be taken for the Cartage and Truckage of any Goods, Wares and Merchandizes, or other articles, within the said Parish of Fredericton, as they or the major part of them in their General Sessions, shall deem just and expedient, and to enforce such Rules and Regulations under such Fines and Penalties as they, or the major part of them, shall think fit. *Provided always,* That no Fine for any one offence shall exceed the sum of Forty Shillings.

Justices in General Sessions may make regulations for the lading and unlading of Vessels or Boats and for the government of Carmen, Waggoners and Truckmen,

and fix the rates and fares for Cartage under penalties not exceeding 40s.

II. *And be it further enacted,* That the several Fines and Penalties to be imposed under and by virtue of this Act, shall be recovered upon oath of one or more credible Witness or Witnesses, before any one of His Majesty's Justices of the Peace for the County of York, and levied by distress and sale of the Goods and Chattels of the offender, rendering the overplus, if any, after deducting the costs and charges of prosecution and sale to such offender, and be applied one half to the person

Fines and Penalties imposed under this Act, to be recovered before a Justice.

and levied by distress and sale.

how applied.

son

son who shall sue for the same, and the other half to the use of the Poor of the said Parish.

### CAP. III.

An ACT to increase the Capital Stock of the Bank of New-Brunswick.

*Passed 17th March, 1825.*

**W**HEREAS from the increase of the Trade of the Province it is found expedient to increase the Capital Stock of the Bank of New-Brunswick,

*I. Be it enacted by the Lieutenant-Governor, Council, and Assembly, That the Capital or*  
 Stock of the said Bank shall be increased by the sum of Twenty Thousand Pounds, making the said Capital or Stock, in the whole, Fifty Thousand Pounds, which additional Capital or Stock shall be divided into four hundred shares of Fifty Pounds each.

Stock to be increased by £20000 making £50,000.

Additional Stock to be divided into 400 shares of £50 each.

*II. And be it further enacted, That the*  
 said additional shares in the Capital or Stock of the said Bank, shall, on or before the first day of July next, be sold and disposed of at Public Auction to the highest bidder, at such time and place as the Directors of the said Bank for the time being shall appoint, sixty days notice of such sale being first given at least in three public Newspapers printed at Saint John, Fredericton, and Saint Andrews respectively, and the said shares shall be sold in eighty lots of five shares each.

Additional Stock to be sold on or before the first of July next at Public Auction after 60 days notice, in lots of five shares each.

*III. And be it further enacted, That the*  
 said additional shares, together with any advance or premium at which they may be respectively sold, shall be paid into the said Bank on the first Monday of October next,

Additional shares and Premium at which they may be sold, to be paid into the Bank on the first Monday in October next.

and

and the whole amount of such advance or premium if any, first deducting thereout, the charges of such sale, shall be divided in equal proportion to and among all the shares in the Capital or Stock of the Bank, as well the additional as the original shares, and such dividend of the said advance or premium, if any, shall be declared and paid by the said Directors at the next semi annual dividend after the payment into the said Bank of the purchase money of the said additional shares.

Premium, if any to be divided among all the Stock holders.

Dividend of advance to be paid at the next semi annual dividend after payment into the Bank.

IV. *And be it further enacted*, That in case of default of payment of any of the said shares and the advance or premium at which they may have been sold, on the said first Monday in October, it shall and may be lawful for the Directors of the said Bank for the time being, forthwith to sell and dispose of the said shares, in the payment of which, default may be so made, at their discretion, to the best advantage, and payment thereof shall be immediately made, and any advance or premium thereon, shall be divided in the manner before mentioned.

In default of payment of shares and premium into the Bank on the first Monday in Oct.

Directors to sell such shares again.

V. *And be it further enacted*, That the said additional shares in the said Capital or Stock, hereby created, and the holders thereof, shall at all times be subject and liable to all and singular the rules and regulations, clauses and provisions of an Act made and passed in the Sixtieth year of the Reign of his late Majesty King George the Third, intituled, "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New-Brunswick."

Additional shares and the Holders thereof, made subject to the provisions of the Act of 60 Geo 3, C. 13.

Limited to the  
continuance of 60,  
Geo 3. C. 13.

VI. *And be it further enacted,* That this Act shall be and remain in force and effect for and during the continuance of the said herein before recited Act, and no longer.

#### CAP. IV.

An ACT to encourage the establishment of Banks for Savings in this Province.

*Passed 17th March, 1825.*

**W**HEREAS certain Provident Institutions or Banks for Savings have been established in this Province for the safe custody and increase of small savings belonging to Mechanics, Labourers, Servants and others the industrious classes of His Majesty's Subjects; and it is expedient to give protection to such Institutions and the Funds thereby established, and to afford encouragement to others to form the like Institutions,

Persons forming  
Societies accord-  
ing to the provi-  
sions herein pre-  
scribed, entitled  
to the benefit of  
this Act.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That if any number of persons who have formed, or shall form any Society in any part of this Province, for the purpose of establishing and maintaining any Institution in the nature of a Bank to receive deposits of money for the benefit of the persons depositing the same, and to accumulate the produce of so much as shall not be required by the Depositors, their Executors or Administrators, to be paid in the nature of compound interest, and to return the whole or any part of such deposit and the produce thereof, to the Depositors, their Executors or Administrators; deducting only out of such produce, so much as shall be required to be so retained for the purpose of paying and discharging the necessary

cessary expenses attending the management of such Institution, according to such rules, orders and regulations, as shall have been or shall be established, for that purpose; but deriving no benefit whatsoever from any such deposit or the produce thereof, shall be desirous of having the benefit of the provisions of this Act, such persons shall cause the rules, orders and regulations established or to be established for the management of such Institution to be entered, deposited and filed in manner hereinafter directed, and thereupon shall be deemed to be entitled to, and shall have, the benefit of the provisions contained in this Act.

Rules for management of the Institution, to be entered and filed as herein after directed.

II. *Provided always, and be it further enacted,* That no such Institution as aforesaid, shall have the benefit of this Act unless the rules, orders and regulations for the management thereof, shall be entered in a Book or Books to be kept by an officer of such Institution, to be appointed for that purpose; And which Book or Books shall be open at all seasonable times for the inspection of the persons making deposits in the Funds of such Institutions, and unless such rules, orders, and regulations shall be fairly transcribed on Parchment, and such transcript shall be deposited with the Clerk of the Peace for the County, or City and County wherein such Institution shall be established; which transcript shall be filed by such Clerk of the Peace, with the Records in his custody, without any fee or reward to be paid in respect thereof; but nevertheless nothing herein contained shall extend to prevent any alteration

Rules of the Institution to be entered in a Book, and a copy deposited with the Clerk of the Peace.

No Fee to be taken for enrolment of Rules.

New Rules or alterations not to be in force until entered or enrolled as above mentioned.

ation in, or amendment of any such rules, orders, or regulations so entered and deposited and filed as aforesaid, or repealing or annulling the same or any of them in the whole or in part, or making any new rules, orders or regulations for the management of any such Institution, in such manner as by the rules orders and regulations of such Institution, shall from time to time be provided ; but such new rules, orders, or regulations, or such alterations in or amendment of former rules, orders or regulations or any order annulling or repealing any former rule, order or regulation in the whole, or in part, shall not be in force until the same respectively shall be entered in such Book or Books as aforesaid, and a transcript or transcripts thereof, shall be deposited with such Clerk of the Peace as aforesaid, who shall file the same without fee or reward as aforesaid.

Officers not to have any benefit in the Institution.

III. *Provided also, and be it further enacted,* That no such Institution as aforesaid, shall have the benefit of this Act unless it shall be expressly provided by the rules, orders and regulations for the management thereof, that no person or persons being Treasurer, Trustee or Manager of such Institution, or having any control in the management thereof, shall derive any benefit from any deposit made in such Institution, but that the persons depositing money therein, shall have the sole benefit of such deposits, and the produce thereof ; save only, and except such salaries and allowances or other necessary expenses as shall according to such rules, orders

ders and regulations be provided for the charges of managing such Institution, and for remuneration to officers employed in the management thereof, exclusive of the Treasurer or Treasurers, Trustee or Trustees, or other persons having direction in the management of such Institution, who shall not directly or indirectly, have any salary, allowance, profit, or benefit whatsoever therefrom, beyond their actual expences for the purposes of such Institution.

IV. *And be it further enacted,* That all rules, orders and regulations, from time to time made and in force for the management of any such Institution as aforesaid, and duly entered in such Book or Books as aforesaid, and deposited with such Clerk of the Peace as aforesaid, shall be binding on the several members and officers of such Institution, and the several Depositors therein, and their Representatives, all of whom shall be deemed and taken to have full notice thereof, by such entry and deposit as aforesaid, and the entry of such rules, orders and regulations in such Book or Books as aforesaid, or the transcript thereof, deposited with such Clerk of the Peace as aforesaid, or a true copy of such transcript examined with the original and proved to be a true copy, shall be received as evidence of such rules, orders and regulations respectively in all cases, and no certiorari shall be brought or allowed to remove any such rules, orders or regulations into any of His Majesty's Courts of Record; and every copy of any such transcript, deposited with any Clerk of the Peace as aforesaid.

Rules to be bind-  
on the several  
Members and Of-  
ficers.

Copy of Trans-  
script deposited  
with Clerk of the  
Peace Evidence.

No Certiorari al-  
lowed.

Copy of Tran-  
script to be made  
without Fee, ex-  
cept for expence  
of making Copy.

foresaid, shall be made without any fee or reward, except the actual expence of making such copy.

*V. And be it further enacted,* That in case Savings of Minors may be invested. the managers of any such Institution shall receive any deposit of money from or for the benefit of any person, under the age of twenty-one years, it shall be lawful for the managers of such Institution, to pay to such person, his or her share and interest in the Funds of such Institution, and the receipt of such person shall be a sufficient discharge, notwithstanding his or her incapacity or disability in Law to act for him or herself.

*VI. And be it further enacted,* That if any If Treasurers &c. are required by the General Rules, to give security. Treasurer or Treasurers, or other officer or officers or other person whatsoever, who shall be entrusted with the receipt or custody of any sum or sums of money, subscribed or deposited for the purposes of such Institution, or any interest or dividend from time to time accruing thereby; shall be required by the rules or regulations of such Institution, to become bound with Sureties for the just and faithful execution of such office or trust in such sum or sums of money as shall be required, by the rules, orders and regulations of such Institution; such security shall and may be given by Bond or Bonds to the Clerk of the Peace for the time being, for the County, or City and County where such Institution shall be established; and in case of forfeiture, it shall be lawful for the persons authorized for that purpose by the rules, regulations and orders of such Institution,

Security may be given by Bond to the Clerk of the Peace, and if forfeited, may be sued in his name.



Institution, to sue upon such Bond or Bonds, in the name of such Clerk of the Peace for the time being, and to carry on such Suit at the costs and charges and for the use of the said Institution, fully indemnifying and saving harmless such Clerk of the Peace from all costs and charges in respect of such Suit.

VII. *And be it further enacted,* That all monies, goods, chattels and effects whatever, and all securities for money or other obligatory instruments and evidences or muniments and all other effects whatever, and all rights or claims belonging to, or had by such Institution, shall be vested in the Trustee or Trustees of such Institution for the time being, for the use and benefit of such Institution and of the respective Depositors therein, their respective Executors or Administrators, according to their respective claims and interests; and after the death or removal of any Trustee or Trustees, shall vest in the succeeding Trustee or Trustees for the same estate and interest as the former Trustee or Trustees had therein, and subject to the same trusts, without any assignment or conveyance whatever; and also shall for all purposes of action or suit, as well criminal as civil in Law or in equity, in any wise touching or concerning the same, be deemed and taken to be; and shall in every such proceeding, when necessary, be stated to be the property of the person or persons appointed to the office of Trustee or Trustees of such Institution for the time being, in his, her, or their proper name or names, without further description; and such person

Effects of Institution to be vested in the Trustees for the time being,

and after death or removal in the succeeding Trustees without assignment,

or

who may bring &  
defend Actions,  
&c.

or persons shall, and they are hereby respectively authorized, to bring or defend, or cause to be brought or defended, any action, suit or prosecution, criminal as well as civil in Law or equity, touching or concerning the property, right or claim aforesaid, of, or belonging to or had by such Institution; and such person or persons so appointed, shall and may in all cases concerning the property, right or claim aforesaid, of such Institution sue and be sued, plead and be impleaded in his, her, or their proper name or names as Trustee or Trustees of such Institution without other description; and no such suit, action or prosecution, shall be discontinued or abate by the death of such person or persons or his or their removal from the office of Trustee or Trustees as aforesaid, but the same shall and may be proceeded in by the succeeding Trustee or Trustees, in the proper name or names of the person or persons commencing the same, any Law, usage or custom, to the contrary notwithstanding; and such succeeding Trustee or Trustees shall pay or receive like costs as if the action or suit had been commenced in his or their name or names for the benefit of, or to be re-imbursed from the Funds of such Institution.

Trustees may pay  
into the Province  
Treasury any sum  
of money belong-  
ing to the Institu-  
tion not less than  
fifty Pounds.

VIII. *And be it further enacted,* That the Trustees of any Institution which shall take the benefit of this Act in manner herein before provided, shall be, and they are hereby empowered to pay into the Province Treasury, any sum or sums of money not being less than fifty pounds, upon the declaration  
of

of the Trustees of such Institution, or any two or more of them, that such monies belong exclusively to the Institution for which such payment is intended to be made; whether such monies shall have been deposited therein, before the passing of this Act, or thereafter, shall be deposited therein; and the Treasurer of the Province, or the Deputy Treasurer for the County, District or place where such Institution shall be established, shall, and is hereby required to receive all such monies.

IX. *Provided always, and be it enacted*, That previous to any payment being made into the Province Treasury as aforesaid, the person or persons applying for that purpose, shall in all cases produce to the Treasurer or Deputy Treasurer as aforesaid, an order according to the form in the Schedule to this Act annexed, marked A, under the hands of two of the Trustees of such Institution, on the account of which such payment is to be made, and on the production of such order and payment of the sum therein expressed, to the said Treasurer, or Deputy Treasurer as aforesaid, at his office, the said Treasurer, or Deputy Treasurer as aforesaid, shall, and he is hereby required to make out, within five days after such payment, for delivery to such person or persons producing the order of the said Trustees, a debenture for the amount of such payment, carrying interest after the rate of Six Pounds per centum per annum, payable with the principal at the office of the Treasurer of the said Province, or of the Deputy Treasurer to whom such payment

Previous to such payment an order shall be produced under the hands of two Trustees.

Treasurer to issue Debentures for the amount of payment carrying interest: at the rate of £6 per cent per annum.

payable with principal, on the 31st December then next following.

payment may be made, on the thirty-first day of December then next following, to be dated on the day on which such payment or payments shall be made, which said Debenture shall be in the form specified in the Schedule to this Act annexed, marked B; and the principle and interest of all such Debentures shall be charged and chargeable upon, and they are hereby charged upon and made payable out of any monies remaining in the Province Treasury.

Trustees may demand payment of principal and interest at any time.

X. *And be it further enacted*, That it shall be lawful for the Trustees of any such Institution, or any two or more of them to demand payment at any time before the day of payment specified in such Debenture of the said Treasurer, or Deputy Treasurer as aforesaid, of the principal sum specified in any Debenture or Debentures issued in pursuance of the provisions of this Act, together with all the interest due thereon; computing such interest from the day of the date of the Debenture, inclusive, up to, and including the five days following the date of the order of the said Trustees, demanding such payment.

Previous to payment of Debenture an order endorsed thereon under the hands of two Trustees to be produced.

XI. *Provided always, and be it further enacted*, That previous to the payment of the principal of any such Debenture or Debentures, together with the interest due thereon, as aforesaid, the person or persons applying to receive the same, shall in all cases produce to the said Treasurer, or Deputy Treasurer, as aforesaid, at his office, an order endorsed on the back thereof, under the hands of two Trustees of the Institution for which such payment

payment shall be demanded, according to the form in the Schedule to this Act annexed, marked C, and the said Treasurer, or Deputy Treasurer, as aforesaid, shall, and he is hereby required, within five days after the receipt of such order, to pay such principal and interest out of any monies remaining in the Province Treasury: *Provided nevertheless*, that in all cases of payment, of the said Debentures, on the said thirty-first day of December in each and every year as hereinafter provided, the order for the payment thereof, shall be dated five days preceding.

Treasurer within five days after receipt of order to pay principal and interest.

XII. *And be it further enacted*, That the interest on all Debentures issued in pursuance of the provisions of this Act, and remaining unpaid, shall be computed up to the said thirty-first day of December in each and every year inclusive, and then paid off together with the principal of such Debentures, if the Trustees of such Institution shall then require such principal to be so paid off; such payments to be made upon the order of two of the said Trustees, in manner herein before directed, and new Debentures shall, on the first day of January immediately succeeding, be issued for the principal of the said Debentures of which the interest alone shall be so paid off: *Provided nevertheless*, that if on renewing the said Debentures in manner before mentioned, the said Trustees shall require a new Debenture or Debentures with the interest to be added thereto, (the same being so expressed in the said order of the said Trustees) it shall be lawful for the said Treasurer or Deputy Treasurer,

Interest on Debentures remaining unpaid, to be computed to 31st of December, and then paid off with principal, if required, upon order of Trustees.

New Debentures to be issued on the 1st of January for principal of which the interest alone was paid.

New Debentures, if required, may be made for principal and interest.

as

as aforesaid; to make out and deliver to the person or persons applying to receive the same, a Debenture or Debentures for the amount of the principal and interest of the original Debenture or Debentures, in lieu of paying the interest in money.

XIII. *Provided always, and be it further enacted,* That the Debentures to be issued in pursuance of the provisions of this Act, shall never at any time exceed the amount of Ten Thousand Pounds in the aggregate, for the whole Province: And every Deputy Treasurer to whom any monies may be paid by the Trustees of any such Institution, and who may have issued any Debenture or Debentures in pursuance of the provisions of this Act, shall, four times in each year, that is to say, on the first day of January, the first day of April, the first day of July, and the first day of October, in each and every year, make a return to the said Province Treasurer of all Debentures that have been issued or paid off by him in the quarter immediately preceding the said days respectively; and the said Treasurer shall as soon as may be after the said first day of January in each year, make a General Return to the Lieutenant-Governor or Commander in Chief of all Debentures issued or paid off throughout the Province, during the preceding year, in pursuance of the provisions of this Act, to be laid before the General Assembly at their next Session; and whenever the Debentures issued in pursuance of the provisions of this Act, shall amount in the aggregate for the whole Province, to the said sum of

Total amount of Debentures not to exceed £10,000

Deputy Treasurer to report four times a year to the Province Treasurer.

Province Treasurer to report annually to the Governor,

to be laid before the General Assembly.

of Ten Thousand Pounds, the said Treasurer and his Deputies shall cease to issue any more such Debentures, and it shall be the duty of the said Treasurer to give the requisite directions to his Deputies for this purpose.

When Debentures amount to £10,000, Treasurer not to issue any more.

XIV. *Provided always, and be it further enacted,* That it shall be lawful to, and for the Trustees for the time being, of any such Institution, to invest, place and deposit, any monies that may have been paid to such Institution upon interest in any other fund or stock, or upon good and valid security within this Province, in case the so doing may be made to answer the ends of such Institution.

Trustees may vest monies on Interest in any other Fund on good security.

XV. And whereas it is expedient to provide against an improper investment of monies under the provisions of this Act, *Be it therefore further enacted,* That the privilege aforesaid, of paying money into the Province Treasury, and of receiving Debentures for the same, shall be restricted to such Institutions only, which shall by one or more of their Rules, provide that no person making deposits with such Institution, shall at any one time, have more than the sum of Fifty Pounds bearing interest, in the Funds of such Institution; and shall also, by one or more of their Rules, provide that no description of persons shall be permitted to make deposits with such Institution except Tradesmen, Mechanics, Labourers, Servants, and other the industrious classes of His Majesty's Subjects: And it shall be lawful for the Treasurer, or Deputy Treasurer, as aforesaid,

Privilege of paying money into the Province Treasury restricted to Institutions which limit Deposits to the sum of £50

and specify the persons who are permitted to make the deposits.

Treasurer may require the production of the Rules

B

previous

certified by two  
Trustees.

previous to the payment of any sum or sums into the Province Treasury, in pursuance of this Act, to require the production of such rule or rules so limiting the sums to be deposited to the amount above mentioned, and so limiting the description of persons permitted to make deposits with such Institution, certified under the hands of two of the Trustees or managers of each such Institution respectively.

Friendly Societies may deposit their Funds in the Funds of any Institution taking the benefit of this Act, not exceeding £100.

XVI. *Provided always, and be it further enacted,* That any benevolent or friendly Society, may, through their Treasurer, Steward or other officer or officers, deposit the whole, or any part of their Funds in the Funds of any Institution which shall take the benefit of this Act, under such terms and conditions as shall be specially provided for that purpose by the rules, orders and regulations of such Institution, provided the same shall not exceed the amount of One Hundred pounds, any thing hereinbefore contained to the contrary notwithstanding.

Upon death of a Depositor if no Will proved, or Administration taken out within six months, Trustees may pay the Deposit according to the Rules of the Institution.

XVII. *Be it further enacted,* That in case any Depositor in the Funds of any such Institution shall die, it shall be lawful for the Trustees or managers of such Institution, and they are hereby authorized and required, if no Will shall be proved, or no Letters of Administration shall be taken out within Six Calendar months after the death of the said Depositor, to pay the same according to the rules and regulations of the said Institution in such case made and provided; and in the

If no Rules made, to pay Deposit according to the Act of distributions.

event of there being no rules and regulations made in that behalf, then the said Trustees

or



or managers are hereby authorized and required to pay, and divide the same, to, and amongst the person or persons entitled to the effects of the deceased Intestate, according to the Act of Assembly for the distribution of the Estate of Intestates.

## SCHEDULES:

### A.

FORM of the Order of the Trustees to make payments into the Province Treasury, to be produced to the Province Treasurer or one of his Deputies.

WE, being two of the Trustees of the Saving Bank established at [*insert the Town and County, or City*] do in pursuance of an Act of Assembly of the 6th; Geo. 4th, Chap.

intituled an Act [*here insert the Title of this Act*] hereby authorize and direct A. B. to pay into the Province Treasury

Pounds, and to receive for the same on account of us the said Trustees, a Saving Bank Debenture of the like amount, carrying interest at the rate of Six Pounds *per centum per annum* : And we hereby declare that the sum above stated, is the exclusive property of the said Saving Bank specified in this our order, arising wholly from individual contributors of the description named in the said Act, and not exceeding the amount specified in the said Act, for the contribution of each Contributor, or arising from the voluntary Donations to the Funds of the said Society.

Witness our hands this      day of

A, } Trustees.  
B, }

B2

Indorsement

Indorsement on the back of the Trustees Order, upon receipt of the Debenture.

Received the Debenture within described, in virtue of the foregoing order.

Witness my hand,

A. Acting for the Trustees.

### B.

Form of the Debenture to be issued by the Treasurer or Deputy Treasurer.

WHEREAS by virtue of an Act of Assembly of the 6th Geo. 4th, Chap. intitled [*Insert the title of this Act*] the sum of Pounds hath been paid into the Treasury of the Province of New-Brunswick, on account of the Saving Bank established at [*Insert the Town and County, or City*]

Now this Debenture is chargeable on the monies in the Treasury of the said Province, and entitles the said Saving Bank to the principal sum of Pounds, carrying an interest after the rate of Six Pounds per centum per annum, from the day of the date hereof, payable at the office of the Treasurer of the said Province [or of the Deputy Treasurer for the place where the money be paid in, as the case may be] by the order of two of such Trustees endorsed thereon, on the thirty-first day of December next, after the date hereof, or at any time before, upon the production of such order at the said office, the same being endorsed hereon, under the hands of two of the Trustees of the said Saving Bank, directing payment thereof to be demanded by the person producing the same; and the interest shall in all cases, be

computed

computed to, and include the five days following the date of such order.

Dated this            day of  
A, Province Treasurer, [or Deputy  
   Treasurer for            ]

This Debenture is not transferable nor assignable.

C.

Endorsement of the order of the Trustees on the Debenture to receive payment.

WE, two of the Trustees of the Saving Bank within described, do hereby authorize and direct A. B. to demand [and receive both the principal and interest of this Debenture in money] or [and receive the interest due thereon in money, and also a new Debenture of the like amount in lieu of this Debenture, bearing the like rate of interest, or a new Debenture or Debentures of the like amount, and the interest added thereto, bearing the like rate of interest] as the case may be.

Witness our hands this    day of  
A,            } Trustees of the said  
B,            } Saving Bank.

The receipt of the person acting for the Trustees, must be subjoined to the order.

CAP. V.

An ACT to authorize the Justices of the Peace for the County of Northumberland to build a New Gaol and House of Correction at Newcastle in the said County."

*Passed 17th March, 1825.*

**W**HEREAS the Building at present Preamble.  
used as a Gaol in the County of  
B3 Northumberland

Northumberland, is out of repair, and has been found to be unsuitable for that purpose; *And whereas* it is expedient that the said Building should be sold, and that one calculated to answer the purposes of a Prison and a House of Correction should be erected on the public Lot in Newcastle,

*Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the Justices of the Peace for the County of Northumberland, at any General Sessions of the Peace to be hereafter holden, or at any Special Sessions for that purpose expressly convened and holden, or the major part of them, be and they are hereby authorized and empowered to sell and dispose of the Building at present used as a Gaol in the County of Northumberland, and to apply the proceeds thereof towards defraying the expence of building a new Gaol and House of Correction on the public Lot in Newcastle: And that the Justices at any General Sessions of the Peace as aforesaid, or at any Special Sessions for that purpose expressly convened and holden, or the major part of them, be, and they are hereby authorized and empowered to contract and agree with able and sufficient workmen, for building and finishing a Gaol and House of Correction on the Public Lot in Newcastle in the said County; and to agree for such sum or sums of money, as to them shall seem proper, in order to carry their object into full effect; and the said Justices are hereby authorized and empowered at any such General Sessions, if they shall see fit, to make a rate and assessment

Justices may sell the present Gaol, and apply the proceeds towards erecting a new one.

Justices may contract for building a new Gaol and House of Correction.

May make an Assessment not to

assessment of a sum not exceeding fifteen hundred Pounds for the year one thousand eight hundred and twenty-five, to enable them to commence erecting a Gaol and House of Correction at Newcastle aforesaid; the said sum to be assessed, levied, collected and paid in such proportion and in the same manner as any other County rates for public charges can or may be assessed, levied, collected and paid under and by virtue of any Act or Acts in force in this Province for assessing, levying and collecting of rates for public charges.

exceed £: 500 for the year 1825.

## CAP. VI.

An ACT to authorize the Justices of the Peace for the County of York to levy a further assessment on the said County, towards paying off the debt due for the County Court-House.

Passed 17th March 1825.

**W**HEREAS there is a considerable balance remains due and unpaid of the purchase money of the York County Court House.

*Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the Justices of the Peace for the County of York, or the major part of them, at any General Session of the Peace to be holden for the said County, be, and they are hereby authorized and empowered, if they shall see fit, to make a Rate and Assessment on the said County of a sum not exceeding Five Hundred Pounds to assist them to pay off the debt owing for the County Court House; the said sum to be assessed, levied, collected and paid in such proportion and in the same manner as any other County Rates for Public Charges can

Justices may make an Assessment on the County not exceeding £500 to assist in paying off the debt owing for the County Court House,

to be assessed and collected as other County Rates.

or may be assessed, levied, collected and paid under and by virtue of any Act or Acts in force in this Province for assessing, levying and collecting of Rates for Public Charges.

## VII.

An ACT to authorize the Justices of the Peace for the City and County of Saint John, to make a further assessment for building a Court House within the City of St. John."

Passed 17th March, 1825.

Preamble.

5. 9. 4. 6. 16

**W**HEREAS by an Act made and passed in the fifth year of the Reign of His present Majesty, the Justices of the Peace for the City and County of Saint John were authorized and empowered to raise by assessment upon the Inhabitants of the said City and County a sum not exceeding five hundred Pounds to enable them to commence erecting a Court House within the said City: *And whereas* a further assessment is requisite for the building and finishing of the said Court House,

Justices may assess a further sum not exceeding £1000 for the year 1825, to enable them to proceed with the erection of the Court House,

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That the said Justices of the Peace for the said City and County at any General Sessions of the Peace hereafter to be holden, or at any Special Session for that purpose expressly convened and holden, or the major part of them be, and they are hereby authorized and empowered to raise by assessment within the said City and County, such further sum as in their opinion may be necessary, not exceeding the sum of one thousand Pounds for the year one thousand eight hundred and twenty-five, to enable them to proceed with the erection of the said Court House in the said City;

City; such sum to be assessed, levied collected and paid in such proportion, and in the same manner as any other County Rates for public charges can or may be assessed, levied, collected and paid under and by virtue of any Act or Acts in force in this Province for assessing, levying and collecting of Rates for public charges.

to be assessed and collected as other County Rates.

CAP. VIII.

An ACT further to extend the Bounties on Fish brought into this Province.

Passed 17th March, 1825.

**W**HEREAS it is deemed of the utmost importance to the increase of the Commerce of this Province, that such further encouragement should be given to the Cod Fisheries, and also to the importation of Merchantable Codfish suitable to the Mediterranean Markets, and to those of the new States of South America, as the Legislature have it in their power to bestow.

Preamble.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the first day of May one thousand eight hundred and twenty-five, in addition to the bounties granted in, and by an Act made and passed in the third year of His Majesty's Reign, intituled, "An Act to encourage the Inhabitants of this Province who are engaged in prosecuting the Cod and Scale Fisheries, by granting bounties on the same," and an Act made and passed in the fifth year of His said present Majesty's Reign, to extend the provisions of the said first recited Act, a further bounty of eight pence per Quintal shall be paid up-

Additional Bounty of 8d per Quintal upon all merchantable Cod Fish suitable for the Mediterranean markets and those of the new States of South America, imported in fishing vessels already entitled to the bounty of 20s. per ton, and sold to Merchants resident in the Province.

3. 5. 4. 2. 33  
5. 5. 4. 2. 11

on

on all merchantable Codfish suitable to the Mediterranean Markets, and to those of the new States of South America, which shall be imported or brought into this Province in fishing Vessels of thirty Tons and upwards, which by the said recited Acts are now entitled to a bounty of twenty Shillings per Ton, and sold to Merchants or Traders resident therein, and also upon all merchantable Codfish suitable to the above named markets and imported or brought into this Province by British Subjects in Vessels or Boats of any description under thirty Tons, and also in vessels over thirty Tons which are not by Law already entitled to receive a bounty of twenty Shillings per Ton, or which may be the produce of the home or shore fisheries of this Province, and are actually landed and sold to some Merchant or Trader resident therein, a bounty of one Shilling and eight Pence per Quintal; the said bounties to be paid out of the Treasury of the Province to the resident Merchant or Trader purchasing and receiving such Fish, by Warrant of the Lieutenant-Governor or Commander in Chief for the time being, to be issued by and with the advice and consent of His Majesty's Council: *Provided always*, that the sum to be paid in any one year for such additional bounties, shall not exceed the sum of one thousand Pounds.

Upon merchantable Cod Fish suitable to the above named markets imported by British Subjects in Vessels of any description not entitled to the bounty of 20s. per Ton, being the produce of the home or shore Fisheries & actually landed & sold to a resident Merchant a bounty of 1s. 8d. per Quintal,

to be paid to the Merchant receiving the Fish, by Warrant of the Governor.

No bounty to be paid unless the Fish be inspected by a sworn Inspector and ascertained to be of a proper quality.

II. *And be it further enacted*, That no bounty granted by this Act shall be paid, unless the Fish upon which the bounty is to be claimed, has been inspected and examined by some sworn Inspector and Culler of Fish, and



and ascertained to be of a quality denominated merchantable, and suitable for the Mediterranean market, and those of the new States of South America; and such Inspector shall grant and subscribe a Certificate declaring the quantity of Fish so inspected by him, and that the same is of a merchantable quality, and fit for the Mediterranean market, and those of the new States of South America, and stating the names and residence of the seller and purchaser thereof: And it shall further be requisite for the resident Merchant or Trader applying for such bounty, to make affidavit before the Treasurer, or Deputy Treasurer of the County, District or place where such Merchant or Trader resides, that he hath actually paid, or secured to be paid in Cash to the person or persons bringing such merchantable Fish into the Province, and landing and selling the same as herein before mentioned, within three months from the time of purchase, the full amount of the bounty claimed under this Act, and also that he believes the same Fish were actually caught and cured by British Subjects, and also that the said Fish were purchased by him as being of a merchantable quality, and fit for the Mediterranean market, and those of the new States of South America, and that to the best of his knowledge they are of such quality.

Inspector to certify the quality of the Fish with the name of the Seller and purchaser.

Merchant to make oath that he has paid or secured to be paid the bounty to the Seller of the Fish,

And that he believes the Fish were caught and cured by British Subjects, and that they were purchased by him as being of a merchantable quality.

III. *And be it further enacted,* That the aforesaid certificate of the Inspector, and affidavit of the resident Merchant claiming the bounty, shall be transmitted to the office of the Secretary of the Province, to be laid before

Certificate of Inspector and affidavit of Merchant to be transmitted to the Secretary's Office to be laid before the Governor

and Council.

Warrants to be issued once in six months.

Bounties for every six months to be included in one Warrant.

False swearing made perjury.

Limitation.

*Contract to 1.  
April 1833 by  
9. S. A. L. 31*

*expired*

Preamble.

before the Lieutenant-Governor or Commander in Chief, and His Majesty's Council, before any Warrants are issued for any such bounty: And the Warrants for the bounties under this Act shall be issued once in six months reckoning from the day of the passing of this Act, and all the bounties allowed under this Act for each semi annual period, shall and may be included in one Warrant.

IV. *And be it further enacted,* That if any person or persons shall be guilty of false swearing in any affidavit made under and by virtue of this Act, such person or persons so offending, shall, upon conviction thereof before the Supreme Court or any Court of Oyer and Terminer or Gaol Delivery, be liable to suffer the pains and penalties by Law inflicted for wilful and corrupt perjury.

V. *And be it further enacted,* That this Act shall continue and be in force, during the continuance of the Act "to encourage the Inhabitants of this Province, who are engaged in prosecuting the Cod and Scale Fisheries, by granting bounties on the same," and no longer.

### CAP. IX.

An ACT for the better examining and auditing the Public Accounts of this Province.

*Passed 17th March, 1825.*

**W**HEREAS the present method of accounting for the expenditure of the Public Monies of this Province is extremely defective, and it is highly expedient to make effectual provision by Law, for such examination of the Public Accounts as may be necessary for the security of the Public interest.

I. Be

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, to nominate and appoint one fit person to be Auditor of Provincial Accounts, and to displace and newly appoint such Auditor as may from time to time be necessary and expedient, and any person so appointed, shall, before entering on the duties of his office, be sworn to the diligent, and faithful discharge of his duty before the said Lieutenant-Governor or Commander in Chief.

An Auditor to be appointed by the Governor.

Auditor to be sworn.

II. *And be it further enacted,* That all persons entrusted with the expenditure of any public monies heretofore issued or which may hereafter be issued from the Province Treasury, shall make up regular accounts of such expenditure and transmit the same without any undue delay, together with written receipts or vouchers for all such expenditures, to the office of the said Auditor of Provincial Accounts, who shall diligently, faithfully and impartially, examine, correct and audit all such accounts and vouchers, and all persons heretofore entrusted or who may hereafter be entrusted with the expenditure of any such public monies, shall stand charged and be chargeable with all sums of money entrusted to them and not accounted for as aforesaid, and shall repay the same into the Province Treasury.

Persons entrusted with public money to transmit regular accounts with vouchers to the office of the Auditor, who shall audit the same.

Persons entrusted with public money not accounted for, to be chargeable therewith and to repay the same into the Treasury.

III. *And in order to enable the said Auditor of Provincial Accounts, more effectually to execute the duties of his office: Be it further enacted,* That the Treasurer of the Province

Treasurer to make

Province

quarterly returns to the Auditor of monies issued from the Treasury.

Auditor may call upon Persons entrusted with public money to make up their accounts.

Auditor to make a return of Defaulters to the Governor,

who with the advice of the Council may order the Attorney General to prosecute.

Upon application and cause shewn, the Governor with advice of Council may make an order to stay process.

Province shall make quarterly returns, to the office of the said Auditor, of all monies issued from the Province Treasury; and it shall and may be lawful to and for the said Auditor from time to time, as it may be found necessary or expedient, to call upon any person or persons entrusted with the expenditure of such public monies heretofore issued or which hereafter may be issued from the Province Treasury, and who may not have transmitted their accounts to the office of such Auditor as above mentioned, to make up their said accounts and transmit the same with the proper vouchers to the said office within a reasonable time to be limited by such Auditor; and on failure of the accounts being transmitted accordingly within the time so limited, the said Auditor shall and he is hereby required to make a return of all such defaulters to the Lieutenant-Governor or Commander-in-Chief, in order that such Lieutenant-Governor or Commander-in-Chief may by and with the advice of His Majesty's Council give orders to His Majesty's Attorney General to sue out such process, and pursue such proceedings in His Majesty's Supreme Court as may be deemed necessary to compel such defaulter or defaulters to transmit or deliver his, her or their accounts to the said Auditor, unless upon application of the parties, their Agents or Attornies, to the said Lieutenant-Governor or Commander-in-Chief in Council, on a special statement of circumstances to justify delay, the said Lieutenant-Governor or Commander-in-Chief by  
and

and with the advice of the said Council, shall make an order to stay the process for such reasonable time as they shall think fit.

IV. *And be it further enacted,* That in auditing and examining all such public accounts, the said Auditor shall allow such articles of expenditure only as the said Accountants respectively shall have been duly authorized by Law to incur, and no article of expenditure shall be allowed without a written voucher or other evidence of the actual payment of every sum claimed to be allowed as an expenditure; and all such public accounts shall also be verified by the oath of the respective Accountants, made before any Justice of the Peace in the respective Counties, which oath any such Justice is hereby authorized to administer.

Such articles of expenditure only to be allowed as are authorised by Law, and duly vouched by a written voucher or other evidence of actual payment.

Accounts to be verified by the oath of the Accountant.

V. *And be it further enacted,* That the said Auditor of Provincial Accounts shall within the first fourteen days of every Session of the General Assembly, make a report or return of all accounts, examined by him, and of his doings in the said office, so as to exhibit a full state of the public Provincial Accounts to be laid before the General Assembly at such Session.

Auditor within the first fourteen days of every Session to make a report of all accounts examined by him, to be laid before the General Assembly.

VI. *Provided also, and be it further enacted,* That nothing herein contained shall extend or be construed to extend to any account or accounts, which have been heretofore passed and allowed, or may during the present Session be passed and allowed by the House of Assembly in the manner heretofore accustomed.

Not to extend to accounts passed and allowed by the House of Assembly.

VII. And in order to provide a proper compensation

£100 per annum to be included in the estimate of ordinary expences as a compensation for the Auditor.

compensation for the services of the said Auditor of Provincial Accounts; *Be it further enacted*, That there be annually included in the estimate of the ordinary expences of the Province, the sum of one hundred pounds to be applied to that purpose.

Limitation.

VIII. *And be it further enacted*, That this Act shall continue and be in force until the thirty-first day of March, one thousand eight hundred and twenty-seven and no longer.

### CAP. X.

An ACT to authorize the Justices of the Peace for Queens County, to assess the Inhabitants for erecting and building a Gaol in the said County.

*Passed 17th March, 1825.*

**W**HEREAS the Gaol in the County of Queens is found insufficient for the purposes intended, and whereas it is expedient that a Gaol should be erected in the said County.

Justices may agree for building and finishing a Gaol.

*Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly*, That the Justices of the Peace for the said County at any General Sessions of the Peace hereafter to be holden, or at any Special Session for that purpose convened and holden, or the major part of them, be and they are hereby authorised and empowered to contract and agree with able and sufficient workmen for building and finishing a Gaol in the said County, and to agree for such sum or sums of money as to them may seem meet in order to carry their object into effect; and the said Justices are hereby authorized and empowered to make a rate and assessment of any sum not exceeding

May make a rate or assessment not exceeding £500.

exceeding the sum of five hundred pounds as they in their discretion may think necessary for the erecting and finishing a Gaol in the said County, the said sum or sums to be assessed, levied, collected and paid in such proportion and in the same manner as any other County Rates can or may be assessed, levied, collected and paid under and by virtue of any Act or Acts in force in this Province for assessing, levying and collecting of Rates for public charges.

## CAP. XI.

AN ACT to authorize the Justices of the General Sessions of the Peace for the County of Charlotte, to levy an assessment to enable them to pay off the County debt."

*Passed the 17th March 1825.*

**W**HEREAS it is necessary and expedient that the Justices of the Peace for the County of Charlotte, should be authorized and empowered to levy a sum by assessment on the said County for paying off the debts of the said County.

*Be it enacted, by the Lieutenant-Governor, Council, and Assembly,* That the said Justices of the Peace for the said County be, and they are hereby authorized and empowered, at any General Session of the Peace to be hereafter holden, to issue their Warrants for assessing the sum of five hundred pounds for the purpose of paying off the debts that are due by the said County, the same sum to be assessed, levied, collected, and paid in such proportion and in the same manner as any other County Rates can or may be assessed, levied, collected and paid under and by virtue of any Act or Acts in force in this Province,

Justices may issue Warrants for assessing £500 for paying off the debts due from the County.

vince, for assessing levying and collecting of Rates for public charges.

### CAP. XII.

An ACT to incorporate sundry persons by the name of the President, Directors and Company of the Charlotte County Bank.

*Passed 17th March, 1825.*

**W**HEREAS it is thought that the establishment of a Bank at Saint Andrews in the County of Charlotte, would promote the interests of that County by increasing the means of circulation,

*I. Be it enacted by the Lieutenant-Governor, Council and Assembly, That the Honorable William Black, Christopher Scott, John Dunn, Colin Campbell, Thomas Wyer, Harris Hatch, Elisha Andrews, Samuel Frye, Colin Campbell, Junior, John Campbell, Hugh M'Kay, John M'Allister, Abner Hill, Aaron Upton, John Wilson, Beverly Robinson, Charles Joseph Briscoe, William Ker, Joseph Nehemiah Clarke, Hugh Johnston, Junior, George Robinson, John M'Master, Moses Vernon, James Douglas, James Campbell, Junior, James M'Master, Joseph Walton, James Parkinson, William Garnett and James Allenshaw, their Associates, Successors or Assigns, be, and they are hereby declared to be, a Body Corporate, by the name of the President, Directors, and Company of the Charlotte County Bank, and that they shall be persons able and capable in Law, to have, get, receive, take, possess, and enjoy Houses, Lands, Tenements, Hereditaments, and Rents in fee simple, or otherwise, and also Goods and Chattels, and all other things, real, personal or mixt, and also*

Names of Persons to be a Body Corporate, styled the President, Directors and Company of the Charlotte County Bank.



to give, grant, let, or assign, the same or any part thereof, and to do and execute all other things in and about the same as they shall think necessary for the benefit and advantage of the said Corporation, and also that they be persons able and in Law capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court or Courts of Law and equity, or any other places whatsoever, in all, and all manner of actions, suits, complaints, demands, pleas, causes, and matters whatsoever, in as full and ample a manner as any other person or persons are in Law capable of, suing and being sued, pleading and of being impleaded, answering and of being answered unto, and also that they shall have one common seal to serve for the ensealing of all and singular their, grants, deeds, conveyances, contracts, bonds, articles of agreement, assignments, powers and warrants of Attorney and all and singular their affairs and things touching and concerning the said Corporation, and also that they the said President, Directors and Company, or the major part of them, shall from time to time and at all times, have full power, authority and licence to constitute, ordain, make and establish, such Laws, and ordinances as may be thought necessary for the good rule and government of the said Corporation: *Provided* that such Laws and ordinances be not contradictory or repugnant to the Laws or Statutes of that part of the United Kingdom of Great Britain and Ireland called England, or repugnant

Capable to sue and be sued, &c.

Shall have a common Seal.

May make Laws for the Government of the Corporation.

or contrary to the Laws and Statutes of this Province.

Capital to amount  
to £15,000,

II. *And be it further enacted*, That the Capital or Stock of the said Corporation shall consist of current Gold and Silver Coins of the Province to the amount of fifteen thousand pounds; the sum of seven thousand five hundred pounds, one half part thereof, to be paid in current Gold and Silver Coins of the Province on or before the first day of October next; and the further sum of seven thousand five hundred pounds, on or before the first day of October which will be in the year one thousand eight hundred and twenty-six, the whole amount of said Stock to be divided into shares of fifty pounds each, making in the whole three hundred shares.

in Shares of £50  
each,

Corporation may  
hold Lands not  
exceeding £1500,

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

or to any amount  
by Mortgage as  
collateral securi-  
ty.

Shall not lend mo-  
ney on Mortgage  
&c.

of additional security for debts contracted with the said Corporation in the course of its dealings.

IV. *And be it further enacted,* That whenever one hundred shares shall have been subscribed of the said Capital Stock, a general meeting of the Members and Stockholders of the said Corporation, or the major part of them shall take place, by notice in one or more of the public newspapers thirty days previous to such meeting, for the purpose of making, ordaining and establishing such Bye-Laws, Ordinances, and Regulations, for the good management of the affairs of the said Corporation, as the Members and Stockholders of the said Corporation shall deem necessary, and also for the purpose of choosing nine Directors, being Stockholders and Members of the said Corporation, under and in pursuance of the rules and regulations hereinafter made and provided, which Directors so chosen, shall serve until the first annual meeting for choice of Directors, and shall have full power and authority to manage the concerns of the said Corporation, and shall commence the operations of the said Bank, subject nevertheless to the rules and regulations hereinafter made and provided, at which general meeting the Members, and Stockholders of the said Corporation or the major part of them shall determine the amount of payments to be made on each share, also the mode of transferring and disposing of the Stock and profits thereof, which being entered on the Books of the said Corporation, shall be binding on the said

When 100 Shares shall have been subscribed a general meeting of the Members to be called,

to make Bye-Law, &c.

To choose nine Directors to continue in office till the first annual Meeting.

Stockholders their Successors and Assigns.

Annual meeting of  
Stockholders.

V. *And be it further enacted*, That there shall be a general meeting of the Stockholders and Members of the said Corporation, to be annually holden on the first Monday in May in each and every year, at Saint Andrews, at which annual meeting, there shall be chosen by a majority of the said Stockholders and Members of the said Corporation, nine Directors who shall continue in office for one year or until others are chosen in their room, in the choice of which Directors, the Stockholders and Members of the said Corporation shall vote according to the rule herein-after mentioned, and the Directors when chosen, shall at their first meeting after their election, choose out of their number a President: *Provided always*, that five of the Directors in office shall be re-elected at such annual meeting for the next succeeding twelve months, of which the President shall always be one.

Directors to  
choose a Presi-  
dent.

Directors to ap-  
point officers,  
Clerks, &c.

VI. *And be it further enacted*, That the Directors for the time being shall have power to appoint such Officers, Clerks and Servants, as they, or the major part of them, shall think necessary for executing the business of the said Corporation, and shall allow them such compensation for their respective services, as to them shall appear reasonable and proper; all which, together with the expences of buildings, house rent, and all other contingencies, shall be defrayed out of the Funds of the Corporation; and the said Directors shall likewise exercise such other powers and authorities for the well regula-  
ting

ting the affairs of the said Corporation, as shall be prescribed by the Bye-Laws and regulations of the same.

VII. *And be it further enacted,* That not less than five Directors shall constitute a Board for the transaction of business, of which the President shall always be one, excepting in the case of sickness or necessary absence, in which case the Directors present may choose one of their Board as chairman in his stead; that the President shall vote at the Board as a Director, and in case of their being an equal number of votes for and against any question before them, the President shall have a casting vote.

Not less than five Directors to form a Board.

VIII. *And be it further enacted,* That no Director shall be entitled to any salary or emolument for his services; but that the Stockholders and members of the said Corporation may make such compensation to the President as to them shall appear reasonable and proper.

No Directors to have a Salary.

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

No Person holding less than five Shares to be a Director.

X. *And be it further enacted,* That every Cashier and Clerk of the said Corporation, before he enters upon the duties of his office, shall give Bonds with two or more Sureties, to be approved of by the Directors, that is to say, every Cashier in a sum not less than five thousand pounds, with a condition for his good and faithful behaviour, and every Clerk, with the like condition and Sureties,

Cashiers and Clerks to give Bond with Sureties.

in such sum as the Directors shall deem adequate to the trust reposed in him.

Number of Votes  
of Stockholders.

XI. *And be it further enacted,* That the number of votes which each Stockholder shall be entitled to on every occasion, when in conformity to the provisions of this Act, the votes of the Stockholders are to be given, shall be in the following proportion, that is to say,---For one share and not more than two, one vote; for every two shares, above two, and not exceeding ten, one vote, making five votes for ten shares; for every four shares, above ten, and not exceeding thirty, one vote, making ten votes for thirty shares, which said number of ten votes shall be the greatest that any Stockholder shall be entitled to have.

Stockholders may  
vote by Proxy.

XII. *And be it further enacted,* That all Stockholders resident within this Province or elsewhere, may vote by proxy, provided that such proxy be a Stockholder and do produce sufficient authority from his Constituent or Constituents so to act.

For the first six  
months no Mem-  
ber to hold more  
than ten Shares,

XIII. *And be it further enacted,* That no Member of the said Corporation during the first six months, to be accounted from and after the passing of this Act, shall be entitled to hold or subscribe for more than ten shares of the said Capital Stock, that if the whole of the said Capital Stock shall not have been subscribed within the said six months, so to be accounted as aforesaid, that then, and in such case it shall be lawful for any Stockholder or Stockholders to increase his, her, or their subscriptions to fifteen shares. *Provided always,* that no Stockholder shall be permitted

permitted to hold more than twenty-five shares in the whole, unless the same be acquired by purchase after the said Bank shall have commenced its operations.

nor more than twenty-five Shares after, unless by purchase.

XIV. *And be it further enacted,* That the Directors be and they are hereby authorized to fill up any vacancy that shall be occasioned in the Board by the death, resignation or absence from the Province for three months, of any of its Members, but that in the case of the removal of a Director by the Stockholders for misconduct or mal-administration, his place shall be filled up by the said Stockholders, and the person so chosen by the Directors or the Stockholders, shall serve until the next succeeding annual meeting of the Stockholders.

Vacancies in the Board to be filled up by the Directors.

XV. *And be it further enacted,* That before any Stockholder shall be required to make payment of any instalment upon the amount of his subscription, fifty days previous notice shall be given by the Directors in two of the Newspapers published in this Province, of the time and place of such payment, and the Directors shall commence with the business and operations of the Bank of the said Corporation: *Provided always,* that no Bank Bills, or Bank Notes shall be issued or put in Circulation, nor any Bill or Note be discounted at the said Bank until the said sum of seven thousand five hundred pounds shall be actually paid in and received on account of the Subscriptions to the Capital Stock of the said Bank.

Notice to be given when Stockholders are required to make payment.

XVI. *And be it further enacted,* that as soon as the sum of seven thousand five hundred

Notice to be given  
when £7500 is  
paid.

hundred pounds shall have been actually paid in on account of the subscriptions to the said Stock, notice thereof shall be given in two of the Newspapers published in the Province.

Shares to be as-  
signable.

XVII. *And be it further enacted,* That the shares, or Capital Stock shall be assignable and transferable according to the rules and regulations that may be established in that behalf, but no assignment or transfer shall be valid or effectual unless such assignment or transfer shall be entered and registered in a book to be kept by the Directors for that purpose, nor until such person or persons so making the same, shall previously discharge all debts actually due and payable to the said Corporation, that in no case shall any fractional part of a share, or other than a complete share or shares, be assignable or transferable---that whenever any Stockholder shall transfer in manner aforesaid, all his stock or shares in the said Bank, to any other person or persons whatever, such Stockholder shall cease to be a Member of the said Corporation.

The Company  
shall not deal in  
any thing but Bills  
of Exchange,  
Gold or Silver, or  
in sale of goods  
pledged.

XVIII. *And be it further enacted,* That the said Company shall not directly or indirectly deal in any thing excepting Bills of Exchange, Gold or Silver, Bullion, or in the sale of goods really and truly pledged for money lent and not redeemed in due time, or in the sale of Stock pledged for money lent and not so redeemed, which said goods and Stock so pledged shall be sold by the said Corporation at public sale, at any time not less than thirty days after the period for redemption,



demption, and if upon such sale of goods or stock there shall be a surplus after deducting the money lent, together with the expenses of sale, such surplus shall be paid to the proprietors thereof respectively.

XIX. *And be it further enacted,* That the joint stock or property of the said Corporation shall alone be responsible for the debts and engagements of the said Corporation, and that no person or persons who shall or may have dealings with the said Corporation, shall on any pretence whatsoever have recourse against the separate property of any present or future Member of the said Corporation, or against their persons, further than may be necessary to secure the faithful application of the funds of the said Corporation.

The joint Stock alone responsible for the debts.

XX. *And be it further enacted,* That every Bond, Bank Bill, or Bank Note or other instrument, by the terms or effect of which the said Corporation may be charged or held liable for the payment of money, shall specially declare in such form as the Board of Directors shall prescribe, that payment shall be made out of the Joint Funds of the said Corporation.

Bills, Notes, &c. by which the Corporation may be charged to declare that payment shall be made out of the joint Funds.

XXI. *And be it further enacted,* That the total amount of the debts which the said Corporation shall at any time owe, whether by Bond, Bill, or Note, or other contract whatsoever, shall not exceed twice the amount of the Capital Stock actually paid in by the Stockholders; and in case of any excess, the Directors under whose administration and management the same shall happen, shall

Total amount of debts not to exceed twice the amount of the Capital.

shall be liable for such excess in their natural and private capacities. *Provided always*, that the lands, tenements, goods and chattels of the said Corporation shall also be liable for such excess.

Directors to make half yearly dividends.

XXII. *And be it further enacted*, That the Directors shall make half yearly dividends of all the profits, rents, premiums and interest of the said Corporation, payable at such time and place as the Directors shall appoint, of which they shall give thirty days previous notice in two of the Newspapers published in this Province.

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

XXIII. *And be it further enacted*, That the books, papers, correspondence, and funds of the said Corporation, shall at all times be subject to the inspection of the Directors, but no Stockholder, not a Director, shall inspect the account of any individual with the said Corporation.

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

XXIV. *And be it further enacted*, That all the Bills or Notes issued by the said Corporation, shall be signed by the President for the time being, and countersigned and attested by the Cashier, and shall be printed and made in Stereotype plates, and all Bills or Notes so signed and countersigned shall be binding on the said Corporation.

The Company to pay to a bona fide holder the original amount of any altered Note.

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

XXVI. *And be it further enacted*, That the

the said Bank shall be kept and established at Saint Andrews, or at such other place as the Board of Directors may think it necessary to remove the said Bank, on account of any great emergency, for the security thereof:

The Bank to be kept at Saint Andrews.

XXVII. *And be it further enacted*, That the Directors shall at the general meeting to be held on the first Monday in May in every year, lay before the Stockholders for their information, an exact and particular statement of the amount of debts due to, and by the said Corporation, the amount of Bank Notes then in circulation, the amount of Gold and Silver on hand, and the amount of such debts as are in their opinion, bad or doubtful, also the surplus or profit, if any remaining after deduction of losses and provisions for dividends, which statement shall be signed by the Directors and attested by the Cashier, and a duplicate statement so signed and attested, shall be transmitted to the Secretary of the Province, for the information of His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, and the Honorable His Majesty's Council: *Provided always*, that the rendering of such statement shall not extend to give any right to the Stockholders, not being Directors, to inspect the account of any individual or individuals with the said Corporation.

Directors at the general meeting to be held on the first Monday in May in every year, to lay before the Stockholders a state of the Funds, &c.

Statement to be signed and attested and transmitted to the Secretary of the Province.

XXVIII. *And be it further enacted*, That any joint Committee hereafter to be appointed by the Honorable the Legislative Council, and the House of Assembly, for the purpose

Committees of the Legislature to have access to the Books and Vaults.

pose of examining into the proceedings of the said Corporation, shall either during the Session or Prorogation of the General Assembly, have free access to all the books and vaults of the same.

Any number not less than twelve Stockholders holding together one hundred shares may call a general meeting.

XXIX. *And be it further enacted,* That any number of Stockholders not less than twelve, who together shall be proprietors of one hundred shares, shall have power at any time, by themselves or their proxies, to call a general meeting of the Stockholders, for purposes relating to the business of the said Corporation, giving at least thirty days previous notice in two of the Newspapers published in the Province, and specifying in such notice the time and place of such meeting with the objects thereof, and the Directors, or any five of them, shall have the like power at any time (upon observing the like formalities) to call a general meeting as aforesaid.

On any dissolution measures to be taken by the Directors for closing the concerns.

XXX. *And be it further enacted,* That on any dissolution of the said Corporation, immediate and effectual measures shall be taken by the Directors then in office, for closing all the concerns of the said Corporation, and for dividing the Capital and profits which may remain among the Stockholders, in proportion to their respective interests.

Limitation.

XXXI. *And be it further enacted,* That this Act shall continue and be in force until the first day of May, which will be in the year of our Lord one thousand eight hundred and forty-five.

## CAP. XIII.

An ACT to alter and amend the Acts relating to the granting of Licences to Tavern Keepers and Retailers of Spirituous Liquors."

*Repealed by  
1. W. G. Ch. 24.*

*Passed 17th March, 1825.*

**W**HEREAS the low rates at which Tavern Keepers and Retailers of Spirituous Liquors, procure Licences and the small amount of some of the Fines and Penalties for a breach of the Laws in those cases made and provided, have been found prejudicial to the Public Interest.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act, it shall and may be lawful for the Justices of the Peace for the several Counties in this Province, at any Sessions at which they may by Law be authorized to grant Licences to Tavern Keepers and Retailers of Spirituous Liquors respectively, to ask, demand and receive, for every such Licence by them to be given and granted as aforesaid, such sum as they in their discretion shall think fit, not exceeding ten pounds nor less than ten shillings for each Licence for one year, to be paid and applied in the manner directed in and by the first section of an Act made and passed in the twenty-seventh year of the Reign of His late Majesty King George the Third, intituled, "An Act to empower the Justices of the General Sessions of the Peace in the several Counties in this Province to grant Licences to Tavern Keepers and Retailers of Spirituous Liquors," any thing in the same section of the said recited Act contained to the contrary notwithstanding.

Justices in Sessions may demand for Licence to Tavern Keepers and Retailers any sum not exceeding ten pounds nor less than ten shillings,

to be paid and applied as directed by 27, Geo. 3, c. 6.

II. *And*

Retailers selling  
any quantity less  
than one pint to  
forfeit £5.

For want of goods  
whereon to levy  
offender may be  
committed for 20  
days.

II. *And be it further enacted*, That if any person or persons Licenced to sell Wine, Ale, Beer, Brandy, Rum or other strong or Spirituous Liquors by Retail, shall sell the same in any quantity less than one pint, every person so offending shall for each and every offence, in lieu of the penalty of twenty shillings mentioned in the second section of an Act made and passed in the fifty-fourth year of the Reign of His said late Majesty King George the Third, intituled, “ An Act “ for the better regulation of Licences to “ Inns, Taverns, and Houses for selling “ strong Liquors by Retail,” forfeit and pay the sum of five pounds, to be recovered, levied, paid and applied in the manner directed in and by the said section of the said last recited Act; and in case of no goods being found whereon to levy the said fine herein imposed, it shall and may be lawful for the Justice to commit the offender in the manner directed in the same section of the said last recited Act, for the term of twenty days.

III. *And whereas* by the Charter of the City of Saint John, confirmed by Act of Assembly, it is among other things provided, that the Mayor of the said City for the time being and no other whatsoever, shall have power to give and grant Licences under the Common Seal of the said City to all such persons as he shall think fit, to Licence them or every of them to keep a Tavern, an Inn, an Ordinary, a Victualling, or a Coffee House, or to sell Wine, Brandy, Rum, strong Waters, Punch, Beer, Ale, or any exciseable or strong Liquors whatsoever, within the

the City of Saint John, or the liberties or precincts thereof, by retail or the small measure under the quantity of five gallons, and that it shall and may be lawful to and for the Mayor of the said City for the time being, to ask, demand, and receive for every such Licence by him to be given and granted as aforesaid such sum or sums of money as he and the person to whom such Licence shall be given and granted shall agree for, not exceeding the sum of four pounds for each Licence; all which monies, as by the said Mayor shall be so received, shall be used and applied to the public use of the Mayor, Aldermen and Commonalty of the said City of Saint John: *Be it further enacted*, that from and after the passing of this Act, it shall and may be lawful to and for the Mayor of the said City for the time being, to ask, demand and receive for every such Licence by him to be given and granted as aforesaid, any such sum or sums of Money as he and the person, to whom such Licence shall be given and granted, shall agree for in manner aforesaid, not exceeding the sum of ten pounds for each Licence, to be applied for the public use of the Mayor, Aldermen and Commonalty of the said City of Saint John: *Provided always*, that nothing in this Act contained, shall apply or be construed to apply in any manner to the rights and powers given by the said Charter to the Mayor of the said City, in granting Licences to Tavern Keepers and Retailers of Spirituous Liquors, otherwise than in this section is expressly mentioned and contained.

Mayor of St. John may demand for Licences such sum as may be agreed on, not exceeding ten Pounds.

Not to affect the rights and powers given by the Charter to the Mayor, otherwise than as above mentioned.

## CAP. XIV.

**A**CT to encourage the employment of Apprentices in the Art of Ship building in this Province.

Passed 17th March 1825.

**W**HEREAS it is expedient to encourage the employment of the Youth of this Province in the Art of Ship building,  
*Be it enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the first day of January next, every master Ship-builder in this Province, shall have and employ in his Ship-yard, at least, two Apprentices, being bona fide British Subjects, indented for the term of four years at least, to learn the said Art of Ship building, who at the period of being indented respectively, shall not be less than fifteen years of age, under the penalty of fifty pounds for each and every Ship or Vessel of the burthen of one hundred tons or upwards, that such master builder may build without having such number of Apprentices as aforesaid, to be recovered by action of debt, bill, plaint or information, in the Supreme Court, by any person who shall prosecute and sue for the same, and shall be divided, one moiety to the person, so suing and prosecuting, and the other moiety to the benefit of the County in which the Ship-yard shall be.

Every master builder to have and employ two Apprentices, British Subjects, indented for four years.

At the time of being indented to be 15 years of age,

under penalty of £50 for each Vessel of 100 Tons that such master may build,

To be recovered in the Supreme Court.

Half to the Prosecutor, half to the benefit of the County.



## CAP. XV.

An ACT to amend and alter the Laws now in force for assessing, collecting and levying of Rates for public charges.

Passed 17th March 1825.

*Repealed by  
1. W. 4. c. 26.*

**W**HEREAS it is expedient to amend in some respects, the Laws for assessing, collecting and levying rates for public charges,

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That the Fees to the Assessors and Collectors respectively of all Rates for public charges in the several Towns and Parishes in this Province, shall be regulated and established by the Justices of the Peace at their General Sessions before any assessment is made, as they shall from time to time see fit, so always as that the said Assessors and Collectors respectively, shall not receive for any sum not exceeding one hundred Pounds, at a greater rate than ten per cent, and when the sum to be assessed and collected, exceeds that amount, they shall not receive a greater rate than seven and a half per cent for the first hundred Pounds, and six per cent for all above, and *Provided always,* that no Collector shall be allowed his per centage on any greater sum than he may have actually collected and paid in, and *Provided also,* that no Collector shall be entitled to his per centage until he has collected the whole sum mentioned in the precept, or settled his account to the satisfaction of the Sessions.

Fees to Assessors and Collectors to be settled by the Sessions,

Not to exceed 10 per cent, when assessment is for £100 and for larger sums 7½ for the first 100 and 6 per cent for all above.

Collector not allowed per centage until he has collected his account.

II. *And be it further enacted,* That any person thinking himself or herself aggrieved, and over rated, may appeal to the Justices of the Peace at their next General Sessions after notice given to such person of his or

Appeal may be made by persons thinking themselves over-rated, to the Sessions, who may relieve.

her assessment, and the said Justices shall and may examine into the appeal; and if the Appellant shall make it appear to their satisfaction, that he or she has been overrated the said Justices or the major part of them shall and may give relief by allowing to such Appellant the sum in which he or she may appear to be overrated, out of the present or any future assessment.

Clerk of the Peace to transmit Warrants of Assessment to the Assessors within ten days, under penalty of £5.

Assessors within sixty days to make their Assessment, under penalty of £10.

Collector to proceed immediately to collect the amount and pay over the same, and within four months to render an account under penalty of £10.

III. *And be it further enacted,* That it shall be the duty of each and every of the Clerks of the Peace, to transmit to the Assessors of the respective Towns or Parishes, the several warrants of assessment granted from time to time by the Courts of the General Sessions of the Peace, within ten days after issuing thereof, under the penalty of five Pounds for each and every neglect; and it shall be the duty of the Assessors, within sixty days after receiving such warrant to make their assessments and precepts, and deliver the same to the several and respective Collectors of Rates, under the Penalty of ten Pounds for each and every neglect of any Assessor, and it shall be the duty of the said several Collectors to proceed with all convenient expedition, immediately after the receipt of any assessment and precept, to collect the amount thereby required to be collected, and to pay the same, when collected, into the hands of the person or persons to whom it is required to be paid, and within four months from the receipt of the assessment and precept, to render an account with vouchers accompanied by the same assessment, into the Office of the Clerk of the Peace,

Peace, under the penalty of ten pounds for neglecting to make and render such an account within the time so limited; all which penalties are hereby made recoverable before any two of His Majesty's Justices of the Peace in the County within which such assessment is made, to be levied by warrant of distress and sale of the goods and chattels of the delinquent, and paid to the County Treasurer for the use of the County.

Penalties recoverable before two Justices.

IV. *And whereas* it has been found inconvenient in many instances to have the office of Collector of Rates united to that of Constable: *Be it further enacted*, that the said Justices of the Peace of the several Counties, shall and may at the time of making the annual appointment of the Town or Parish Officers, have power and authority to nominate and appoint one or more fit persons to be Collectors of Rates for the several Towns or Parishes within the respective Counties, distinct and separate from the said office of Constable, if they shall deem it expedient; which person or persons shall be stiled Collector or Collectors of Rates in the Town or Parish for which he or they shall be nominated or appointed, and shall be obliged to take an Oath of office in like manner as is required of any Constable, and subject to like penalties for neglecting to take such Oath within the time required for such Constable to take the same, to be recovered and applied to the same uses and purposes as penalties imposed on such Constables for refusing or neglecting to take such Oath of office, and upon any vacancy happening by the

Justices to appoint Parish Collectors separate from the office of Constable

Collectors to be sworn and liable to penalty for neglect.

In case of vacancy, Justices to appoint others

who shall be obliged to accept the office and take the oath within fourteen days.

death or removal from the Parish of any such Collector, or by the neglect or refusal of any person to take the Oath of office within the time required, the said Justices may at any General or Special Sessions for that purpose to be holden, have power and authority from time to time to appoint other fit persons to fill such vacancy, who shall be obliged to accept such office, and take the like Oath within fourteen days after being notified of such appointment, subject to the like penalty for neglect or refusal, to be in like manner recovered and applied, and shall also be subject to the same penalties for neglecting or refusing to demand, levy, and account for Parish Rates, as Constables now are for refusing or neglecting to collect County and Parish Rates: *Provided* the appointment of a Collector in the City of St. John shall be and remain with the Mayor, Aldermen and Commonalty of the said City, as already provided by Act of Assembly.

Persons refusing to pay assessment for ten days to be sued by the Collector.

V. *And be it further enacted*, That if any person assessed shall refuse or neglect to pay his or her assessment, by the space of ten days after the demand of such assessment by the Collector, then and in such case it shall and may be lawful for such Collector to sue for and recover the same in his own name, with costs of suit, if such assessment do not exceed five pounds, before any one Justice of the Peace, or in the Clerks Court in the City of Saint John, and if such assessment exceed the sum of five pounds, then before any two Justices of the Peace, the proceedings in any such case to be in like manner

Mode of proceeding.

manner and under the same rules and regulations, as are contained and mentioned in an Act made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled, "An Act for the more easy and speedy recovery of small debts."

VI. *And be it further enacted*, That an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third, intituled, "An Act for assessing, levying and collecting County Rates," and another Act made and passed in the same year, intituled, "An Act to regulate and provide for the support of the Poor in this Province," and all other Acts now in force for the levying, assessing and collecting monies for County and Parish charges of every kind, shall continue and remain in full force and effect, except wherein they are altered and amended by this Act, any thing herein contained to the contrary notwithstanding.

26, Geo. 3, C. 48,  
26, Geo. 3, C. 43,  
continued in force  
except wherein  
hereby altered.

### CAP. XVI.

An ACT to incorporate sundry persons by the name of the St. John Marine Insurance Company."

Passed 17th March, 1825.

**W**HEREAS it is thought that the establishment of an Insurance Company at the City of Saint John, would increase the wealth and importance of the City and Province in General.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly*, That Hugh Johnston, Junr. Henry Gilbert, Stephen Smith, John M. Wilmot, Thomas Raymond, Tho-

mas

*Ed. further  
1. W. 4. ch. 7.*

Company incorporated by the name of the Saint John Marine Insurance company

mas Sandall, Leverit H. De Veber, Stephen Wiggins, Lewis Burns, William Scoullar, James Ewing, Thomas Heaviside, James Kirk, John R. Partelow, George Mathew, Thomas Barlow, Isaac Ketchum, John Ward, Nehemiah Merritt, and James T. Hanford; their Associates, Successors, or Assigns, be, and they are hereby declared to be a Body Corporate, by the name of the Saint John Marine Insurance Company, and that they shall be persons able and capable in Law to have, get, receive, take, possess, and enjoy Houses, Lands, Tenements, Hereditaments, and Rents in fee simple, or otherwise, and also Goods and Chattels, and all other things; real, personal or mixt, and also to give, grant, let, or assign, the same or any part thereof, and to do and execute all other things in and about the same as they shall think necessary for the benefit and advantage of the said Corporation, and also that they be persons able and in Law capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court or Courts of Law and equity, or any other place or places whatsoever, in all, and all manner of actions, suits, complaints, demands, pleas, causes, and matters whatsoever, in as full and ample a manner as any other person or persons are in Law capable of, suing and being sued, pleading and of being impleaded, answering and of being answered unto, and also that they shall have one common seal to serve for the ensembling of all and singular their, grants, deeds, conveyances, contracts, bonds,

Capable to sue & be sued.

Shall have a Common Seal.

bonds, articles of agreement, assignments, powers and warrants of Attorney, and all and singular their affairs and things touching and concerning the said Corporation.

II. *And be it further enacted,* That the Capital or Stock of the said Corporation shall consist of the sum of thirty thousand pounds, to be paid in such money as shall at the time of the several payments hereinafter expressed, be a legal tender in this Province, seven thousand five hundred pounds, one quarter part thereof, to be paid within sixty days after the passing of this Act, seven thousand five hundred pounds, one other quarter part thereof, within twelve calendar months from the expiration of the said sixty days, and the remainder at such time and times as the Directors for the time being, shall from time to time think necessary, in a ratio proportioned to the business of the said Company, to be judged of by the said Directors. The whole amount of said Capital or Stock to be divided into Shares of twenty-five pounds each, making in the whole one thousand two hundred Shares.

Capital to consist of £30,000 to be paid in such coin as shall be a legal Tender.

One fourth to be paid within sixty days.

one other fourth in twelve months thereafter.

remainder as required by the Directors.

Shares to be £25 each.

III. *And be it further enacted,* That no Member of the said Corporation during the said sixty days, after the passing of this Act as aforesaid, shall be entitled to hold or subscribe for more than forty Shares of the said Capital or Stock, and if the whole of the said Capital or Stock shall not have been subscribed within the said sixty days, that then and in such case it shall be lawful for any Stockholder or Stockholders to increase his, her, or their Shares or subscriptions, to as many Shares

No member to subscribe for more than forty shares till the expiration of sixty days.

Shares as he, she, or they may think proper.

Subscribers within sixty days to pay twenty-five per cent on the whole amount of their shares, and give security for paying the remainder.

IV. *And be it further enacted,* That every Subscriber or Stockholder shall pay into the hands of the Directors for the time being within the said sixty days as aforesaid, twenty-five per cent on the whole amount of his or her Share or Shares, and shall give to the President and twelve Directors, hereinafter mentioned, good and satisfactory security or securities, that the residue thereof shall be paid in manner and form following, that is to say: twenty-five per cent. more of the whole amount of his or her Shares, within twelve calendar months from the expiration of the said sixty days, and the residue thereof at such time and times as the said President and Directors shall from time to time think necessary, in a ratio proportioned to the business of the said Company, to be judged of by the said President and Directors for the time being; and before the same shall be required of the several Stockholders, fifty days public notice shall be given in two of the Newspapers published in this Province.

fifty days notice to be given when payments are required.

When 400 shares shall have been subscribed, a general meeting of the members to be called for choosing Directors.

V. *And be it further enacted,* That whenever four hundred Shares shall have been subscribed of the said Capital or Stock, a general meeting of the Members and Stockholders of the said Corporation, or the major part of them, shall take place by notice in one or more of the public Newspapers fourteen days previous to such meeting, for the purpose of choosing thirteen Directors, being Members and Stockholders of the said Corporation,



Corporation, under and in pursuance of the rules and regulations hereinafter made and provided; which Directors shall as soon thereafter as may be conveniently, meet together and choose out of their number a President, and shall at such or any future meeting, proceed to make such Bye-Laws, Rules and Regulations, for the good management of the affairs of the said Corporation, as they shall deem proper and necessary, and shall also appoint at the same or any future meeting, a Secretary, and so many other Officers, Clerks, and Servants, for carrying on the said business as shall be thought requisite, and shall at the same or any future meeting, accept and receive the first instalment of twenty-five per cent. on each Subscriber and Stockholder's Share and Subscription, and at the same time shall take from the said Subscribers, such securities for the remainder of their Subscriptions as herein before pointed out, and shall commence the operations of the said Insurance Company, subject to the Rules and Regulations hereinafter made and provided, and shall continue to serve and be Directors as aforesaid, until the first annual meeting for choice of Directors, as hereinafter made and provided: *Provided* that the Laws and Ordinances at any time made by the said Directors, be not in any wise contrary or repugnant to the Laws of this Province.

Directors to choose a President

and make Bye-Laws & Regulations,

and appoint Officers---

receive Instalments and take securities.

Directors to continue in office till the first annual meeting.

VI. *And be it further enacted*, That there shall be a general meeting of the Stockholders and Members of the said Corporation, to be annually holden on the first Monday

General meeting to be held on the first Monday in July in each year.

in

Directors to be  
chosen.

Qualification of a  
Director.

President to be  
chosen.

Seven Directors to  
be re-elected.

Directors to exe-  
cute all things con-  
tained in the pre-  
ceding Sections.

Alter Bye-Laws,  
&c.

in July, in each and every year after the present year one thousand eight hundred and twenty-five, at the City of Saint John, at which annual meeting there shall be chosen by a majority of the said Stockholders and Members of the said Corporation, out of the said Stockholders and Members, thirteen Directors, who shall continue in office for one year or until others are chosen in their room; in the choice of which Directors and of the Directors herein before to be chosen, the Stockholders and Members aforesaid, shall vote according to the rule hereinafter mentioned, and no Member shall be voted for or chosen as Director, who shall not own twenty Shares in the said Stock, and the Directors when chosen, shall at their first meeting choose out of their number a President, who as well as the President herein before to be chosen, are to be chosen by a majority of votes, each Director having one vote: *Provided always* that seven of the Directors in office, shall be re-elected at such annual meeting for the next succeeding twelve months, of which the President shall always be one.

VII. *And be it further enacted*, That the Directors for the time being shall have power to do and execute all the matters and things contained in the preceding Sections of this Law, as far as the same may be left unexecuted by the Directors therein mentioned, and to alter and amend, or entirely abrogate such Bye-Laws, Rules and Regulations as may be made by any former set of Directors, but only so far as experience and necessity

necessity may require; and they shall manage the whole concerns of the said Corporation, agreeably to this Act of Incorporation and such Bye-Laws, Rules and Regulations, and also do and execute all other matters and things that may be necessary and requisite for the benefit of the Corporation, which may not be contemplated in this Act, and in such Bye-Laws, Rules and Regulations, and shall pay to the President, Secretary, and other Officers, Clerks and Servants, - such salary and salaries as they shall think reasonable, reserving to themselves the said Directors, no allowance whatsoever for their services, all which together with the expenses of the Buildings, House rent, and all other contingencies, shall be defrayed out of the funds of the Corporation.

and manage the concerns of the Corporation,

to pay the Officers.

VIII. *And be it further enacted*, That not less than five Directors shall constitute a Board for the transaction of business, of which the President shall always be one, excepting in case of sickness or necessary absence, in which case the Directors present may choose one of their Board as Chairman in his stead, that the President or Chairman so chosen as aforesaid, shall vote at the Board as a Director, and in case of there being an equal number of votes for and against any question before them, the President shall have a casting vote: and that in all votes in making any of the Bye-Laws and Rules aforesaid, and transacting any of the business of the Corporation aforesaid, each Director shall have but one vote, and a majority of votes to carry the question.

Not less than five Directors to form a Board, of which the President to be one.

President to have a casting vote.

Number of votes  
of Stockholders.

IX. *And be it further enacted,* That the number of votes which each Stockholder shall be entitled to on every occasion, when in conformity with the provisions of this Act, the votes of the Stockholders are to be given, shall be one vote for each Share in the Capital or Stock aforesaid, and that all Stockholders resident within this Province or elsewhere, may vote by proxy, provided that such proxy shall be a Stockholder, and shall previous to voting, produce a sufficient authority from his Constituent or Constituents so to act.

Stockholders may  
vote by proxy.

Directors not being  
chosen on the  
first Monday in  
July, may be afterwards  
chosen--  
14 days notice being  
given.

X. *And be it further enacted,* That if through any accident the said Directors should not be chosen on the first Monday of July in any year as aforesaid; it shall be lawful to choose them on any other day upon giving fourteen days notice of the time and place of meeting, and in case of the removal of a Director by the Stockholders for misconduct or mal-administration, his place shall be filled up by the said Stockholders, fourteen days notice being first given of the time and place of meeting, and in case of any vacancy among the said Directors by death, resignation, or absence from the Province for three months, the said Directors to fill up the same, by choosing one or more of the said Stockholders, and the person and persons so chosen by the said Stockholders and Directors, shall serve until the next succeeding annual meeting of the Stockholders.

Vacancies in the  
Board to be filled  
by the Directors.

Upon payment of  
the first Instal-

XI. *And be it further enacted,* That as soon as the said first instalment of seven thousand

thousand five hundred pounds, shall have been actually paid, in manner and form as herein before provided, on account of the Subscriptions to the said Stock, notice thereof shall be given in all the Newspapers published in the City of Saint John, Saint Andrews, and Fredericton, and the Directors shall commence with the business and operations of the said Corporation: *Provided always* that no insurance shall be effected nor shall any Policy be signed in manner as hereinafter provided, until the said sum of seven thousand five hundred pounds shall be actually paid in, and received on account of the Subscriptions to the Capital or Stock of the said Corporation.

ment, notice to be given and the Directors to commence the business.

No Insurance to be done until £7-500 be paid.

XII. *And be it further enacted*, That the said Company and Corporation shall have power and authority to make Marine Insurances on Vessels, Freights, Monies, Goods and effects, and in case of money lent upon Bottomree and Respondentia, and to fix the premiums and terms of payment, and all policies of insurance by them made, shall be subscribed by the President, or in case of his death, sickness, or inability, or absence, by any two of the Directors, and countersigned by the Secretary of such Corporation, and shall be binding and obligatory upon the said Company and Corporation, and have the like effect and force as if under the seal of the said Company or Corporation, and all losses duly arising under any policy so subscribed, may be adjusted and settled by the President and Board of Directors, and the same shall be binding on the said Company and

Corporation to have power to make marine Insurances

and to fix premiums, &c.

Policies to be signed by the President, or in case of death, sickness, &c. by two Directors & countersigned by the Secretary.

Losses to be settled by the President & Board.

and Corporation; and shall be paid to the Insured within sixty days from such adjustment.

XIII. *And be it further enacted,* That it shall be the duty of the Directors of the said Corporation, to make yearly dividends of all the profits, rents, premiums, and interest arising from the Capital Stock, payable at such time and place as the Directors shall appoint, of which they shall give thirty days previous notice in two of the Newspapers published in this Province: *Provided always* that the Monies received and Notes taken for premium of risks, which shall be undetermined, and out standing at the time of making such dividends, shall not be considered as parts of the profits of the said Company.

Directors to make yearly dividends,

30 days notice to be given.

XIV. *And be it further enacted,* That the said Company shall not directly or indirectly deal or trade in buying or selling any Goods; Wares, Merchandize, or commodities whatsoever, and the Capital or Stock of said Company collected at each instalment and at the times, and in the manner hereinbefore provided, shall be by the said Directors invested and disposed of, in such safe, beneficial and proper way as may by them be deemed adviseable and necessary: *Provided always* that the said Directors shall not have power to loan any part of the said Capital or Stock on Bottomree or Respondentia, and shall not in any case make Insurance on any single risk exceeding five thousand pounds.

Company not to deal in buying or selling,

Capital to be invested by the Directors.

Directors not to loan on Bottomree or Respondentia, nor insure any single risk exceeding £5000.

XV. *And be it further enacted,* That the said Corporation shall have full power and authority

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

May hold Real Estate not exceeding £3000.

May take Mortgages as collateral security to any amount.

Not to lend money on Mortgage or upon Lands, nor purchase Lands, except as security for debts.

XVI. *And be it further enacted*, That the Shares, Capital or Stock of the said Company shall be assignable and transferable according to such rules and regulations as may by the Directors be established, but no assignment or transfer shall be valid or effectual, unless such assignment or transfer shall be entered and registered in a Book to be kept by the Directors for that purpose; and in no case shall any fractional part of a share or other than a complete share or shares be assignable or transferable; and that whenever any Stockholder shall transfer in manner aforesaid, all his Stock or Shares in the said Corporation to any other person or persons whatever, such Stockholder shall cease to be a member of the said

Shares to be assignable.

Corporation, and the person or persons so purchasing, shall become a member of the said Corporation in his stead, and be entitled to all his privileges as such.

No Insurance Company to be Incorporated with a Capital less than £30,000.

XVII. *And be it further enacted,* That no Insurance Company shall hereafter be incorporated in this Province, with a capital less than that of the present company, that is to say, thirty thousand Pounds, to be paid in at such periods and in such payments as in any Act of incorporation to any such other company shall be made and provided.

In case of Losses equal to the Capital, the President and Directors knowing thereof, to be answerable for losses under subsequent Policies.

XVIII. *And be it further enacted,* That in case of any loss or losses taking place which shall be equal to the amount of the Capital or Stock of the said Company, and the President and Directors after knowing of such loss or losses taking place, shall subscribe to any Policy of Insurance, they and their Estates jointly and severally, shall be accountable for the amount of any and every loss which shall take place under Policies so subscribed.

Joint Stock of the Corporation only responsible for the debts and engagements.

XIX. *And be it further enacted,* That the joint Stock or Property of the said Corporation shall be alone responsible for the debts and engagements of the said Corporation, and that no person or persons who shall or may have dealings with the said Corporation shall on any pretence whatsoever, have recourse against the separate property of any present or future member or members of the said Corporation, or against their person or persons further than has been hereinbefore provided, and that may be necessary



to secure the faithful application of the funds of the said Corporation.

XX. *And be it further enacted,* That the Books, Papers, Correspondence, and all other matters and things belonging to the said Corporation, shall at all times be subject to the inspection of the Directors or any of them; but no Stockholder, nor a Director, shall inspect the Account of any Individual or Corporate Body with the said Company.

Books and Papers to be open to the Inspection of the Directors.

XXI. *And be it further enacted,* That the Directors shall at the general meeting to be holden on the first Monday in July in every year, lay before the Stockholders for their information, an exact and particular statement of the then state of the affairs and business of the said Company, agreeably to the several regulations of this Act, and such other Rules and Regulations as may by the said Directors be made by virtue hereof, so as the same may contain a true account of the whole of the affairs of the said Company, which statement shall be signed by the Directors and attested by the Secretary, and a Duplicate thereof in like manner signed and attested, shall be transmitted to the Secretary of the Province for the information of His Excellency the Lieutenant-Governor or Commander in Chief for the time being, and the Honorable His Majesty's Council: *Provided always,* that the rendering of such statement shall not extend to give any right to the Stockholders, not being Directors, to inspect the Account of any individual or individuals with the said Corporation.

Directors at the annual meeting to lay before Stockholders a statement of the affairs and business of the Company,

to be signed by the Directors, and attested by the Secretary.

Duplicates to be transmitted to the Secretary of the Province, for the Information of the Governor and Council.

XXII. *And be it further enacted,* That any

Committee of the  
Legislature to have  
access to the  
Books.

joint Committee hereafter to be appointed by the Honorable the Legislative Council and the House of Assembly for the purpose of examining into the proceedings of the said Corporation, shall either during the Session or Prorogation of the General Assembly, have free access to all the Books and Accounts of the same.

Any number not  
less than 20 Stock-  
holders owning  
together 400  
Shares, may call a  
general meeting.

XXIII. *And be it further enacted,* That any number of Stockholders not less than twenty, who together shall be Proprietors of four hundred Shares, shall have power at any time, by themselves or their Proxies, to call a general meeting of the Stockholders for purposes relating to the business of the said Corporation, giving at least, thirty days previous notice in two of the Newspapers published in the Province, and specifying in such notice, the time and place of such meeting with the objects thereof, and the Directors or any five of them shall have the like power at any time (upon observing the like formalities) to call a general meeting as aforesaid.

On any dissolution  
measures to be  
taken by the Di-  
rectors for closing  
the concerns.

XXIV. *And be it further enacted,* That on any dissolution of the said Corporation, immediate and effectual measures shall be taken by the Directors then in office, for closing all the concerns of the said Corporation, and for dividing the Capital and profits which may remain among the Stockholders, in proportion to their respective interests.

Limitation.

XXV. *And be it further enacted,* That this Act shall continue and be in force until the first day of May which will be in the year

of our Lord, one thousand eight hundred and forty-five.

## CAP. XVII.

An ACT to incorporate sundry persons by the name of the Saint John Water Company.

*Passed 17th March, 1825.*

**W**HEREAS it is thought the Establishment of a Water Company in the City of St. John would promote the interests and convenience of the Inhabitants of the City of Saint John by increasing and facilitating the means of procuring Water therein,

*I. Be it enacted by the Lieutenant-Governor, Council and Assembly, That the Honorable John Robinson, The Honorable William Black, Nehemiah Merritt, William Bowman, James White, James Ewing, John Ward, Junior, George D. Robinson, Thomas Barlow, James Cudlip, Hugh Johnston, Junior, John M. Wilmot, Henry W. Scott, James Hendricks, Thomas Millidge Robert W. Crookshank, Zalmon Wheeler, Stephen Smith, Robert Parker, and William B. Kinnear, their Associates, Successors and Assigns, be, and they are hereby declared to be a Body Corporate by the name of "The Saint John Water Company," and that they shall be persons able, and capable in Law, to have, get, receive, take, possess, and enjoy Houses, Lands, Tenements, Hereditaments, and Rents in fee simple, or otherwise, and also Goods and Chattels, and all other things, real, personal or mixt, and also to give, grant, let, or assign, the same or any part thereof, and to do and execute all other*

Company incorporated by the name of the Saint John Water Company.

Capable to sue &  
be sued.

things in and about the same as they shall think necessary for the benefit and advantage of the said Corporation, and also that they be persons able and in Law capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court or Courts of Law or equity, or any other places whatsoever, in all, and all manner of actions, suits, complaints, demands, pleas, causes, and matters whatsoever, in as full and ample a manner as any other person or persons are in Law capable of, suing and being sued, pleading and of being impleaded, answering and of being answered unto, and also that they shall have one common seal to serve for the ensembling of all and singular their grants, deeds, conveyances, contracts, bonds, articles of agreement, assignments, powers and warrants of Attorney, and all and singular their affairs and things touching and concerning the said Corporation; and also that the said Company or the major part of them, shall, from time to time and at all times have full power, authority and licence to constitute, ordain, make and establish such Laws and ordinances as may be thought necessary for the good rule and government of the said Corporation. Provided that such Laws and Ordinances be not contradictory or repugnant to the Laws or Statutes of that part of the United Kingdom of Great-Britain and Ireland called England; or repugnant or contrary to the Laws and Statutes of this Province.

May have a Com-  
mon Seal.

May make Bye-  
Laws.

II. *And be it further enacted*, That the  
Capital

Capital or Stock of the said Corporation, shall consist of current Gold and Silver Coins of the Province, to the amount of ten thousand pounds, ten per cent. of which to be paid in current Gold and Silver Coins of the Province within six months after the passing of this Act, and the residue thereof as may be required by the President and Directors of the said Company for the service thereof; a months notice being by them previously given in two of the public Newspapers of the said City of Saint John, that the residue or any part thereof will be required. The whole amount of the said Stock to be divided into Shares of five pounds each, making in the whole two thousand Shares.

Capital to consist of £10,000,

ten per cent. to be paid in six months, the residue as required by the Directors.

Notice to be given.

Stock to be divided into Shares of £5 each.

*It. And be it further enacted,* That whenever one thousand Shares have been subscribed, a general meeting of Members and Stockholders, or the major part of them, shall take place by notice in one or more public Newspapers of the City of St. John, thirty days previous to such meeting, for the purpose of making, ordaining and establishing such Bye-Laws, Ordinances, and Regulations, for the good management of the affairs of the Corporation, as they shall deem necessary; and for the purpose of choosing thirteen Directors, being Stockholders and Members of the Corporation, under and in pursuance of the Rules and Regulations hereinafter made and provided, which Directors so chosen shall serve until the first annual meeting for choice of Directors, and shall have full power and authority

When 1000 Shares have been subscribed, a general meeting to be called,

for making Bye-Laws and choosing Directors.

Directors to serve till the first annual meeting.

to manage the concerns of the Corporation.

ty to manage the concerns of the said Corporation, and shall commence the operations of the said Company; subject nevertheless to the Rules and Regulations hereinafter made and provided.

Annual meeting to be held on the second Tuesday in May,

IV. *And be it further enacted,* That there shall be a general meeting of the Stockholders and Members of the said Corporation, to be annually holden on the second Tuesday in May in each and every year, at the City of Saint John, at which annual meeting there shall be chosen, by a majority thereof, thirteen Directors, who shall continue in office for one year, or until others are chosen in their room, in the choice of which, the Stockholders and Members of the said Corporation shall vote according to the Rule hereinafter mentioned, and the Directors, when chosen, shall at their first meeting after their election, choose out of their number, a President: *Provided always,* that seven of the Directors in office shall be re-elected, at such annual meeting, for the next succeeding twelve months, of which the President shall always be one.

thirteen Directors to be chosen.

Directors to choose a President.

Seven Directors to be re-elected.

V. *And be it further enacted,* That the Directors for the time being, shall have power to appoint such Officers, Clerks, and Servants; as they or the major part of them shall think necessary, for executing the business of the said Corporation; and shall allow them such compensation for their respective services, as to them shall appear reasonable and proper: all which, together with the expences for building Reservoirs, Conductors, Pipes, and all other contingencies,

Directors to appoint Officers,

and allow them compensation.

cies, shall be defrayed out of the funds of the Corporation, and the said Directors shall likewise exercise such other powers and authorities for the well regulating the affairs of the said Corporation, as shall be prescribed by the Bye-Laws and Regulations of the same.

VI. *And be it further enacted,* That not less than seven Directors shall constitute a Board for the transaction of business, of which the President shall always be one, excepting in cases of sickness or necessary absence, in which case the Directors present, may choose one of their Board as Chairman in his stead; that the President shall vote at the Board as a Director, and in case of there being an equal number of votes for and against any question before them, the President or Chairman shall have a casting vote.

Seven Directors to form a Board of which President to be one, but in case of sickness &c. a Chairman may be chosen.

President or Chairman to have a casting vote.

VII. *And be it further enacted,* That no Director shall be entitled to any salary or emolument for his services; but that the Stockholders and Members of the said Corporation may make such compensation to the President, as to them shall appear reasonable and proper.

Directors not to have a Salary.

VIII. *And be it further enacted,* That no person shall be eligible as a Director unless such person is a Stockholder, and holding not less than twenty Shares of the Capital or Stock of the said Corporation.

Qualification of Directors.

IX. *And be it further enacted,* That the number of votes to which each Proprietor of Shares, in the said Corporation, holding one or more Shares in the said Company shall be entitled on every occasion, when,

in

Votes to be regulated by the Shares.

in conformity with the provisions of this Act, the votes of the Members of the said Corporation shall be given, shall be in the proportion following, that is to say; for one Share, and not more than two, one vote; for every two Shares, above two, and not exceeding ten, one vote, making five votes for ten Shares; for every four shares, above ten, and not exceeding thirty, one vote, making ten votes for thirty Shares; for every six Shares above thirty and not exceeding sixty, one vote, making fifteen votes for sixty Shares; for every eight Shares above sixty, and not exceeding one hundred, one vote, making twenty votes for one hundred Shares; and for every ten Shares, above one hundred Shares, and not exceeding one hundred and fifty, one vote, making twenty-five votes for one hundred and fifty Shares, but no person or persons, copartnership, body politic, or corporate, being a Member or Members of the said Company, shall be entitled to a greater number than twenty-five votes.

Stockholders may vote by Proxy.

X. *And be it further enacted,* That all Stockholders resident within this Province or elsewhere, may vote by proxy, provided such Proxy be a Stockholder, and do produce sufficient authority from his constituent or constituents so to act.

No Member or Corporate Body for the first six months to subscribe for more than 50 Shares,

XI. *And be it further enacted,* That no Member or Corporate body, during the first six months, to be accounted from and after the passing of this Act, shall be entitled to hold or subscribe for more than fifty Shares of the said Capital or Stock, except the Corporation



poration of the City of Saint John, who shall be allowed to take up the whole or any part thereof, if demanded within one calendar month after the passing of this Act, and no person or persons, body politic, or corporate, shall until the expiration of one calendar month from the passing of this Act, be allowed to take or subscribe for any Shares of the said Capital or Stock, unless the said Corporation of the said City of St. John, shall have sooner taken up the number of Shares intended to be taken by the same Corporation or declared its option not to take any.

except the Corporation of Saint John, who may take the whole or any part if demanded within one month.

No Person to subscribe within one month, unless the Corporation of St. John shall have sooner taken up Shares.

XII. *And be it further enacted,* That the Directors be, and they are hereby authorized to fill up any vacancy that shall be occasioned in the Board, by the death, resignation, or absence from the Province for three months, of any of its members; but that, in the case of the removal of a Director by the Stockholders for misconduct or mal-administration, his place shall be filled up by the said Stockholders, and the person so chosen by the Directors or the Stockholders, shall serve until the next succeeding annual meeting of the Stockholders.

Directors to fill vacancies in the Board.

If a Director removed for misconduct, his place to be filled by the Stockholders.

XIII. *And be it further enacted,* That the Shares of the Capital or Stock, shall be assignable and transferable according to the Rules and Regulations, that may be established in that behalf; but no assignment or transfer shall be valid or effectual, unless such assignment or transfer, shall be entered, and registered in a Book to be kept by the Directors for that purpose, nor until such

Shares to be assignable.

Assignment not valid unless registered and previous debts paid.

Part of a Share not to be assigned.

such person or persons so making the same, shall previously discharge all debts actually due and payable by him to the said Corporation; that in no case shall any fractional part of a Share, or other than a complete Share or Shares be assignable or transferable, that whenever any Stockholder shall transfer in manner aforesaid, all his Stock or Shares in the said Company, to any other person or persons whatever, such Stockholder shall cease to be a member of the said Corporation.

Directors to make half yearly dividends of the profits.

XIV. *And be it further enacted,* That the Directors shall make half yearly, or yearly dividends, as may to them appear most proper, of all the profits, rents, premiums and interest of the said Corporation, payable at such time and place as the Directors shall appoint, of which they shall give thirty days previous notice in two of the Newspapers published in the City of Saint John.

30 days notice to be given.

Corporation may draw Water from, or conduct it through the private property of Individuals.

XV. *And be it further enacted,* That the said Corporation shall have full power and authority to draw Water from, erect Reservoirs on, and to carry Pipes or Conductors through (when such shall be deemed absolutely necessary for the conveyance of the Water to the City, by the said Corporation,) the private property of individuals, whose Lands may lie at the source or in the line, the said Corporation shall think it expedient to convey the Water from, or through which it may be necessary to carry such Pipes or Conductors, or erect such Reservoirs. *Provided always,* that no such Water be drawn, Reservoirs erected, or Pipes or Conductors

Compensation to be made.

Conductors carried from, upon, or through the private property of any person without a reasonable and proper compensation being allowed and paid for the use and convenience of the same, and for any damage sustained by the operations of the said Corporation, to be agreed upon by the said Corporation, and the respective owners of such private property; and in case of disagreement between the said Corporation, and the said owners or any of them, then such compensation shall be determined by three Arbitrators, one to be chosen by the said Corporation, and one by the owner or owners of the private property in question, which two Arbitrators so chosen shall choose the third Arbitrator; and in case of their not agreeing in such choice within ten days after their appointment, then and in such case it shall and may be lawful for the Lieutenant-Governor or Commander-in-Chief for the time being, upon application of the said Corporation to appoint the third Arbitrator, and the award of the said Arbitrators or any two of them, shall be final and conclusive in the matters referred to them; and in case any of the said owners of such private property, shall decline making any such agreement or appointing such Arbitrator, then, and in every such case the said Corporation may make application to the Supreme Court of this Province, stating the grounds of such application, and such Court is hereby empowered and required from time to time, upon such application, to issue a Writ or Warrant directed to the Sheriff of the

In case of disagreement compensation to be determined by Arbitrators.

If the third Arbitrator not chosen within ten days the Governor may appoint one.

Award of any two Arbitrators to be final.

If the Owners of private Property do not agree, or appoint an Arbitrator.

Application may be made to the Supreme Court which is empowered to grant a Writ to summon a Jury.

the City and County of Saint John, or in case of his being a party interested, then to the Coroner of the said City and County; and in case of the said Sheriff and Coroner being both interested, then to some person or persons who may be disinterested; commanding such Sheriff, Coroner, person or persons, as the case may be, to summon and impanel a Jury of twelve Freeholders within the said City and County, who may be altogether disinterested which Jury upon their oaths (all which oaths, as well as the oaths to be taken by any person or persons who shall be called upon to give evidence; the officer or person or persons summoning such Jury, is hereby empowered to administer) inquire of, assess and ascertain the distinct sum or sums of money, or annual rent, to be paid for the use and convenience of such private property, or the indemnification to be made for the damage that may or shall be sustained as aforesaid; and the inquisition, award or verdict of such Jury, shall be returned and filed in the office of the Clerk of the Pleas in the said Supreme Court, and shall be final and conclusive between the parties, and the costs and expenses of these proceedings, to be taxed and allowed by the said Supreme Court, shall be borne by the said Corporation.

XVI. *And be it further enacted,* That it shall and may be lawful for the said Company, at a proper and convenient depth under the surface of each and every of the Roads and Streets, leading into and through the said City of Saint John and its vicinity, to lay

Jury on Oath to assess the Rent to be paid or indemnification to be made for damage.

Inquisition to be returned to the Clerk of the Court and to be final.

Expenses to be paid by the Corporation.

Pipes and Conduits may be laid under the Roads and Streets.

lay down, set and place such, and so many Pipes, Leaders and Conduits for the said Water, as they shall find to be necessary for conveying it to any or every dwelling house in the said City or its vicinity, and from time to time, as often as the said Company shall think proper, to lay down such Pipes, Leaders and Conduits, or shall have occasion to alter, amend or repair the same; it shall also be lawful for the said Company, to break up and open any part whatsoever of the said Roads and Streets, or of the covering, pavement or side walks thereof, and the same to keep open and uncovered during the time necessary for their said purposes. *Provided always*, that before the said Company shall break up or open any such road or Street, they shall give previous notice of their intention so to do, to the Mayor, Aldermen and Commonalty of the said City, and shall receive their permission in writing therefor, and not otherwise. *And provided also*, that the said Company shall and do at their own proper costs, and charges, and to the satisfaction of the said Mayor, Aldermen and Commonalty, and without unnecessary delay, repair and amend the said Roads and Streets, in every part where they shall be so broken up and opened as aforesaid, and restore the covering, pavement and side walks thereof respectively, to the condition in which they were before breaking up, or opening the same.

Company may break up Roads, and Streets for laying down Pipes.

Previous notice to be given to the Mayor, &c. and permission obtained.

Company to repair such Roads and Streets at their own cost.

XVII. *And be it further enacted*, That if the said Company shall not repair the said Roads or Streets, or any of them so broken

If the Company do not repair the Roads &c. broken

up,

up by them, the Mayor &c. may cause them to be repaired,

and sue the Company for the expense.

Proper vents and openings to be made in the Pipes for supplying Water in case of Fire,

at such places as the Common Council shall direct.

Additional expense of making vents to be paid by the Mayor &c.

If the Mayor &c. of Saint John shall take up the whole

up, to the satisfaction of the said Mayor, Aldermen and Commonalty, it shall be lawful for the said Mayor, Aldermen and Commonalty, to cause the same to be repaired; and to sue for and recover the expense incurred therein from the said Company, in the Supreme Court of this Province, or in case the sum demanded shall not exceed five pounds, then before any Justice of the Peace for the said City and County, not being an Alderman of the said City; such Justice to proceed in the manner directed in the Act for the more easy and speedy recovery of small debts.

XVIII. *And be it further enacted,* That the said Company do and shall in every Street or Road through which the said Pipes shall be laid, make and provide proper vents and openings for supplying Water whenever Fires shall happen in the said City or the vicinity thereof, and do and shall make such vents and openings in such places, and at such distances from each other as the Mayor, Aldermen and Commonalty of the said City in Common Council convened, shall from time to time direct and appoint, under penalty of forfeiting the privileges and immunities granted in and by this Act. *Provided always,* that the said Mayor, Aldermen and Commonalty, shall pay any additional expense that may be incurred by the making and maintaining of such vents, and openings for supplying Water in cases of Fire.

XIX. *And be it further enacted,* That in case the Mayor, Aldermen and Commonalty of the said City of Saint John, shall take

up

up and subscribe for the whole of the said Capital or Stock, within one calendar month after the passing of this Act, as provided for in the eleventh section of this Act, then and in such case the establishment of the said Corporation, by the name of "The Saint John Water Company," shall not take effect, and all the provisions hereinbefore contained relating to the establishment, constitution and regulation of the said Company, shall be void and of no effect: and then and in such case also the said Mayor, Aldermen and Commonalty of the City of Saint John, shall have and exercise all the powers, privileges and authorities, and be subject to all the regulations and provisions in the fifteenth, sixteenth, seventeenth and eighteenth sections of this Act mentioned and contained, so far as the same may be applicable to the said Mayor, Aldermen and Commonalty, and then and in such case, also it shall be the duty of the said Mayor, Aldermen and Commonalty, and they are hereby required forthwith to proceed to carry into effect the intention of this Act, by supplying the said City and its vicinity with Water in the manner herein contemplated.

of the Stock within one month the Corporation not to take effect.

The Mayor &c. to exercise the powers &c and be subject to the regulations and provisions in the 15, 16, 17, & 18, sections,

to proceed forthwith to carry into effect the provisions of this Act.

## CAP. XVIII.

An ACT to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same."

Passed 17th March, 1825.

**W**HEREAS several Acts are now in force for Organizing and Regulating the Militia of this Province, and it is expedient to alter and amend some of the pro-

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VISIONS

*Vid 8. G. 4. c. 17 for special regulations as to St John Militia  
Vid also 9. G. 4. c. 2.*

visions of the said Acts, and to consolidate and comprise the same Acts in one.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That an Act made and passed in the fifty-sixth year of the Reign of His late Majesty King George the Third, intituled "An Act for the Organization, and Regulation of the Militia of this Province," also an Act made and passed in the third year of His present Majesty's Reign, intituled "An Act to alter and amend an Act intituled 'An Act for the Organization and Regulation of the Militia of this Province,'" also an Act made and passed in the fourth year of the Reign of His present Majesty, intituled "An Act to explain and amend the Laws now in force for the Organization, and Regulation of the Militia of this Province," and an Act, intituled "An Act to provide for calling in the Arms issued to the Militia of this Province," be and the same are hereby repealed, saving the right of recovery of such fines, penalties, and forfeitures, as may have been incurred under and by virtue of the same Acts, or any, or either of them.

II. *Be it further enacted,* That every Male white Inhabitant, or resident within this Province, from sixteen to sixty years of age (except such as are herein after excepted) shall be enrolled, and liable to serve in the Militia, and the Militia shall be formed into Battalions by Counties, or if any County shall be sufficiently populous to admit of more Battalions than one, the Governor or Commander-

Male white Inhabitants and residents from 16 to 60 years of age to be enrolled.

Militia to be formed into Battalions by Counties.



Commander-in-Chief, may divide the same County into two or more Battalions, and affix the respective limits thereof, and may in his discretion form two or more Battalions into Regiments, and each company in any Battalion shall consist of not more than sixty rank and file, and be commanded by one Captain, and two Subalterns, and the extent of the districts of the companies shall be determined by the commanding Officer for the time being, of the Battalion to which they belong, and all captains or commanding Officers of companies, are hereby required, to take due care from time to time, to enroll in a book to be by them kept for that purpose, the names of those persons who are liable to serve as aforesaid within their respective districts: *Provided always*, that in insular and remote situations, where the number of persons in the island or neighbourhood liable to serve in the Militia, shall exceed sixty, and not exceed eighty, the whole may be enrolled in one company: *And provided also*, that the Members of His Majesty's Council, Members of the House of Assembly, established Clergymen, and Licenced Ministers of the Gospel, all persons exercising Commissions Civil or Military under His Majesty, Officers upon half-pay, Supernumerary Militia Officers now in Commission, Officers of His Majesty's Customs, Revenue and Naval Officers, Physicians and Surgeons, licenced by the Governor or Commander-in-chief, to practice as such, one Miller to each Grist Mill, and one Ferryman to each established Ferry, shall be ex-

Battalions may be formed into Regiments.

Companies to consist of not more than 60 rank and file with one captain and two subalterns.

Company districts to be determined by commanding Officers of Battalions.

Commanding Officers of companies to enrol persons liable to serve.

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

Persons exempted from being enrolled.

Quakers producing a certificate exempted.

empted from being enrolled as aforesaid: *And provided also*, that every person professing himself to be of the people called Quakers, and producing to the commanding officer of the Battalion of the district in which he resides, a certificate signed by two people of that persuasion, that such person has been deemed and allowed to be one of the same persuasion, for at least one year before the date of such certificate, shall in like manner be exempted from being enrolled as aforesaid.

Captains to make returns to their commanding Officers who are to make returns to the Commander-in-chief.

III. *And be it further enacted*, That it shall be the duty of every captain or officer commanding a company, to furnish the officer commanding the Battalion to which he may belong, at all times, when ordered, a fair written roll of his company, and a return of the state of their Arms and Accoutrements, with every other information respecting the company which he may require; and the commanding officers of Battalions shall furnish to the Commander-in-chief when ordered, such rolls, returns and statements of their Battalions as may be required.

Commanding Officers of Battalions to appoint Buglers &c.

IV. *And be it further enacted*, That the commanding officer of each Battalion, shall have power to appoint from time to time suitable persons as Drummers, Buglers and Fifers to his Battalion, and to displace them, and appoint others in their stead, and that the captain or commanding officer of a company, shall have power with consent of the commanding officers of the Battalion to which he may belong, to appoint Ser-

Captains with consent of commanding Officers to appoint Sergeants &c.

jeants

jeants and Corporals for the company under his command and to displace them and appoint others in their stead, and if any person so appointed shall refuse, or neglect to perform his duty, or shall be guilty of any misbehaviour in his office, he shall for every offence forfeit and pay the sum of forty shillings.

Persons so appointed, for refusal or neglect to forfeit 40s.

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

Commander-in-chief may call out the Militia one day in each year.

No person to travel more than 20 miles from his residence to train.

VI. *And be it further enacted,* That every Battalion (persons above forty-five years of age excepted) shall be called out and rendezvous by companies, two days in every year, interfering as little as possible with seed time and harvest, for the purpose of disciplining and improving in martial exercises; the times and places of such rendezvous to be appointed by the commanding officer of the Regiment, in cases where Regiments are formed, and in other cases by the commanding officer of the Battalion, and arranged on different days, or in such manner that the Field and Staff Officers may have an op-

Battalions (persons above 40 years excepted) to be called out by companies twice in a year.

Times and places of rendezvous to be fixed by commanding Officer of Regiment or Battalion and arranged on different days.

Two or more companies may be assembled together.

Companies not to go more than twelve miles from usual rendezvous.

Captains to give ten days notice in writing to be posted up by a non-commissioned officer of the time and place of assembling.

Five days personal notice sufficient.

Non-Commissioned officer and private neglecting to appear to forfeit 10s. per day,

portunity of attending the several companies, in order to introduce uniformity in the manœuvres and discipline of the Battalion, and the commanding officer of any Battalion may assemble any two or more of the companies together as he may judge expedient: *Provided* that no company shall be obliged to go more than twelve miles from the usual place of rendezvous of such company.

VII. *And be it further enacted*, That the notice of the times and places of assembling the Militia by Battalions or Divisions thereof; or by companies as aforesaid, shall be given in writing by the captains or officers commanding companies, who shall cause such notice to be posted up by a non-commissioned officer, who is hereby required to attend to that duty, at least ten days before the respective times of meeting, in three of the most public places within the districts of the several companies, which notification so given, shall be deemed a sufficient warning: *Provided always*, that five days personal notice to the individual, of the time and place of assembling shall be sufficient, without such notice in writing.

VIII. *And be it further enacted*, That every non-commissioned officer and private, who shall neglect to appear at any battalion or company muster, agreeably to the provisions of this Act, shall be liable to a fine of ten shillings for each and every day he shall so neglect to appear, and every non-commissioned officer and private, who after having appeared at any battalion or company muster

ter shall at any time during the said days herein before required of him to attend, be absent from his battalion or company without leave from his commanding officer, shall for each and every time he shall be so absent without leave, be liable to a fine of ten shillings: *Provided always*, that the fines aforesaid shall not extend to persons who were prevented from attending any battalion or company muster; by sickness or lameness of the individual, or extreme sickness of some part of his family, or by unforeseen, and unavoidable circumstances, to be manifest by legal proof given on the part of the delinquent: *And provided also*, that persons other than substitutes, who shall have been embodied and on actual service for the space of twenty days, and also persons who shall have procured substitutes to perform such actual service, shall not be required to attend any such battalion or company muster during the year in which such actual service shall have been performed.

or being absent after appearance without leave to forfeit 10s.

Excuses for non-attendance.

Persons who have been embodied for 20 days or who have procured substitutes excused from attending muster during that year.

IX. *And be it further enacted*, That every person enrolled as aforesaid, when ordered out as aforesaid, shall appear with such arms, ammunition and accoutrements, as have been, or may hereafter be issued to him by Government, or if he shall so choose with arms, ammunition and accoutrements of his own equally good, in complete order and for appearing without such arms, ammunition and accoutrements, or appearing with a part and not the whole, or with any of them, which in the opinion of the commanding officer for the time being, at the place

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

where

Penalties for neglect.

where such Militia are ordered to assemble, are not in good and serviceable order, such person shall forfeit and pay a sum or fine of not less than ten shillings, nor more than twenty shillings, to be recovered in the manner and form herein after directed.

Officers commanding Battalions to order inspections of arms and accoutrements,

to be made by the subaltern officers of the companies,

report to be made in writing under oath,

penalty for refusing to submit to inspection or for arms out of order or deficient.

X. *And be it further enacted,* That the commanding officer of any battalion shall, and may once in each year, and oftener if he thinks it necessary, order an inspection of arms and accoutrements of such battalion, when the subaltern officers of the company, each-taking such part as the captain or commanding officer of the company shall direct, shall call on each and every man of the company at his usual place of abode, and then and there carefully inspect and examine such person's arms and accoutrements, to see whether the same are all in good order, and shall make an exact report to the commanding officer of the company, of the state and condition in which the same were found, which report shall be made in writing, and shall be sworn to by the person making it, before some one of His Majesty's Justices of the Peace for the County where such inspection may take place, which oath such Justice is hereby authorized to administer, and shall certify without fee, and every person who shall refuse to submit to such inspection, or whose arms or accoutrements shall be found in unserviceable condition, out of order or deficient, shall forfeit and pay for each deficiency, the like sum as if such had been the case when ordered out as herein before mentioned, to be in like manner inflicted and recovered.

XI.

XI. *And be it further enacted,* That if any person shall wilfully interrupt any body of Militia, when ordered out under this Act, whilst on duty or at exercise, it shall and may be lawful for the commanding officer for the time being, to confine such person during the performance of such duty, or the continuance of such days exercise or muster if he shall think necessary, to prevent the continuance of such insult or interruption, and every person so offending shall forfeit and pay a sum not exceeding twenty shillings for each and every offence, to be recovered with costs, on conviction, before any Justice of the Peace of the County where such offence may be committed, and levied by distress and sale of the offenders goods and chattels, and for want of such goods and chattels to commit the offender to the County Goal for the term of four days, unless the fine and costs shall be sooner paid.

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

and forfeit monies to be recovered before a Justice.

XII. *And be it further enacted,* That all fines and sums which may be imposed by virtue of the fourth, eighth, ninth, tenth and fifty-fifth sections of this Act, shall be recoverable before the captain or commanding officer of the company to which the delinquent shall belong, or within the District of which he shall reside, the said captain or commanding officer, first summoning the delinquent to appear before him, to shew cause if any cause he has, why such fine or fines should not be imposed, which summons shall be in the form hereinafter prescribed, and the officer serving such summons shall

Fines recoverable before the captain.

Delinquent to be summoned.

Fees to the officer  
serving summons.

If delinquent ne-  
glect to appear  
fines shall be levied  
by distress and  
sale,

by order to a Con-  
stable.

For want of goods  
delinquent may be  
committed to  
Gaol.

in every case be intitled to receive the same fees from the party summoned, as in other similar cases, and if any delinquent when so summoned to appear, shall neglect to attend to such summons, then the fines imposed as aforesaid, shall be levied by distress and sale of the delinquents goods, by an order of the said commanding officer, to the Constables of the City, Town, or Parish wherein such delinquent shall reside, which Constables are hereby authorized and required to execute the same, and also the warrants hereinafter mentioned, taking the same fees as in similar cases, and rendering the overplus, if any after deducting the cost and charges of such distress and sale, to the delinquent, and if no goods or effects shall be found, whereon to levy any of the said fines, the Constable to whom the execution of the said order may be committed, shall make a return thereof on the back of the order, and thereupon the delinquent shall by warrant under the hand and seal of such commanding officer, be committed to the County Gaol, there to remain one day for each and every five shillings which the said fine may amount to, and the keeper of any Gaol, is hereby authorised and required to receive and keep such delinquent during the time specified in such warrant, and then discharge him on payment of the customary fees: *Provided always*, that such delinquent shall not be kept in Gaol more than two days beyond the time specified in the warrant, for any default in the payment of fees.

XIII. *And be it further enacted*, That all summonses



summonses to be issued, orders of distress, and warrants of commitment, by any commanding officer of a company, under and by virtue of the provisions of this Act, shall be respectively in the form following :

FORM OF SUMMONS.

Form of Summons.

To the Constables of                      and each and every of them.

You are hereby required to summons A. B. that he be, and appear before me, on the                      day of                      at                      between the hours of                      and                      of the same day, to shew cause if any he has, why a fine should not be imposed upon him under and by virtue of the Militia Law, for (here state the nature of the offence or delinquency.) Given under my hand this                      day of                      182                      .

WARRANT OF DISTRESS.

Form of Warrant of distress.

To the Constables of                      and each and every of them.

You are hereby required forthwith to demand of N. B. the sum of                      being the amount of a fine imposed upon him under and by virtue of the Militia Law, and on his refusal to pay the same, to levy and distrain the amount thereof of the Goods and Chattels of the said N. B. and to sell and dispose of the Goods and Chattels so to be distrained within six days, unless the said sum of                      together with reasonable charges of taking and keeping such distress, shall be sooner paid, and return to me what you shall do by virtue of this order. Given under my hand this                      day of

Form of warrant to be issued by the com-

manding

Form of Warrant  
of commitment.

manding officer of any company, for the imprisonment of any delinquent.

To the Constables of            and each and every of them. Whereas a fine of            has been imposed on N. B. for an offence against the Militia Law, these are therefore to require and command you to take and arrest the said N. B. and convey and deliver him into the custody of the Keeper of the common County Goal, and you the said Keeper are hereby required to receive the said N. B. into your custody in the said Goal, and him safely keep for the space of            days, unless the said fine with the accustomed fees, shall be sooner paid. Given under my hand and seal this            day of            182            .

Constables to collect and pay over fines to the Quarter-Master.

XIV. *And be it further enacted,* That the Constables shall without unnecessary delay collect and pay over the fines so collected from any delinquent, to the Quarter-Master of the battalion to which such delinquent shall belong, or in default of payment, shall be liable to an action of debt, at the suit of such Quarter-Master, in any Court having Jurisdiction of the same.

Adjutants to attend the Battalions, and perform such other duties as may be ordered by the commanding officer,

XV. *And be it further enacted,* That it shall be the duty of the Adjutants appointed or to be appointed by the Commander-in-chief to the several battalions, to attend their respective battalions, when the same, or any part thereof shall be ordered out under this Act, and at such and all other times to do and perform and attend to such duty as is incumbent on and appertaining to the proper office of Adjutant, or as they may be ordered by the respective commanding officers

cers of such battalions, and upon certificate of any commanding officer of a battalion to which any Adjutant may belong, that he has faithfully performed his duty to the entire satisfaction of the said commanding officer, such Adjutant shall then be entitled to receive from the Treasury, the sum of fifteen pounds in each and every year, so long as he shall so continue faithfully to perform his duty; and every Serjeant-Major who shall be appointed to any battalion, shall in like manner attend to all the duties appertaining to the office of Serjeant-Major, and such other reasonable duty as the commanding officer of the battalion to which he may belong may order, and upon certificate from such commanding officer of any battalion, that the Serjeant-Major had well and faithfully performed his duty to the entire satisfaction of the said commanding officer, he shall be entitled to receive in each and every year that he may so continue faithfully to perform his duty, the sum of seven pounds ten shillings.

allowed £15 per annum, upon certificate of commanding officer.

Serjeant Majors to perform all duties of their office and be allowed £7 10 per annum.

XVI. *And be it further enacted,* That all Foreigners and Aliens who shall have resided for the space of two months in this Province, shall pay to the Quarter Master of the battalion in the district in which they shall reside, the sum of thirty shillings each, and the Quarter Master of such battalion is hereby authorized and required to proceed for the recovery thereof, with costs of suit, before any one of His Majesty's Justices of the Peace resident within such district; and upon recovery, the said sum of thirty shillings

Foreigners and Aliens resident for two months to pay to the Qr. Master 30s. to be recovered with costs,

and levied by distress.

For want of goods to be committed till fine paid.

Aliens making it appear that they are indigent may be discharged by two Justices and have a certificate to exempt them from payment.

Not to extend to persons resident for seven years, & who have taken the oaths of allegiance.

Captains to transmit lists of Aliens to the Quarter Masters.

things together with all costs of suit, shall be levied by distress and sale of such Aliens goods and chattels, and for want of such goods and chattels, such Justice shall by warrant under his hand and seal, commit such Alien to the common Goal of the County, there to remain in close custody without bail or mainprize, until the said fine with costs and all customary fees be paid, and the keeper of any Goal is hereby authorized and required to receive and keep such delinquent Alien according to the tenor of such warrant, provided that if any such Alien be indigent and unable to pay such fine and costs, and shall make the same appear to the satisfaction of any two Justices of the Peace for the County, such Justices shall and may and they are hereby authorized and required by an order in writing under their hands, to discharge such Alien out of custody, and also to grant such Alien a certificate thereof, and such Alien shall not be held liable to the payment of the said sum of thirty shillings, for the year for which he shall have obtained such certificate: *And further provided always*, that nothing in this section contained, shall extend or be construed to extend, to any person who shall have resided within this Province for the term of seven years, and shall have taken the oath of allegiance before any officer or person authorized by the Governor or Commander-in-chief to administer the same.

XVII. *And be it further enacted*, That the captains or commanding officers of companies, shall on or before the first day of June

in each year, make out and transmit to the Quarter-Master of the battalion lists of all Aliens within the district of their respective companies, and all such Aliens who have resided two months in the Province, shall report their names and place of residence to the captain or officer commanding the company in the district where they reside, under the penalty of twenty shillings, to be recovered in the manner mentioned in the last preceding section of this Act.

Aliens to report their names and residence to the captains.

XVIII. *And be it further enacted,* That the commanding officers of battalions, when thereunto required by the Governor or Commander-in-chief are hereby authorized and required to appoint fit and convenient places within their respective districts, to serve as depots for arms for the use of their respective battalions, and all fines, penalties, and sums of money received under and by virtue of this Act, from any battalion of Militia, shall, after defraying the contingent expences of such battalion, be appropriated by the Commander-in-Chief to such an amount as may be necessary for cleaning and keeping in repair the arms placed in the depots appointed for the use of such Battalion; and in case the said fines, penalties, and sums of money received from any battalion, after paying the contingent expences thereof shall be found insufficient to defray the expence incurred in cleaning and keeping in repair the arms placed in depot for the use thereof, then such further sum as the Commander-in-chief may think proper, shall be paid by the Treasurer of the Province, to the commanding

Commanding officers when required to appoint depots for arms.

Fines after paying contingencies to be applied for cleaning and repairing arms.

If the fines are insufficient a further sum may be paid from the Province Treasury, not exceeding £50 per annum.

manding officer of such battalion, to be by him appropriated to the cleaning and keeping in repair the arms of the same, by warrant of the Governor or Commander-in-chief, by and with the advice of His Majesty's Council; *Provided nevertheless*, that no greater sum than twenty pounds over and above the fines, penalties and sums of money received from such battalion after deducting the contingent expences thereof, shall be paid to the commanding officer of any battalion in any one year, for the purposes aforesaid.

Officers to appear with Swords and Belts under penalty of 40s.

XIX. *And be it further enacted*, That every officer shall at all times when ordered out as aforesaid, appear equipped with a sufficient Sword and Belt, under the penalty of forty shillings for each offence, to be recovered by warrant under the hand and seal of any one of His Majesty's Justices of the Peace in the County where the offence shall be committed, upon complaint of the commanding officer of the battalion to which the officer offending shall belong, accompanied with the proof of such officers delinquency.

Commanding officer to appoint Serjeant Major, Quarter Master Serjeant and Clerk who are liable to a fine of 40s. for improper behaviour and exempted from ballot for actual service.

XX. *And be it further enacted*, That it shall and may be lawful for the officer commanding any battalion, to appoint a Serjeant-Major, a Quarter-Master-Serjeant, and Clerk for such battalion, who are hereby made liable to a fine not exceeding forty shillings, for any disobedience of orders, or contemptuous and improper behaviour, to be recovered in the same manner as the penalty in the next preceding Section of this Act; and the Serjeant-Major, Quarter-Master-

ter-

ter-Serjeant, and Clerk, so appointed, shall be exempted from all balloting for actual service.

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

Quarter-Master to give Bond.

Bond to be lodged in the Secretary's Office.

Allowed ten per cent.

XXII. *And be it further enacted,* That the captains or officers commanding companies, shall on or before the first day of June in each year, make out and transmit to the officer commanding the battalion, lists of all persons residing within the districts of their companies respectively, who by this Act are exempt from being enrolled in the Militia, specifying the age of such persons, and the causes of their respective exemptions, and shall also furnish the Quarter-Master of the battalion with a copy of such list, and all persons so exempted (one Ferryman to each

Lists of exemptions to be sent by captains to commanding officers,

and give a copy to the Quarter-Master.

Exempts to pay  
to the Quarter-  
Master 10s. per  
annum.

Exempts may ex-  
cuse themselves  
from paying by  
enrolling them-  
selves.

Fines and penalties  
to be paid to the  
Quarter-Master.

Quarter-Master  
to account every  
six months to the  
commanding offi-  
cer.

established Ferry excepted) shall on or be-  
fore the first day of September in each and  
every year, pay to the Quarter-Master the  
sum of ten shillings, and if not then paid,  
the Quarter-Master is hereby authorized and  
required to proceed for the recovery of the  
same with costs, before any one of His Ma-  
jesty's Justices of the Peace where such ex-  
empt may reside, who shall levy the same  
by distress and sale of the offender's goods  
and chattels, and for want of goods and chat-  
tels, commit the offender to the County Goal  
for the term of two days, unless the said sum  
and costs shall be sooner paid: *Provided al-  
ways*, that any exempt shall be excused from  
paying the said sum of ten shillings, by en-  
rolling himself in the company of Militia in  
the district where he may reside, and when  
so enrolled, he shall be, and is hereby made  
liable to do and perform all and singular the  
duties required of other men belonging to  
the company, and under and subject to the  
same penalties and forfeitures in every re-  
spect.

XXIII. *And be it further enacted*, That all  
fines, penalties and sums of money whatso-  
ever, received, or which shall hereafter be  
received under and by virtue of this Act,  
shall be paid into the hands of the Quarter-  
Masters of the different battalions, and the  
Quarter-Master of each battalion shall every  
six months render an account of all such  
fines, penalties and sums of money so by him  
received, to the commanding officer of the  
battalion, to be disposed of as the Command-  
er-in-chief shall from time to time direct, af-  
ter



ter first paying the contingent expences thereof; and if any Quarter-Master shall neglect to render accounts as aforesaid, or shall neglect to recover the several sums which aliens and exempts are liable to pay yearly under this Act, such Quarter-Master so neglecting his duty, or any other duties required of him under this Act, shall forfeit and pay the sum of forty shillings for each and every neglect, and in default of Payment of the said sum, shall be liable to an action of debt, at the suit of the commanding officer of the battalion, in any Court having jurisdiction of the same.

Quarter-Master  
for neglect to for-  
feit 40s.

in default of pay-  
ment, liable to ac-  
tion at the suit of  
the commanding  
officer.

XXIV. *And be it further enacted,* That if any commissioned officer shall be guilty of disobedience of orders, neglect of duty, or any improper conduct, whether he be in real service or not, he may be tried by a General Court Martial, and it shall and may be lawful for the Governor or Commander-in-chief for the time being, to order a General Court Martial by warrant under his hand and seal, for the trial of such offenders, as speedily as the service will admit, which Court Martial shall consist of not less than thirteen commissioned officers of the Militia, and the President of such Court Martial shall not be under the rank of a Field Officer; and the said Court Martial so ordered, shall have power to administer oaths to witnesses in order to the examination or trial of any of the above offences that shall come before them, and upon conviction, such officer so offending as aforesaid, shall be cashiered by sentence of such Court-Martial,

Commissioned of-  
ficer for disobedi-  
ence or neglect  
may be tried by a  
Court Martial.

Court Martial  
may administer  
oaths to witnesses

Officers upon  
conviction, may  
be cashiered.

Mutiny, desertion and disobedience of orders on actual service, to be tried before a General Court Martial.

and if any officer, non-commissioned officer or private, shall, when on actual service, begin, excite or join in any mutiny, or knowing any such mutiny begun or intended, shall not give information thereof to his commanding officer, or other superior officer, or shall not when thereunto ordered, use his utmost endeavour to suppress such mutiny, or shall desert the company or command to which he belongs, or shall disobey orders---if a commissioned officer, he shall be put under arrest by any superior officer, if a non-commissioned officer or private, he shall be committed to the next county or any other goal, as soon as convenient, by order in writing under the hand of the officer commanding the battalion, company, or detachment to which such person so offending, shall belong, and all such offenders shall be tried as soon as convenient by a General Court Martial to be ordered as aforesaid, who shall have power to punish with death or by fine and imprisonment, in proportion to the enormity of the offence, the fine not to exceed fifty pounds, nor the imprisonment to exceed six months. *Provided always*, that no sentence of any Court Martial shall extend to death, unless for desertion to the enemy, for mutiny and sedition, for traitorous correspondence with, or traitorously delivering up any Garrison, Fortress, Post or Guard, to the enemy; nor shall the sentence of any General Court Martial be carried into execution until it has been approved of by the Governor or Commander-in-chief for the time being.

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

No Sentence to be executed until approved of by the Commander-in-chief.

XXV. *And be it further enacted,* That any non-commissioned officer or private, or exempt, whether on real service or not, who shall disobey orders, or neglect doing his duty, or shall be guilty of any other offence against the provisions of this Act, he shall be confined by the commanding officer of the party or guard to which he may belong; and it shall be lawful for the commanding officer of the battalion, or of any party or command not under the rank of Captain, to order a Court Martial to be forthwith held for the trial of such offender; which Court Martial shall consist of three commissioned officers at least, but when they can be had, of five, who may give Judgment by laying a fine on such offender in any sum not exceeding forty shillings, and in addition thereto, if a non-commissioned officer, reducing him to the ranks, at the discretion of the Court, which fine, so ordered by the Court Martial, if he neglect or refuse to pay, shall either be stopt out of the pay of such offender, or such offender shall be imprisoned for a term of eight days: *Provided always,* That no sentence of such Court Martial shall be put in execution, until approved of by the officer ordering the same, and no officer being the accuser shall be a member of it.

Non-commissioned officers and privates offending, may be confined and tried by a regimental Court Martial and fined.

Fines to be stoppt out of the pay.

No sentence to be executed until approved of by officer ordering the Court.

XXVI. *And be it further enacted,* That the Governor or Commander-in-chief, shall be, and is hereby authorized and empowered, in case of any actual invasion or imminent danger thereof, if he in his discretion shall think it necessary or expedient to call out the Militia of the Province and the exempts

Militia may be called out in case of invasion or imminent danger thereof.

as described in the first Section of the Act, (Established Clergymen, Licenced Ministers of the Gospel, Millers and Ferrymen excepted) or any part thereof into actual service.

Where the Commander-in-chief cannot in time be consulted, commanding officer of regiment or battalion, may call out the militia.

Where the commanding officer of the regiment or battalion cannot in time be consulted, the officer commanding in the district may call out the militia and forthwith report.

Persons refusing

XXVII. *And be it further enacted,* That in case of any actual invasion or imminent danger thereof, in any County or District where the Commander-in-chief cannot in time be consulted, the commanding officer of the Regiment, in cases where Regiments are formed, and in other cases, the commanding officer of the Battalion, shall have power (if he in his discretion shall think it necessary or expedient to call out the militia and exempts as aforesaid, or any part thereof, into real service, and in case of any such actual invasion or imminent danger thereof, in any Town, Parish or Company District, where the commanding officer of the regiment or battalion as aforesaid cannot in time be consulted, the officer commanding the Militia in such Town, Parish or Company District, shall have power, if he in his discretion shall think it necessary or expedient) to call out the Militia under his command, and also the exempts as aforesaid, within the same, or any part thereof, into real service, and such officer last mentioned, shall forthwith report his proceedings, and the reason and grounds thereof, to the officer commanding the battalion to which he belongs, who is hereby required in either case, forthwith to dispatch an express to the Governor or Commander-in-chief, notifying the danger, and the strength and motions of the enemy, and every person liable to be so called, who shall

shall when called on, refuse to go, shall pay the sum of ten pounds, or forthwith be committed to the County Goal, by a written order of the commanding officer of the battalion or company to which he may belong, or if necessary, for safe custody, be sent to any other place of confinement at the discretion of such commanding officer, and such offender shall remain in imprisonment three months or until such fine be paid, and all Goalers are hereby ordered to receive and safely keep such person so to be committed, during the time herein specified.

to go when called out to forfeit £10 or be committed to prison.

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

Militia on service to march to any part of the Province.

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

Militia on service to obey all lawful commands of superior officers.

XXX. *And be it further enacted,* That whenever the Governor or Commander-in-chief

Militia to be drafted for service by ballot.

chief shall direct any part of the Militia or the exempts as aforesaid, of any or either of the Counties, to be called out as aforesaid; into real service, a draft by ballot shall be made from each company, in exact proportion according to the number then fit for duty, which shall be on the oath of the captain or commanding officer of such company to the best of his knowledge, if required, of all persons from the age of eighteen years to fifty years, which ballot shall take place and be made in presence of one or more of His Majesty's Justices of the Peace, or if no such Justice shall be resident near the place where such ballot shall be made, then and in that case, the same shall be made in presence of three or more respectable Freeholders who are exempted by age from being drafted themselves, and on such occasions, all the persons within the County in which any part of the Militia shall be called out as aforesaid, between eighteen and fifty years of age, who are hereinbefore declared to be exempted from being enrolled in the Militia, in manner hereinbefore mentioned (except established Clergymen and licenced Ministers of the Gospel, one Miller to each Grist-Mill, and one Ferryman to each established Ferry) who shall not have joined any company, shall be formed into a company, by and under the direction of the commanding officer of the battalion and shall be liable to the same draft by ballot as any other company in such battalion in proportion to their numbers then fit for duty as aforesaid, and each and every person so drafted, shall go in his own

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

Persons drafted

own proper person, or find a good and sufficient man in his room, and for his neglect or disobedience herein, he shall be subjected to a fine of ten pounds, which if he neglect or refuse to pay, he shall be committed to the nearest County Goal, where he can be safely kept, by Warrant from the commanding officer of the battalion, or if necessary to his safe custody, be removed to any other Goal, at the discretion of the commanding officer, where he shall remain three months; or until he pays the said fine, and another man shall be drafted as aforesaid, to march in his place, who shall have half of the said fine if he shall not refuse or neglect to go, or find a good and sufficient man in his room as aforesaid, but if he shall so neglect or refuse, then he shall be subjected to the like fine, and a further draft shall be made of another man who shall have half of the fine last mentioned, if he shall not neglect or refuse to go, or find a good and sufficient man as aforesaid, and so on as often as such case shall happen: *Provided always*, that in case any part of the Militia or the exempts as aforesaid, shall be called out more than once, no person who has been once drafted as aforesaid, shall be again drafted until all the others belonging to the same company shall have been drafted: *Provided always*, that nothing in this Act shall be construed to extend to oblige the Firemen appointed or to be appointed by the Corporation of the City of Saint John to Engines in that City, or Firemen that may be appointed to any Engine already established or hereafter to be established

to serve in person or find good substitutes, under penalty of £10.

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

Firemen not to do duty beyond the limits of the city or town to which they belong.

established in any other Town in this Province, to do duty beyond the limits of the said City and Town respectively: *And also further provided*, that if any person called, and duly certified to be a Quaker, shall upon being drafted, refuse to serve or procure a substitute as aforesaid, it shall and may be lawful for the captain or officer commanding the company to which such Quaker belongs, to procure and hire a substitute for him, and at his expence, not to exceed the sum of ten pounds, which if he shall refuse or neglect to pay, the same shall and may be recovered before any two of His Majesty's Justices of the Peace, in a summary way, at the suit of the said captain or commanding officer of the company, and levied with costs upon the Goods and Chattels of such Delinquent, or for want thereof, such Delinquent shall be committed to Goal, there to remain for three months, or until he pays the same: *Provided also*, that those who have already served in the embodied Militia, and those to be hereafter drafted, shall not be liable to be again drafted until all the others belonging to the same company shall have been drafted.

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

Persons who have served in the embodied militia, exempted from draft till the rest of the company shall have been drafted.

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

XXXI. *And be it further enacted*, That whenever the Governor or Commander-in-chief shall (for the time being) in consequence of any actual invasion, or imminent danger thereof, as aforesaid, think it expedient, to order a proportion of the Militia on real service, volunteers who offer themselves for such service, being able of body, in the opinion of the field officer or officers of the regiment



giment or battalion as aforesaid, to which such volunteer shall belong, shall be accepted, and being so accepted, shall be subject to all the provisions of this Act as though they had been drafted by ballot.

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

Members of General Courts Martial to be sworn.

Form of Oath.

No sentence of death to be given unless twelve officers concur.

Judge Advocate to be appointed and sworn and allowed 20s per diem.

the Court, *to wit*, "I A. B. do swear that I will not upon any account, at any time whatever, disclose or discover the vote or opinion of any particular member of this Court Martial, unless required to give evidence thereof as a witness, by a Court of Justice, in a due course of law, so help me God."

No sentence of death to be executed without a warrant under the hand and seal of the Commander-in-chief.

Execution to be by hanging or shooting.

Warrant to be read previous to execution.

No officer under the rank of captain to try a Field officer.

Militia on service to receive the same pay and allowance

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

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

XXXV. *And be it further enacted*, That whenever the whole, or any part of the Militia of this Province, shall be called out into actual

actual service, the officers, non-commissioned officers, drummers, fifers, buglers and privates shall be intitled to the same pay and allowances as the officers, non-commissioned officers, drummers, fifers, buglers and privates of his Majesty's regular troops respectively receive, to be reckoned from the day that they march from the rendezvous of their respective companies to go on actual service, until they shall be dismissed by order of the Lieutenant-Governor or Commander-in-chief, and at the time of their dismissal they shall be allowed respectively, a number of days pay, to defray their expences to their usual place of residence according to the distance, at the rate of fifteen miles per day, together with a bounty to each man of the non-commissioned officers, drummers, fifers, buglers, and privates, who shall have served faithfully during the time or times they shall so have continued on actual service, at and after the rate of thirty shillings per month for every calendar month which they shall respectively have been and remained on actual service, but not to exceed in the whole the sum of five pounds for each separate time or occasion on which they shall so have respectively been called out into actual service as aforesaid, which bounty shall be provided for and paid out of the Province Treasury.

XXXVI. *And be it further enacted,* That every person who shall entice or encourage a Militia man, when on service, to desert, or aid, or assist, or harbour and conceal any deserter, knowing him to be such, shall forfeit

as the King's  
Troops,

and a bounty to  
those who serve  
faithfully of 30s.  
per month, but  
not to exceed 25s.

Persons enticing  
or aiding Militia-  
men to desert, to  
forfeit £10 to be  
recovered before  
two Justices.

feif

On failure of payment, to be imprisoned for three months.

feit and pay for every offence the sum of ten pounds, to be recovered on conviction before any two of His Majesty's Justices of the Peace for the County where such offence may be committed, upon the oath of any one or more credible witness or witnesses, or upon the confession of the party offending, and on the failure of the payment of such fine by the party offending, he shall be committed to the County Goal by Warrant under the hand and seal of such Justice, there to remain for the space of three months, or until such fine is paid.

Male blacks to be enrolled and formed into companies and to serve as Pioneers, or as the Commander-in-chief may direct.

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

and be drafted for service.

XXXVIII. *And be it further enacted,* That

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

In case of invasion  
Commander-in-  
chief may direct  
the building of  
boats.

Expence not to  
exceed £400.

XXXIX. *And be it further enacted*, That it shall and may be lawful for the Governor or Commander-in-chief for the time being, in any place or places where he may judge it to be necessary or expedient, to establish one or more artillery companies in any County or District in the Province, and to limit the numbers of which such company shall consist, and to cause one or more company or companies of sea-fencibles to be formed, to be composed of the sea-faring people, and such as are principally employed on the water, to belong to and form a part of the battalions of Militia respectively, in the districts in which the same may be formed, and to direct the mode of drilling and instructing the officers and men of the same companies, provided that the time required of the officers and men thereof, shall not exceed that required by this Act of other persons belonging to the Militia; and for neglect or refusal on the part of the officers or men of ei-

Commander-in-  
chief may estab-  
lish Artillery com-  
panies and Sea-  
Fencibles,

and direct the  
mode of drilling  
and instructing  
them.

ther

ther of the said companies of Sea-fencibles to discharge the duty required of them in compliance with such direction of the Commander-in-chief, they shall severally incur the like penalty and penalties as other persons of the like rank in the battalion to which they may belong, and to be recovered and applied in like manner as is herein provided.

Militia and Sea-Fencibles may be ordered to do duty in the boats.

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

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

*XLI. And be it further enacted,* That if any captain or officer commanding a company, shall refuse or neglect to collect within six months after the commission of the offence for which the party shall have become liable, or refuse or neglect to pay into the hands of the Quarter-Master, any fine or penalty by him imposed, or any sum or sums by him received, it shall in any such case or cases be the duty of the commanding officer of the battalion to which such officer may belong, to order and direct such officer to be prosecuted by the Quarter-Master as well for

for the money by him received as that which he has neglected to collect, before any one of His Majesty's Justices of the Peace, provided the same shall not exceed the sum of five pounds, and when the same shall exceed the sum of five pounds, then before any two of His Majesty's Justices of the Peace, and that it shall be the duty of such Quarter-Master forthwith to proceed for the recovery of the same.

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

Commanding officers of Militia May impress boats men and horses.

XLIII. *And be it further enacted,* That whenever it shall be rendered necessary by any attack made or threatened suddenly to be made in any Sea Port, City, Town, or other place at or in the Harbour of which any Merchant Ships or Vessels may be lying, the officer commanding the Militia is hereby authorized and fully empowered to compel the persons belonging to such Ships or Vessels to do duty on shore with the Militia Artillery, if any such there be, or in any Boats or Vessels, or with any part of the Militia where they can be the most usefully employed in resisting the attack of the enemy, and that in case of any great emergency which may render the service of the Artillery more necessary, the officer commanding any regiment or battalion to which there may be an Artillery Company, may require

In case of attack on any place where Merchant Vessels are lying the persons belonging to such Vessels may be compelled to do duty on shore, or in any Boat or Vessel.

The whole of any Artillery, Sea Feacible or Flank Company may be ordered for duty when necessary.

the service of the whole or part of such Artillery Company as he may judge necessary, although the numbers required may exceed the proportion of men wanted or required from the rest of the battalion, and so in like manner with any Company of Sea Fencibles, or any or either of the Flank Companies.

Militia officers doing duty with His Majesty's regular Forces, to take rank as youngest of their degree.

XLIV. *And be it further enacted,* That the commissioned officers of the Militia when on actual service and doing duty in garrison, or in the Field with his Majesty's regular or fencible forces, shall rank with the officers of such forces as the youngest of their degree, and that the said officers of the regular and fencible forces in this Province, and the officers of the Militia shall be entitled reciprocally to command and be subject to be commanded in the same manner as is provided by the Laws of Great Britain, and the Articles of War for the Government of the regular and Militia forces thereof, and subject to the like pains and penalties on the part of the officers of Militia as are herein before prescribed by the twenty-fourth section of this Act.

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

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

Persons sued for any thing done in the execution of their duty may plead the general issue, and give

XLVI. *And be it further enacted,* That any person sued for any thing done in the execution of his duty under and by virtue of this Act, may plead the general issue, and under such plea be at liberty at the time of trial



trial to give any special matter in evidence in like manner as if such matter had been fully and specially pleaded, and that no action whatever shall be maintainable against any such person for any such cause, unless commenced within six months from the time of the act done for which any such action may be brought.

special matter in evidence.

No action maintainable unless commenced within six months.

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

Commander-in-chief may establish Troops of Cavalry under such regulations as he may deem proper.

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

Clerks in Military offices exempted from Militia service.

XLIX. *And be it further enacted,* That no non-commissioned officer or private shall be liable to be arrested upon any process or execution whatsoever, other than for some criminal matter, while attending any training of the battalion or division thereof to which he may belong, or doing duty upon real service, or marching to or returning

Militia men exempted from arrest while on duty, unless for crimes or debts amounting to £20.

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

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

L. *And be it further enacted*, That the Ferry-men exempted from training in the Militia under this Act, shall upon all occasions when the Militia are called out by regiments, battalions or detachments for general training, carry over their respective Ferries the said Militia, and each and every of them in going out and returning home, without any demand of Ferriage whatever, under the penalty of ten shillings for each and every offence, to be recovered by the party complaining, before any one of His Majesty's Justices of the Peace for the County where such offence shall be committed, upon the oath of one credible witness.

Arms lent by Government not to be used for any other purpose than that for which they may have been furnished under the penalty of 10s.

LI. *And be it further enacted*, That no person who has been, or may hereafter be furnished with arms and accoutrements and ammunition by Government, shall use the same for any other purpose than that for which they may have been furnished, under a penalty of ten shillings for each and every offence, to be recovered before any one of His Majesty's Justices of the Peace in the same manner as prescribed in the next preceding section of this Act, and paid to the person prosecuting for the same.

to be recovered before a Justice.

LII. *And whereas* arms and accoutrements have been issued from His Majesty's Stores for the use of the Militia in several parts of this Province; and it is necessary to provide for the security of those arms and accoutrements,

countrements, and such as may hereafter be issued: *Be it further enacted*, that such arms so issued or which may hereafter be issued, shall be branded distinctly on the broad part of the butt with the letter M, and the name of the County to the Militia of which they are issued, also with a capital letter to denote the company to which they belong, and number to distinguish each firelock to its owner, such brand to be provided by the commanding officer of the regiment or battalion, and all captains and other officers commanding companies, shall be and they are hereby made responsible, except in case of unavoidable accident for the safe keeping and return (if called for) of such arms and accoutrements as are issued to the men in their respective companies or may hereafter be so issued, and such captains or officers commanding companies are hereby empowered and required to take into their possession all such arms and accoutrements, except where the person to whom they have been or shall be issued, shall give bond with sufficient surety to our Sovereign Lord the King in the penalty of five pounds, conditioned for the safe keeping and the return of the said arms and accoutrements, which bonds so given shall be lodged with the Clerks of the Peace in the respective Counties, who are hereby required to receive and file the same in their respective offices, which person so giving bond as aforesaid, shall be entitled to keep possession of such arms and accoutrements while he continues in the same company, and in case of the removal

Arms issued from the King's Stores to be marked.

Captains made responsible for arms and empowered to take them into possession unless the persons to whom they are issued will give bond.

Penalty of £10  
for selling ex-  
changing or con-  
veying away arms  
and accoutrements  
lent by Govern-  
ment.

of any such person from such company, his arms and accoutrements shall be returned to the captain, or other officer commanding the said company, who shall give a receipt for the same to the person so delivering the said arms; and if any person having such arms and accoutrements in his possession, shall vend, pledge, or exchange the same or any part thereof (without leave of the officer commanding the company to which such person belongs) or shall convey or cause the same or any part thereof to be conveyed out of the Province, or shall convey or cause the same to be conveyed on board any boat, ship or vessel, with intent to have the same carried out of the Province, or if the Master of such boat, ship or vessel, shall wilfully receive into his boat, ship or vessel, any such arms and accoutrements so intended to be conveyed out of the Province, or if any person shall purchase the said arms and accoutrements, every person so offending shall for each and every offence forfeit and pay the sum of ten pounds, to be recovered upon conviction before any two Justices of the Peace, upon the oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offenders goods, rendering the overplus (if any) after deducting the costs and charges of such distress and sale to the offender, one half of which penalty shall be paid to the person who shall prosecute for the same, and the other half into the hands of the Quarter-Master of the battalion to which such arms and accoutrements belong, and for want of effects

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

LIII. *And be it further enacted*, That when any order shall hereafter be given by or under the direction of the Commander-in-Chief of this Province, for the time being, for the calling in the arms and accoutrements, or any of them which have been, or may hereafter be issued from His Majesty's Stores for the use of the Militia in any part of this province, and public notice thereof be given by the captains of the companies of the respective battalions to which such order may extend, it shall be the duty of every person or persons having in their possession such arms and accoutrements, forthwith to return all such arms and accoutrements complete, to the Quarter-Masters of their respective battalions in the District where they may reside, and who shall give to such person or persons a receipt for the same, and if any person or persons having in their pos-

If arms are called for to be delivered into the King's Stores, deficiencies to be paid for by the Province.

Bonds.

Upon order given for calling in the arms and public notice thereof all persons having arms in possession to return them complete to the Quarter-Master.

Quarter-Master to give receipt

session

Persons neglecting  
to deliver arms,  
after ten days no-  
tice,

or inducing others  
to offend, to for-  
feit £5.

to be recovered be-  
fore a Justice and  
paid to the Quar-  
ter-Master and ac-  
counted for by  
him.

For want of goods  
offender to be im-  
prisoned.

session such arms and accoutrements as aforesaid, shall refuse or neglect to return the same complete, to the Quarter-Master of the battalion in the District where such person or persons may reside, within ten days after such public notice as aforesaid of calling in the same, shall have been given, such person or persons so offending, and also every person or persons persuading, exciting, or endeavouring in any way wilfully to induce any other person so to offend, shall for each and every such offence, forfeit and pay the sum of five pounds, to be recovered upon conviction before any one Justice of the Peace, upon the oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the offenders goods, rendering the overplus (if any) after deducting the costs and charges of such conviction, distress and sale to the offender, which penalty shall be paid to the Quarter-Master of the battalion in the District where such person or persons may reside, and to be by him accounted for to the commanding officer of such battalion and applied to the contingent expences of such battalion, and for want of effects whereupon to levy the said fine of five pounds, such offender shall be imprisoned not exceeding twenty days nor less than ten days: *Provided always*, that no conviction shall take place for any such offence except at the instance and prosecution of the Quarter-Master or Commanding Officer of the battalion to which such arms or accoutrements shall belong.

LIV. *And be it further enacted,* That it shall and may be lawful for the Governor or Commander-in-chief for the time being, from time to time to commission and appoint proper officers to inspect, instruct and command all the battalions of the Militia throughout the province, or to limit the command and inspection of such officers to a particular number of battalions, or to the inspection and command of all the Militia in particular divisions of the province, or particular Counties or Districts, as may be considered most convenient, fit, and proper; and all such officers when so commissioned and published in General Orders to the Militia, shall be obeyed in all things lawful, and all persons who shall be so placed under their respective command.

Commander-in-chief may appoint officers to inspect and command the Militia.

LV. *And be it further enacted,* That every captain or officer commanding a company of Militia, or who may be thereto appointed by the Lieutenant-Governor or Commander-in-Chief, shall as soon as conveniently may be, after the passing of this Act, fix a time and place of meeting for enrolling all the Militia who reside within the limits which shall be assigned for his company, giving due notice publicly, at least ten days before, of the time and place of meeting, and every militia man (not being already enrolled in such company) who, after public notice so given, shall neglect to present himself in person, and give in his name, age and place of residence, or cause the same to be made known in some certain way, to the captain or other officer of the company attending

Captains to fix a time and place of meeting for enrolling the Militia within their districts,

ten days notice to be given.

Militia men not already enrolled neglecting to appear and giving in or causing to be made known his name, age and place of residence, or who within two months after he

shall attain the age of 16 years shall neglect so to do to forfeit 10s.

British Subjects coming to reside in the Province to present themselves for enrolment within four months or forfeit 10s.

Battalions, companies, &c. to continue as at present established till altered under this Act.

tending at the time and place so fixed for the meeting of the militia men of the limits of such company, so as that such and every person who shall not within two months after he shall have attained the age of sixteen years, either present himself for enrolment, or cause his name, age, and place of residence to be made known as aforesaid, so that he may be enrolled in the Militia company of the limits wherein his place of residence may be, shall for such neglect, forfeit and pay a fine of ten shillings, and every man within the age hereinbefore described, being a British subject, who shall come to reside in the province, and shall not within four months after his arrival therein, present himself for enrolment, or cause his name, age, and place of residence to be made known as aforesaid, so that he may be enrolled in the Militia company of the limits wherein he shall come to reside, shall for such neglect, forfeit and pay a fine of ten shillings.

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



## CAP. XIX.

An ACT to provide for the more effectual recovery of Fines imposed upon Jurors and Officers attending the Courts of Justice in this Province.

Passed 27th March, 1825.

**W**HEREAS in an Act made and passed in the 26th year of the Reign of His late Majesty King George the Third, intituled, "an Act for regulating Juries and declaring the qualifications of Jurors," the mode of recovering and appropriating the fines therein imposed on Grand and Petit Jurors making default in appearance at the Courts which they may be summoned to attend, is not pointed out: *And whereas* it is expedient to make provision by Law for the more effectual recovery and for the appropriation of all fines imposed as well on Jurors as on Constables and other officers and ministers of the Law for default in attendance on Courts which by Law they are required to attend,

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That all fines which may by Law be imposed on Grand Jurors, Petit Jurors, Constables, and other officers or ministers of the Law whatsoever for non-attendance on any Court on which by Law they are bound to attend, shall and may be recovered and levied by writ of general *Levari Facias*, issuing out of the Courts imposing such fines respectively, together with the costs of levying the same; and such fines shall, when received, either by the Clerk of the Court imposing the same, or by the Sheriff or other officer, by whom the same may be levied, be paid over and accounted for

Fines imposed on Jurors and other officers may be recovered and levied by Writ of general *Levari Facias*,

and be paid over and accounted for to the Treasurer of the County,

and applied for payment of witnesses and other contingent charges on criminal prosecutions,

Clerk of the Court where fines are imposed, within twenty days to send a Roll to the Sheriff of the County, with the names and residence of the persons fined, and the amount of the fines

with a Writ to which the Roll shall be attached.

Form of the Writ.

to the Treasurer of the County in which the Court sits, to be from time to time applied by the respective Courts which shall have imposed such fines for the payment of expences of witnesses and other contingent charges on criminal prosecutions and for the support of Criminals in such respective Counties.

II. *And be it further enacted,* That the Clerk of the Court by which any such fine or fines as are herein before mentioned, shall have been set or imposed, shall, within twenty days after the adjournment of such Court enter on a Roll or Schedule the names of the persons upon whom any fine or fines shall have been set or imposed at such Courts, and their places of residence, together with the amount of the sum set or imposed upon each respectively, and shall within such time as aforesaid send such Roll or Schedule with a writ of general *Levari Facias*, to which said writ the said Roll or Schedule shall be annexed, to the Sheriff of the County in which such Court shall have been held, which said writ shall be the authority to such Sheriff of such County, for proceeding to the immediate levying and recovering of the fines mentioned in the said Roll or Schedule, which said writ of general *Levari Facias* shall be in the form following :---*to wit,*

To the Sheriff of the City and County, or County, (as the case may be) of Greeting: You are hereby required and commanded, as you regard yourself and all yours, That of the goods and chattels of all and singular the persons mentioned in the Roll or Schedule

ule

ule to this Writ annexed, you cause to be levied all and singular the debts and sums of money upon them imposed and set, and in the said Roll or Schedule mentioned, so that the same may be recovered and paid over in such manner as is directed in and by the Act of the General Assembly in such case made and provided : And have you there then this writ. Witness (here insert the name of the Judge or Justice who shall preside at the Court imposing the fine) at in the County of the day of in the year of our Reign.

(Signed) A. B. Clerk.

III. *And be it further enacted*, That if any Clerk of any Court shall neglect or refuse to perform the duty required of him by this Act he shall forfeit and pay the sum of twenty pounds for every such neglect or refusal, to be recovered by any person or persons who will sue for the same, together with full costs of suit by action of debt, or on the case, in the Supreme Court : one half to be for the use of the person who shall sue for the same, and one half to be applied by the Court of which such delinquent may be Clerk, in the manner mentioned in the first Section of this Act.

Clerk for neglect  
to forfeit £20,

to be recovered in  
the Supreme  
Court.

### CAP. XX.

An ACT to alter and amend the Laws now in force for the Establishment, Regulation and Improvement of the Great Roads of Communication through the Province.

Passed 17th March 1825.

**W**HEREAS in and by the second section of an Act made and passed in the third year of His Majesty's Reign, intituled

A. S. C. 31.

tuled "An Act to repeal all the Laws now  
 " in force relating to the Establishment, Re-  
 " gulation and Improvement of the Great  
 " Roads through the Province, and to make  
 " more effectual provision for the same."  
 The Road leading from Fredericton to St.  
 Andrews, is established in part by the fol-  
 lowing line or route, that is to say: from  
 the Market-House in Fredericton to John  
 Hazen's near the mouth of the Oromocto  
 River, thence by the Road leading through  
 the Geary Settlement so called to the Block  
 House near the forks of the Magaguadavick  
 River, and it is found expedient to alter the  
 said part of the said route.

Route from Fredericton to Saint Andrews altered and described.

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That in lieu of that part of the said route in this section described, the following shall be the line or route of the said Road leading from the Market-House in Fredericton to Saint Andrews, that is to say: from the Market-House in Fredericton to the Rushiagonis by the way of Maryland, thence to Hartt's Mill at the north branch of the Oromocto, thence by Fletcher's to M'Dougall's at Shia Creek, and thence to the Block House near the forks of the Magaguadavick River, and that the remainder of the said Road leading from Fredericton to Saint Andrews, shall continue as established in and by the said recited Act.

Road from Fredericton to Saint John by way of

II. *And whereas* it is expedient to provide a safe and easy communication at all seasons of the year between Fredericton and Saint John: *Be it further enacted* that the following

ing

ing Road leading from Fredericton to Saint John by way of the Nerepis, be appointed and established as one of the Great Roads of Communication in this Province, that is to say: from the Market-House in Fredericton to William Wilmot's Farm, thence to the Oromocto at or near Jonathan Adams, thence across the Oromocto, thence to Smith's Farm, thence by the present route to the south west branch of the Nerepis, thence by the most practicable route on the western side of the Nerepis to Henry Nase's Farm, thence along the western side of the River Saint John, the Grand Bay and South Bay, to the head of South Bay, and from thence to branch off in two directions, one branch leading to Leavitt's point opposite the Indian House so called, and the other branch to lead to the great Road leading from Saint John to Saint Andrews near M'Donald's.

the Nerepis made  
a Great Road.

*repealed in 1844.  
C. 10-22. v.*

III. *And be it further enacted,* That it shall and may be lawful for the Lieutenant-Governor or Commander-in-chief for the time being, by and with the advice of His Majesty's Council, to appoint by warrant under his hand and seal, a fit and discreet person to be Supervisor of the said Great Road leading from Fredericton to Saint John by way of Nerepis, and that the said Road and the Supervisor thereof, shall be subject and liable to all the provisions and regulations of the said recited Act, or of this or any other Act, made or to be made in amendment of the said recited Act, in the same manner as any Road or Supervisor mentioned in the said recited Act.

Lieutenant-Governor with advice of the Council to appoint a Supervisor for the Nerepis Road.

Supervisor liable to all the provisions of the other Great Road Laws.

Notice of appointment to be given to the Supervisors.

IV. *And be it further enacted,* That the Secretary of the Province shall within ten days after the appointment of any Supervisor, give notice thereof to the person appointed, and transmit the bond to be entered into by such Supervisor to him for execution.

Part of the 7th § of the 3. Geo. 4 Cap. 31, repealed.

V. *And be it further enacted,* That such part of the seventh section of the herein before recited Act, which provides that no Supervisor shall receive a larger sum than one hundred pounds in any one year for his services, be, and the same is hereby repealed.

Part of the 4th § of the 3 Geo. 4, Cap. 31 repealed.

VI. *And be it further enacted,* That that part of the fourth Section of the Act to which this is an amendment, which relates to the appointment of a Supervisor for the Great Road of Communication from Saint John to the Province line, to join the Post Road of Nova-Scotia, and also the Great Road from the bend of the River Petticodiac to Chediac, and also the Great Road from Dorchester to Chediac, be, and the same is hereby repealed.

Governor may appoint two or more Supervisors for the Road from Saint John to Missiguash

VII. *And be it further enacted,* That the Lieutenant-Governor or Commander-in-chief be authorized to appoint two or more fit and suitable persons to act as Supervisors to superintend the expenditure of all such sums of money as may be granted towards the improvement of the Great Road from the City of Saint John to Missiguash, also the Great Road from the bend of the Petticodiac to Chediac, and also the Great Road from Dorchester to Chediac, which said Supervisors shall have all the powers, and be subject

from the bend of Petticodiac to Chediac.

subject to all the provisions of this Act and of the several Acts made for the establishment, improvement and regulation of the Great Roads of Communication throughout the Province.

VIII. *And be it further enacted*, That the Supervisors of the Great Roads respectively, shall transmit their accounts to the office of the auditor of Provincial Accounts in lieu of the office of the Secretary of the Province, as provided in and by the eighth Section of the said recited Act, to be examined and audited in the same manner, as any Provincial Accounts can or may be, by virtue of any Law in force for the auditing and examining of public accounts, and that such accounts together with requisite vouchers shall be transmitted to the office of such Auditor on or before the first day of December in each and every year.

Supervisors to transmit their accounts to the Auditor of Provincial accounts.

### CAP. XXI.

An ACT to continue and amend the Acts for raising a Revenue in this Province.

*Passed the 17th of March 1825.*

I. **B**E it enacted the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the third year of the Reign of His present Majesty, intituled, "An Act for raising a Revenue in this Province," and since continued to the first day of April next, and also an Act made and passed in the fifth year of the same Reign, intituled, "An Act to continue and amend an Act intituled 'an Act for raising a Revenue in this Province,'" be and the same are hereby further continued (except where

*repealed by*  
7. G. 4. C. 26 &  
8. G. 4. C. 27.

3. Geo. 4. C. 9.

5. Geo. 4. c. 17.  
continued until  
first of April: 1826

the same are hereby amended and altered) and declared to be in full force together with this Act, until the first day of April which will be in the year of our Lord one thousand eight hundred and twenty-six.

Duties to be paid  
on Wine in lieu of  
those imposed by  
3 Geo. 4th. c. 9.

II. *And be it further enacted*, That from and after the first day of April next, there be, and is hereby granted to the King's most Excellent Majesty, His Heirs and Successors, for the use of the Province, and for the support of the Government thereof, in lieu of the several duties on Wines, imposed in and by the first Section of the said first hereinbefore recited Act passed in the third year of the present Reign, the several rates and duties hereinafter mentioned on all Wines which shall or may be brought or imported into any port or place within this Province, and landed, to be paid by the importer thereof, over and above all duties that are now imposed by any Act or Acts of the Imperial Parliament, that is to say, For every gallon of Wine imported from any port in His Majesty's Dominions and landed, one shilling and three pence, and for every gallon of Wine imported from any Foreign Port or Place and landed, six pence.

part of 14th &  
15th §§ of 3 Geo.  
4. c. 9, repealed.

III. *And be it further enacted*, That such parts of the fourteenth and fifteenth Sections of the said first hereinbefore recited Act, passed in the third year of the present Reign as refer to the drawback on Wines, be and the same are hereby repealed.

Duties imposed by  
this Act to be paid,  
secured and col-

IV. *And be it further enacted*, That the duties by this Act imposed, shall be paid or secured, collected and recovered in and by the



the same manner and means, and under the same penalties and forfeitures as are provided in and by the said Act of the third year of the present Reign, intituled, "An Act for raising a Revenue in this Province," and the same powers are hereby given to the Treasurer and His Deputies and Tide Surveyors for the collection thereof, and the same obligations imposed on the masters of vessels and owners of Wines as in and by the said Act are given and imposed.

## CAP. XXII.

An ACT to appropriate a part of the Public Revenue to provide for the ordinary services of the Province.

*Passed the 17th March, 1825,*

I. **B**E it enacted by the Lieutenant-Governor, Council and Assembly, That there be allowed out of the Treasury of the Province for the services herein after named, the following sums :---*to wit.*

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

Chaplain.

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

To the Speaker of the House of Assembly the sum of one hundred and fifty pounds, and to the Members of the said House of Assembly, the sum of forty pounds each for defraying their expences of attendance during the present Session, and twenty shillings per diem travelling charges; reckoning twenty miles for each day's travel, to be certified by the Speaker, agreeably to a Law of this Province.

Speaker and Members.

To the Clerk of the Council in General Assembly the sum of fifty pounds, and twenty

Clerk.

ty. shillings per diem during the present Session.

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

To the Clerk of the Council the sum of twenty-five pounds for defraying the expences of an Assistan during the present Session.

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

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

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

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

John Chaloner. To John Chaloner Tide Surveyor in the City of Saint John, the sum of one hundred pounds for his services and expences from the first day of March one thousand eight hundred and twenty-four, to the first day of March one thousand eight hundred and twenty-five.

Provincial Contingencies. To His Excellency the Lieutenant-Governor for defraying the contingent expences of the Province a sum not exceeding two hundred and fifty pounds for the year one thousand eight hundred and twenty-five.

Treasurer. To John Robinson, Esquire, Treasurer of

of the Province, for his services from the first day of March one thousand eight hundred and twenty-four to the first day of March one thousand eight hundred and twenty-five, the sum of six hundred pounds.

To John Chaloner for gauging and weighing in the year one thousand eight hundred and twenty-four, the sum of one hundred and twenty-seven pounds and eighteen shillings. John Chaloner.

To the Treasurer of the Province to defray the expences incurred by him for Stationary, Blanks and Advertizing, the sum of twenty-four pounds five shillings and eight pence half penny. Treasurer for Contingencies.

To His Excellency the Lieutenant-Governor for the purpose of enabling the Treasurer to pay Alexander Miller, a Tide Waiter in the City of Saint John for his services from the twenty-eighth day of March one thousand eight hundred and twenty-four, to the twenty-eighth day of March one thousand eight hundred and twenty-five, the sum of ninety-two pounds. Alexander Miller.

To Richard Winter the sum of twenty pounds for airing and taking care of the Province Hall for the year one thousand eight hundred and twenty-four. Richard Winter.

To His Excellency the Lieutenant-Governor the sum of one hundred and seventy-five pounds for the support of a Master to the Grammar School in the County of Westmorland agreeably to the two Acts of the General Assembly. Westmoreland Grammar School.

To His Excellency the Lieutenant-Governor, the sum of one hundred and seven- Kings County Grammar School.

ty-five pounds for the support of a Master to the Grammar School in the County of Kings agreeably to the two Acts of the General Assembly.

Saint John Grammar School.

To the President and Directors of the Saint John Grammar School, the sum of two hundred and fifty pounds for the year one thousand eight hundred and twenty-five agreeably to the two Acts of the General Assembly.

Saint Andrews Grammar School.

To the President and Directors of the Saint Andrews Grammar School the sum of two hundred pounds for the year one thousand eight hundred and twenty-five, towards the support of a Master, and to defray the contingent expences of the said School agreeably to the two Acts of the General Assembly.

Northumberland Grammar School.

To His Excellency the Lieutenant-Governor the sum of one hundred and seventy-five pounds for the support of a Master to the Grammar School in the County of Northumberland agreeably to the two Acts of the General Assembly.

Sunbury Grammar School.

To His Excellency the Lieutenant-Governor the sum of one hundred and seventy-five pounds for the support of a Master to the Grammar School in the County of Sunbury for the year one thousand eight hundred and twenty-five, agreeably to the two Acts of the General Assembly.

Parish Schools.

To His Excellency the Lieutenant-Governor for the encouragement of Schools, the sum of three thousand pounds, agreeably to a Law of this Province.

College of New Brunswick.

To the Governor and Trustees of the College

College of New-Brunswick the sum of two hundred and fifty pounds, for the year one thousand eight hundred and twenty-five, agreeably to the two Acts of the General Assembly.

To the Governor and Trustees of the College of New-Brunswick for the present year, the sum of seventy-five pounds, in further aid and support of the Grammar School at Fredericton.

Governor and Trustees of the College of New-Brunswick.

To the Keeper of the Light-House on Partridge Island, the sum of one hundred and fifty pounds for his services for the year one thousand eight hundred and twenty-five.

Keeper of the Light-House.

To the Commissioners to be appointed by His Excellency the Lieutenant-Governor, for defraying the expences of a Courier employed between Fredericton and Newcastle in the County of Northumberland, for the year one thousand eight hundred and twenty-five the sum of one hundred and twenty-five pounds.

Couriers.

To the Commissioners to be appointed by His Excellency the Lieutenant-Governor, for defraying the expences of a Courier between New-Castle and Saint Peters in the County of Northumberland, for the year one thousand eight hundred and twenty-five the sum of seventy pounds.

To the Adjutants of the Militia of the different Counties of this Province, a sum not exceeding two hundred and twenty-five pounds for the year one thousand eight hundred and twenty-five.

Adjutants of the Militia.

To His Excellency the Lieutenant-Governor

Serjeant Majors.

vernor

vernor or Commander-in-Chief for the time being, a sum not exceeding one hundred and twenty-five pounds to pay the Serjeant Majors of Militia of this Province for the time being, who are actually employed: Provided that each Serjeant Major who shall appear by a Certificate from his Commanding officer to have faithfully performed his duty, shall receive the sum of seven pounds ten shillings and no more in each year.

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

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

Digby Packet. To three such Commissioners as His Excellency the Lieutenant Governor or Commander-in-Chief may appoint, the sum of one hundred and fifty pounds for the support of a Packet to ply between Digby and Saint John for one year, to commence the fifth day of April next: Provided no Packet is established at the exclusive expence of the General Post Office.

Bread Corn. To His Excellency the Lieutenant-Governor or Commander-in-Chief, a sum not exceeding three thousand pounds, to be paid for the encouragement of raising Bread Corn on New Lands agreeably to a Law of this Province.

Brier Island Light House. To His Excellency the Lieutenant-Governor, the sum of one hundred pounds to be applied toward the support of the Light-House

House on Brier Island in the Province of Nova Scotia, for the year one thousand eight hundred and twenty-five.

To John Bainbridge, and Henry Bliss, Provincial Agents. Esquires, such sum as will procure Bills of Exchange on England for two hundred pounds sterling, for their services as Agents for the Province for the year one thousand eight hundred and twenty-four.

To Doctor John Boyd, Doctor John Boyd. Inoculating Surgeon for the Vaccine Institution, the sum of twenty-five pounds for services performed in the year one thousand eight hundred and twenty-four.

To the Adjutant General of the Militia Adjutant General. Forces, the sum of fifty pounds for the duties of his office for the year one thousand eight hundred and twenty-five.

To the Lieutenant Governor or Com- Staff Officers: mander-in-Chief, the sum of four hundred pounds as a provision for two officers to inspect and instruct the several Regiments and Battalions of Militia in this Province, for the year one thousand eight hundred and twenty-five.

To the Auditor of Provincial Accounts for Auditor of Provincial Accounts. the duties of his office, the sum of one hundred pounds for the year one thousand eight hundred and twenty-five agreeably to a Law of the Province.

To the Lieutenant-Governor or Com- Fisheries. mander-in-Chief, the sum of four thousand pounds to be paid for the encouragement of the Fisheries of this Province, for the year one thousand eight hundred and twenty-five.

To be paid by  
Warrant.

II. *And be it further enacted*, That all the before mentioned sums shall be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council, out of the monies now in the Treasury, or as payments may be made at the same.

### CAP. XXIII.

An ACT to appropriate a part of the Public Revenue for the services therein mentioned.

*Passed the 17th March 1825.*

I. **BE** it enacted by the Lieutenant-Governor, Council and Assembly, That there be allowed and paid out of the Treasury of this Province, the following sums :---  
*to wit,*

Canal from Bay of Fundy to the Gulph of Saint Lawrence and internal water communications.

To His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, a sum not exceeding one thousand pounds for the purpose of procuring the opinion of some experienced and practical Engineer, to be formed on actual survey, respecting the practicability, means, and expence of establishing a communication for the transit of trade across the Isthmus which divides the waters of the Bay of Fundy from those of the Gulph of Saint Lawrence, and for ascertaining the practicability of removing any difficult and important impediments in the internal communications of the country, which His Excellency may find it expedient to attend to.

Hire of Barrack and Guard House at Richibucto.

To His Excellency the Lieutenant-Governor, or Commander-in-Chief for the time being,



being, the sum of sixty-three pounds fifteen shillings and one penny half-penny, for defraying the expence incurred in the hire of a Barrack and Guard House for a detachment of the fifty-second Regiment at Richibucto.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of one hundred and twenty-five pounds eight shillings and sixpence, to defray the expences incurred for a detachment of the seventy-fourth Regiment at Miramichi, in the year one thousand eight hundred and twenty-two.

Expences of a detachment of the 74th Regt. at Miramichi.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of four hundred and sixty-eight pounds eleven shillings and seven pence half penny to defray the balance due for the repairs on Government House the last year ; and the further sum of one hundred pounds for repairs and other incidental expences on the said House, and the Grounds around it, that may be necessary the present year.

Repairs on Government House last year,

and for the present year.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, the sum of twenty-six pounds ten shillings and eight pence to defray expences incurred for the accommodation of the Judges in the Province Hall.

Expences incurred for the accommodation of the Judges in the Province Hall.

To the Sheriff of the County of Westmorland for returning William Crane, Esquire, a member for that County, to serve in General Assembly, the sum of twenty pounds.

Sheriff of Westmorland.

To the Commissioners to be appointed by His Excellency the Lieutenant-Governor, for defraying the expences of a Courier employed

Courier between St. Peters and the Restigouche river.

ployed between Saint Peters and the entrance of the river Restigouche, in the County of Northumberland, for the year one thousand eight hundred and twenty-five the sum of fifty pounds.

Indian Missionary.

To His Excellency the Lieutenant-Governor the sum fifty pounds sterling, for the purpose of paying a Missionary to the Indians, provided the said Missionary be recommended by the Catholic Bishop of Quebec, and approved of by the Lieutenant-Governor of this Province.

Painting and repairs to the Province Hall.

To His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, the sum of two hundred and eighty-five pounds one shilling and six pence for painting and repairs done to the Province Hall, in the year one thousand eight hundred and twenty-four.

House for His Excellency the Lieutenant-Governor at St. John.

To Commissioners to be appointed by His Excellency the Lieutenant-Governor, a sum not exceeding two hundred pounds per annum, for the term of five years for the purpose of hiring a suitable situation in the City of Saint John, or its vicinity, for the accommodation of His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, when he may have occasion to visit that City,

Marching Troops.

To His Excellency the Lieutenant-Governor or Commander-in-Chief, a sum not exceeding one hundred and fifty pounds to enable him to defray any expence that may from time to time be incurred in marching troops through the province.

To the High Sheriff of the County of Sunbury

bury, the sum of twenty pounds for returning Samuel Nevers, junior, Esquire a member for that county to serve in General Assembly, in the room of Amos Perley, Esquire, late member, deceased.

Sheriff of Sunbury  
for executing a  
Writ of Election.

To Commissioners to be appointed by His Excellency the Lieutenant-Governor, or Commander-in-Chief for the time being, the sum of sixty pounds in aid of individual subscriptions for defraying the expence of a Courier to be employed between Dorchester and Richibucto, including the Harbours of Chediac, Cocagne and Buctouche, for the year one thousand eight hundred and twenty-five.

Courier between  
Dorchester and  
Richibucto.

To James Taylor, Esquire, the sum of forty pounds for his past services for the last ten years, as Commissioner for the Courier between Fredericton and Newcastle.

James Taylor.

To Henry George Clopper, Esquire, the sum of twenty-five pounds to remunerate him for his services in arranging and digesting the returns made under the Act passed at the last Session for taking an account of the Population of this Province.

Henry G. Clopper.

To the New-Brunswick Agricultural and Emigrant Society, the sum of seven hundred pounds for the promotion of Agriculture throughout the Province.

Agricultural and  
Emigrant Society.

To the Governor and Trustees of the Madras School in New-Brunswick, the sum of seven hundred pounds towards the support of that Institution throughout the province; such part of the said sum as may be necessary for that purpose, to be appropriated to the support of the school for children

Madras School.

of

School for Children of colour in St. John, and Fredericton.

of colour in the City of Saint John ; and a sum not exceeding one hundred pounds, part of the said sum to be appropriated for a similar School in Fredericton.

Canal from the head of South Bay to Musquito Cove.

To such Commissioners as may be appointed by His Excellency the Lieutenant-Governor to superintend the cutting of a Canal from the head of South Bay to Musquito Cove, the sum of one hundred pounds.

Wm. Adair.

To William Adair, late a Schoolmaster in the Parish of Greenwich, in Kings County, twenty pounds for teaching a School in that Parish, one year, from the seventh day of September one thousand eight hundred and twenty-three.

Church in the Parish of Douglas.

The sum of one hundred pounds granted in the year one thousand eight hundred and sixteen in aid of individual subscriptions, towards erecting a Church on the Nashwack, to be re-appropriated towards paying off a debt incurred in building a Church on the Keswick Creek, in the Parish of Douglas, and towards the finishing the inside of the said Church.

John Abrams.

To John Abrams for his services as a Provincial Tide Surveyor at the Port of Saint John, from the first day of April to the first day of October one thousand eight hundred and twenty-three, the sum of twenty-three pounds five shillings.

Geo. G. Gilbert.

To George Godfrey Gilbert, the sum of twenty pounds for making and improving a part of the Great Road leading from Saint John to Westmorland, agreeably to his contract with the Supervisor of that Road.

Isabella Oliver.

To Isabella Oliver, widow of the late William

liam Sanford Oliver, Esquire, the sum of two hundred and fifty pounds in consideration of the long services of her late husband as Treasurer of the Province.

To Elizabeth Tilton the sum of twenty pounds to relieve her from her distressed situation, having been reduced to extreme want in consequence of the death of her husband, who was killed while apprehending deserters from His Majesty's service.

Elizabeth Tilton.

To M<sup>r</sup> Kinzie and Robertson, Merchants, of the City of Saint John, the sum of fourteen pounds fifteen shillings for duties paid by them on fifty barrels of Flour supplied for the use of Government.

M<sup>r</sup> Kinzie and Robertson.

To John Hammond the sum of ninety-nine pounds eighteen shillings, being the amount of drawback on two thousand six hundred and sixty-four gallons of Rum exported by him in the brig Alice, to Africa, in the year one thousand eight hundred and twenty-three.

John Hammond.

To David W. Jack Tide Surveyor, at the Port of Saint Andrews, appointed to assist in collecting the duties under the late Acts of Parliament, for his services from the first of April one thousand eight hundred and twenty-four, to the first of April one thousand eight hundred and twenty-five, the sum of one hundred and eighty-two pounds ten shillings.

David W. Jack.

To the Proprietors of the Great Marsh in the vicinity of Saint John, the sum of two hundred and six pounds ten shillings, to reimburse them one half of the expences incurred in repairing the aboideau across the Marsh

Proprietors of the Great Marsh in Saint John.

Marsh Creek in the years one thousand eight hundred and twenty-three and one thousand eight hundred and twenty-four.

**Margaret Gill.** To Margaret Gill the sum of thirty pounds to remunerate her for teaching a School in the Parish of Saint Mary's, for the last four years.

**James Bennett.** To James Bennett, Tide Surveyor at the Port of Saint John, for his services from the first day of February one thousand eight hundred and twenty-four to the first day of February one thousand eight hundred and twenty-five, the sum of one hundred and eighty-two pounds ten shillings.

**Thomas Baldwin and Wm. Ball.** To Thomas Baldwin and William Ball the sum of ninety-one pounds five shillings each, for their services as Tide Waiters at the port of Saint John, from the first day of February one thousand eight hundred and twenty-four to the first day of February one thousand eight hundred and twenty-five.

**Wm. Joplin, Esq.** To His Excellency the Lieutenant-Governor the sum of seventy-five pounds to pay William Joplin, Esquire, a Tide Surveyor at Miramichi, for his services for the year one thousand eight hundred and twenty-four.

**Rachael Martin.** To Rachael Martin the sum of twenty pounds to remunerate her for her services in teaching a School in the Parish of Fredericton, in the year one thousand eight hundred and twenty-four.

**Settlers on the Nerepis Road for the accommodation of travellers.** To His Excellency the Lieutenant-Governor or Commander in Chief, a sum not exceeding two hundred pounds to enable him to assist one or more settlers in making establishments

establishments on the Nerepis Road for the accommodation of travellers, upon such conditions as His Excellency may think fit.

To Samuel Buchanan, late door keeper Samuel Buchanan. to His Majesty's Council, the sum of twenty-five pounds for the year one thousand eight hundred and twenty-five, in consideration of his advanced age and infirmities.

To the Justices of the General Sessions of the Peace for the County of Northumberland, the sum of five hundred pounds towards building a Goal and House of Correction at Newcastle in the said County. Goal and House of Correction at Newcastle.

To the Justices of the General Sessions of the Peace for the County of Queens, the sum of two hundred pounds towards building a Goal in that County. Goal in Queens County.

To John W. Winslow, the sum of twenty-five pounds to remunerate him for expences incurred in going express to Canada in May one thousand eight hundred and twenty-three. J. W. Winslow.

To the President and Directors of the Grammar School in King's County the sum of seventy-five pounds in aid of individual subscription, to enable them to complete the Grammar School House in that County. To complete the Grammar School House in Kings County.

To the Justices of the General Sessions of the Peace for the County of York the sum of two hundred pounds to assist them to pay off a debt incurred in the purchase of the County Court House. Justices of York.

To George M'Master, master of the Revenue Cutter Elizabeth, the sum of one hundred and four pounds seven shillings and three pence, it being the amount of a Judgment Geo. M'Master.

ment and Costs recovered against him in the United States, at the suit of two American Citizens, in consequence of his having, by virtue of his office, made a seizure from them of five puncheons of Rum in the year one thousand eight hundred and twenty-four, which rum was afterwards condemned and sold by a decree of the Court of the Vice Admiralty of this Province.

President and Directors of the Grammar School in Queens County.

To the President and Directors of the Grammar School in the County of Queen's the sum of one hundred pounds in aid of individual subscription, for the purpose of assisting them to erect a building for the said School.

Governor and Trustees of the College.

To the Governor and Trustees of the College of New-Brunswick the sum of one thousand pounds to aid them in erecting a new College Building; this grant being upon condition that it shall not be required by the new Charter contemplated for the said College, that any religious test or subscription to the articles of any church be required from Students either on matriculation, or taking their degrees in the said College.

To defray the expences of taking an account of the Population of the Province.

To His Excellency the Lieutenant-Governor or Commander in Chief, a sum not exceeding five hundred pounds to pay the persons employed under the Act passed at the last Session for taking an account of the population of the Province.

To improve the Navigation of the River Saint John between Fredericton and the Great Falls.

To His Excellency the Lieutenant-Governor or Commander in Chief the sum of four hundred pounds for the purpose of improving the Navigation of the River Saint John between Fredericton and the Great Falls  
in



in such places as to His Excellency may seem most to require it, to be expended by such Commissioners as His Excellency may think proper to appoint for the respective services.

To the Committee of Correspondence a sum not exceeding fifty pounds for the purpose of completing the set of the Statutes at large, and procuring the latest and most improved edition of Hatsells Precedents of Proceedings in the House of Commons, for the use of the Legislature.

Committee of  
Correspondence.

To the Secretary of the Province the sum of one hundred and ten pounds ten shillings for issuing four hundred and forty-two Warrants at five shillings each, between the twenty-sixth day of February, one thousand eight hundred and twenty-four, and the fifteenth day of February one thousand eight hundred and twenty-five.

Secretary for issuing  
Warrants.

To the Commissioners of the Revenue Cutter Elizabeth, the sum of eight hundred and ninety pounds one shilling and eight pence half penny, being a balance due them on the thirty-first December one thousand eight hundred and twenty-four, as per their account, after deducting seven hundred and thirteen pounds three shillings and six pence collected under the Act to provide for and maintain an armed Cutter for the protection of the Revenue of the Province.

Commissioners of  
the Revenue Cut-  
ter.

To William Kennedy of Saint Stephen in the County of Charlotte, the sum of twenty-five pounds to assist him in support of himself and family; the said William Kennedy having served his Country faithfully during

Wm. Kennedy.

the revolutionary war with the United States and upward of twenty-five years as Lieutenant and Captain in the Charlotte County Militia, and not being able to earn his livelihood, by reason of his having lost the use of his right hand, and being without any means of support, and otherwise aged and infirm.

Martha Wilson.

To Martha Wilson, widow of the late Benjamin Wilson, Esquire, formerly and for many years a Supervisor of Great Roads, to aid and assist her, in her very destitute and distressed situation, the sum of one hundred and fifty pounds.

Adjutant third  
Battalion Char-  
lotte, for Boat hire.

To the Adjutant of the third battalion of the Charlotte Militia, the sum of five pounds to remunerate him for expences incurred in hiring a boat during his attendance on Militia duty in the year one thousand eight hundred and twenty-four.

Robert Reed, Esq.

To Robert Reed, Esquire, formerly Sheriff of the County of Northumberland, who is now in the eighty-fifth year of his age, blind, and in very indigent circumstances the sum of twenty-five pounds.

Hugh M'Kay Esq.

To Hugh MacKay, Esquire, the sum of seven pounds two shillings, being a balance due him for money expended by him in one thousand eight hundred and twenty-four over and above the sum granted by the Legislature, on the Road from the second falls of the Magaguadavic, to the Great Road leading from Fredericton to Saint Andrews.

John Colling.

To John Colling, a Deputy Surveyor, the sum of fifteen pounds to reimburse him for services performed in laying out Lots at the  
Cardigan

Cardigan Settlement in the County of York in the year one thousand eight hundred and twenty-two.

To the Commissioners of the Marine Hospital at Saint John, the sum of two hundred and ninety-six pounds fifteen shillings and four pence, to liquidate a balance due by that Institution. Marine Hospital at Saint John,

To Frederick P. Robinson, Esquire, the sum of Four pounds seven shillings and two pence, being a balance due to him for improving the Road and building a Bridge in the Parish of Douglas, to be paid out of the money granted this Session for By-Roads in that Parish. Frederick P. Robinson.

To George West, Commissioner for building a Bridge over Garden's Creek, in the Parish of Prince William, the sum of Fifty-five pounds being a balance remaining due to the Contractor for building the said Bridge, over and above the two grants of seventy pounds and forty-five pounds received from the Legislature for that purpose. George West.

To George K. Lugin the sum of one hundred and five pounds eight shillings and seven pence halfpenny being a balance due to him for printing the Journals of the House of Assembly and the Laws of the Province for the year one thousand eight hundred and twenty-four. George K. Lugin.

To His Excellency the Lieutenant-Governor or Commander in Chief, the sum of fifty pounds towards defraying the expence of printing the Laws of the present Session, and a further sum not exceeding one hundred pounds towards defraying the expence Printing the Laws, and Journals.

of printing the Journals of the present Session.

Mayor &c. of St. John.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of three hundred pounds to enable them to erect a Pier on the shoal where the Beacon now stands, and to place bouys on the foul ground in order to facilitate the navigation into the harbour of Saint John, the said sum to be taken out of the surplusage of the money collected for the Light House.

George K. Lugin for Printing the daily Journals.

To George K. Lugin the sum of eighty pounds for printing the daily Journals of the Assembly.

Contingencies of the Session.

To the Clerk of the House of Assembly, for defraying the contingent expences of the present Session, the sum of two hundred and ninety-six pounds three shillings and ten pence.

To be paid by Warrants.

II. *And be it further enacted*, That all the beforementioned sums of money shall be paid by the Treasurer by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of His Majesty's Council, out of the monies now in the Treasury, or as payments may be made at the same.

#### CAP. XXIV.

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

Passed 17th March 1825.

I. **B**E it enacted the Lieutenant-Governor, Council, and Assembly, That there be allowed and paid out of the Treasury of this Province to such person or persons as His

His Excellency the Lieutenant-Governor Great Roads.  
 or Commander in Chief for the time being,  
 shall appoint, in addition to sums already  
 granted by Law, and remaining unexpended,  
 the following sums for the purposes  
 hereinafter mentioned, that is to say,

The sum of two thousand five hundred Fredericton to St. John.  
 pounds for the Great Road from Fredericton  
 to Saint John by way of the Nerepis.

The sum of two thousand pounds for the Fredericton to St. Andrews.  
 Great Road from Saint John to Saint Andrews,  
 a sum of not less than five hundred  
 pounds, part of the said sum of two thousand  
 pounds, to be expended between Carleton  
 and Musquash.

The sum of fifteen hundred pounds for the Fredericton to the Canada Line.  
 Great Road from Fredericton to the Canada  
 Line, and that the sum of five hundred pounds,  
 part of the said sum be expended in exploring,  
 opening, and towards making the road  
 from the mouth of the Restook river to the  
 Great Falls, and to commence where the Supervisor  
 left off the improvement last year.

The sum of fifteen hundred pounds for the Fredericton to Newcastle.  
 Great Road from Fredericton to Restigouche,  
 to be expended between Fredericton  
 and Newcastle.

The sum of three hundred pounds for Fredericton to the Finger-Board.  
 the Great Road from Fredericton to the  
 Finger-Board.

The sum of one thousand pounds for the St. John to Westmorland.  
 Great Road from Saint John to Westmorland.

The sum of five hundred pounds for the From the Forks of the Marsh to Bellisle.  
 Great Road from the Forks of the Marsh to  
 Bellisle.

Chediac to Chatham.

The sum of eight hundred pounds for the Great Road from Chediac to Chatham.

Petticodiac to Chediac.

The sum of two hundred pounds for the Great Road from the bend of Petticodiac to Chediac.

Chediac to Dorchester.

The sum of two hundred pounds for the Great Road from Chediac to Dorchester.

Bridge over Hammond River.

The sum five hundred pounds in aid of individual subscription, to build a Bridge over Hammond River, near the late Nathaniel Golding's Farm on the Great Road of Communication in King's County, to be laid out by one or more special Commissioners to be appointed by His Excellency if he shall see fit.

Other Necessary repairs &c.

The sum of three hundred pounds to enable His Excellency to provide for the repairing and building of Bridges, and other necessary repairs on the Great Roads where no provision may have been made at the present Session of the General Assembly.

Bridge over the Maduxnekick River.

The sum of one hundred pounds in aid of individual subscription, towards completing the Bridge over the Maduxnekick River.

Musquash Harbour to Saint Andrews Road.

The sum of fifty pounds to improve the road from the entrance of the harbour of Musquash to the Saint Andrews road.

From Dipper Harbour to the Saint Andrews Road.

The sum of twenty pounds to improve the road from Dipper Harbour to the Saint Andrews road.

Little River Bridge to Black River Settlement.

The sum of fifty pounds for the road from Little River Bridge to the Black River Settlement.

Anthony's Farm to Mispeck.

The sum of forty pounds for the road from Anthony's Farm below Red Head, to the Settlement at Mispeck.

The

The sum of twenty-five pounds to improve the road from Little River Bridge to Anthony's Farm.

Little River  
Bridge to An-  
thony's Farm.

The sum of thirty pounds for improving the road from the Westmorland road, to the second Lake and to the head of the third Lake, both belonging to the chain of waters called Loch Lomond.

Westmorland  
Road to Loch Lo-  
mond.

The sum of thirty pounds to improve the road leading from Little River to Loch Lomond.

Little River to  
Loch Lomond.

The sum of thirty-five pounds for improving the road leading from the bridge of the large Loch Lomond to the black settlement, thence to Gardner's Creek.

From Loch Lo-  
mond to Gardner's  
Creek.

The sum of twenty-five pounds to improve the road recently opened from the settlement at Tynemouth on the Bay of Fundy to the Quaco road.

From Tynemouth  
to the Quaco  
Road.

The sum of one hundred pounds to improve the road from Thomas's Tavern to the Lower Loch Lomond.

From Thomas's  
Tavern to the  
lower Loch Lo-  
mond.

The sum of thirty pounds to improve the road from the foot of Loch Lomond to Smith's Tavern.

From lower Loch  
Lomond to  
Smith's Tavern.

The sum of one hundred and fifty pounds to improve the road from Smith's Tavern to the Quaco settlement.

From Smith's Ta-  
vern to the Quaco  
Settlement.

The sum of fifteen pounds to improve the road from Hammond River to Martin's Head.

From Hammond  
River to Martin's  
Head.

The sum of fifteen pounds for improving the new road from Blakslee's Farm to Little River.

From Blakslee's to  
Little River.

The sum of seventy-five pounds to assist the inhabitants in building a Bridge over Black River.

Bridge over Black  
River.

Bridge over Little  
River &c.

The sum of sixty pounds to assist in building a Bridge over Little River and forming a road across the Marsh adjoining the same.

Pickett's Mill to  
the Kennebecasis.

The sum of thirty-five pounds for the road from Pickett's Mill to the Kennebecasis.

Mabee's to the  
Kennebecasis.

The sum of twenty-five pounds for the road from near Mabee's to the Kennebecasis.

Bridge over  
Ward's Creek.

The sum of twenty pounds for building a Bridge over Ward's Creek on the old Cumberland road.

Edward Parley's  
to Walton's.

The sum of twenty-five pounds for the road from Edward Parley's to Walton's.

Goslin's to Stock-  
ton.

The sum of twenty-five pounds for the road from Goslin's to the Great Road of Communication near Stockton's.

Gab. Fowler's  
Junnr. to Duncan  
Campbell's.

The sum of twenty-five pounds for the road from Gabriel Fowler's, Junior, to Duncan Campbell's.

Road up Ward's  
Creek.

The sum of fifteen pounds for the road up Ward's Creek in the Parish of Sussex.

Hammond river to  
John Hennigar's.

The sum of sixty-five pounds for the road from Hammond River to John Hennigar's.

North Branch of  
Hammond river to  
the Main road  
near Barnes's.

The sum of twenty-five pounds for the road from the Lake on the North branch of Hammond River, to the main road in Hampton, near Barnes's.

From Henry  
Rewbart's to  
Wm. Spences  
Farm.

The sum of forty pounds for the road from Henry Ruberts to the late William Spence's Farm.

Baxter's to An-  
drew M'Vey's.

The sum of thirty pounds for the road from Baxter's to Andrew M'Vey's.

Drummonds to  
Wm. Rodgers.

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

Sealey's Point to

The sum of twenty pounds for the road

from



from Sealy's Point on the Long Reach to the Kennebecasis, near Whelpley's. the Kennebecasis near Whelpley's.

The sum of twenty pounds to finish the Bridge over Smith's Creek, near Henry Leonard's, Esquire. Bridge over Smith's Creek.

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

The sum of fifteen pounds for the road from near Jones's Mill to the settlement back of Kembal's Manor. Jones's Mill to the Settlement back of Kembal's Manor.

The sum of twenty pounds for the road from the settlement at the head of Melkish to Saint John River, near Fowler's Point. Melkish Settlement to the Saint John river near Fowler's Point.

The sum of twenty pounds for the road from the Salmon River, near Hallett's, to Joseph Darling's. Salmon River to Joseph Darling's.

The sum of twenty pounds for the Bridge near Monmouth Fowler's in Hampton. Bridge near Monmouth Fowler's.

The sum of thirty-five pounds for the road from Snider's to Kerstead's Mill Stream on the Kennebecasis. Snider's to Kersteads mill stream.

The sum of forty pounds for the road between the Churches in Westfield and Greenwich. Road between the Churches in Westfield and Greenwich.

The sum of twenty pounds for the road from Nelson Nelson's to Isaac Perry's. Nelson Nelson's to Isaac Perry's.

The sum of fifteen pounds for the road from Duncan M'Grigor's to Thomas Shearer's, in Springfield. Duncan M'Grigor's to Thomas Shearer's.

The sum of fifteen pounds for the road from Samuel Fayerweather's Mill, to the main road near David Park's in the Parish of Springfield. Samuel Fairweather's to David Park's.

The sum of fifteen pounds for the road from Henry Parley's to the main road on Studholm's Mill Stream. Henry Parley's to Studholm's Mill Stream.

The

- Joseph Darling's to Wm. Ryely's. The sum of fifteen pounds from Joseph Darling's to William Riley's.
- Bridge near Duncan Campbell's. The sum of fifteen pounds for the Bridge near Duncan Campbell's.
- Building a Bridge over Studholm's Mill Stream. The sum of twenty pounds to assist in building a Bridge over Studholm's Mill Stream, near Haney's.
- Barnes's to the road near Smith's Saw Mill. The sum of fifteen pounds for the road from Barnes' to the road near Smith's Saw Mill.
- Pittfield's to Jones's. The sum of twenty pounds for the road from Pittfield's to Jones's.
- Grave's Mill to the settlement on the South Branch. The sum of fifteen pounds for the road from Graves's Mill to the head of the settlement on the south branch.
- Holder's to Water's. The sum of twenty pounds for the new road from Holder's to Waters's in Westfield.
- Bridge between Norton Church and the river. The sum of ten pounds to assist in building a Bridge between Norton Church and the river.
- Stephen Ward's to Bay Verte. The sum of eighty pounds for the road from Stephen Ward's to the Bay of Verte.
- Jolicœur to Wm. Read. The sum of fifteen pounds for the road from Jolicœur to William Read's.
- Bay Verte to Tignish river. The sum of fifteen pounds for the road from Bay of Verte to Tignish river.
- Gaspereau bridge to Chemogue. The sum of fifty pounds for the road from Gaspereau Bridge to Chemogue.
- Chemogue to Little Chemogue. The sum of twenty pounds for the road where it turns from the Chemogue road to the little Chemogue.
- Chemogue to Teedish. The sum of twenty pounds for the road from Chemogue to Teedish River.
- From Bay Verte to Cape Tormentine. The sum of fifty pounds for the road from the Bay Verte to Cape Tormentine.

The sum of twenty-five pounds to assist in building a Bridge over Timber river.

Bridge over Timber river.

The sum of forty-five pounds for the road from Westcock to Cape Meranguin.

Westcock to Cape Meranguin.

The sum of twenty-five pounds for the road from Beaujogin to Sackville.

Beaujogin to Sackville.

The sum of twenty-five pounds for the road from Sackville to the settlement back of the Mill Pond.

Sackville to a settlement back of the Mill Pond.

The sum of ten pounds for the road from Agreea Tingley's to Beech Hill.

Tingley's to Beech Hill.

The sum of ten pounds for the road from Henry Ogden's to Beech Hill.

Henry Ogden's to Beech Hill.

The sum of twenty pounds for the road from the main road to Westcock Hill.

From the Main Road to Westcock Hill.

The sum of thirty pounds for the road from Mrs. Richardson's to Beech Hill.

Richardson's to Beech Hill.

The sum of fifteen pounds for the road from Point Midgick, to the Great Road on Sackville Great Marsh.

Point Medgick to Sackville Great Marsh

The sum of twenty-five pounds for the road from Stultzes Farm to Cocagne River.

Stultz's to Cocagne river.

The sum of twelve pounds for the road leading from the Great Road in Dorchester to Bonum Goold's.

Road from the Great Road to Bonum Goold's.

The sum of twenty-five pounds to assist in building a Bridge across the North River on the road to Butternut Ridge.

For Building a Bridge across the North river.

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

R. Scott's to North river.

The sum of twenty pounds for the road from Sinton's to Gildart's.

Sinton's to Gildart's.

The sum of fifty pounds for the road from the Dutch Village to Widow Hamilton's.

From the Dutch Village to Widow Hamilton's.

The sum of twenty-five pounds for the road from New Horton to Cape Enragé.

From New Horton to Cape Enragé.

The

- From New Horton to Shepody Lake. The sum of twenty pounds for the road from New Horton to the head of the Shepody Lake.
- Dutch Village to Lewis Stives. The sum of twenty pounds for the road from the Dutch Village to Lewis Stives.
- Peter Lutze's to M'Latchey's. The sum of fifty pounds for the road from Peter Lutzes to M'Latchey's.
- Dingee's Mill to Daniel Currier's. The sum of fifty pounds for the road from Dingee's Mill to Daniel Curries.
- Long Creek to an English settlement. The sum of fifty pounds for the road from Long Creek to the English Settlement towards Studholm's Mill Stream.
- Maquapit Lake to a road near Grand Lake. The sum of twenty pounds for the road from the North side of Maquapit Lake to the road on North side of the Grand Lake.
- William Slip's to the New Jerusalem settlement. The sum of fifty pounds for the road from William Slip's to the New Jerusalem Settlement.
- Mercereau's and Cases Grant to river St. John. The sum of twenty pounds for the road from Mercereau's and Cases Grant to the river Saint John.
- Brakeneck Mountain to Nerepis road. The sum of forty pounds for the road from Brake Neck Mountain to the Nerepis road.
- Bridge across little river. The sum of twenty pounds for the Bridge across Little River on the West side of the Grand Lake.
- Wm. Robinson's to Yeaman's Mills. The sum of twenty pounds for the road from William Robinson's to Yeaman's Mill's.
- Bridge near Justus Earle's. The sum of fifteen pounds for the Bridge across the Creek in the rear of Justus Earle's.
- M'Donald's to Salmon river Mills. The sum of fifty pounds for the road from M'Donald's to the Salmon River Mill's.
- Cumberland Lake to Grand Lake. The sum of fifty pounds for the road from Cumberland point to the Head of the Grand Lake.

The sum of fifteen pounds in addition to the sum of twenty-five pounds appropriated in the year one thousand eight hundred and twenty-four, for a Bridge across Foster's Mill Stream.

Bridge across Foster's Mill Stream.

The sum of thirty pounds for the road from Foster's Mill to the Washademoac Lake.

Foster's Mill to the Washademoac Lake.

The sum of forty-five pounds for the road from the New Canaan Settlement to Studholm's Mill Stream.

New Canaan settlement to Studholm's Mill Stream.

The sum of forty pounds for the road from Long Creek to Watson's Ferry.

Long Creek to Watson's Ferry.

The sum of thirty pounds for the road from Fairweather's Mill to Lewis's Cove on the East side of Washademoac Lake.

Fairweather's Mill to Lewis's Cove.

The sum of thirty pounds for the road from the head of Lewis's Cove to the Shannon Settlement.

Lewis's Cove to Shannon settlement.

The sum of fifteen pounds for building a Bridge across the Stream that empties in at the head of Dykeman's Lake.

Bridge across a Stream near Dykeman's Lake.

The sum of ten pounds for building a Bridge across Duck Creek,

Bridge across Duck Creek.

And that the sum of forty pounds granted in the year one thousand eight hundred and twenty-four, for the road from Swan Creek to Watson's Ferry, be re-appropriated and applied to the road from Long Creek to Watson's Ferry.

Long Creek to Watson's Ferry.

The sum of seventy-five pounds towards improving the Road from Daniel Hallett's in the Parish of Douglas to the mouth of the Keswick Creek.

Daniel Hallett's to the Keswick Creek.

The sum of fifty pounds towards improv-

For improving a

road in the Cardigan settlement.

ing the road in the Cardigan Settlement in the Parish of Douglas.

Harper's to John Parle's.

The sum of sixty pounds towards improving the road in the Parish of Prince William, from Harper's to John Parle's

Poquioch to Ingraham's.

The sum of twenty-five pounds towards improving the road from the Poquioch to Ingraham's in the Parish of Woodstock.

Ingraham's to Eel river.

The sum of thirty pounds towards improving the road from Ingraham's to Eel River in the Parish of Woodstock.

Eel river to a Ferry opposite Joseph Wolverton's.

The sum of forty pounds towards improving the road from Eel river to the Ferry opposite Joseph Wolverton's.

Bridge over Bull's Creek.

The sum of fifty pounds towards erecting a Bridge over Captain Bull's Creek in the Parish of Woodstock.

Bull's Creek to a new settlement.

The sum of fifty pounds towards opening and making a road from Captain Bull's Creek to a new Settlement in the rear, in the Parish of Woodstock.

Isaac Smith's to Wm. Graham's.

The sum of thirty pounds towards opening and improving a road from Isaac Smith's to William Graham's in the Parish of Woodstock, a new Settlement.

Wolverton's to Robert Phillips'.

The sum of fifty pounds towards improving the road from Joseph Wolverton's to Robert Phillips' in the Parish of Northampton.

Farley's to Munquart.

The sum of fifty pounds towards opening and improving the road from Nathaniel Farley's to Munquart, in the Parish of Kent.

Munquart to Jonas Fitzherbert's.

The sum of fifty pounds towards opening and improving the road from Munquart to Jonas Fitzherbert's in the Parish of Kent.

Jonas Fitzherbert's to Larlee's.

The sum of fifty pounds towards opening and

and improving the road from Jonas Fitzherbert's to John Larlee's in the Parish of Kent.

The sum of fifty pounds towards improving the road from the Tobique to Salmon River in the Parish of Kent.

Tobique to Salmon river.

The sum of fifty pounds towards making a road over a Cedar Swamp leading from the River Saint John to the new Caverhill Settlement in the Parish of Queensbury.

For a road to the Caverhill settlement.

The sum of forty-five pounds towards opening and making the road from the Richmond Settlement to a new Settlement running south in the Parish of Woodstock.

Richmond settlement to a new settlement.

The sum of thirty pounds towards improving the road from Joseph Dunphey's to Charles King's, a new Settlement in the Parish of Douglas.

Joseph Dunphey's to Charles King's.

The sum of seventy pounds to cut a bridge road and make two floating Bridges across two Creeks between Calvin Camp's and Partelow's Landing on the Rushagoannes.

Calvin Camp's & Partelow's landing.

The sum of thirty pounds to improve the road between Hartt's Mills and Solomon Tracey's on the north branch of the Oromocto,

Between Hartt's Mills and Solomon Tracey's.

The sum of two hundred pounds to be expended in draining and repairing the Post road leading over the Great Marsh in Sackville in the County of Westmorland, provided that the Proprietors of the said Marsh do contribute in labour or otherwise, one third of the expence attending the draining and repairing the said road.

For the Post road over the Great Marsh in Sackville.

The sum of one hundred pounds for the road from the second Falls of the Magaguavick to the Great Road.

From second Falls of the Magaguavick to the Great Road.

davic river to the Great Road leading from Fredericton to Saint Andrews.

Saint Stephen's to the Main Road leading to Fredericton,

The sum of one hundred pounds for improving the main road from Saint Stephen's through the Parish of Saint David's, leading to Fredericton, Saint Andrews and Saint John, and for repairing the Bridge over Wahweig River at Connick's Mill.

and a Bridge over Wahweig river. Stewart's Mills to Potter's Hill.

The sum of twenty-five pounds for the road between Stewart's Mills and Potter's Hill in the Parish of Saint James.

Hand's farm to the Main Road from St. John to St. Andrews.

The sum of twenty-five pounds to be re-appropriated out of the thirty pounds granted in one thousand eight hundred and twenty, for the road from the Ferry at Spinney's to the County road in Pennfield, for improving the road from Hand's farm in the said Parish, to the main road from Saint John to Saint Andrews.

Through Indian Tract on the north west branch of the Miramichi river.

The sum of eighty pounds for improving the road through the Indian Tract on the lower part of the Northwest Branch of Miramichi river.

Fiddes' to Newcastle.

The sum of thirty pounds for the road from Fiddes' to the upper line of Newcastle.

Douglas Town to a Settlement in rear thereof.

The sum of thirty pounds towards exploring and opening a road from Douglas Town to the new Settlement in the rear thereof, in the Parish of Newcastle.

Bartabouge river to Nequac.

The sum of twenty pounds for exploring a road from Bartibogue River to Nequac.

Bridge over Carquet river.

The sum of twenty pounds for erecting a Bridge over the Northwest arm of Carquet river in the County of Northumberland, in addition to the sum granted last Session.

The sum of fifty pounds to be expended in



in improving the line of road and erecting Bridges over small streams from Jacob Tagues to the Harbour of Saint Peter's, including twenty pounds for Bass river Bridge, in addition to the sum granted last year to finish it.

Jacob Tagues to the Harbour of St. Peter's.

Bass River Bridge.

The sum of twenty pounds to improve the line of road from Perry Dumaresqu' Esquire, (through Captain Allen's late Grant) to the Great Road leading to Restigouche.

Perry Dumaresqu' to the Great Road leading to Restigouche.

The sum of twenty pounds to lay out, open and improve a road from the Village of Saint Peter's through the Settlement forming on Bass river by Robert Coxen's Farm.

Saint Peter's to Coxen's Farm.

The sum of twenty-five pounds for laying out and improving a road extending up on the north side of Middle River for the use of Settlers.

Road up the north side of Middle river.

The sum of twenty-five pounds for laying out and improving a road on the West side of the Forks of Middle River to extend up that Stream.

Road up the west side of Middle River.

The sum of thirty pounds to open and improve a road from the Village of Saint Peter's to the new Settlement extending beyond the Falls to the Tettigouche River.

Saint Peter's to the Tettigouche river.

The sum of two hundred pounds towards improving the road from the head of Hammond River through the Emigrant Settlement to Hopewell.

Hammond River to Hopewell.

II. *And be it further enacted,* That the said several and respective sums of money, and every part thereof, shall be paid to the several and respective persons who shall actually work and labour in making, completing, and repairing the said several roads and

Money to be paid to the persons who labour.

Commissioners to  
account.

bridges, or in furnishing materials therefor at the most reasonable rates that such labour and materials can be provided; and that the several and respective persons who shall be entrusted with the expenditure of the said several and respective sums, shall keep an exact account of the expenditure thereof, and shall produce receipts, in writing, from the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payment, and shall render an account thereof, upon oath, (which oath any Justice of the Peace in the several and respective Counties, is hereby authorized to administer) to be transmitted to the office of the Auditor of Provincial Accounts to be examined and audited in the same manner as any Provincial Accounts can or may be by virtue of any Law in force for the auditing and examining of Public Accounts, for the inspection and examination of the General Assembly at their next Session; and such Commissioners or persons entrusted with the expenditure of the said several and respective sums of money, shall stand charged and chargeable with all sums of money entrusted to them, and not accounted for as aforesaid, and shall repay the same into the Province Treasury.

Commissioners to  
retain at and after  
the rate of 5 per  
cent. together  
with reasonable  
compensation for  
actual labour on  
roads and bridges.

III. *And be it further enacted,* That the said Commissioners or persons entrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble be allowed to retain at and after the rate of five per cent out of the said sums so entrusted to them respectively, together

gether with a reasonable compensation for actual work and labour performed by them on the said several roads and bridges.

IV. *Provided always, and be it further enacted,* That nothing in this Act shall extend or be construed to extend to limit the allowance to any Supervisor or Supervisors of the Great Roads throughout the Province.

Allowance not to extend to any Supervisor of great roads.

V. *And be it further enacted,* That all the beforementioned several sums of money, shall be paid by the Treasurer, by Warrant of His Excellency the Lieutenant-Governor or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council, out of the monies now in the Treasury, or as payment may be made at the same, and not otherwise.

Money to be paid by Warrant.

VI. *And be it further enacted,* That from and after the passing of this Act all accounts of the expenditure of monies heretofore granted for roads and bridges, and for the improvement of the Water Communications of the Province, which may not have been finally passed and allowed by the House of Assembly, in the manner heretofore accustomed, shall be transmitted, together with the vouchers and attestations required by Law, to the office of the Auditor of Provincial Accounts in lieu of the office of the Secretary of the Province, to be by such Auditor examined and audited in the same manner as any public accounts can or may be by virtue of any Law in force for the examining and auditing of public accounts.

Accounts not heretofore passed and allowed to be sent to the Auditor of Provincial Accounts to be audited.



ANNO SEXAGESIMO  
**GEORGI II.**

*Regis.*



CAP.

An ACT to confirm and perfect, and to carry into force and effect, an agreement made between the Governor and Trustees of the College of New-Brunswick, and certain Tenants of the said Governor and Trustees.

*Passed the 22d of March, 1820.*

**W**HEREAS divers parts and parcels of the Lands contained in a certain Grant or Letters Patent, under the Great Seal of the Province of New-Brunswick, to the Governor and Trustees of the College of New-Brunswick, bearing date the eighteenth day of July, in the year of our Lord one thousand eight hundred, were, previous to the incorporation of the said College and the passing of the said Grant, granted in fee by divers Grants or Letters Patent under the Great Seal of the said Province, to divers persons under and subject to certain annual

Preamble,

Recites original Grants to the Individuals claiming the Lands prior to the Incorporation of the College.

Recites allotments made by the Governor and Council of part of the Lands prior to the Incorporation of the College.

Surrender by the Grantees of the Lands originally granted.

annual rents in the same Grants reserved, payable to certain Trustees therein named for the benefit of an Academy or Free-School at Fredericton as will appear in the Schedule hereunto annexed marked A. And whereas divers other parts and parcels of the said Lands contained in the said Grant to the said Governor and Trustees of the College of New-Brunswick were, previous to the Incorporation of the said College and the passing of the same Grant allotted by the Lieutenant-Governor of the said Province in Council, in the usual manner, for Grants in fee to divers Persons, under and subject to certain annual rents payable to the said Trustees for the benefit of an Academy or Free-School at Fredericton; as will appear in the Schedule hereunto annexed, marked B: And whereas the Grantees of most of the said Lands contained in the said divers Grants or Letters Patent, to wit :---Isaac Hedden, Thomas Henderson, William Bailey, William Fowler, Thomas Marten, Lemuel Wilmot, John Lawrence, Jacob Segee, Daniel Lounsbury, Joseph Cunliffe, Benjamin Ingraham, Peter Clements, Thomas Barker, sen. and Thomas Barker, junr. Monson Hayt, Garret Clopper, Peter Doran, William Kane, John Wilkins, James Clarke, Charles Larman, Enoch Beard, and Thomas Potter, Daniel Lyman, Andrew Maxwell, Philip Weade, Richard Cooper, Charles Earle, Solomon Whitlock, Joseph Haines, Peter Steenburgh, Lewis Bennett, Isaac Lawrence, William Bearhight, Alexander Hutchinson, Peter Wanamaker,  
Michael

Michael Norton, Samuel Buchanan, Peter Redner, James Ackerman, Moses M'Cor-misky, Lodwick Fisher, John Emmell, Moses Simpson, Daniel Bass, Daniel Kenney, Conrad Redner, Jonas Allen, Micajah Isaacs, Jacob Wood, Thomas M'Nally, Pncæbe Swim, Benjamin Bailey, Thomas Negus, George Lambert, Benedict Arnold, Nehemiah Rogers, Abraham Vanderbeck, and Cornelius Ackerman, Gabriel Van Horne, John M'Leod and Duncan M'Leod, John Saunders, Ephraim Betts, Lewis Dunham, Samuel Ferris, Adam Allan, and James Sutter, (the said Adam Allan, and James Sutter, as the Grantees of the one Acre and two Roods) and Jacob Ellegood, or their Heirs and Assigns, previous to the Incorporation of the said College and the passing of the said Grant to the said Governor and Trustees, surrendered their said Grants in the Chancery of the said Province upon condition, among other things, of receiving new Grants, providing that the rents payable for the use of the said Academy or Free School might be paid to some persons having perpetual succession in the Province either as a body corporate or otherwise; and the said College was thereupon afterwards incorporated by Royal Charter under the Great Seal of the said Province, bearing date on the twelfth day of February, in the Year of our Lord one thousand eight hundred: *And whereas* it was manifestly one of the purposes and objects of the said Grant to the said Governor and Trustees of the College of New-Brunswick, bearing date as aforesaid on the eighteenth

Surrender made previous to the Incorporation upon condition of receiving new Grants reserving rent payable to a Body Corporate.

Charter of Incorporation passed.

eighteenth day of July in the Year of our Lord one thousand eight hundred, that they should make new Grants and conveyances, to those Persons who had surrendered their Grants in manner aforesaid, of the Lands so by them respectively surrendered, reserving the rents payable thereupon to the said Governor and Trustees of the said College instead of the said Trustees for the benefit of an Academy or Free School at Fredericton: *And whereas* the Persons to whom allotments of Lands had been made by the said Governor in Council in manner aforesaid, and of which no Grants, were made, or their Heirs or Assigns at the time of the Incorporation of the said College and the passing of the said Grant to the said Governor and Trustees, were in the possession and enjoyment of the said Lands so allotted as aforesaid, subject to the respective rents thereon, stipulated to be paid to the said Trustees for the benefit of an Academy or Free School at Fredericton, and upon the Incorporation of the said College and the passing of the said Grant to the said Governor and Trustees, became Tenants of the said Lands to the said Governor and Trustees under and subject to the same rents upon which the Lands had been originally allotted as aforesaid. And the said Governor and Trustees after the Incorporation of the said College and the passing of the said Grant or Letters Patent to them, proceeded to make many Leases or Conveyances in fee to their Tenants as well those to whom grants had been passed as those to whom allotments only

The Persons to whom allotments had been made by the Governor and Council, were in possession of the Lands at the time of the Incorporation,

and become Tenants to the College under the rents originally reserved by the Governor and Council.

Conveyances made by the College.



only had been made in manner aforesaid, without distinction between them, subject to the respective annual rents reserved in the said Grants, and upon which the said allotments were made as aforesaid; it appearing that neither the said Governor and Trustees nor their said Tenants were at that time aware that the said Governor and Trustees were restrained by any Law in force in the said Province from making such conveyances and dispositions of their Lands, and regard not being had to the provisions of an Act of Parliament made and passed in the thirteenth Year of the Reign of Her Majesty Queen Elizabeth intituled, "Fraudulent deeds made by spiritual persons to defeat their successors of remedy for dilapidation, shall be void &c." whereby Colleges are restrained from making any conveyances of their possessions other than for the Term of Twenty-one Years or three lives: *And whereas* all the said Tenants of the said Lands as well those to whom Grants had been made as those to whom allotments had been made as aforesaid, and of which no Grants were passed, in manner before mentioned, or their Heirs or Assigns have continued from the making of such Grants or allotments hitherto in the possession and enjoyment of the Lands so respectively granted and allotted and have paid the rents reserved and payable thereon, to the said Governor and Trustees of the said College, and have in many instances made valuable improvements on the same Lands in the full persuasion and confidence that they had

good

Tenants have continued in the possession of the Lands and have paid the rents,

made valuable improvements supposing they had Estates in fee.

Agreement be-  
tween the College  
and the Tenants,

to redeem rents.

good estates in fee in the same Lands, subject only to the rents and conditions under which they were held under the said Governor and Trustees of the College of New-Brunswick: *And whereas*, under all these circumstances, to prevent litigation, contention and difficulty between the said Governor and Trustees of the College of New-Brunswick and their Tenants, it has been agreed upon and concluded by and between them in manner and form following, that is to say, that with regard to those parts and parcels of the Lands contained in the said Grant to the Governor and Trustees of the College of New Brunswick, which were actually granted as aforesaid, by Letters Patent under the Great Seal of the said Province previous to the passing of the said Grant to the said Governor and Trustees that Estates in fee of and in the same shall be confirmed to the several and respective Grantees named in the said Letters patent, their Heirs and Assigns upon the same rents and to be bounded as mentioned in the said several Grants or Letters Patent: And that the said Grantees their Heirs or Assigns shall be at liberty to redeem the same rents upon paying to the said Governor and Trustees a sum or sums of money that will produce an annual Interest equivalent to the same: And with regard to the other Lands herein before mentioned which were allotted only and not granted in manner aforesaid, that estates in fee shall be conveyed and confirmed to the several and respective Tenants thereof upon the rents now payable thereon, being

being increased four fold, such increased rents to commence and become payable from and after the first day of July, which will be in the Year of our Lord one thousand eight hundred and Twenty-one, and in the mean time the present rents to be and remain payable thereon, and that the said last mentioned Tenants shall in like manner be at liberty to redeem their Lands from payment of rent upon paying to the said Governor and Trustees a sum or sums of money that will produce an annual Interest equivalent to the amount of the said fourfold rents excepting always out of the Lands so to be confirmed and conveyed, the Streets and Highways laid down in the Plan of the Town of Freicton annexed to the Grant thereof, for the perfecting of which said agreement and for carrying the same into full force and effect :

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That it shall and may be lawful to and for the said Governor and Trustees of the College of New-Brunswick, and they are hereby authorized and empowered to grant, convey, and confirm to the several and respective Grantees, of those parts and parcels of the said Lands contained in the said Grant to the said Governor and Trustees bearing date as aforesaid, on the eighteenth day of July, in the Year of our Lord one thousand eight hundred, which were actually granted as aforesaid, by Letters Patent under the Great Seal of the said Province previous to the passing of the said Grant to the said Governor and Trustees, their Heirs or Assigns in fee simple, all such

Governor and Trustees of the College. authorized to convey the Lands originally granted to the Tenants in fee simple upon the same rents.

parts

Grantees may re-  
deem the rents.

Governor and  
Trustees may  
convey the Land  
freed of rent.

parts and parcels of the said Lands upon the same rents, and bounded as mentioned in the said Grants or Letters Patent severally and respectively, and that the said several and respective Grantees, their Heirs and Assigns, shall and may if they see fit, redeem the same rents upon and by paying to the said Governor and Trustees a sum or sums of money that will produce an annual interest equivalent to the same. And upon payment of any such sum or sums of money, by all, any, or either of the said Tenants, it shall and may be lawful to and for the said Governor and Trustees, and they are hereby authorised and empowered to grant, bargain, sell, convey and confirm by deed of bargain and sale, or other sufficient conveyance in Law, all the estate, right, title and interest which they have of, in, and to the premises, upon which the rent may be so redeemed to the person or persons so redeeming the said rents, his or their Heirs and Assigns freed and discharged from any rent whatever, provided that the said rents are so redeemed by the payment of a sum or sums in gross, before the making of any such grants or conveyances reserving rents.

Governor and  
Trustees may  
convey the Lands  
originally allotted  
to the Tenants in  
perpetuity upon  
rents increased  
four fold.

II. *And be it further enacted,* That it shall and may be lawful to and for the said Governor and Trustees of the College of New-Brunswick, and they are hereby authorized and empowered to grant, convey and confirm to the several and respective Tenants of the Lands herein before mentioned, which were allotted only, and not granted in manner aforesaid, their Heirs and Assigns in perpetuity,

petuity, the several and respective parts and parcels of the same lands now held by them severally and respectively, upon and subject to rents amounting to fourfold the rents now payable thereon, such fourfold rents to commence and become payable from and after the said first day of July, which will be in the year of our Lord one thousand eight hundred and twenty-one, and in the mean time the present rents to be and remain due and payable thereon, and that the said several and respective Tenants last above mentioned, shall and may, if they see fit, redeem the Lands they hold from payment of rent, upon and by paying to the said Governor and Trustees a sum or sums of money that will produce an annual interest equivalent to the amount of the said fourfold rents ; and that upon payment of any such sum or sums of money, by all, any or either of the same Tenants, it shall and may be lawful to and for the said Governor and Trustees, and they are hereby authorized and empowered to grant, bargain, sell, convey and confirm, by deed of bargain and sale, or other sufficient conveyance in law, all the estate, right, title and interest which they have of, in and to the premises upon which the rent may be so redeemed as last aforesaid, to the person or persons so redeeming the same rents, his, and their heirs and assigns, freed and discharged from any rent whatever : Provided that the said rents are so redeemed by the payment of a sum, or sums of money in gross, before the making of any such grants or conveyances reserving rent.

Tenants may redeem such fourfold rents.

Governor and Trustees may convey the Land freed of rent.

Streets excepted.

III. *Provided always and be it further enacted*, that there shall always be excepted from and out of any deeds or conveyances to be made by the said Governor and Trustees under and by virtue of this Act, the Street in the rear of the Town Plat of Fredericton, now called Charlotte Street, and all cross Streets that are laid down in the plan of the said Town of Fredericton annexed to the Grant thereof.

Governor and Trustees to vest monies paid for redemption of rents in other Lands,

IV. *And be it further enacted*, That it shall and may be Lawful to and for the said Governor and Trustees of the College of New-Brunswick, and they are hereby authorized and required either to invest and lay out all such sum and sums of money as shall be paid to them for redemption of rents under and by virtue of this Law, in the purchase of other Land for the use of the said Governor and Trustees, and their Successors for the trust, intents and purposes of the Institution, or to put the same out at interest from time to time upon good and sufficient Landed securities, the annual income and interest arising therefrom, to be expended as aforesaid, to and for the trusts, intents and purposes of the Institution as to the said Governor and Trustees shall seem most expedient.

or place it at Interest on Landed security for the purposes of the Institution.

Deeds and conveyances made pursuant to this Act shall be void.

V. *And be it further enacted*, That all deeds and conveyances of the said Governor and Trustees of the College of New-Brunswick, made under and by virtue of this Act, and according to the true intent and meaning hereof, when duly made and executed, shall be, and the same are hereby declared

to be good and effectual in the Law to transfer to, and vest in the several and respective Tenants and Grantees therein named and mentioned, the several and respective premises, estates and interests therein expressed and contained, subject to the rent, charges and conditions therein respectively reserved and mentioned or freed and discharged therefrom (as the case may be) the said Statute or Act of Parliament made in the thirteenth Year of the Reign of Queen Elizabeth or any Statute or Act of Parliament, or of the General Assembly of this Province, or any Law, custom or usage, to the contrary notwithstanding, saving nevertheless, the right and title of our Sovereign Lord the King, his Heirs and Successors, and of all other person or persons, bodies politic and corporate, excepting the said Governor and Trustees of the College of New-Brunswick and the said Trustees for an Academy or Free-School at Fredericton.

VI. *And be it further enacted*, That this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of by all Judges, and Justices and others, without being specially pleaded.

To be deemed a  
Public Act.

VII. *And be it further enacted*, That this Act shall not be in force until His Majesty's Royal approbation be thereunto had and declared.

SCHEDULE A.

LIST of Grants in Fee (subject to Rent Charge) passed before the Grant was made to the Governor and Trustees of the College of New-Brunswick, on the 18th of July 1800, of part of the Lands included in that Grant

No. of Lots	Names of original Grantees	Names of Grantees or others claiming under them in possession on 2d August, 1799.	Quantities granted,			Annual Rent.			Situation.
			Ac.	R	P	£	S	D.	
1	Isaac Hedden,	Isaac Hedden,	8	2		4	3		
2	Thomas Henderson,	William Bailey,	15			7	4		
3	William Bailey,								
4	William Fowler,	Caleb Fowler,	15			7	6		
5									
7	Thomas Martin,	C Fowler & L. Wilmot,	3	2		1	7 1/2		
8	Lemuel Wilmot,	Lemuel Wilmot,	21	2		10	9		
9	John Lawrence,								
10	Jacob Seeger,	John Seeger,	4	2		2	3		
11	Daniel Lounsbury,	Daniel Lounsbury,	8	2		4	3		
12	Joseph Cunliffe,	Jesse Hicks,	8	2		4	3		
13	John M'Kay,	John M'Kay,	12			7			
15									
14	George Cox,		2			1			
16	Benjamin Ingraham,	Benjamin Ingraham,	21			10	6		
17	Peter Clements,	Jacob Ellegood,	8	2		4	3	Below the Town.	
18	Thomas Barker, sen & Thomas Barker, junr	Thomas Barker, senr.	14	2		7	3		
19	Monson Hoyt,								
20	Garret Clopper,	Garret Clopper,	10			5			
21	Garret Clopper, Peter Doren & 6 others,	Garret Clopper, and Daniel Bass,	15			7	6		
22	Daniel Lyman,	Daniel Bass,	14			7			
23	Andrew Maxwell,								
24	Philip Weade,	John Saunders,	9						
26	Do	Henry Smith,	3				7 1/2		
27	Richard Cooper,	Henry Smith,	1	3					
28	Charles Earl,	Charles Earle,	3			1	6		
29	Solomon Whitlock, Joseph Haines & 29 others	James Ackerman, Samuel Buchanan, & sundry others	56			1	8		
30	George Lambert,	Charles Eastle,	6			3			
1	Philip Weade,	Do.	3	3		18	1		
2	George Lambert,	Daniel Rivers and others, Jacob Ellegood. The quantity included in the new Grant to Jacob Ellegood, dated, 6th Dec. 1793. of 26 acres herein after mentioned,	4	3		1	5	8	
3	Benedict Arnold,								
7									
8	Nehemiah Rogers,	James Bell,	1			3		Below and next adjoining the Town.	
9	Cornelius Ackerman, & Abraham Vanderbeck,	Ackerman & Vanderbeck,	1						
10	Gabriel Van Horne,	Gabriel Van Horne,	2	16					
11	John M'Leod, and Duncan M'Leod,	Duncan M'Leod & Robert Smith,	1	8					
	Adam Allan,	Darius Dickenson,	1	2		1	17	6	
	James Sutter,	William Anderson,							
	Jacob Ellegood,	Jacob Ellegood,	26			9	2		
1	Adam Allan,	Escheated to the Crown,	30			10	10		
2	Isaac Hedden,	Hon. Thomas Carleton,	156			27	10	7	
3									
4									
5									
6									
11									
4	Benjamin Atherton,	Ditto.	26					Above the Town.	
7	James Forman,	Ditto.	17			1	15		4
	Winslow, Everitt, and Jenkins,	Ditto.	1	2		5			
	Isaac Hedden,	Ditto.	28	2		7	1		
	Samuel Ferris,	Samuel Ferris,	34			17			
	John Saunders,	John Saunders,	7		11	3	7		
	Ephraim Betts,	Ditto	40			2	10		
	Lewis Dunham,	J. Saunders & R. Smith,	40			2	10		
	William Bailey,	William Bailey,	66			1	13		
	Isaac Hedden,	Hon. Thomas Carleton,	22						



SCHEDULE B.

LIST of Allotments made by order of the Lieutenant-Governor in Council previous to the passing of the Grant to the Governor and Trustees of the College of New-Brunswick on the 18th July 1800, of part of the Lands included in that Grant.

No. of Lot.	Names of Persons to whom Allotments were made.	Quantity allotted			Annual Rent,			Names of those in possession on the 18th July, 1800.	Situation.
		Ac.	R	P	£	s	D		
1	Stephen Jarvis,	18	a					Stephen Jarvis.	Rear of the Town, and including the fourth range of Town Blocks.
2	George Lambert,	13			1	8			
11	Jonathan Odell,	81	a		4	8	5	Jonathan Odell,	
12	William Garden.	40			2	10		John Saunders,	
13	George Sproule,	7a			3	6		George Sproule,	
14	Harris Wm Hailes.	29			1	6	6	H. W. Hailes,	
15	James Sise,	6			1	5		James Taylor,	
16	Richard Williams,	34			2	7		John Saunders,	
17	Charles Earle,	32	a		1	16	3	Charles Earle,	
18	Isaac Hedden,	32	a		1	16	3	Isaac Hedden,	
19	Abraham Vanderbeck,	29			1	14	6	Vanderbeck and Ackerman,	
20	Cornelius Ackerman,								
21	Ephraim Betts,	23	a		1	11	9	John Saunders,	
22	Calvin Turner,	23	a		1	11	9		
23	Christopher Hanson,	24			1	11		John Cox,	
24	John Cox,	5			1	3			
25	Robert Ogden,	9			4	6		James Fraser,	
26	Thomas Farrington,	9			4	6		John M Wilmot,	
27	Charles Earle,	24			1	12		Ezekiel Sloat,	
28	Philip Weade,	14			7			Charles Earle, Peter Fraser and R Smith,	
29	Eleazer Melvin,	16			8			John Saunders,	
30	Garret Clopper,	50			1	5		Daniel Bass,	
31	Thomas Baker,	30			1	15		Garret Clopper,	
32	Lawrence Willsey,	26			1	13		Thomas Barker,	
33	Benjamin Ingraham,	77			1	18		John S. Ellegood,	
34	John Segree,	64			1	12		Benjamin Ingraham,	
35	Philip Shea,	11			5	6		Dennis Coombes,	
36	Daniel Lounsbury,	76			1	12		Philip Shea,	
37	Lemuel Wilmot,	50			1	5		Daniel Lounsbury,	
38	John Segree,	8			4			L. Wilmot,	
39	William Fowler,	35			1	17	6	John Segree,	
					6			Caleb Fowler.	Below the Town.
		979			£33	3	6		

An ACT Supplementary to an Act, intituled, An Act to confirm and perfect and to carry into effect an agreement made between the Governor and Trustees of the College of New-Brunswick, and certain Tenants of the said Governor and Trustees.

*Passed the 21st of March, 1822.*

**W**HEREAS by an Act made and passed on the 22d day of March in the year of our Lord one thousand eight hundred and twenty, intituled, "An Act to confirm and perfect, and to carry into effect an agreement made between the Governor and Trustees of the College of New-Brunswick and certain Tenants of the said Governor and Trustees," it is among other things provided and enacted, that it shall and may be lawful for the said Governor and Trustees of the College of New-Brunswick, to grant, convey and confirm in perpetuity, subject to certain rents therein specified, to certain persons therein named, their heirs and assigns, certain parts and parcels of Land contained in a Grant from the Crown to the said Governor and Trustees, bearing date the 18th day of July, in the year of our Lord one thousand and eight hundred, which had been granted by the Crown prior to the passing of the same Grant to the said Governor and Trustees, to those persons; and also to grant, convey and confirm to certain other persons, their heirs and assigns in perpetuity, subject to certain increased rents, as in the same Act is also specified, certain other parts and parcels of the Lands contained in the said Grant to the said Governor and Trustees, which had been allotted to those persons prior to the passing of the same Grant: *And whereas* no provision is made by the same Act for adjusting and settling

ting the rights and interests of the Heirs and Assigns of the said several and respective persons so entitled in cases of any conflicting claims to any of the said Lands which the said Governor and Trustees are so authorized and empowered to grant, convey, and confirm as aforesaid, subject to certain rents as aforesaid, the want of which provision may lead to injustice towards some of the claimants, and undue partiality towards others: For remedy whereof,

I. *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That before any of the said Lands shall be granted, conveyed and confirmed to any person or persons claiming the same, either as the heirs or assigns of any of the persons to whom the same were originally granted and conveyed by the said Governor and Trustees after the passing of the said Royal Grant to them in the year one thousand eight hundred, or otherwise notice shall be given and published in the Royal Gazette of this Province, and continued for three months by or by the authority of the said Governor and Trustees requiring the several and respective claimants of the same Lands, to deliver to the said Governor and Trustees, by a certain day to be in the same notice prefixed, their several and respective claims to the parts and parcels of the same Lands so claimed by them, specifying therein the several quantities so claimed, and the means by which they derive title thereto: And if it shall appear that in any case there be two or more opposite claimants for the same piece or parcel of Land, the said Governor and Trustees shall  
 forbear

Before any of the Lands mentioned in this Act shall be conveyed three months notice to be given in the Royal Gazette requiring the Claimants to exhibit their Claims.

In case there be opposite Claimants no conveyances to be executed until the right shall be set-

bled by the Court  
of Chancery.

Court may pro-  
ceed upon Peti-  
tion.

No Grant of con-  
firmation to be  
given until the ex-  
piration of one  
month after the  
time preferred for  
exhibiting claims.

Grants made dur-  
ing the pendency  
of litigated claims  
or contrary to the  
decision of the  
Court of Chance-  
ry to be void.

forbear to execute any grant or conveyance of such Land mentioned in such conflicting claims, until the right thereto shall be settled and adjudged by the Court of Chancery of this Province, which said Court is hereby authorized upon the Petition of either party, to summon the other or others, and to examine into the claims of the said parties and to determine and decide the same in a summary way, making such order or orders in each case, as the same may require.

II. *And be it further enacted,* That in order to give full opportunity to all persons who may have claims to any of the said Lands, to exhibit and prosecute the same if necessary, before the said Court of Chancery, no Grant or conveyance of confirmation or other Grant or Deed which by the said in part recited Act, the said Governor and Trustees, are empowered to make and give, shall be executed by them the said Governor and Trustees until after the expiration of one month from the day prefixed in and by such notice for preferring the said claims, and any Grant or conveyance which may be made by the said Governor and Trustees during the pendency of any such litigated or conflicting claims, or contrary to the decision and direction of the said Court of Chancery, shall be and be deemed and taken to be absolutely void and of no effect in Law or equity.

III. *And be it further enacted,* That this Act shall not be in force until His Majesty's Royal approbation shall be thereunto had and declared.

*Confirmed, finally enacted and ratified by an order of His Majesty in Council, dated 10th March 1824.*

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3/1/09