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Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. I.

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

(Passed 22d February, 1862)

MAY IT PLEASE YOUR MAJESTY :

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

Be it therefore enacted by the Governor, Legislative Council and Assembly, in Session convened :

I.—That from and after the passing of this Act, and during the continuance thereof, there shall be raised, levied, collected, and paid, unto Your Majesty, Your Heirs and Successors, upon all Goods, Wares and Merchandize, imported or brought into this Island and its Dependencies, the several and respective Duties inserted, described and set forth in Figures in the Table of Duties hereinafter contained, denominated "Table of Duties," opposite to and against the respective Articles in the said Table mentioned, described and enumerated, and according to the value, number or quantity of such articles therein specified, as follows : Duties imposed.

No. 1.
TABLE OF DUTIES.

	£	s.	d.
Ale, Porter, Cider, and Perry, viz :			
In Bottles the dozen of 2 gallons.	0	1	0
In Casks the gallon.	0	0	4
Bacon, Hams, Smoked Beef and Sausages	0	8	3
Beef, salted and cured the bbl. of 200 lbs.	0	2	0
			} and 10 per cent. thereon.
Biscuit or Bread the cwt.	0	0	3
			} and 10 per cent. thereon.
Butter the cwt.	0	3	0
			} and 10 per cent. thereon.
Cheese the cwt.	0	5	6
Chocolate and Cocoa the lb.	0	0	1
			} and 10 per cent. thereon.
Cigars the M.	0	11	0
Coffee the lb.	0	0	1
			} and 10 per cent. thereon.
Feathers and Feather Beds the lb.	0	0	1
			} and 10 per cent. thereon.
Flour the bbl.	0	1	6
			} and 10 per cent. thereon.
Fruit, dried the lb.	0	0	1½
" other descriptions the £100.	11	0	0
Confectionary the cwt.	0	13	9
Packages in which Dry Goods are imported, 11 per cent. ad valorem.			
Molasses the gallon.	0	0	2½
Oatmeal and Indian Meal the bbl.	0	0	6
			} and 10 per cent. thereon.
Pork the bbl. of 200 lbs.	0	3	0
			} and 10 per cent. thereon.
Salt the ton.	0	0	6
Shooks and Staves, manufactured or dressed	the £100.	11	0
Spirits, viz:			
Brandy, Gin, Whiskey, or other Spirits not herein defined or enumerated, and not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater strength than the strength of proof,	the gallon.	0	5
			0
Cordials, Shrub and other Spirits, being sweetened or mixed so that the degree of strength cannot be ascertained as aforesaid,	"	0	3
			0

TABLE OF DUTIES (Continued).

Table of Duties.

	£	s.	d.
Rum, not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater strength than the strength of proof, } the gallon ..	0	2	6
Sugar, viz , Loaf and Refined	the cwt. . .	0	12 0 } and 10 per cent. thereon. }
" Unrefined	the cwt. . .	0	8 3
" Bastard	" ..	0	10 0
Souchong, Congou and Bohea Tea	the lb. . .	0	0 4
All other Tea	" ..	0	0 5
Tobacco, Manufactured and Leaf	" ..	0	0 3 } and 10 per cent. thereon. }
Tobacco Stems	the cwt. . .	0	2 0 } and 10 per cent. thereon. }
Vinegar	the gallon . .	0	0 3 } and 10 per cent. thereon. }

Wines, viz :

Wines of all kinds, in bottles, (except Claret)	the gallon . .	0	6 6
Port, Madeira, Hock, Burgundy, in wood or } other vessels, not being bottles }	" ..	0	5 0
Sherry, 12½ per cent <i>ad valorem</i> , and, the gallon	..	0	3 0
Claret, in wood or bottles	the gallon . .	0	2 6 } and 12½ per cent <i>ad valorem</i> . }
All other Wines	the gallon . .	0	2 6 } and 12½ per cent <i>ad valorem</i> . }

Anchors	} the £100. . .	5	10	0
Barley and Oats				
Canvas				
Cordage and Cables				
Copper and Composition Metal for Ships, viz : Sheathing, Bar, Bolt, and Nails				
Corks and Corkwood				
Fishing Tackle, Indian Corn				
Iron, viz : Bar, Bolt, Sheathing and Sheet, Wrought Nails				
Medicines				
Oakum				
Pease				
Pitch, Tar, Turpentine and Rosin				
Poultry and Fresh Meat				

Goods, Wares and Merchandize, not otherwise enumerated, described or charged with duty in this Act, and not otherwise exempt, } the £100. . .	11	0	0
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Fish, salted, dried or pickled, for every cwt. imported	0	5	6
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TABLE OF DUTIES (Continued).

Table of Duties.

Local Distillation.

Rum, not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater strength than the strength of proof,	} the gallon . . 0 1 4
Brandy, Gin, or other Spirits, not herein defined or enumerated, not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater strength than the strength of proof,	
	} the gallon . . 0 1 8

II.—All Articles in the following Table shall be exempt from any duty, viz :—

No. 2.**TABLE OF EXEMPTIONS.**

Exemptions.

Printing Presses, Printing Paper, (Royal and Demy) Types, and all other Printing Materials
 Printed Books, Pamphlets, Maps and Charts
 Coin and Bullion
 Hemp, Flax, Tow
 Plants, Trees and Shrubs
 Specimens illustrative of Natural History
 Works of Art, viz :—Engravings, Paintings, Statuary, and all other Articles imported for Religious purposes and not intended for sale
 Manures of all kinds
 Arms, Clothing, and Provisions for Her Majesty's Land and Sea Forces
 Passengers' Baggage, Household Furniture, and Working Tools and Implements used and in the use of Persons arriving in this Island
 Refuse of Rice
 Seeds for Agricultural purposes
 Vegetables of all sorts
 Animals of all kinds
 Articles of every description imported for the use of the Governor
 Donations of Clothing specially imported for distribution gratuitously by any Charitable Society
 Cotton Yarn
 Pig Iron
 Coke
 Materials for Sheathing the bottoms of Vessels, such as Zinc, Copper and Metal, together with Nails, Paper or Felt, which may be used under the same, shall be free and exempt from duty when imported in the Vessel on which it is intended to be used, and entered as Ship's Stores; such Sheathing and Materials to be so used before the Ship again leaves port, or the same to be entered for duty in the ordinary way.

Exemptions under Treaty.

III.—The following Articles, being the growth and produce of the United States of America, mentioned and enumerated in the Schedule to an Act made and passed in the Legislature, entitled "An Act to give effect, on the part of the Island of Newfoundland, to a certain Treaty between Her Majesty and the United States of America," shall be admitted Free of Duty, viz :—

No. 3.

TABLE OF EXEMPTIONS UNDER THE TREATY WITH Exemptions under Treaty.
THE UNITED STATES.

Grain, Flour and Breadstuffs, of all kinds
 Animals of all kinds
 Fresh, smoked, and salted Meats
 Cotton Wool, Seeds and Vegetables
 Undried Fruits, Dried Fruits
 Fish of all kinds
 Products of Fish, and all other creatures living in the water
 Poultry, Eggs
 Hides, Furs, Skins or Tails—undressed
 Stone or Marble. in its crude or unwrought state
 Slate
 Butter, Cheese, Tallow, Lard
 Horns, Manures
 Ores of Metals of all kinds
 Coal
 Pitch, Tar, Turpentine
 Ashes
 Timber and Lumber of all kinds, round, hewed and sawed—unmanufactured
 in whole or in part
 Firewood, Plants, Shrubs and Trees
 Pelts, Wool
 Fish Oil
 Rice, Broom Corn and Bark
 Gypsum—ground or unground
 Hewn or wrought or unwrought Burr or Grindstones
 Dye Stuffs
 Flax, Hemp, Tow—unmanufactured
 Unmanufactured Tobacco
 Rags

—So long as the said Treaty between Great Britain and the United States of America, in the said recited Act mentioned, shall remain in force in this Island.

And similar Articles, being the growth, produce, and manufacture of the United Kingdom, British North American Provinces, or of the Island of Prince Edward, or the Channel Islands, shall be admitted Duty Free, notwithstanding any law to the contrary.

IV.—It shall not be lawful for any Importer of Fish, salted, dried, or pickled, not exempted from duty by any of the provisions of this Act, to Warehouse the same in any of the Ports of this Colony or its Dependencies, without the payment of the Duty hereinbefore imposed; and the provisions of any Act of this Colony with regard to the Warehousing of Goods on the first Entry thereof, or to the allowance of Drawbacks upon Exportation, shall not in either case apply, or be construed to apply, to such Fish. Foreign Fish not to be Warehoused without payment of Duty.

V.—From and after the passing of this Act, the Duty to be levied, paid and collected, on Spirituous Liquors manufactured, extracted or distilled in this Island, shall be at the rates mentioned in the Table of Duties in this Act for Local Distillation. Duties on Liquors distilled in this Island.

Duties, &c., collected
in Stg. Money, &c.

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

Yachts Exempt.

VII.—All Yachts sailing under Warrant of the Lords of the Admiralty, or belonging to the Royal Yacht Club, shall be exempted, on view of the said Warrant, from payment of all Local Duties whatsoever.

Importers to pay
Duties,

VIII.—The several Duties imposed, and in the said Table of Duties mentioned in this Act, shall be paid by the Importer or Importers of such Articles respectively, and shall be collected and secured by means of and under the regulations and penalties, and in the way and manner provided by any Act or Acts of the General Assembly of this Island for collecting the Revenue of this Island and its Dependencies.

Salaries to Officers.

IX.—There shall be allowed and paid annually to the following Officers of Her Majesty's Customs in this Colony, hereinafter mentioned, to defray all expenses of remuneration for the collection of the Colonial Revenue, and charges incidental thereto, the sums set opposite the names of the said Officers, for the period during which this Act shall be in operation, viz :

The Assistant Collector at St. John's, Three Hundred Pounds.

The Landing and Tide Surveyor, Two Hundred and Fifty Pounds.

Two Landing Waiters at St. John's, each Two Hundred Pounds.

First Clerk and Warehouse Keeper at St. John's, Two Hundred Pounds.

Second Clerk at St. John's, One Hundred and Fifty Pounds.

Third Clerk at St. John's, One Hundred and Fifty Pounds.

Fourth Clerk at St. John's, One Hundred and Fifty Pounds.

One Locker at St. John's, Thirty Pounds, and Three Shillings per day when employed.

The Sub-Collector at Lamaline, One Hundred Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Fogo, One Hundred and Twenty Five Pounds, and two and a half per cent on all duties collected.

The Sub Collector at La Poile, One Hundred and Thirty Five Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Greenspond, One Hundred and Twenty Five Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Gaultois, One Hundred Pounds, and two and a half per cent on all duties collected. Salaries to Officers.

The Sub-Collector at Trinity, One Hundred and Fifty Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Harbor Grace, One Hundred and Sixty Pounds, and two and a half per cent on all duties collected. Provided the amount of the said salary shall be equal to but not more than Two Hundred and Fifty Six Pounds.

The Sub-Collector at Carbonear, One Hundred and Twenty Five Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Brigus, One Hundred Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Placentia, One Hundred Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Burin, One Hundred Pounds, and two and a half per cent on all duties collected.

The Sub-Collector at Harbor Britain, One Hundred Pounds, and two and a half per cent on all duties collected.

The Preventive Officer at Bay Bulls, Fifty Pounds.

The Preventive Officer at Ferryland, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Twillingate, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at St. Mary's, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Little Placentia, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at La Manche, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Odein, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Bay Roberts, Fifty Pounds and ten per cent on all duties collected.

Preventive Officer at St. Lawrence, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Bellorem, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Pushthrough, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Burgeo, Fifty Pounds, and ten per cent on all duties collected.

Preventive Officer at Bay-de-North, Fifty Pounds, and ten per cent on all duties collected.

Salaries to Officers. Preventive Officer at Channel, Fifty Pounds, and ten per cent on all duties collected.

Tide Waiters, &c. To defray the expenses of Tide Waiters and Preventive Boats and Crews at St. John's, and Tide Waiters at the Out Ports, a sum not exceeding Fifteen Hundred Pounds.

To defray the expenses of Night Boat and Crew at St. John's, Three Hundred Pounds.

Stationery and Printed Forms, Postages, and other incidental expenses, One Hundred and Fifty Pounds.

Allowance to Unofficial Members of the Board of Revenue, Fifty Pounds.

The Keeper of the Custom House at St. John's, Forty Pounds.

This Act not to affect recited Act.

X.—Nothing in this Act contained shall in any way affect any matter or thing contained in the hereinbefore in part recited Act.

Repeal of previous Act.

XI.—When and so soon as this Act shall come into operation, the Act of the Legislature of this Colony passed in the last Session thereof, entitled “An Act to continue an Act passed in the Twenty Third Year of the Reign of Her Majesty, Queen Victoria, entitled ‘An Act for Granting to Her Majesty certain Duties on Goods, Wares, and Merchandize, imported into this Colony and its Dependencies,’” shall be repealed, and the same shall stand repealed. Provided always that all Bonds given and Payments made for Duties under the said Act are hereby confirmed and declared valid, and nothing herein contained shall be construed to affect the same.

Continuance.

XII.—This Act shall continue in force from the passing thereof up to the Twentieth day of May which will be in the Year One Thousand Eight Hundred and Sixty Three, and no longer.



Anno Vicesimo-Quinto

VICTORIÆ REGINÆ,

CAP. II.

An ACT for the Protection of the Herring and Salmon Fisheries on the Coast of this Island, and for other purposes,

[Passed 27th March, 1862]

WHEREAS the Breed and Fry of Herrings frequenting the Coast of this Island and the Labrador are often found to be greatly injured and destroyed by the using of Seines and Nets of too small size or mesh, and by other unwarrantable practices; and whereas complaints have been preferred to the Local Government of alleged depredations committed by the Fishermen frequenting these Coasts upon each other: for remedy whereof,

Preamble.

Be it therefore enacted, by the Governor, Legislative Council and Assembly, in Session convened:

I.—That no person shall haul, catch, or take Herrings in any Seine, on or near any part of the Coast of this Island, or of its Dependencies on the Coast of Labrador, or in any of the Bays, Harbors, or any other places therein, at any time between the Twentieth day of October and the Twelfth day of April in any year; and no person shall, on or near the Coast of this Island or of its Dependencies aforesaid on the Coast of Labrador, or in any of the Bays, Harbors, or other places therein, at any time, use a Seine, or other contrivance, for the catching and taking of

Herrings not to be taken in seines from 20th October until 12th April.

Proviso as to the use of Nets.

Herrings, except by way of shooting, and forthwith tucking and hauling the same: Provided, that nothing herein contained shall prevent the taking of Herrings by Nets set in the usual and customary manner, and not used for in-barring or enclosing Herrings in any Cove, Inlet, or other place.

Nets of 2 3-8 inch scale to be used from the 20th December until 1st of April.

II.—No person shall, at any time between the Twentieth day of December and the First day of April in any year, haul, catch or take any Herring, on or near the Coast of this Island or of its Dependencies aforesaid on the Labrador, or in any of the Bays, Harbors, or any other places therein, in any Net having the Meshes, Mokes, or Scales, of less than Two Inches and Three-eighths of an Inch, at least, from Knot to Knot, or having any false or double Bottom of any description; nor shall any person put any Net, though of legal size of mesh, upon or behind any other Net not of such size of mesh, for the purpose of catching or taking the Fry of such Herring passing through any single Net of Two Inches and Three-eighths of an Inch Mesh or Scale.

Regulation as to Nets with double bottom, &c.

III.—No Person shall wilfully remove, destroy or injure, any lawful Net or Seine the property of another, set or floating on or near the Coasts of this Island or of its Dependencies aforesaid on the Labrador, or in any of the Bays, Harbors, or other places therein, nor remove, let loose, or take any Fish from or out of any such lawful Net or Seine.

No person shall interfere with the Nets of others.

Herring not to be taken from 20th April until the 20th Oct. between Cape Chapeau Rouge and Point Rosey.

IV.—No Person shall, at any time between the Twentieth day of April and the Twentieth day of October, haul, catch, or take any Herring or other Bait for exportation, within One Mile of any Settlement situate on that part of the Coast between Cape Chapeau Rouge and Point Rosey.

Penalty for violation of this Act.

V.—Any Person who shall violate any of the provisions of this Act shall for every offence forfeit a Sum not exceeding Ten Pounds; and, in addition, all Seines, Nets, and other contrivances used or employed in, about, or preparatory to the catching, hauling, taking, or in-barring of any Herrings, in violation of any of the provisions hereof, shall be liable to forfeiture, and the same may be seized at once, by any Justice, Sub-Collector of Customs, Preventive Officer, or Constable, on view or by virtue of a Warrant issued by such Justice, Sub-Collector, or Preventive Officer, on Oath to be administered by any of them, and detained until the trial of the offender, when they may be declared forfeited and ordered to be sold at Public Auction.

Prohibition for using salmon nets at certain times and against erecting Weirs, and Penalty.

VI.—And Whereas an Act was passed in the twenty-third year of the Reign of Her present Majesty entitled “An Act for the Protection of the Salmon Fishery, and for other purposes,” whereby certain Nets and Seines were forbidden to be used, and certain Weirs and other erections and contrivances were prohibited from being erected at certain times and under certain circumstances, in the said Act declared:

Be it further enacted, That it shall be lawful for any Justice, Sub-Collector, Preventive Officer, or Constable aforesaid, on view, and for any Constable or other Person by virtue of a Warrant to be issued as aforesaid, to seize any Net or Seine, and to destroy any Weir or other erection or contrivance used or erected in contravention of the said recited Act, and all such Nets and Seines shall be forfeited and disposed of in manner provided by the Fifth Section of this Act.

VII.—All Forfeitures and Penalties imposed by this or the said recited Act shall be recovered, with Costs, in a summary manner, before any Justice of the Peace, for which purpose such Justice shall have full power to summon or arrest the offender, and to compel all Witnesses, either by Summons or Warrant, to appear before him on such trial, and upon conviction of such offender, such Justice shall issue his Warrant to cause such Seines, Nets, or other contrivances, so illegally used, to be sold at Public Auction, or, where permitted under the preceding Section of this Act, destroyed; and in default of payment of such penalty as may be imposed, and costs, by the party convicted, such Justice shall issue his Warrant to any Constable, or other Person, to arrest and imprison such convicted offender for a period not exceeding twenty days.

Manner of recovering Penalties, and in default term of imprisonment.

VIII.—All Penalties and Forfeitures, under this or the said recited Act, and all proceeds thereof when recovered, shall be paid to the party informing against and prosecuting such offender to conviction.

Disposal of Penalties and Forfeitures.

IX.—No conviction or proceeding by any Justice or other Officer, under this Act, shall be quashed or set aside for want of form, so long as the same shall be substantially in accordance with the true intent and meaning of this Act.

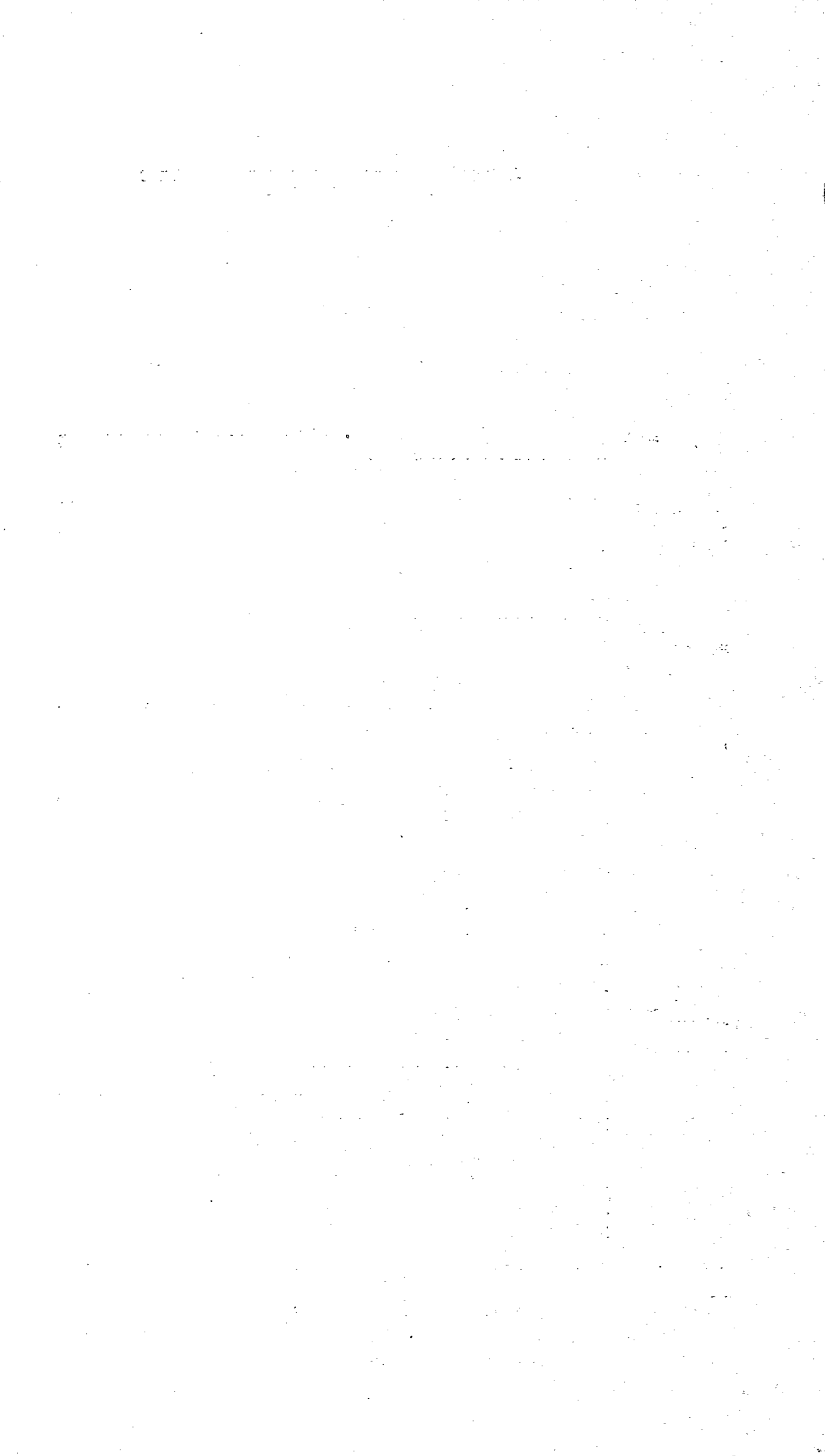
Convictions not to be quashed for want of form, &c.

X.—Provided always, That nothing in this Act contained shall in any way affect or interfere with the rights and privileges granted by Treaty to the Subjects or Citizens of any State or Power in amity with Her Majesty.

This Act not to interfere with rights protected by Treaty.

XI.—The Ninth Section of the said recited Act for the Protection of the Salmon Fishery is hereby repealed.

Ninth Section of the Salmon Fishery Act repealed.





Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. III.

An ACT for granting to Her Majesty a Sum of Money for
Constructing and Repairing Roads, Streets and Bridges,
within this Colony.

[Passed 27th March, 1862]

WHEREAS it is expedient to provide for the Internal Improvement Preamble.
of this Colony, by constructing, repairing, and improving Main
and other Roads, Streets, and Bridges, therein :

Be it therefore enacted by the Governor, Legislative Council, and
Assembly, in Legislative Session convened, as follows :

I.—From and out of such Monies as may from time to time remain in
the hands of the Receiver General, unappropriated, there be granted Grant, £5000.
to Her Majesty, Her Heirs and Successors, the Sum of Five Thousand
Pounds, to be expended under this Act in the constructing, repairing,
and improving of Main and other Roads, Streets and Bridges, in this
Colony, and for defraying all expenses attendant thereon ; which said Sum
shall be distributed and appropriated as follows, that is to say :

On Roads, Streets and Bridges in the District of Saint John's, the sum
of One Thousand Two Hundred and Seventy-seven Pounds Four Shillings
and Ten Pence, to be appropriated under the provisions hereinafter con-
tained in relation to the providing Compensation for Parties where Property
District of St. John's,
£1277 4 10—to be
appropriated under
Provisions relating
to Property destroyed
in popular Tumults.

has been destroyed or damaged in Popular Tumults during the past Year : Provided always, that it shall be lawful for the Board of Works to let or sell at Public Auction or otherwise, for a period not exceeding Three or Five Years, the repairing and keeping in repair of the Roads and Bridges leading from Saint John's to Petty Harbor, Topsail, Portugal Cove, Torbay, Flat Rock, Pouch Cove, Bay Bulls, and the Road from Petty Harbor to the Goulds, and also to keep the said Roads open and clear of Snowdrifts in the Winter Season, in such Lots as to the said Board may seem reasonable ; and the Costs of any such Contract shall be defrayed out of the amount herein appropriated for the said respective Roads in the said District : And if the same should not be sufficient for the purpose aforesaid, it shall be lawful for the Governor to draw his Warrant upon the Receiver General for the yearly balance of any such Contracts during the said term, who shall pay the same out of the Public Monies remaining unexpended in his hands, which balance shall be provided out of such future appropriations as may be made by the Legislature for Roads in the District of Saint John's : Provided that such balance or balances shall have been duly certified by the Chairman of the Board of Works : Provided always, that the amount to be expended on any one of the said Roads shall not in any one Year exceed the Sum of Ninety Pounds.

District of Harbor Grace, £421 18 2—
to be appropriated
under Provisions relating to Property destroyed in Popular Tumults.

On Roads, Streets and Bridges in the District of Harbor Grace, the Sum of Four Hundred and Twenty-one Pounds Eighteen Shillings and Two Pence—to be appropriated under the provisions hereinafter contained in relation to the providing Compensation for Parties where Property has been destroyed or damaged in Popular Tumults during the past Year.

Carbonear, £291 6 3
—to be appropriated
as above.

Towards opening, making and improving Roads, Streets and Bridges, in the District of Carbonear, (including Mosquito,) the Sum of Two Hundred and Nineteen Pounds Six Shillings and Three Pence—to be appropriated under the provisions hereinafter contained in relation to the providing compensation for Parties where Property has been destroyed or damaged in Popular Tumults during the past Year.

Harbor Main, £228 19 0—to be appropriated as above.

On Roads, Streets and Bridges in the District of Harbor Main, the Sum of Two Hundred and Twenty-eight Pounds and Nineteen Shillings—to be appropriated under the provisions hereinafter contained in relation to the providing compensation for Parties where Property has been destroyed or damaged in Popular Tumults during the past Year.

Brigus and Port de Grave, £265 14 6.

On Roads, Streets and Bridges, in the District of Brigus and Port de Grave, the Sum of Two Hundred and Sixty-eight Pounds Fourteen Shilling and Six Pence—to be expended as follows :

For making a Road towards the Premises of Richard Webber and others, Cupids, five pounds.

To Edward Hart, five pounds and fifteen shillings, amount due him.

For making and repairing Road leading towards the Premises of Nathan Andrews, (Salmon Cove,) eight pounds.

Repairing Road in Bulls Cove, twelve pounds.

Repairing Road from the Premises of the late James Norman towards Frog-Marsh, twenty pounds.

For Compensation for Land taken in Brigus for the purpose of widening Streets in 1860, thirty pounds.

Building Bridge at Hamilton Waters, twenty-one pounds thirteen shillings and four pence.

Repairing other Roads and Bridges in Brigus, Cupids, Burnt-head, and its vicinity, the sum of seventy-six pounds six shillings and two pence—to be expended by the Local Boards.

For making and repairing Roads from Hall's Town to Pick-eyes, inclusive, including Black Duck Pond Road, eighty-five pounds.

For making Road towards Edward Connors's dwelling house, Northern Gut, five pounds.

On Roads, Streets and Bridges, in the District of Bay de Verds, the Sum of Two Hundred and Sixty pounds Fourteen Shillings and Five Pence—to be expended as follows: Bay de Verds, £260
14 5₂

On Roads from Freshwater to Salmon Cove, twenty-five pounds.

On Roads from Salmon Cove to Perrie's Cove, fifteen pounds.

On Roads from Spout Cove to Broad Cove, inclusive, forty pounds.

On Roads in Blackhead, Gaster's Cove, and Adams Cove, twenty-five pounds.

On Roads in Bradley's Cove, ten pounds.

On Roads in Western Bay, the sum of twenty-four pounds fourteen shillings and five pence, including Compensation to Fahey and others for Work done on Roads last Year, the said Compensation not to exceed three pounds and fifteen shillings.

On Roads at Ochre Pit Cove, eighteen pounds.

On Roads from Northern Bay to Job's Cove, twenty-five pounds.

On Roads at Job's Cove, ten pounds.

On Roads at Red Lands, five pounds.

On Roads in Lower Island Cove and Caplin Cove, twenty-five pounds.

On Roads from Bay de Verds to Old Perlican, and Bay de Verds to Grates Cove, twenty pounds.

On Roads at Low Point, eight pounds.

On Roads at Bay de Verds, ten pounds.

Provided that if the Road Commissioners for the Upper Division of the District consider it necessary to rebuild any Bridges in the said Division absorbing the whole of the Grant from Spout Cove to Ochre Pit Cove, it may be lawful for the Executive to sanction the alteration of the above appropriation to meet such necessity.

Trinity, £419 18 10. On Roads, Streets and Bridges, in the District of Trinity, the Sum of Four Hundred and Forty-nine Pounds Eighteen Shillings and Ten Pence—to be expended as follows :

The sum of twenty-five pounds to reimburse Chairman of Board of Road Commissioners at New Harbor for expenditure in the Year 1860 on the Road from New Harbor towards Green's Harbor.

On the Road from Green's Harbor to Heart's Delight, twenty-five pounds, to be expended by the Board of Commissioners at New Harbor.

On the Road from Heart's Delight to Heart's Content, twenty-five pounds.

To Build a Bridge at New Perlican, ten pounds.

On the Road from New Perlican towards Scilly Cove, fifteen pounds.

The foregoing amounts to be expended by the Board of Commissioners at Hearts Content.

On the Road from Scilly Cove to Hants Harbor, twenty-five pounds.

On the Road from Hants Harbor to Seal Cove, ten pounds.

On the Road from Seal Cove to Lance Cove, by the New Line, forty pounds.

On the Road from Lance Cove towards Old Perlican, ten pounds.

On the Road from Old Perlican to Grates Cove, twenty pounds.

On the Roads in Grates Cove Harbour, nineteen pounds nineteen shillings and five pence.

The foregoing amounts to be expended by the Board of Commissioners at Old Perlican.

On Roads at Bird Island Cove and the neighborhood, twenty-two pounds.

On Roads at Great Catalina, thirty-nine pounds.

On Roads at Little Catalina, nine pounds.

On Roads at Ragged Harbor, eight pounds.

On Roads in and about Salmon Cove, thirteen pounds.

On Roads in English Harbor, twelve pounds.

On Streets in Trinity, ten pounds.

On Road from Ferry Wharf, Trinity, to North-West Bridge, forty pounds.

On Roads in British Harbor, six pounds.

On Roads in and about Old and New Bonaventure, or either, at the option of the Commissioners, nine pounds.

On Roads at Fox Harbor, eight pounds.

On Roads at Trouty, six pounds.

On Roads at Heart's Ease, four pounds.

On Roads at Random, between Stansford and Tilly, five pounds.

The sum of thirty-three pounds nineteen shillings and five pence to be expended by the Trinity Commissioners, at their option, on Roads and Bridges within their limits, and for reimbursement.

On Roads, Streets and Bridges, in the District of Bonavista, the Sum of Bonavista, £370 18 2 Three Hundred and Seventy Pounds Eighteen Shillings and Two Pence—to be expended as follows :

For Roads and Bridges in and about Bonavista District, the sum of one hundred and three pounds, to be expended under the direction of the Bonavista Board of Road Commissioners.

On Roads and Bridges in and about King's Cove, to be expended under the King's Cove Board, as follows :

On King's Cove and Plate Cove Road to Cannon's Hall, commencing at William Curtis's dwelling house, ten pounds.

On Road from King's Cove towards Broad Cove, between Joseph Lane's Winter Tilt and William Samson's dwelling, between the two Main Lines of King's Cove to Broad Cove and Keels, and that of King's Cove to Plate Cove, twelve pounds.

On Road along the Beach at Broad Cove, or running near thereto, ten pounds.

On other Roads within King's Cove District, as may be deemed most necessary by the Board of Commissioners, fourteen pounds.

For Roads and Bridges, in and about Keels and Tickle Cove, to be expended under the Keels and Tickle Cove Board, as follows :

On Roads and Bridges from Keels towards Broad Cove, and from Keels to Tickle Cove, twenty pounds.

On Roads and Bridges in and about Keels, and from Keels to Castle Cove, seven pounds and ten shillings.

On Roads and Bridges from Back-road of Keels towards Potatoe Gardens, seven pounds and ten shillings; from thence towards Seal's Cove, including Red Cliff Island, Open Hall, Plate Cove and Indian Arm, or on such other Roads as the Board may determine, nineteen pounds.

For Roads and Bridges in and about Salvage, to be expended under the Salvage Board of Commissioners, as follows :

On Roads in and about Salvage, and for Road leading from Salvage to Back-side, sixteen pounds.

On Roads in and about Barrow Harbor and Broom-cloze, to be decided by the Board, four pounds and ten shillings.

To James Hancock for work done on Road at Little Harbor to Graveyard, four pounds and ten shillings.

For Roads in and about Flat Islands, where most necessary, nine pounds.

For Roads and Bridges in and about Greenspond District, to be expended under the direction of the Greenspond Board of Commissioners, as follows :

For Roads and Bridges in and about Pinchard's Island, fifteen pounds.

For Roads and Bridges in and about Cape Island, Cape, and Middle Bill Cove, eight pounds.

On Roads and Bridges at Swain's Island, eight pounds.

Rona Vista, continued

- On Roads and Bridges at Fool's Island, eight pounds.
- On Roads and Bridges at Gooseberry Island, eight pounds.
- On Roads and Bridges at Fair Island, eight pounds.
- On Roads and Bridges in and about Greenspond, Ship's, and Nevill's Island, and for Road leading to English Harbor from North part of Greenspond, seventy-eight pounds eighteen shillings and two pence.

Fogo and Twillingate
£407 4 9.

On Roads, Streets and Bridges, in the District of Fogo and Twillingate, the Sum of Four Hundred and Seven Pounds Four Shillings and Nine Pence—to be expended as follows :

- On Roads and Bridges at Seldom-come-by, seven pounds.
- On Roads and Bridges at Tilton Harbor, ten pounds.
- On Roads and Bridges at Joe Bat's Arm, seven pounds.
- On Roads and Bridges at Bard Island, eight pounds.
- On Roads and Bridges from Bard Island to Joe Bat's Arm, seven pounds.
- On Roads and Bridges from Fogo to Lion's Den, five pounds.
- On Roads and Bridges, Fogo Harbor, thirty-five pounds.
- On Roads and Bridges at Change Islands, fifteen pounds.
- On Roads and Bridges at Herring Neck, seventeen pounds.
- On Roads and Bridges at Twillingate North and Twillingate South, and towards Bluff Head Cove, one hundred and ten pounds.
- On Roads and Bridges at Morton's Harbor, twelve pounds.
- On Roads and Bridges from Morton's Harbor to Tizzard's Harbor, twelve pounds.
- On Roads and Bridges from Morton's Harbor to Western Head, eight pounds.
- On Roads and Bridges at Tizzard's Harbor, eight pounds.
- On Roads and Bridges at Black Island, eight pounds.
- On Roads and Bridges at Exploits North and South, fifteen pounds.
- On Roads and Bridges from Exploits to Sergeant's Cove, seven pounds.
- On Roads and Bridges from Waldron Cove to Fortune Harbor, eight pounds.
- On Roads and Bridges from Webber's Bite to Fortune Harbor, six pounds.
- On Roads and Bridges at Fortune Harbor, seven pounds four shillings and nine pence.
- On Roads and Bridges from Indian Cove to Webber's Bite, six pounds.
- On Roads and Bridges at Leading Tickles, eight pounds.
- On Roads and Bridges from Ward's Harbor to Cut Man's Arm, six pounds.
- On Roads and Bridges in Hall's Bay, twelve pounds.
- On Roads and Bridges from South Brook to — Pond, twelve pounds.
- On Roads and Bridges at Norris's Arm, seven pounds.
- On Roads and Bridges from Little Bay Island to Anstey's Cove, eight pounds.
- On Roads and Bridges at Three Arm Island, six pounds.

On Roads and Bridges at Jackson's Harbor, six pounds.

Fogo and Twillingate
continued.

On Roads and Bridges from Jackson's Harbor to King's Cove, six pounds.

On Roads and Bridges from Shoe Cove to La Scie, seven pounds.

On Roads and Bridges at Shoe Cove, six pounds.

For the Indian Burial Place, five pounds.

On Roads, Streets and Bridges, in the District of Ferryland, the Sum of Two Hundred and Nineteen Pounds and Two Shillings—to be expended as follows :

Ferryland, £219 2 0

The sum of one hundred pounds to be expended wherever most required at and from Bay Bulls to La Manche.

The sum of one hundred and nineteen pounds and two shillings, to be expended on Roads and Bridges between La Manche and Trepassey, under the direction of the Local Board of Road Commissioners for the District of Ferryland. Out of the above amount, the sum of thirty pounds and fifteen shillings, now due for Road Work already performed in the Southern Section of the said District, is to be paid.

On Roads, Streets, and Bridges, in the District of Placentia and St. Mary's, the Sum of Three Hundred and Forty-nine Pounds Five Shillings and Six Pence—to be expended as follows :

Placentia and Saint
Mary's, £349 5 6.

The sum of one hundred and sixty-seven pounds five shillings and four pence to the Surveyor General, to pay existing liabilities for Road Work performed in the said District.

The sum of one hundred and forty-one pounds six shillings and eight pence—to be expended by the Local Boards as follows :

For Roads and Bridges at Oderin, fifteen pounds.

For Repairs of Roads at Merasheen, twelve pounds.

For Repairs of Roads from Paradise to St. Kyran's, sixteen pounds.

For making Road at Ram's Island, twelve pounds.

For Repairs of Road from Great Placentia to Little Placentia, twenty pounds.

For Repairs of Road from Main Road to Sandy Point, Little Placentia, four pounds six shillings and eight pence.

For a Bridge in Little Placentia, five pounds.

For making Cape St. Mary's Shore Road, forty pounds.

The sum of fifty-seven pounds thirteen shillings and six pence to be expended on the Road from St. Mary's to Salmonier, under the direction of the Local Board of Commissioners.

On Roads, Streets and Bridges, in the District of Burin, the Sum of Two hundred and Thirty-one Pounds Fourteen Shillings and Four Pence—to be expended as follows :

Burin, 231 14 4.

For Roads in Lamaline, the sum of twenty pounds.

For Roads in Fortune, the sum of twenty pounds.

Burin, continued.

For Roads in Grand Bank, the sum of twenty pounds

For Roads in Lawn, the sum of ten pounds.

For Roads in Great St. Laurence, the sum of twenty pounds.

For a Road in Spoon Cove, from Smear's Point to Goddards, the sum of fifteen pounds.

For Roads in Burin, the sum of forty pounds.

For a Bridge in Rock Harbor, the sum of sixteen pounds fourteen shillings and four pence.

For the Road from the head of Burin Bay to the Landing Place in Mortier Bay, the sum of fifteen pounds.

For a Road from Kirly's Cove to the Wesleyan Chapel, the sum of fifteen pounds.

The sum of ten pounds to James Madigan, in compensation for past Services as a Ferryman at Salmonier.

The sum of three pounds to James Fleming, in compensation for past Services as a Ferryman at Spoon Cove.

For Roads in Great Burin, from Light House Road to John Adams's, fifteen pounds.

On the New Road from Collins's Bay to Burin Bay, twelve pounds.

Fortune Bay, £146
7 11.

On Roads, Streets and Bridges, in the District of Fortune Bay, the Sum of One Hundred and Forty-six Pounds Seven Shillings and Eleven Pence—to be expended as follows :

The sum of forty-five pounds to be expended upon such parts of Main Lines of Roads, and other Roads, as most require it, under the direction of the Harbor Britain Board of Commissioners.

On Roads and Bridges at English Harbor, twenty-five pounds.

On Roads and Bridges at Belloram, twenty-five pounds.

On Roads and Bridges at Galtois, forty-six pounds.

The above amount of ninety-six pounds, to be expended under the direction of the English Harbor Board of Commissioners.

On Roads and Bridges at Garnish, the sum of five pounds seven shillings and eleven pence—to be expended under the direction of the Harbor Britain Board of Commissioners.

Burgeo and La Poile,
£148 11 4.

On Roads, Streets and Bridges, in the District of Burgeo and La Poile, the sum of One Hundred and Forty-eight Pounds Eleven Shillings and Four Pence—to be expended as follows :

On making and repairing Roads, Streets, and Bridges, at Burgeo, sixty-nine pounds.

On making and repairing Roads, Streets, and Bridges, at Channell, twenty-seven pounds eleven shillings and four pence.

On making and repairing Roads and Bridges, at La Poile, fifty-two pounds.

The above amounts to be expended under the direction of the Boards of Road Commissioners for the District of Burgeo and La Poile.

II.—The Sums of Money hereby appropriated to and for the several Outport Electoral Districts of this Island shall be applied and expended, for the purposes of this Act, by the respective Boards of Road Commissioners appointed, or to be appointed, under the Act of the Legislature of this Colony passed in the Nineteenth Year of the Reign of Her Majesty, entitled “An Act for the Establishment of a Board of Works;” (except in all such cases as are otherwise provided for by this Act); and the Sums of Money hereby appropriated to and for the Electoral District of St. John’s shall be applied and expended therein, for the purposes of this Act, by the said Board of Works. Provided always, that it shall be lawful for the Governor in Council to authorize the expenditure of any Road appropriation in the employment of daily or time labor, if the same should be deemed advisable.

Road appropriations
—how to be expended

III.—It shall not be lawful for the said respective Boards to proceed in the construction, repair, or improvement of any Roads, Streets or Bridges, otherwise than by Tender or Contract, or by Auction, to the lowest Bidder, in such allotments as may be marked off, after a careful examination by the respective Boards, or under their Inspectors. And in all such cases of letting by Auction, such Boards, respectively, are hereby required to put up a sufficient number of Notices, not less than Ten Days previous to such Sale, in Three or more of the Public Places in the neighbourhood where the Work is to be done; which Notices shall specify and describe the Work to be performed, and also the place, day and time, when and where the same will be let by Auction, as aforesaid; and it shall be the duty of the Inspectors of the respective Boards to attend at the time and place so appointed, and then to let out to the lowest Bidder such allotments, and the Purchaser shall, immediately thereafter, enter into written Contracts, with sufficient Sureties, for the faithful performance of the Work in time and manner set forth in such Contracts.

Road Work to be done
by tender.

Public notice of tenders to be given.

IV.—It shall be lawful for the respective Boards to divide and apportion the Work to be performed on any Road, Street, or Bridge, aforesaid, into small Contracts or Allotments, to meet the exigencies of the people of the several Districts.

Work may be given
out in small lots.

V.—The said respective Boards, before entering into any such Contracts, shall take Security, as is hereinbefore provided, for the due performance of the same; and that upon the production of a Certificate from the Board of one half of the amount of Work contracted for being completed, such Contractor shall be entitled to receive a half part of the amount of his Contract; and such Boards shall so frame their Contracts that the same be finished within a limited time, and payment of one-third of the full amount thereof, respectively, shall always be withheld until the Work contracted for shall appear, by the solemn declaration in writing of the Inspector or Surveyor of such Boards, respectively, specifying the particulars and measurement of such Work to have been fully completed,

Security to be given
for due performance
of contracts.

examined, and passed, agreeably to Contract; and every such Inspector or Surveyor who shall knowingly make a false declaration, as aforesaid, shall be subject to the same Punishment in Law as in case of wilful Perjury.

New lines of road to be surveyed.

VI.—Previously to any sum of Money being expended in opening or making of any new Road, the proposed line of Road shall be first surveyed by, or under the directions of, the respective Boards, and approved by them.

Compensation for land taken for roads—how to be made.

VII.—Whenever it shall become necessary for the opening, making, or widening any Road, Street, or other Work, to appropriate any Piece or Parcel of Land, being Private Property, it shall and may be lawful for the Board of Works, or any other Board, to pay out of such Monies as shall be at their disposal, for the purpose of making such respective Roads, Streets or other Work, a fair and reasonable compensation to every Person having any interest in the Land so intended to be appropriated, and also to compensate any Person for any Damage which may be occasioned to his Property by the making, opening or widening such Roads, Streets or other Works; and if the said Board and the Owner of such Property cannot agree upon the amount of compensation to be paid, such amount shall be ascertained by the Chairman of such Board and two other Assessors, one of whom shall be nominated by the said Board, and the other by the Owner of the Land, and who shall assess and award the amount of compensation (if any) that shall be paid for the value of the said Land, and for damage occasioned, together with all reasonable costs incurred by the attendance of Witnesses—which award shall be final; and if the Owner of the Land shall neglect to nominate an Assessor, within Five Days after being thereto required, the Chairman of such Board shall nominate an Assessor on behalf of the Owner; and the Chairman and the two Assessors shall be paid a Sum of Ten Shillings each, for their Services in that behalf: Provided that every such Award shall be made in writing, within Ten Days after any day that may be appointed for the hearing of the case; but before Payment or Tender to the Parties interested of the sum awarded for compensation, it shall be lawful for the said Boards, respectively, or any Person authorized by them to enter into, and upon, and take possession of, any Land so to be appropriated for any Road, Street or Lane, as aforesaid.

Surplus of road appropriations to be applied to other roads, &c., in the district.

VIII.—In all cases where any Sums of Money appropriated in and by this Act, to any Road, Street or Bridge, shall be found to be more than sufficient for making, constructing, or repairing the same, as the case may be, it shall be lawful for the said Boards, respectively, to appropriate and apply such Surplus Money to the making, constructing or repairing any other Road, Street or Bridge, within the District for which such Money shall have been granted: Provided always, that when any Sum of Money granted for any particular part of any Main Road shall be found

more than sufficient for the purpose of such Grant, the Surplus thereof shall be expended on such other parts of the same Line of Road within the District as may require the same.

IX.—No Road to be hereafter opened or made, shall be gravelled to a greater width than Seven Feet, or shall have a base of less width from Drain to Drain than Fourteen Feet, when such Road shall be situate more than Five Miles from Saint John's, or Four Miles from Harbor Grace, Carbonear or Brigu s, respectively; and that where any Land within Thirty Feet of the centre of any Road now laid out remains unappropriated, and where any Land within Thirty Feet of the centre of any Road hereafter to be laid out be unappropriated, such shall not be granted, conveyed, or appropriated, [to any private purpose.

Width of road to be gravelled.

X.—The Chairman of the Board of Works of this Island shall be Supervisor General of all Roads, Streets and Bridges therein; that all orders for the Payment of Monies from the said respective Boards shall be certified by the Financial Secretary of this Colony, before Payment, so as to confine the expenditure within the respective appropriations; and that the Chairman of each Board within the respective Districts shall, on or before the First Day of December, and oftener if required, transmit to the Supervisor General correct Statements of all Works done, and Monies paid on such Roads, Streets, and Bridges, as may be within his said District, together with an estimate of the probable amount which may be necessary to complete the same; and such returns shall be digested and reduced into order by the said Supervisor General, and a consolidated printed Report thereof be laid before the Governor in Council, to be laid before the Legislature within Ten Days after the opening of the Session.

Chairman of Board of Works to be Supervisor General of roads, &c.

XI.—For the purposes of this Act the District of Saint John's shall comprehend all Roads, Streets and Bridges, within the Electoral District of Saint John's, and also the Main Road between Saint John's and the Goulds. That the District of Conception Bay shall comprehend all Roads, Streets and Bridges within the Electoral District of Conception Bay, including Holyrood. That the District of Trinity Bay South shall comprehend all Roads, Streets and Bridges, within the Electoral District of Trinity Bay, from Dildo Cove to Split Point. That the District of Trinity Bay North, shall comprehend all Roads, Streets and Bridges, from Bonaventure to Catalina. That the District of Bonavista shall comprehend all Roads, Streets and Bridges, within the Electoral District of Bonavista. That the District of Fogo shall comprehend all Roads, Streets and Bridges, within the Electoral District of Fogo. That the District of Burin shall comprehend all Roads, Streets and Bridges, within the Electoral District of Burin. That the District of Fortune Bay shall comprehend all Roads, Streets and Bridges, within the Electoral District of Fortune Bay. That the District of Burgeo and La Poile, shall comprehend all Roads, Streets and Bridges, within the Electoral District of

Limits of Districts.

Bergee and La Poile. That the District of Placentia and Saint Mary's shall comprehend all Roads, Streets and Bridges, within the Electoral District of Placentia and Saint Mary's. And that the District of Ferryland shall comprehend all Roads, Streets and Bridges, within the Electoral District of Ferryland South of the Goulds and inclusive thereof.

Ten per cent of grant to defray expenses.

XII.—Out of the amount of Five Thousand Pounds hereinbefore granted the Sum of Five Hundred Pounds, being Ten per centum thereon, shall be appropriated to the defrayal of all Charges and Expenses attendant upon the expenditure of the Monies aforesaid, in the constructing, repairing and improving of all Roads, Streets and Bridges within the several Districts aforesaid, including all expenses of surveying, inspecting, overseeing, the remuneration of Chairmen, Secretaries, and all other necessary Officers, Printing, Stationery, and Postage.

Limitation of time in bringing action.

XIII.—No Action shall be commenced against any Board Commissioners, Surveyors, Contractors or other Person, for any thing done by him or them, in pursuance of the provisions of this Act, until One Calendar Month next after notice in writing shall have been delivered to him or them, or left at his or their usual place of abode by the party who intends to institute such Action, his Attorney or Agent, in which notice shall be clearly and explicitly contained the cause of Action, the name, place of abode of the Person who is to bring the same, and the name and place of abode of his Attorney or Agent.

Tender of amends.

XIV.—It shall be lawful for any such Board Commissioners, Surveyors, Contractors, or other Persons, at any time within One Calendar Month after such notice shall have been given, to tender amends to the Party complaining, or to his Agent or Attorney, and in case such amends be not accepted, or in case no tender has been made, to plead the general issue to any Action to be hereafter brought, and to give such tender, if any, or any other special matter, in evidence; and if the Plaintiff in any such Action shall not, at the Trial thereof, recover a Verdict for more than the amount of such Tender, if any, the Defendant in such Action shall be entitled to his costs of Suit, and to the like remedy for the recovery thereof, as though a Verdict had passed against the Plaintiff.

Party omitting to make tender to pay money into Court after action.

XV.—If in any case such Board Commissioners, Surveyors, Contractors or other Persons, shall neglect to tender any amends, or shall have tendered insufficient amends before Action brought, it shall be lawful for him or them, respectively, by leave of the Court wherein such Action shall be brought, at any time before the Trial thereof, to pay into Court such Money as he shall see fit, whereupon such Proceedings, Orders and Judgments, shall be had, made, or given, in and by such Court, as in other Actions where the Defendant is allowed to pay Money into Court.

After contract performed certificate thereof to be given.

XVI.—Within Six Days after any Contractor for any Road, Street or Bridge, shall give notice to any Road Surveyor or Inspector, in the District

where such Road, Street or Bridge may be situated, of the completion of his Contract therein, it shall be the duty of such Surveyor or Inspector to inspect such Road, Street or Bridge, and, if the Contract be completed, forthwith grant a negotiable Certificate accordingly ; and it shall be lawful for the Chairman of the said respective Boards, on receiving such Certificate, to grant a negotiable order, under his hand, to the Contractor to receive payment by Warrant of the Governor on the Receiver General.

XVII.—It shall be lawful for the Governor in Council to increase the number of Members on any Road Board to Seven, where it may be deemed necessary.

Governor may increase Members on Road Board.

XVIII.—The Governor in Council shall be at liberty to sub-divide the several Districts of the Island for the purpose of the appointment of Road Boards therein, and for the expenditure of Monies hereinbefore granted within their respective limits.

Sub-division of Road districts.

XIX.—It may be lawful for the Governor in Council to enter into any arrangements for the construction of suitable Dwellings on such parts of Main Lines of Roads as may be found most suitable for location, and for letting out the said Roads by Annual Contract for the repairs thereof : Provided always, that the cost of the erection of such Dwellings shall be deducted from the Sum appropriated for the said Main Roads.

Government may erect dwellings on part of main lines suitable for location, &c.

And Whereas the House of Assembly in Committee of the Whole House, on the Seventh Day of March, One Thousand Eight Hundred and Sixty-two, passed the following Resolutions, that is to say :

This Committee having had under their consideration the Petitions of John Munn, W. H. Ridley, T. Jillard, Messrs. Hipposly, and others, residents of Harbor Grace ; of Patrick Strapp and others, residents of Harbor Main ; and of the Honorable Bryan Robinson, M. H. Warren, Michael Nowlan, William Kitchin, and Thomas Byrne, residents of Saint John's, praying Compensation for damage sustained by them on the occasion of the riots in those Districts, in the Months of April and May last—have

Resolutions respecting Riots in the Districts of Har. Grace, Harbor Main and St. John's.

Resolved, That all Persons who have had Property destroyed or injured in Popular Tumults are entitled to Compensation from the Public Funds of those Districts the inhabitants of which shall have committed the injury complained of ; and in default in this Colony of other means of carrying this principle into effect, the Road Grants for such Districts should be made to contribute the amount required for this purpose.

Resolved, That the Claims of the Petitioners above mentioned should be investigated by one or more sworn Commissioners, who should inquire and determine, by the Oaths of competent Witnesses, how far and to what extent such Claims are well founded, and also by what Parties the damage in question was occasioned ; and that the amount to which the Petitioners shall be found entitled should be provided for them under the preceding Resolution.

Mode of Compensation.

Resolved, That should the result of such inquiry show that the amount to be contributed by any Districts will exceed one half of One Year's Road Money of such District, the payment of part of such amount should be postponed for One or more Years, and the Government should be empowered to issue Debentures, with interest at the rate of five per cent., to the Parties injured, and that the amount of such Debentures and interest should be deducted from the Road Monies of such Districts in the Road appropriations for the Years in which such Debentures shall fall due.

That until the payment of such Compensation shall have been completed, such portion of the Road Money of the contributing Districts as shall not be appropriated to that purpose, should be applied, as nearly as possible, (by the Governor in Council during the present year, and by this House in future years) for the benefit of those parts of the District paying the same, the inhabitants of which shall not have been concerned in occasioning the damage.

Resolved, That an Act should be passed, embodying the foregoing Resolutions, and empowering the Government to carry them into effect.

Clause enacting foregoing Resolutions.

XX.—Be it therefore enacted, that His Excellency the Governor in Council shall be, and he is hereby authorized, and empowered, to carry into effect the foregoing Resolutions, and that the Debentures to be issued as aforesaid shall bear Interest at the rate of Five per cent. per annum.



Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. IV.

An ACT to amend the Laws now in force for the more speedy abatement of Nuisances, and to make further provision for the prevention of the same, in the Towns of Saint John's, Harbor Grace, Carbonear, and other Places.

[Passed 27th March, 1862.]

WHEREAS it is expedient to amend the Laws now in force for the more speedy abatement of Nuisances, and to make further provision for the prevention of the same, in the Towns of Saint John's, Harbor Grace, Carbonear, and other Places :

Preamble:

Be it therefore enacted, by the Governór, Legislative Council and Assembly, in Session convened :

I.—That so much of the Fourth Section of an Act passed in the Twenty-third Year of the Reign of Her present Majesty, entitled “ An Act for the Prevention of Nuisances in the Towns of Saint John's, Harbor Grace, Carbonear and Brigus,” as provides for the Sale of Swine found wandering or straying in or about any Streets, Squares, Lanes and Passages, in any of the said Towns, be and the same is hereby repealed ; and further, that the Seventh Section of an Act passed in the Twenty-fourth and Twenty-fifth Years of the Reign of Her present Majesty, entitled “ An Act to make further provision for the Prevention of Nuisances,” be and the same is hereby repealed.

4th Section of Act 23 Vic. Cap. 6 in part repealed ; 7th Section of Act 24 and 25 Vic. Cap. 3 repealed.

Swine found wandering to be forfeited unless redeemed in two days.

II.—That if any Swine shall be found wandering or straying in or about any Streets, Squares, Lanes and Passages, in any of the said Towns, it shall be lawful for any Person whatever to impound such Swine in the nearest common Pound; and the Owner thereof, for every such Swine so found wandering or straying as aforesaid, shall forfeit a Sum not exceeding Five Shillings, together with the reasonable charges of impounding and keeping such Swine; and such Swine shall be detained until the said Penalty and Charges shall be paid; and if the same be not paid within Two Days after such Swine shall be impounded, it shall be lawful for any Stipendiary Justice of the Peace resident in the said Towns to declare such Swine forfeited.

Persons dressed as Mummers deemed a Public Nuisance, &c.

III.—Any Person who shall be found at any Season of the Year, in any Town or Settlement in this Colony, dressed as a Mummer, masked or otherwise disguised, shall be deemed to be guilty of a Public Nuisance, and may be arrested by any Peace Officer, with or without a Warrant, and taken before any Justice of the Peace in the District or Place where such Person may be found, and, on conviction, in a summary manner, before such Justice, may be committed to Gaol for a period not exceeding Seven Days, unless he shall pay a Fine not exceeding Twenty Shillings.

Persons throwing Rubbish into Coves to be fined, &c.

IV.—Any Person who shall cast or throw, or order to be cast or thrown, into any of the Public Coves in any of the said Towns, any Dirt, Dung, Rabbish, dead or dying Cattle, or any putrid or offensive Matter, shall for the First Offence forfeit and pay a Sum not exceeding Twenty Shillings and not less than Five Shillings; and for a Second Offence forfeit and pay a Sum not exceeding Forty Shillings and not less than Ten Shillings; and for a Third or subsequent Offence shall forfeit and pay a Sum not exceeding Five Pounds and not less than Twenty Shillings.

Depositing Packages on Side-walks a nuisance.

V.—Any Person who shall place or deposit on any Side-walks in any of the said Towns, except in transit, any Boxes, Barrels, Packages, or any other matter or thing, so as to obstruct the free passage on the said Side-walks, shall forfeit and pay for the First Offence a Sum not exceeding Twenty Shillings and not less than Five Shillings; and for the Second Offence shall forfeit and pay a Sum not exceeding Forty Shillings and not less than Ten Shillings, and for a Third or subsequent Offence shall forfeit and pay a Sum not exceeding Five Pounds and not less than Twenty Shillings.

Cruelty to Animals—Penalty for.

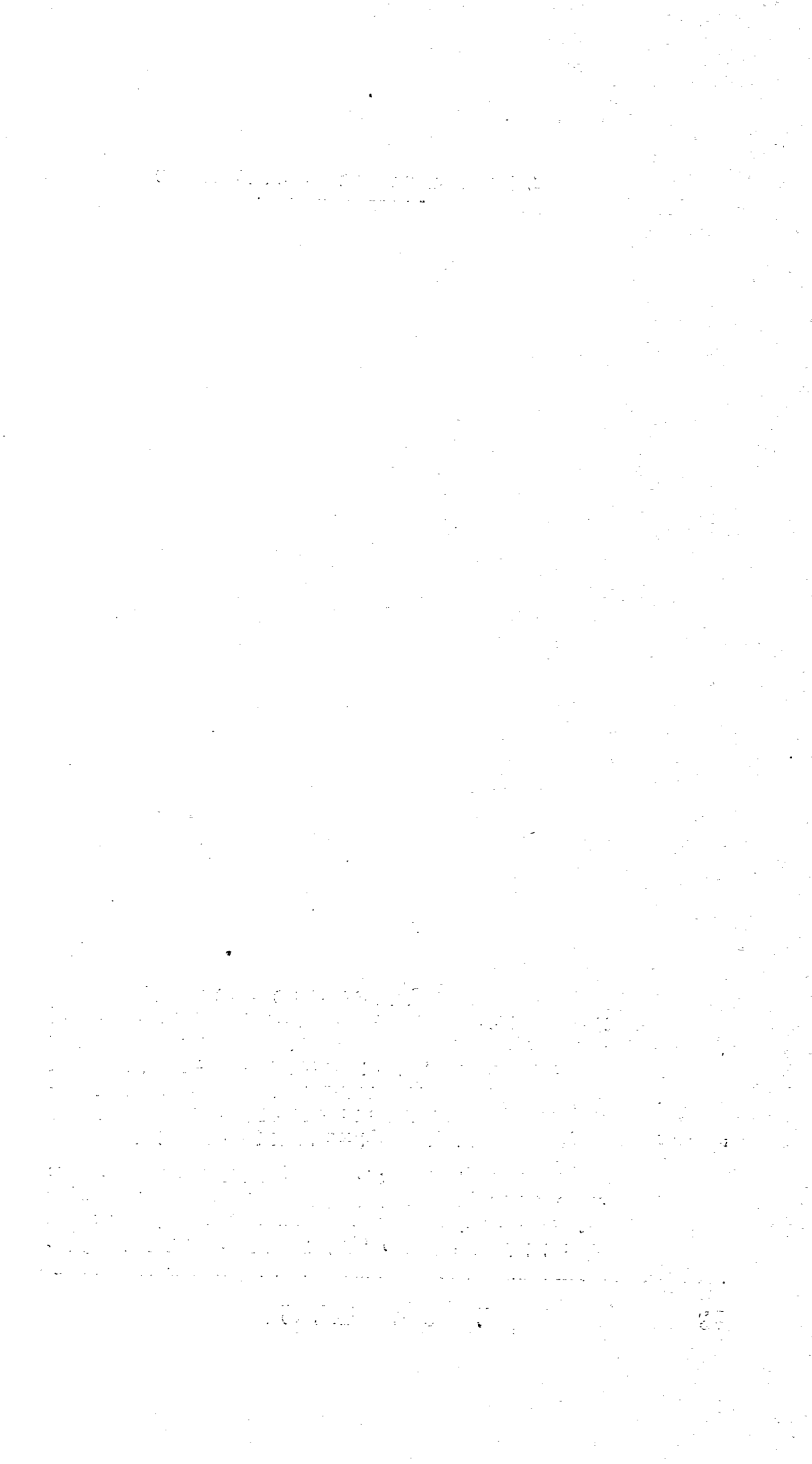
VI.—That if any Person shall cruelly beat, ill-treat, over-drive, overload, abuse, or torture, or cause or procure to be cruelly beaten, ill-treated, over driven, over-laden, abused or tortured, any Animal, every such Offender shall, for every such Offence, forfeit and pay a Penalty not exceeding Five Pounds.

Sufficiency of Fences around waste Ground

VII.—That should any question arise as to the sufficiency of the Fence required by the Fifth Section of the said Act, passed in the Twenty-fourth

and Twenty-fifth Years of Her Majesty, entitled "An Act to make further Provision for the Prevention of Nuisances," the order of a Stipendiary Magistrate thereon shall be final and binding on the Owner or Occupier of the Lands to be protected and enclosed by such Fence.

VIII.—The Penalties and Forfeitures imposed by this Act shall be re- Recovery of Penalties
covered in a summary way, by order and adjudication of any one Stipendiary Justice of the Peace resident in the Town in which the offence shall be committed, under the provisions and by virtue of the Sixth Section of an Act passed in the Twenty-third Year of the Reign of Her present Majesty, entitled "An Act for the Prevention of Nuisances in the Towns of Saint John's, Harbor Grace, Carbonear and Brigus."





Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. V.

An ACT to provide for the better Management of the Savings Bank.

[Passed 27th March, 1862.]

WHEREAS the intention of the Legislature in the establishment of the Newfoundland Savings Bank has been departed from, in the same Bank having been made a place of deposit for the Surplus Capital of wealthy Persons, whereby the Funds of the said Bank have become too large to be conveniently and safely managed in accordance with the ends for which it was instituted ; and it is therefore expedient to confine the operations of the said Bank within the limits originally assigned to them ; and whereas it is also expedient to provide for the appropriation of the Surplus Profits of the said Bank :

Preamble.

Be it therefore enacted by the Governor, Legislative Council, and Assembly, in Legislative Session convened :

I.—It shall be lawful for the Governor in Council, by any orders to be by them from time to time made, to define and limit the amount that shall be received from Depositors in the said Bank, and the amount upon which Interest shall be payable to such Depositors.

Deposits to be limited.

II.—The Surplus Profits of the said Bank, after payment of Interest and Expenses, shall be annually paid over by the Cashier thereof to the Receiver General for the use of the Colony.

Surplus Profits of Bank to be paid over to the Receiver General.

Revenues answerable
for money deposited.

III.—The Public Revenues of the Colony shall be at all times answerable for the Monies deposited in the said Bank, and for all Interest payable thereon.

Monies now invested
—how applied.

IV.—The Monies of the Colony now invested in the said Bank, under the several Acts for the Consolidation of the Public Debt, may be applied by the Governor and Council to the payment and discharge of Debentures issued for any part of the Public Debt.

Governors of Bank to
continue after disso-
lution of Assembly.

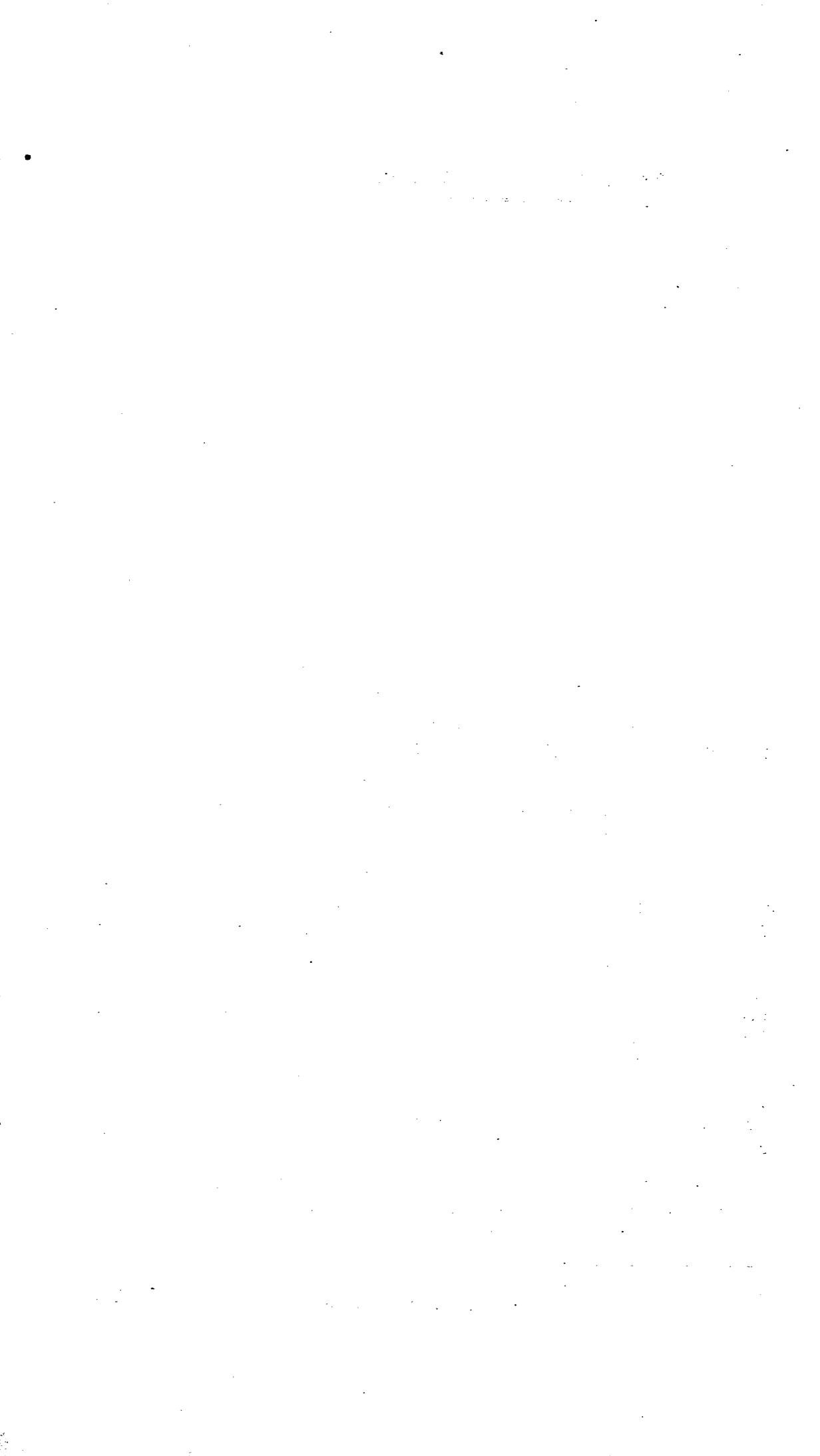
V.—Upon the dissolution or termination by efflux of time of any Assembly, such Governors of the said Bank as may at such time be Members of the Assembly shall continue to be such Governors until the appointment of their Successors on the election of a new House.

Governor may dis-
allow bye-laws.

VI.—It shall be lawful for the Governor in Council to disallow any Rule or Bye-law, or any other proceedings of the Governors of the said Bank, within One Month after the same shall have been passed or adopted; and in order to the exercise of this power, copies of the Minutes of the proceedings at every Meeting of the Governors shall be transmitted without delay to the Colonial Secretary for the information of the Government.

Expenses.

VII.—The Contingent Expenses of the said Bank may amount to but shall not exceed the Sum of Five Hundred and Fifty Pounds annually.





Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. VI.

An Act to amend an Act passed in the Nineteenth Year of the Reign of Her present Majesty, entitled "An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the Empannelling of Jurors therein."

[Passed 27th March, 1862.]

WHEREAS, it is expedient to amend an Act passed in the Nineteenth Year of the Reign of Her present Majesty, entitled "An Act to determine the Qualification of Jurors to serve in the several Courts of this Island, and to regulate the Empannelling of Jurors therein":

Be it therefore enacted, by the Governor, Legislative Council, and Assembly, of this Island, in Legislative Session convened, as follows:

I.—The Seventh Section of the said Act is hereby repealed, so far as the same relates to Petty Jurors in the Districts of St. John's, Harbor Grace, and Brigus.

7th Section of Act 19 Vic., Cap 13 repealed as respects St. John's, Harbor Grace and Brigus.

II.—The number of Petty Jurors to be drawn and summoned by the Sheriff of the Central District, under the provisions of the Eleventh Section of the said Act, to attend and serve in the Supreme or Central Circuit Court at one and the same time, shall be Forty-eight, instead of Forty, as now thereby prescribed.

Forty-eight Petty Jurors to be summoned instead of forty.

Special Juries to be drawn from Grand Panel.

III.—Special Juries in Saint John's, Harbor Grace, and Brigus, shall be drawn wholly from the Grand Jury Panel, and not from the Grand and Petty Jury Panels, as is directed by the Thirteenth Section of the said Act.

In criminal cases the Jury to be drawn from full Panel.

IV.—In Criminal Cases the Juries for the Trial of the same shall be drawn by the Clerk from the whole Panel in attendance on the Court, instead of from those only who have not served on previous Juries, as is directed by the Fourteenth Section of the said Act; the names of all Jurors then in attendance being placed in the Box for that purpose.

Council and Members of Assembly exempt during Session and firemen in special cases.

V.—Members and Officers of the Legislature shall be exempt from serving on Juries only during the Sittings of the Legislature; and Engine Men and Fire Men shall be exempt from such service only upon their making Oath of their due and actual admission and enrolment as Members of such Companies Twelve Months preceding the application for exemption, together with a Certificate from the Superintendent or Chief Officer of their respective Companies of their conformity during that period to the rules thereof.

Juror challenged may be examined.

VI.—A Juror challenged for want of Qualification may be examined as to the ground of challenge by the Court, or by either Party in the cause.

An Alien shall not serve unless *de medietate linguae*.

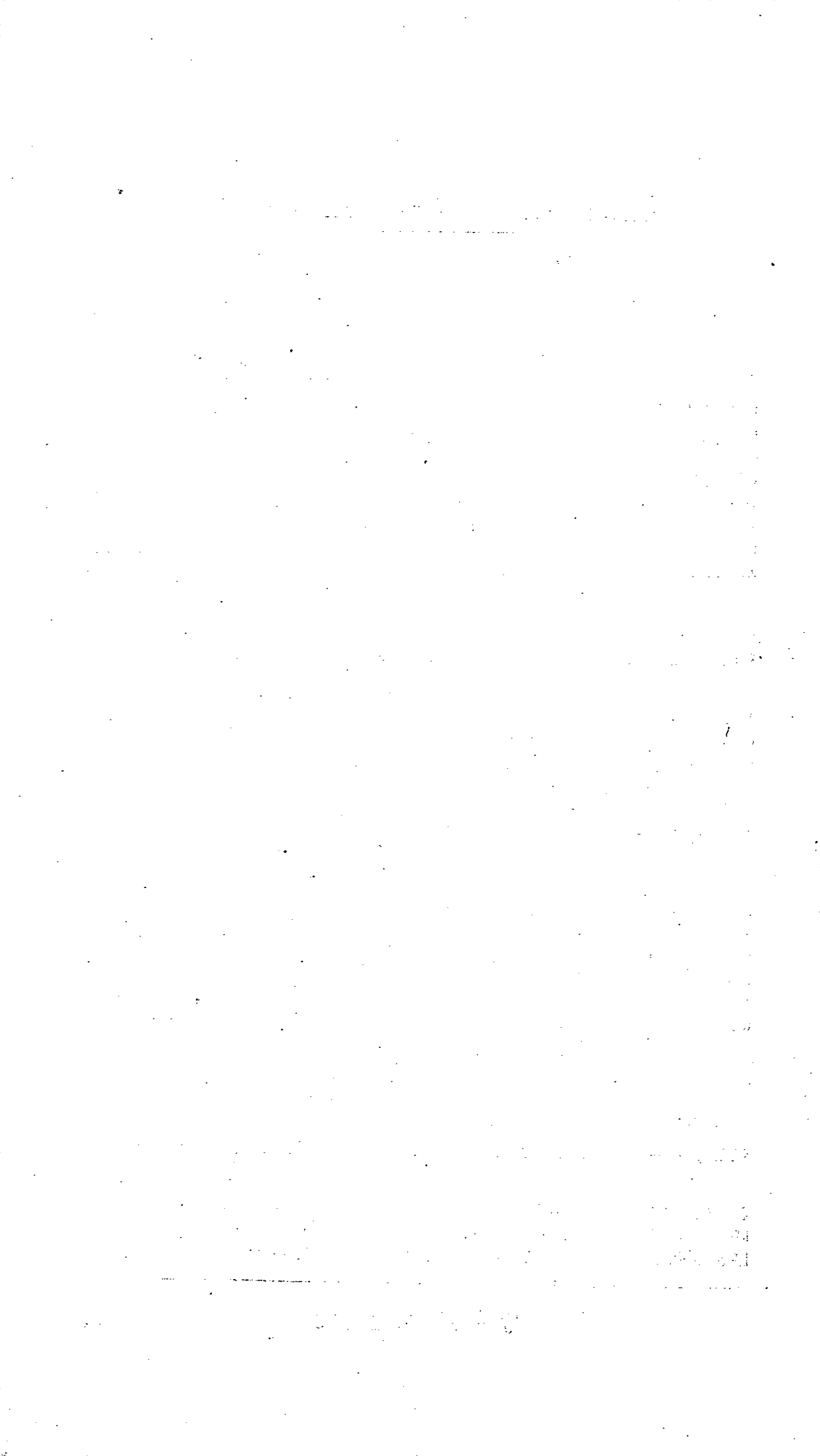
VII.—An Alien shall not be qualified to serve on any Jury except a Jury "*de medietate linguae*," nor shall any Person convicted of Treason or Felony, or any infamous Crime, be competent to serve on any Jury unless he shall have received a Free Pardon.

Parties over 3 miles from Court House exempt.

VIII.—In the Central District Parties resident more than Three Miles from the Court House shall not be required to serve on Juries in the Supreme and Central Circuit Court, nor in the Court of Sessions.

Short attendance of Jurors—provision.

IX.—It shall be lawful for the Supreme and Circuit Courts, upon any occasion when there shall be a short attendance of Petty Jurors in the said Courts, or when a pressure of business, or the exercise or the probability of the exercise of the right of challenge shall seem to the said Court to require such a course, upon the application of either Party in a cause, to issue one or more Precepts for the attendance of additional Jurors, who shall be summoned and shall attend forthwith, and who shall be subject to the provisions of this and the said recited Act to serve for the times therein mentioned.





Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. VII.

An ACT to and Amend Consolidate the Law of Insolvency,
and for other purposes.

[Passed 27th March, 1862]

WHEREAS it is expedient to Amend and Consolidate the Law of In- Preamble.
solvency :

Be it therefore enacted, by the Governor, Legislative Council, and
Assembly, in Session convened :

I.—It shall be lawful for every Superior Court of Record in this Colony,
in Term, or any Judge thereof in Chambers, to declare any Person Insol-
vent who may be made to appear, to the satisfaction of such Court or
Judge, (in manner hereinafter provided) Insolvent or unable to pay his
Creditors Twenty Shillings in the Pound ; and in case such Person shall
have been arrested and in Prison, or on bail under mesne or final process,
or by virtue of any other proceeding either at Law or in Equity, except
for contempt for any other matter than the non-payment of Money, to
discharge such Person from Prison, unless he shall have rendered himself
liable to punishment in manner hereinafter provided, and to exonerate his
Bail ; and in case a Writ of Attachment shall have issued against such
Person, the Property attached under which shall have been relieved from
attachment by Security, to discharge such Security from further responsi-
bility, upon the Property so attached being delivered up, or the value of

Court or Judge may
declare persons In-
solvent if under ar-
rest or on bail, either
at Law or in Equity.

Except for contempt,
unless liable to pun-
ishment-

To exonerate bail.

To discharge Securi-
ties for Attachments.

Party declared Insolvent not liable to arrest, &c.

it paid into Court to the credit of the Insolvent Estate, in cases where, or to the extent to which, the Security would be liable to answer by his Bond; and no Person declared Insolvent under this Act shall be liable thereafter to arrest or imprisonment for any Debts or Liabilities for which a Certificate of Insolvency and Discharge under this Act would be a Discharge.

Proceeding by Petition;
and Schedule if Insolvent Petition.
Statement of facts if Creditor p. tition.
Affidavit.

II.—Any Debtor desiring to be declared Insolvent, or any Person desiring to have his Debtor declared Insolvent, shall proceed by Petition, directed to the Court or Judge, as the case may be, setting forth that such Debtor is Insolvent or unable to pay his Creditors Twenty Shillings in the Pound; and in case of the Debtor himself being the Petitioner, having attached to the Petition a Schedule containing a true Account of his Debts and Liabilities and of his Assets; and where the Petition is by a Creditor, the said Petition shall have attached to it a like Schedule, or a Statement of such facts as may satisfy the Court or Judge that the Order hereinafter mentioned should be made upon the Petition, or that the Case is one for inquiry. The Petition shall have attached to it an Affidavit of the truth of its contents, and, where a Schedule accompanies, of the contents of such Schedule.

Time to be appointed.
Examiner.
Notice in Gazette and one other Paper.
Petition &c., to be filed.

III.—The Court or Judge shall appoint a specified Time and Place for the hearing, upon any Day not more distant than Twelve Days, except in the cases hereinafter provided, where it shall be deemed necessary to appoint a Commissioner or Examiner; the Rule or Order for which shall, where the application is made in St. John's, be published in the Royal Gazette and one other Newspaper of the Colony, at least One Week before such hearing—the Petition, Schedule, and Affidavit having, prior to the publication of the Rule or Order, been filed in the Clerk's Office of the Supreme or Central Circuit Courts.

Insolvency in Outports, notice on Court House, &c.

IV.—Where the application is made to declare a Debtor Insolvent in an Outport, the Rule or Order for hearing shall be posted up in a conspicuous Place at the Court House, and such other Place or Places, for such length of time, or, where no Court House, at such Place or Places and for such a length of time, as the Court or Judge may direct.

Examinations may be taken at any place by order of Court or Judge.

V.—Any Court or Judge proceeding under this Act may, if necessary, direct the Examination, before an Examiner, at any Place, of any Petitioner, Debtor, or Witness, and for such purpose may postpone or adjourn, from time to time, the hearing or adjudication of any application to declare a Debtor Insolvent.

Hearing of Case may be adjourned.
Petition may be dismissed.

VI.—The Court or Judge may, upon motion, or with the consent of the Petitioner, adjourn the hearing, from time to time, if, in the opinion of the Court or Judge, it may be necessary or advisable so to do, in order to satisfy such Court or Judge of the Insolvency of the Party sought to be declared Insolvent, or the Court or Judge may dismiss the Petition for want of sufficient evidence of Insolvency.

VII.—The Person sought to be declared Insolvent, if so declared, shall be liable to punishment by imprisonment in the following cases, for any period not exceeding Two Years from the time of adjudication: If when Insolvent, and with a view of fraudulently giving an undue preference to any Creditor, or of fraudulently diminishing his Assets, he have conveyed, charged, mortgaged, or otherwise granted or assigned his Property or Effects, or any part or parts thereof, or made any Gift, Delivery, or Transfer, of any of his Goods or Chattels, or made any payment in Money or otherwise, or discharged any Debt due from any Debtor or Debtors, or if he have concealed any part of his Property, Debts or Effects, with the intent of diminishing the Sum to be divided amongst his Creditors; if he have, with intent to conceal the state of his affairs, kept false Books, or made false Entries, or withheld Entries from, or wilfully altered or falsified, any Books, Papers or Writings, or have destroyed or otherwise wilfully prevented, or purposely withheld, the production of any Books, Papers, Writings, or Evidence, relating to such of his affairs as are subject to investigation under this Act; or if he have contracted any of his Debts by means of a breach of trust, or by means of false pretences, or without having reasonable or probable expectation at the time when contracted of paying the same; or if he shall have put any Creditor to unnecessary expense by the vexatious defence of any Action or Suit, or shall be indebted for Damages recovered in any Action for a malicious prosecution, or for Libel or Slander, or for Criminal Conversation, or Seduction, or Assault and Battery, or for Damages recovered in any Action for Malicious Injury, or in Action of Tort, where it shall appear that the Injury complained of was malicious; or if he shall have done any other act fraudulent towards his Creditors: Provided always, that in the cases aforesaid where the Insolvent shall be indebted for Damages, he shall be liable to be relieved from punishment in the first place, and from his imprisonment at any time within the period of such imprisonment, by the consent of the Plaintiff or all the Plaintiffs in any Action or Actions for such Damages; provided he may not be otherwise liable to punishment or imprisonment under this Section.

Parties sought to be declared Insolvent liable to Punishment in certain cases.

VIII.—For the purpose of carrying into execution the Provisions of the foregoing Section and of this Act, be it enacted that after it shall be made to appear to the Court or Judge that the Party sought to be declared Insolvent is Insolvent, that no Petition praying that a Debtor be declared Insolvent under the Provisions of this Act shall be withdrawn or proceedings thereon stayed or prevented if any Creditor shall object thereto; and for the purpose of securing the Person of any Debtor not in Prison who may be declared Insolvent, it shall be lawful for the Court or Judge, at any time before he may have obtained his Certificate and final Discharge, to make a Rule or Order directed to the Sheriff of the District, or any other Person, to apprehend the Person of such Debtor and bring him before such Court or Judge to be examined, or to receive punishment; provided that in case such Debtor require further time to bring proof, or

Petition not to be withdrawn without consent of Creditors.

Petitioner or Debtor may, by order of the Court or Judge, be arrested and held to bail in certain cases.

require other reasonable delay, the Court or Judge may grant such further time or delay, and commit him to Prison provisionally, or, upon the Debtor providing sufficient Bail or Security for his appearance, discharge him from custody until the expiry of such further time.

Power of summoning Witnesses.

IX.—That for the purposes of this Act, it shall be lawful for the Court or Judge, or any two or more Judges, either in Term or Vacation, to exercise the like powers for the summoning and compelling the attendance of Witnesses, the taking of Evidence, the ordering of Examinations, the issuing of Commissions to take Evidence, and for the punishment of Persons guilty of contempt, as any Superior Court of Record now exercises in any Action or Proceeding at Law: Provided always, that in the case of proceedings by or before a Judge or Judges, under this Act, there shall be no necessity for the use of a Seal, but the Name of the Judge or Judges, in his or their proper handwriting, shall be sufficient.

No Seal requisite.

Assignments, Cognovits, &c., void if made within 2 months prior to Insolvency.

X.—Every Charge, Mortgage, Conveyance, Grant, or Assignment, of the Property or Effects of an Insolvent, or of any part thereof, and every Gift, Delivery or Transfer of any of his Goods, or Chattels, and every Payment made by him in Money, or otherwise, and every Cognovit, Warrant of Attorney, Judgment, or other Security whatsoever, paid, made, or given, by any Insolvent, within Two Calendar Months prior to his declared Insolvency, and with a view to give an undue preference to any Creditor, shall be and are hereby declared to be null and void and of no effect, in case the Person taking or receiving the same, or for whose Benefit the same was taken or received, had notice or was aware of the Insolvency: Provided that nothing in this Act contained shall invalidate any such Charge, Grant or Assignment, or the Gift, Delivery or Transfer of any Goods or Chattels, if the same shall, subsequently to the execution or making thereof, have been assigned to or be in the hands or possession of any bona fide holder for valuable consideration, not having had notice of the character of such appropriation prior to the transfer to him; but the Person or Persons first entitled, their Executors, Administrators and Estates, shall be liable to account for the value to the Trustees of the Estate of the Insolvent in such case, and in case they have realized any of the said Securities in an Action for Money had and received or otherwise; and provided that nothing herein contained shall be construed to confirm or make valid any acts otherwise void.

Appointment of Trustees, &c.

XI.—At or any time after the making of the Rule or Order provided in the Third Section of this Act, the Court or Judge may make an Order, which shall be published in the Royal Gazette and one other Newspaper, vesting the Estate of the Person sought to be declared in a Trustee or Trustees, whose duty it shall be to discover, collect and receive the Estates and Effects of such Person, and to hold the same, subject to the Orders and Directions of the Court or Judge; and in the event of the Person being declared Insolvent, to invest, realize, and distribute the same, under the

Duty of Trustees.

direction of the Court or Judge and the Provisions of this Act ; and such Trustee or Trustees shall have power to sue both at Law and in Equity, in his or their own Name, for and upon all causes of action for the benefit of the Insolvent Estate, in the same way as the Insolvent himself might have done ; and in any proceeding it shall be sufficient for them to declare or plead as Trustees of such Insolvent, and proceed at once to the statement of the cause of action, without setting out the particulars of their appointment, and, as nearly as applicable, according to the forms used by Executors or Administrators : Provided, that in the use of Leasehold Interests and Tenancies, the Trustee or Trustees shall not be bound to accept the same, but may, within One Month after appointment, notify the Landlord, in writing, of his or their intention not to hold as Tenant, whereupon his or their interest or liability shall cease : Provided, that the Estate of the Insolvent shall be liable for Rent from the time of the appointment of Trustees until such Notice shall have been given.

Trustees not bound to accept Leasehold Interests.

XII.—The Trustee or Trustees shall be changed or removed by the Court or Judge, at the instance of a Majority in Number and Value of the Creditors, and such Person or Persons appointed in his or their place as the said Majority may recommend, and may also be removed for any sufficient cause appearing to the Court or Judge, and the Court or Judge may require Trustees to find Sureties for the faithful execution of their Office.

Trustees may be changed at instance of Creditors.

XIII.—The Trustee or Trustees shall be entitled to such Compensation, not exceeding Five per Cent. on the realized value of Assets, over and above the actual and reasonable Expenses and Disbursements, as the Court or Judge may allow.

Compensation of Trustees.

XIV.—Where, in case a Person sought to be declared Insolvent is in Prison, it shall be deemed expedient by the Court or Judge that certain Matters or Things ought to be performed by such Person before he be actually discharged from custody, the Court or Judge may remand such Person to Prison until the performance of such Matters or Things, or until such further time or times as the hearing may be adjourned to, or such Court or Judge may take Bail for the performance of such Matters or Things within a certain time.

Court or Judge may order performance of certain matters before discharge of Debtor, &c.

XV.—The Costs of all Writs commenced by Capias or Attachment, or any Process by which the body or any portion of the Estate and Effects of the Insolvent may have been taken or secured before the Declaration of Insolvency, shall be payable out of the Estate ; the Costs of the petitioning Creditors, and other Costs not herein provided for, shall be in the discretion of the Court or Judge ; the Costs of Creditors proving their Debts shall be borne by themselves, provided that if any Creditor give frivolous or vexatious opposition to the Claim of another Creditor, and cause such other Creditor extraordinary Expense in the proof of his debt, the dividend of such opposing Creditor shall be liable, in the distribution of the Estate,

Costs of Attachment &c., to be allowed.

Other costs to be in discretion of the Court or Judge.

Costs to be taxed.

for such extraordinary Expense. Costs shall be taxed as nearly as applicable, except the Costs of a suit at Law, according to the practice on the Equity side of the Court.

Insolvent refusing to deliver up property may be remanded or committed.

XVI.—In case any Person declared Insolvent, or sought to be declared Insolvent, shall wilfully refuse to deliver up to the Court or Judge, or to the Trustee or Trustees, any Property, Money, or Effects, Deeds, Accounts, Books, or other Documents, pursuant to any Order of such Court or Judge, or shall disobey any other Order made in the premises by such Court or Judge, it shall be lawful for such Court or Judge to remand or commit him from time to time until he shall conform to the Order of the said Court or Judge.

Certificate may be granted by the consent of majority of Creditors in number and value.

XVII.—It shall be lawful for any Superior Court of Record, or any Judge thereof, by and with the Consent of the Majority in Number and Value of the Creditors, to grant to any Person declared Insolvent a Certificate of Insolvency and Discharge, Five Days' previous Notice of the Application having been given in the Royal Gazette and one other Newspaper, and to the Trustee or Trustees; and in any case where such Consent shall be refused, it shall be lawful for the Insolvent to apply to the Supreme Court, which may, upon hearing the Parties, grant such Certificate: Provided always, that such Insolvent, whether his Application be made to a Court or Judge, shall not have been guilty of any such acts as may, or if discovered at the time of the Declaration of Insolvency would, render him liable to imprisonment or punishment under this Act; and provided he shall have made a full and true discovery, disclosure and delivery of his Property and Effects under his Insolvency, and shall have conformed to the Orders and Directions of the Court or Judge touching the same, and shall have, if and when required, rendered such Information and Aid to the Trustees, by way of proof or otherwise, in the discovering, collecting, and receiving the Estate and Effects of the Insolvent Estate, at the Expense of the Estate, as shall have been reasonably required by them. And such Certificate shall be a Bar to any Action or Suit that may at any time thereafter be brought for any Debt or Liability due or owing at the time of his being declared Insolvent, or to become due under any Contract previously entered into: Provided always, that if the Insolvent shall have undergone punishment for any fraudulent or other acts for which he would be punishable under this Act, it shall be lawful for the Court or Judge, in their or his discretion, to grant him his Certificate and final Discharge in like manner as in other cases; provided also, that nothing herein contained shall discharge an Insolvent from Rent coming due after such Declaration of Insolvency under any Tenancy originating previously and continued by the Insolvent subsequently to such Declaration of Insolvency.

If consent refused, Supreme Court may on hearing grant certificate.

Estate to be distributed rateably, &c.

XVIII.—The Estates of Persons declared Insolvent shall, after the payment of Costs and Expenses, be distributed rateably amongst the Creditors, except in the cases hereinafter provided.

XIX.—When it shall be made to appear that the Hirer or Employer of any Seaman, Fisherman, or other Servant, is Insolvent or unable to pay his Creditors Twenty Shillings in the Pound, such Seaman, Fisherman, or other Servant, actually employed in the catching, curing, or making of Fish or Oil, and such Person as shall have supplied Bait to the Hirer or Employer aforesaid, and who shall be Creditors for Wages, Shares, or Bait, for the current Season, shall, upon all such Fish and Oil taken, cured, or made, by the Hirer or Employer aforesaid, or out of the produce or value thereof, if the same be in the possession of the Hirer or Employer, or of any other Person aware of or privy to the hiring or employing of any such Seaman, Fisherman, or other Servant, or having Notice of the Claim of such Seaman, Fisherman, or other Servant, whether the same be accruing or due at or before the time of such other Person receiving such Fish or Oil, or the produce or value thereof, or before paying the Hirer or Employer for the same, be considered privileged Creditors, and shall first be paid Twenty Shillings in the Pound, so far as such Fish or Oil, or the produce or value thereof, shall go: Provided further, that where such Fish and Oil shall be insufficient for the full payment of the Wages or Shares of all such Seamen, Fishermen, or other Servants, or of the Persons who shall supply Bait, as aforesaid, they shall be paid their Claims rateably in proportion to their respective Wages, Shares, or Bait Money. And provided further, in the case of the Supplying Merchant, that no Seamen, Fishermen, or other Servants than those engaged with the knowledge and consent of such Supplying Merchant, being a Receiver, shall be privileged Creditors in manner aforesaid, in regard to any Supplying Merchant, being such Receiver, nor in regard to the Fish or Oil, or the produce or value thereof, in the hands of such Receiver: Provided further, that any Seaman, Fisherman, or Servant, who may be bona fide engaged or shipped in the place of any other such Person who may during the Voyage have been discharged, or have left, or deserted, or have died, or have been incapacitated by illness or other cause from continuing his service, shall be a privileged Creditor in manner aforesaid, and shall be entitled to Claim upon the Supplying Merchant, being such Receiver, for the period he may have served in such stead.

Seamen, Fishermen
and other Servants,
privileged Creditors.

If Estate insufficient,
to be paid rateably,

Proviso—Servants
engaged without the
knowledge of mer-
chant, not privileged
Creditors.

XX.—Any Defence which the Hirer or Employer could have made if the Action had been taken against him by such Seaman, Fisherman, or other Servant, or Supplier of Bait, for such Wages, Share or Bait Money, shall be equally available for such Receiver to make on the Trial of any such Action that may be brought against him by such Seaman, Fisherman, or other Servant or Supplier of Bait, for such Wages, Share or Bait Money, or the value of such Fish and Oil, or any part thereof, as aforesaid. Provided always, that the Receiver of the Voyage, or any part of the produce or value thereof, shall not be liable for the payment of such Wages or Share of such Seaman, Fisherman or other Servant, or Supplier of Bait, or any part thereof, unless it be proven on the Trial that the Receiver is liable under the foregoing Section and the Provisions of this

Receiver entitled to
the same defence as
Hirer.

Provisos.

Act. Provided always, that any Shareman selling or lawfully disposing of his Share of Fish or Oil, or any part thereof, may sue and recover payment therefor from the Purchaser thereof, according to the terms of his Contract, before any Stipendiary Justice or Court aforesaid; or any Shareman, Fisherman, or other Servant, may in like manner sue for and recover his Wages or Share from his Hirer or Employer, irrespective of and notwithstanding any of the Provisions contained in the foregoing Sections.

In Actions by Seamen and other to recover Wages sufficient if Insolvency be made to appear.

XXI.—To enable such Seaman, Fisherman or Servant, or such Person supplying Bait as aforesaid, to recover the amount of his Wages, Shares or Bait Money, from the Receiver of such Fish and Oil, or the produce or value thereof, it shall not be necessary that the Hirer or Employer should have been formally declared Insolvent, but it will be sufficient, if it be made to appear on the trial of any Action which such Seaman, Fisherman, or other Servant or Supplier of Bait may bring for Money had and received, or for Wages, against the said Receiver, before any Stipendiary Justice of the Peace, Court of Sessions, or any Superior Court in this Island, that the Share, Wages, or Bait Money was due at the time of bringing such Action, and that the said Hirer or Employer was then Insolvent or unable to pay his Creditors Twenty Shillings in the Pound. Provided always, that if such Seaman, Fisherman, or other Servant, or Supplier of Bait, has knowingly or wilfully colluded with or assisted the Hirer or Employer in disposing of his Voyage otherwise than to his Supplying Merchant, such Supplying Merchant not being paid to the extent of his Supplies over and above the unpaid Wages or Bait Money at the time of the Action being brought, such Seaman, Fisherman, or other Servant or Supplier of Bait, shall not be entitled to recover in any Action brought against any Receiver being a Supplying Merchant: Provided that nothing herein contained shall prevent such Seaman, Fisherman, or other Servant, from recovering from any Person other than the Supplying Merchant who may have received such Voyage or any part thereof, and who would be otherwise liable under this Act.

Proviso as to collusion, &c.

Recovery against Receiver other than Supplier.

XXII.—In the distribution of the Estate of any Person declared Insolvent, all Clerks' and Servants' Wages for the current Year, up to the period of the declaration of Insolvency, and also, in the event of any Receiver or Supplying Merchant being declared Insolvent, any Seaman, Fisherman, or other Servant, or Supplier of Bait, as aforesaid, who may be a privileged Creditor under the 21st Section of this Act, to the extent of his rateable proportion, as aforesaid, of the Fish or Oil, or the produce or value thereof, shall be privileged Creditors, and shall be co-equally entitled to recover and receive Twenty Shillings in the Pound out of the Estate and Effects of the Person declared Insolvent.

Mode of distribution.

XXIII.—Next after the preferable payments provided for in the two preceding Sections of this Act, all Debts and Claims due to the Crown or

Mode of distribution.

to the Government or Revenues of this Colony, shall form a prior Claim upon the Estate and Effects of any Person declared Insolvent, and shall be first paid so far as such Estate and Effects will go; and all Monies deposited by or on account of the Newfoundland Savings' Bank in any Bank or Banking Company, or received or collected by such Bank or Banking Company, for or on account of the said Savings' Bank, shall constitute a Crown Debt, and form a prior claim on such Bank or Banking Company, and upon its Property, Estate and Effects, in the case of the Insolvency of such Bank or Banking Company, and may be sued for and recovered in the name of Her Majesty, or the Receiver General or Attorney General of this Island. Provided that nothing herein contained shall affect the provisions of the 20th Section of the Act 21 Victoria, Cap. 5.

XXIV.—After the payment of Preferable Claimants under the foregoing Sections of this Act, every Creditor for Supplies necessarily and bona fide furnished for the prosecution of the Fishery during the current season, that is to say, at any time after the close of the last preceding season of the Fishery, shall be a privileged Creditor, and shall be paid Twenty Shillings in the Pound, so far as the Insolvent Estate will go.

Mode of distribution.

XXV.—When any Person shall die in this Island or elsewhere, leaving Estates and Effects in this Island or in any Place within the Government thereof, and such Estates and Effects shall not be sufficient to pay and satisfy all his just Debts, it shall be lawful for any of the said Superior Courts of Record, or any Judge thereof, either in Term Time or Vacation, on the Petition of the Executor, Administrator, or a Creditor, of such deceased Person, to be made in writing by and upon the Oath of the said Executor, or Administrator, or Creditor, and laid before any of the Courts, or any Judge thereof, by which it shall appear to the Court or the said Judge before whom such Statement shall be laid, that the Estate or Effects of such deceased Person are not sufficient to pay all his just Debts, to authorize and empower the Executor or Administrator of such deceased Person, or, if they shall see cause, any Trustee or Trustees whom they may appoint, to collect and to distribute the Estate and Effects amongst his Creditors, according to the manner of distribution by law directed, to be made in respect to the Estates of Persons declared Insolvent, subject in all cases to the provisions of this Act: Provided always, that nothing herein contained shall be construed to affect the right of any Creditor of such deceased Person to recover the full amount of such Debts as may have been bona fide secured in the lifetime of such deceased Person by Mortgage or other Legal Conveyance of any portion of the Estate or Effects of such deceased Person, and not void under the foregoing provisions of this Act: Provided also, that the like course shall be pursued with the Estate and Effects of any Persons dying Insolvent, where no Executor or Administrator thereof has been appointed or resides in this Island, on the application of any Creditor to any of the said Courts or any Judge thereof, who may appoint Trustees or Receivers of such Estates and Effects,

Insolvency of Estates of deceased Persons.

Proviso.

to realize and distribute the same as aforesaid, subject to the Orders and control of any such Court or Judge thereof.

Liabilities of Trustees and Assignees.

XXVI.—The Trustees or Assignees of the Estate and Effects, or any part thereof, of any Debtor, under any Conveyance or Assignment for the Benefit of Creditors, shall be liable and compellable to pay out of the first Proceeds all Creditors who, in case of a Declaration of Insolvency under this Act, would have Preferential Claims; and such Trustees or Assignees shall also be liable and compellable, unless a Majority in Number and Value of the Creditors shall otherwise agree, to distribute such Estate and Effects according to the provisions of this Act, as in the case of Insolvency, anything in any such Conveyance or Assignment contained to the contrary notwithstanding; and all such Trustees and Assignees shall, in the distribution of such Estate and Effects, in such cases, be subject to the Order and Direction of any Superior Court of Record, or a Judge thereof, as fully, and in like manner, as the Trustees of the Estate of any Person declared Insolvent.

Reference may be ordered.

XXVII.—The Court or Judge acting under the provisions of this Act may make any Order of Reference to the Master or other Person, to investigate and report upon Claims, Accounts, and other Matters, whether on behalf of or against the Insolvent Estate, and the decision to be come to thereon shall be as binding between the Parties as an Action at Law or Suit in Equity, and may be pleaded in bar of any other proceeding.

Appeal.

XXVIII.—Any Person feeling himself aggrieved by the decision of a Judge proceeding under the provisions of this Act, either in Vacation or in a Court in which one Judge only presides, may, on motion to such Judge, appeal from such decision to the Supreme Court, or to the other Judges, in Vacation or in Chambers, upon such terms, by way of Security or otherwise, as the said Judge may deem reasonable, when the matter may be re-heard in such way as the other Judges or the Supreme Court may direct; and it shall be competent, on such appeal, for such decision to be reversed, altered, amended, or confirmed, as the case may be; and such Supreme Court or Judges may proceed to the determination of the Case in the same manner as provided in the case of one Judge proceeding under the provisions of this Act.

Judges may make further Orders, &c.

XXIX.—In any Case or Matter within the provisions of this Act in which the Court or one or more Judges may deem it necessary to make any Rule or Order, whether hereinbefore provided for or not, for the effectual carrying out of the provisions of this Act, it shall be lawful for such Court, or one or more Judges, to make such Rule or Order; and any Person disobeying the same shall be deemed guilty of Contempt, and may be proceeded against and punished therefor by the Court or one or more Judges, either in Term, in Vacation, or in Chambers.

Party giving false evidence guilty of Perjury.

XXX.—Any Person who, in his examination upon Oath or Affirmation, or who in any Affidavit in any proceeding under this Act, shall wilfully

and corruptly give false evidence, or swear or affirm anything which shall be false, shall be deemed guilty of wilful and corrupt perjury, and be liable to be indicted therefor, and upon conviction shall be liable to the penalties of wilful and corrupt perjury.

XXXI.—For the purpose of trying any question of fact arising under the Tenth Section of this Act, it shall be competent for the Court or Judge, or one or more Judges, to empanel a Jury according to the provisions of the Laws now or hereafter to be in force for regulating Trial by Jury: Provided, that nothing herein contained shall prevent the Court or Judge, or one or more Judges, from determining any questions of fact.

Jury may be empannelled to try questions arising under 10th Section.

Proviso.

XXXII.—From and after the passing of this Act, the Twenty-third, Twenty-fourth, Twenty-fifth, and Twenty-sixth Sections of an Act of the Imperial Parliament, passed in the Fifth Year of the Reign of His late Majesty George the IV., Cap. 67, entitled “An Act for the better Administration of Justice in Newfoundland and for other purposes;” an Act passed in the Fourth Year of the Reign of His Majesty King William the IV., Cap. 11, entitled “An Act for the relief of Insolvent Debtors taken in Execution;” an Act passed in the Seventh Year of the Reign of Her present Majesty, Cap. 2, entitled “An Act to amend an Act passed in the Fourth Year of His late Majesty’s Reign, entitled ‘An Act for the relief of Insolvent Debtors taken in Execution;’” also an Act passed in the Nineteenth Year of the Reign of Her present Majesty, Cap. 14, entitled “An Act to Amend the Law of Insolvency;” and all other existing Laws and Practice relating to Insolvency, shall be and the same are hereby Repealed, without affecting the validity of proceedings had under them heretofore. Provided, that all Persons declared Insolvent before the passing of this Act shall be entitled to the benefit of the provisions of the said Acts as regards a Certificate and Final Discharge; and provided further, that the Tenth Section of this Act shall not affect any Deeds, Assignments, Gifts, Transfer, Delivery or Security, made or given prior to the passing of this Act.

Former Acts of Insolvency repealed.

Proviso.





Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. VIII.

An ACT to Amend and Consolidate the Law now in force
providing for the Registration of Deeds in this Colony.

[Passed 27th March, 1862]

WHEREAS it is expedient to Amend and Consolidate the Law now in force in this Colony for the Registration of Deeds : Preamble.

Be it therefore enacted, by the Governor, Legislative Council, and Assembly, in Legislative Session convened, as follows:

I.—That from and after the passing of this Act, the 27th, 28th, 29th, 30th, 31st, 32d and 33d Sections of an Act passed in the Parliament of Great Britain, in the Fifth Year of the Reign of His Majesty King George the Fourth, intituled “An Act for the better Administration of Justice in Newfoundland and for other purposes” ; also an Act passed in the First Year of the Reign of Her Majesty Queen Victoria, intituled “An Act to Repeal part of an Act passed in the Fifth Year of the Reign of His Majesty King George the Fourth, intituled ‘An Act for the better Administration of Justice in Newfoundland and for other purposes,’ and to make further provision for the Registration of Deeds in this Colony” ; also an Act passed in the Seventh Year of the Reign of Her Majesty Queen Victoria, intituled “An Act to amend the Law now in force for the Registration of Deeds in this Colony” ; also an Act passed in the Tenth Year of the Reign of Her Majesty Queen Victoria, intituled “An

Nothing herein to affect Registry prior to this Act.

Act to make further provision for the Registration of Deeds'' ; and also the 41st Rule of the General Rules and Orders of the Supreme Court of Newfoundland, promulgated on the Second Day of January A. D. 1826, shall be and the same are hereby repealed : Provided that nothing in this Act shall affect the Registration of Deeds registered under any of the said Acts, and that the Registration of Deeds or other Assurances executed before the passing of this Act shall be valid as against subsequent Purchasers or Mortgagees, if made according to the provisions of the said Acts.

Appointment of Registrars.

II.—Be it further enacted, that the Chief Clerk of the Supreme Court of Newfoundland shall be the Registrar of Deeds for the Central Judicial District of the said Island, and that the Chief Clerks of the Northern and Southern Circuit Courts, respectively, shall be the Registrars of Deeds for the Northern and Southern Judicial Districts of the said Island ; and that in each of the said Districts a Registration Office shall be kept by such Registrars, respectively, at such Places as the Governor in Council may appoint, provided with Fire-proof Safes for the safe custody and preservation of all Records, Books and Papers of Registry, and all Deeds and Writings deposited for Registration ; and if either of such Registrars shall be guilty of any neglect or fraudulent practice in the performance of the Duties of his Office, he shall be liable for all Damage to the Party injured, to be recovered, with Costs of Suit, in any Court of Record.

Fire-proof Safes, &c.

Liability of Registrars.

Deeds, &c., to be registered in District where Lands, &c., are situated.

III.—That all Deeds, Wills, Decrees, Judgments, Conveyances, and other Assurances whatsoever, whereby any Lands or Tenements in this Colony or its Dependencies shall be hereafter granted, conveyed, devised, mortgaged, charged, or otherwise affected in any manner whatsoever, having been proved in manner hereinafter provided, shall be registered at the Registration Office for the District in which such Lands or Tenements are situated, in suitable Books of Registry; and that a double Index to such Books of Registry shall be kept by each of such Registrars, to contain, in case of Deeds and Writings other than Decrees and Judgments, the Names of the Parties thereto, the situation of the Property, the character of Deed, and the date and consideration ; and, in cases of Decrees and Judgments, the Dates thereof, the Names of the Plaintiffs and Defendants, the Situation of Property, and the Court in which such Decrees or Judgments were made.

Double Index.

Registrar in receiving Fees required to register, &c.

IV.—That when any such Deeds, Wills, Decrees, Judgments, Conveyances, and other Assurances, shall be duly proved in manner hereinafter provided, and deposited in the Registration Office for the District wherein the Lands or Tenements affected shall lie, such Registrar shall, upon receiving the Fees payable to him by virtue of this Act, and is hereby required to copy a Memorial of the same into the Books of Registry, and also to enter therein Copies of all Plans and Schedules by the Parties depositing the same ; and every such Memorial shall contain a Statement of the Year and Day of the Month in which such Deed, Will, Decree,

Memorial, &c.

Judgment, Conveyance, or other Assurance, shall bear date, the Names and Additions of all and every the Parties, as well as the Names and Additions (if any) of the subscribing Witnesses thereto, the Signatures of the Parties executing the same, the Description at length of the Lands or Tenements conveyed or charged, or intended to be conveyed, charged or affected by such Deed, Will, Decree, Judgment, Conveyance, or other Assurance, as the same are therein described, the Consideration of every such Deed, Conveyance, or other Assurance, and the condition for Defeazance, if any; and in cases of Decrees, Wills and Judgments, the Certificate under the Seal of the Court wherein such Decree or Judgment was passed, or such Will proved: all which particulars shall be entered and recorded in the said Book of Registry, with all convenient despatch, in the order of time in which the same may have been so proved and deposited.

V.—That all such Deeds, Conveyances, and other Assurances, aforesaid, executed within this Colony, shall be proved by the Affidavit of a Subscribing Witness or any Party executing the same, or upon the personal acknowledgment of a Party from whom an Interest shall pass; such Affidavit or Acknowledgment to be made before either of such Registrars, a Judge or Commissioner of Affidavits of the Supreme Court, or a Justice of the Peace, who shall sign a Certificate on such Deed, Conveyance, or other Assurance, or on a Paper annexed thereto, declaring such Attestation or Acknowledgment, and the date thereof; and such Certificate and Affidavit shall be registered.

Proof of Deeds within Colony.

VI.—That all such Deeds, Conveyances, and other Assurances, aforesaid, executed out of this Colony, shall be proved in the manner prescribed in the preceding Section before a Judge of a Court of Record, the Mayor or Chief Magistrate of any City or Town, a Justice of the Peace, a British Ambassador, Consul, Vice-Consul, or Consular Agent, residing respectively at or near the Place where the Witness or Party acknowledging may reside, and the Attestation or Acknowledgment, with the date thereof, shall be certified under the Seal of such Court, City, or Town, or under the Hand and Seal of a Notary Public; and such Attestation, Certificate, and Affidavit, shall also be registered.

Proof of Deeds abroad

VII.—That all such Decrees and Judgments aforesaid shall be proved by a Copy under the Seal of the Court wherein the same shall be decreed or pronounced, and certified by the Chief Clerk of such Court.

Proof of Decrees, &c.

VIII.—That when all the subscribing Witnesses to the execution of any such Deed, Conveyance, or other Assurance, aforesaid, and all the Parties thereto, shall be dead; or when the Deed, Conveyance, or other Assurance, having been executed in this Colony, the Witnesses to the same and Parties thereto shall be absent therefrom, the Registrar shall register such Deed, Conveyance, or other Assurance, upon sufficient Proof upon Oath of such Death or Absence, the hand-writing of any of the subscribing Witnesses thereto; and if the Party or Parties executing the same from

Proof when Witnesses dead, &c.

whom some Interest shall pass, such Proof to be made before either of such Registrars or a Judge of the Supreme Court, and a Certificate of such Proof shall be endorsed on such Deed, Conveyance, or other Assurance, or annexed thereto and registered therewith.

Power of Attorney
may be registered.

IX.—That when any such Deed, Conveyance, or other Assurance, shall be executed under a Power of Attorney, the Power may be registered upon being duly proved in manner herein provided for the proof of Deeds; and no Registry of a Deed so executed shall be valid unless such Power be registered, within Six Months after the registry of such Deed, or unless a Deed duly proved in manner aforesaid subsequently confirming the execution of the first Deed, Conveyance, or other Assurance, be registered within that period in the Registration Office of the District wherein the Lands or Tenements affected are situate.

Endorsement upon
Deeds, &c.

X.—That the Registrar shall endorse and sign, upon every such Deed, Will, Decree, Judgment, Conveyance, or other Assurance, a Certificate, in which shall be expressed the Day and Time when the same was actually proved and deposited for Registration, and the Volume and Page in which the registry thereof is entered; and every such Certificate so endorsed and signed shall be taken and allowed as Evidence of the time when the same was so proved and deposited, and of the registry thereof.

Deeds not proved and
registered, fraudulent
and void in certain
cases

XI.—That all such Deeds, Conveyances, or other Assurances, affecting any Lands or Tenements in this Colony, made after the passing of this Act, and not duly proved and registered, and every Mortgage by deposit of Deeds without writing, shall be judged fraudulent and void both at Law and in Equity, against any subsequent Purchaser or Mortgagee, for valuable consideration, who shall first register his Deed, Conveyance or Mortgage, of such Lands or Tenements, or against any Trustee under subsequent Insolvency, or against any Creditor who shall have actually seized or levied under Attachment or execution: Provided that such Attachment, with a description of the Property attached, to be entered by the Sheriff in his Office Books immediately after such Attachment, shall be executed and duly returned with the Writ.

A Tacked Mortgage
no priority.

XII.—That no Mortgage affecting any such Lands or Tenements shall have any priority by reason of being held by or vested in the same Person with another Mortgage of prior date and registry.

Registry of Release.

XIII.—That the Registrar shall not be compelled to copy in full the Release, Transfer, or Mortgage, of any such Lands or Tenements, but he shall register a Memorial of such Release or Transfer, to contain the Names of the Parties and the subscribing Witnesses thereto, the Date thereof, and the Consideration therefor, and also shall enter a Reference to the Volume and Page of the Registry of such Mortgage, and on such Page shall make a marginal Note of such Release or Transfer.

XIV.—The Process of Subpœna may be issued out of the Supreme or Circuit Courts of this Island, as in ordinary cases, with the necessary variation in form, to compel the attendance of any Witnesses or Parties to any such Deed, Conveyance, or other Assurance, aforesaid, or the production thereof, for proof that, the same may be registered; and such Court or a Judge thereof shall have the power to punish any disobedience to such Subpœna by process of Contempt; but no Witness or Party shall be compelled to produce, under such Subpœna, any Deed, Will, Conveyance, or other Assurance, which he would not be compelled to produce on a Trial in a Court of Law or Equity; and every such Witness or Party shall be entitled to be paid the customary allowance to Witnesses.

Process of Subpœna.

XV.—That when any such Deed, Conveyance, or other Assurance, shall be executed out of this Colony, and duly proved in manner hereinbefore provided, it shall be lawful for the Registrar of the District wherein the Lands or Tenements affected thereby are situate, and he is hereby required, to register such Deed, Conveyance, or other Assurance, and the Certificate of Proof, upon the production to him of a copy thereof, authenticated by a Certificate under the Hand and Seal of a Judge of a Court of Record, Chief Magistrate, Mayor of any City or Town, British Ambassador, Consul or Vice-Consul, at or near the place where the Parties executing the same, or a subscribing Witness thereto, may reside; and the Registrar shall also register such last Certificate, and such Registration shall be as valid, to all intents and purposes, as if the original Deed, Conveyance, or other Assurance, had been produced to such Registrar.

Registry from certified copy.

XVI.—That it shall and may be lawful for any Person or Persons who shall hold any Deed, Will, Conveyance or other Assurance, affecting any Lands or Tenements in this Colony, executed before the Fire in St. John's on the Ninth day of June A. D. 1846, (whereby the several Volumes of the Registry of Deeds of the Central District were destroyed,) and which had been duly registered in any of the Volumes so destroyed, to present such Deed, Will, Conveyance, or other Assurance, to the Registrar of Deeds for the said Central District, who is hereby required to register a Memorial thereof free of charge.

Deeds registered prior to 9th June, 1846. to be again registered free.

XVII.—That nothing in this Act contained shall extend to Leases at a Rack Rent.

Not to extend to Leases.

XVIII.—That where any Will is proved and filed with the Registrar of Probates, a certified Copy thereof under his Hand and the Seal of the Probate Court may be registered in the Registration Office for the District wherein the Lands or Tenements affected by such Will lie, without further proof.

Registry of Wills.

XIX.—That all Bills of Sale, Conveyances, and Mortgages, of personal Chattels, in this Colony, being Deeds of Gift, or wherein the bona fide consideration therefor shall exceed the Sum or value of Fifty Pounds, and where the actual possession of such Chattels shall continue

Deeds of Sale of personal Chattels to be registered.

in the Grantor or Mortgagor, shall be registered in the Registration Office for the District in which such Grantor or Mortgagor shall reside ; and the Registrar for such District is hereby required to register such Bills of Sale, Conveyances and Mortgages, upon the same being proved, in manner herein provided for the proof of Deeds, and deposited with him for Registration ; and all such Bills of Sale, Conveyances, or Mortgages, not registered, shall be adjudged fraudulent and void as against a subsequent Purchaser or Mortgagee for valuable consideration, who shall first register his Bill of Sale, Conveyance, or Mortgage ; and also as against any subsequent and actual Attachment or levy under process of any of the Courts of this Island, upon such personal Chattels, and also as against a Trustee under subsequent Insolvency.

Time of Registry.

XX.—Every Deed, Will, Conveyance, and other Assurance, aforesaid, shall be held to be duly registered from the time it shall have been duly deposited and proved in manner aforesaid.

Registry Fees.

XXI.—That the Registrar of Deeds for the Central District shall be entitled to receive the following Fees from Parties depositing Deeds for Registration :—

For Registering all Deeds, Wills, Decrees, Judgments, Bills of Sale, Conveyances, Mortgages, and the Certificates thereto required to be registered, where the actual value of the Property passing thereby shall not exceed One Hundred Pounds..... Ten Shillings.

Where such value shall exceed One Hundred Pounds and under Five Hundred Pounds, Ten Shillings for the first One Hundred Pounds, and Five Shillings for every additional One Hundred Pounds ; and where the value shall exceed Five Hundred Pounds, the Sum of Two Shillings and Six Pence for every One Hundred Pounds over that amount.

For Swearing any Affidavit..... One Shilling.

For Registering any Release or Transfer of Mortgage..... Five Shillings.

For every Search..... One Shilling.

For every Certificate granted..... Two Shillings and Six Pence.

For Registering any Power of Attorney.... Ten Shillings.

Registrar of Central District to account.

XXII.—That the Registrar of Deeds for the Central District shall render to the Governor in Council, half-yearly, for the use of the Legislature, Accounts of all Registration Fees received by him, the said Fees to be paid in half-yearly to the Receiver General, save and except the Fees payable by virtue of the Nineteenth Section of this Act.

Northern and Southern Districts.

XXIII.—That the present Registrars for the Northern and Southern Districts shall be entitled to receive the following Fees from Parties depositing Deeds for Registration :

For the Verification, Indorsement and Registry of a Deed or Will, under One Hundred Pounds..... Ten Shillings.

Fees.

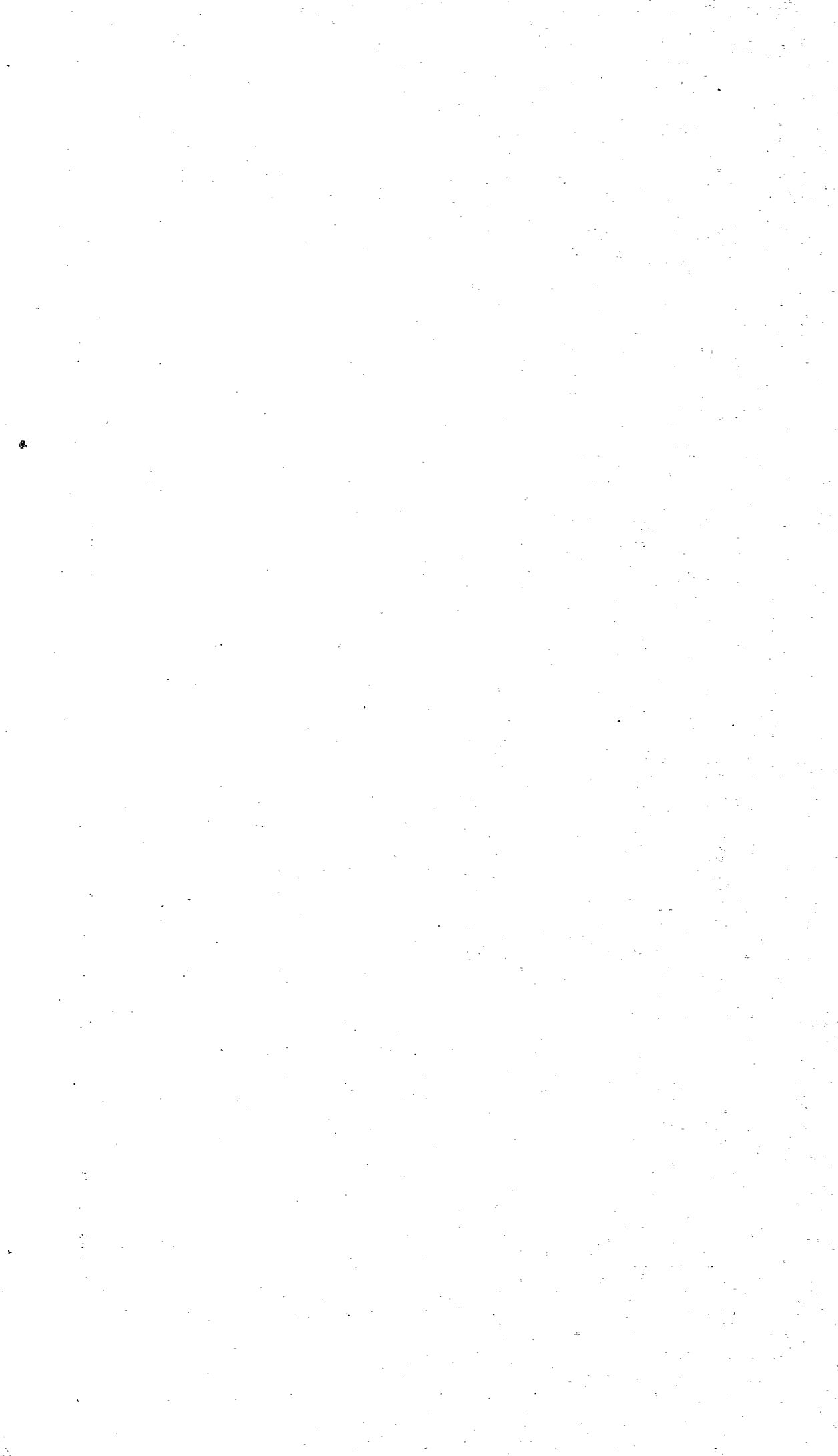
And when the value exceeds One Hundred Pounds, a per centage of One per cent. for the first One Hundred Pounds, and Five Shillings in the One Hundred Pounds for all above that amount; and for other matters not herein specified, the Fees provided therefor by the Twenty-first Section of this Act.

XXIV.—That upon a Vacancy occurring in the Office of Registrar for the Central District, it shall and may be lawful for the Governor in Council, should he deem it expedient, to sever and separate the Office of Chief Clerk of the Supreme Court and Chief Clerk of the Central Circuit Court from the Office of Registrar of Deeds for the Central District; and the Registrar of Deeds for the Central District to be hereafter appointed is hereby required, in registering Deeds, Wills, Decrees, Judgments, Conveyances, and other Assurances, to copy the same in the Book of Registry in full and at length, instead of a Memorial thereof as now required by the Fourth Section of this Act.

Provisions in the event of vacancies.

XXV.—That upon a Vacancy or Vacancies occurring in the respective Offices of Registrars of Deeds in the Northern and Southern Districts, the Registrars to be hereafter appointed are hereby required, in registering Deeds, Wills, Decrees, Judgments, Conveyances, and other Assurances, to copy the same in the Book of Registry in full and at length, instead of a Memorial thereof as now required by the Fourth Section of this Act; and such Registrars of Deeds to be hereafter appointed for the said Northern and Southern Districts shall be entitled to receive from Parties depositing Deeds and other Assurances for Registration, the Fees according to the Scale annexed to the Twenty-first Section of this Act, instead of the Fees now allowed by the Twenty-third Section of this Act.

The same.





Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. IX.

An ACT for the better securing the Independence of the House of Assembly of this Colony, by disabling certain Persons from being elected thereto, or of sitting or voting therein as Members.

[Passed 27th March, 1862.]

WHEREAS the holding of Offices of Emolument under the Government by Members of the House of Assembly, except in certain cases, is subversive of the Independence of the Representative Branch of the Legislature; and it is necessary to make provision for the better securing the Independence of the House of Assembly in that behalf: Preamble.

Be it enacted, by the Governor, Legislative Council, and Assembly, in Legislative Session convened:

That from and after the determination of the present General Assembly, no Person who shall hold any Office, Place, or Appointment of profit or emolument from or under the Government of this Colony, or from or under any Branch of the Legislature, or from or under any Board or Public Body the Members whereof are nominated by the Government, shall be eligible to be elected, or to sit or vote, as a Member of the House of Assembly: Provided that this Section shall not apply to the respective Persons who may hold the Offices of Attorney-General, Colonial Secretary, Receiver- No Person holding Office under Government eligible to be elected as Member of Assembly. Exceptions.

General, Solicitor-General, Surveyor-General, Financial Secretary, nor to the Speaker, nor to Chairmen of Committees of the House of Assembly, nor to such Members of the House of Assembly as shall be Directors of the Savings' Bank.

Contractors disqualified.

II.—Any Person who, after the determination of the present General Assembly, shall directly or indirectly himself, or by any Person whomsoever in trust for him, or for his use and benefit, or on his account, undertake, execute, or enjoy in the whole or part any Contract or Agreement for or on account of the Public Service, shall be incapable of being elected, or of sitting, or voting, as a Member of the Assembly during the time he shall execute, hold or enjoy any such Contract, or any part or share thereof, or any benefit or emolument arising therefrom; and if any Person, being a Member of the said House of Assembly, shall, after such time as aforesaid, enter into any such Contract or Agreement, or having entered into shall continue to hold it, his Seat shall be declared by the said Assembly to be void, and the same shall become void accordingly: Provided, this Section shall not apply to a Member of any Incorporated Body where such Corporation shall contract for the benefit of the Company, nor to Persons taking or holding Debentures of the Public Debt.

Exceptions.

If Party disqualified sit or vote—

III.—If any Person hereinbefore disabled or declared to be incapable to sit or vote in the House of Assembly of this Colony shall be elected and returned a Member for any District, such Election and Return shall be void to all intents and purposes; and if any Person so disqualified as aforesaid shall, after the dissolution or determination of this present General Assembly, presume to sit or vote as a Member of the said House of Assembly in any General Assembly to be hereafter convened, such Person so sitting or voting shall, for each time he shall sit or vote, forfeit the Sum of Fifty Pounds, to be recovered by any Person who may sue for the same in any of the Superior Courts of Record in this Colony.

Penalty.

Suspending Clause.

IV.—Nothing in this Act contained shall be of any effect until Her Majesty's pleasure thereon shall have been signified.





Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. X.

An ACT to declare the Intention or Meaning of the Words "British Sterling," and "Sterling," and "Pounds Shillings and Pence," introduced into any Acts passed since a Legislature was granted to this Colony in the Year One Thousand Eight Hundred and Thirty-two.

[Passed 27th March, 1862.]

WHEREAS since the establishment of a Legislature in this Island in the year 1832, all Grants of the Legislature, Debentures, and Interest thereon, Customs Bonds, and Salaries, have been paid in Local Sterling, in Dollars at Four Shillings and Four Pence Sterling each, or its equivalent in Current Money, at the rate of One Hundred and Fifteen Pounds Seven Shillings and Eight Pence and Four Thirteenths of a Penny, Currency, for every One Hundred Pounds Sterling granted, except the reserved Salaries, and the Pensions to the two Retired Judges of the Supreme Court, which have been paid in British Sterling, in Dollars at Four Shillings and Two Pence Sterling each, or its equivalent in Current Money of One Hundred and Twenty Pounds Currency for every One Hundred Pounds Sterling : Preamble.

And whereas doubts have arisen as to the Currency amounts of such Grants of the Legislature, Debentures, and Interest thereon, Customs Bonds and Salaries ; and whereas it is expedient to remove such doubts :

Be it therefore enacted by the Governor, Legislative Council, and Assembly, in Session convened :

All Grants, &c., to be at the rate of £115 7s 8 4-18d currency for every £100.

I.—That all Grants of the Legislature, Debentures, and Interest thereon, Customs Bonds, and Salaries, shall be paid, as heretofore, in Dollars at Four Shillings and Four Pence Sterling each, or its equivalent in Current Money at the rate of One Hundred and Fifteen Pounds Seven Shillings and Eight Pence and Four Thirteenths of a Penny Currency, for every One Hundred Pounds Sterling granted, or for which the Government may be bound or liable.

Exceptions.

II.—That the Salaries of His Excellency the Governor of Newfoundland, and of the present Chief Justice, and the Pensions to the two Retired Judges of the Supreme Court, shall be exempted from the operation of this Act, and shall be paid as heretofore in Dollars at Four Shillings and Two Pence Sterling each, or its equivalent in Current Money of One Hundred and Twenty Pounds Currency for every One Hundred Pounds granted.

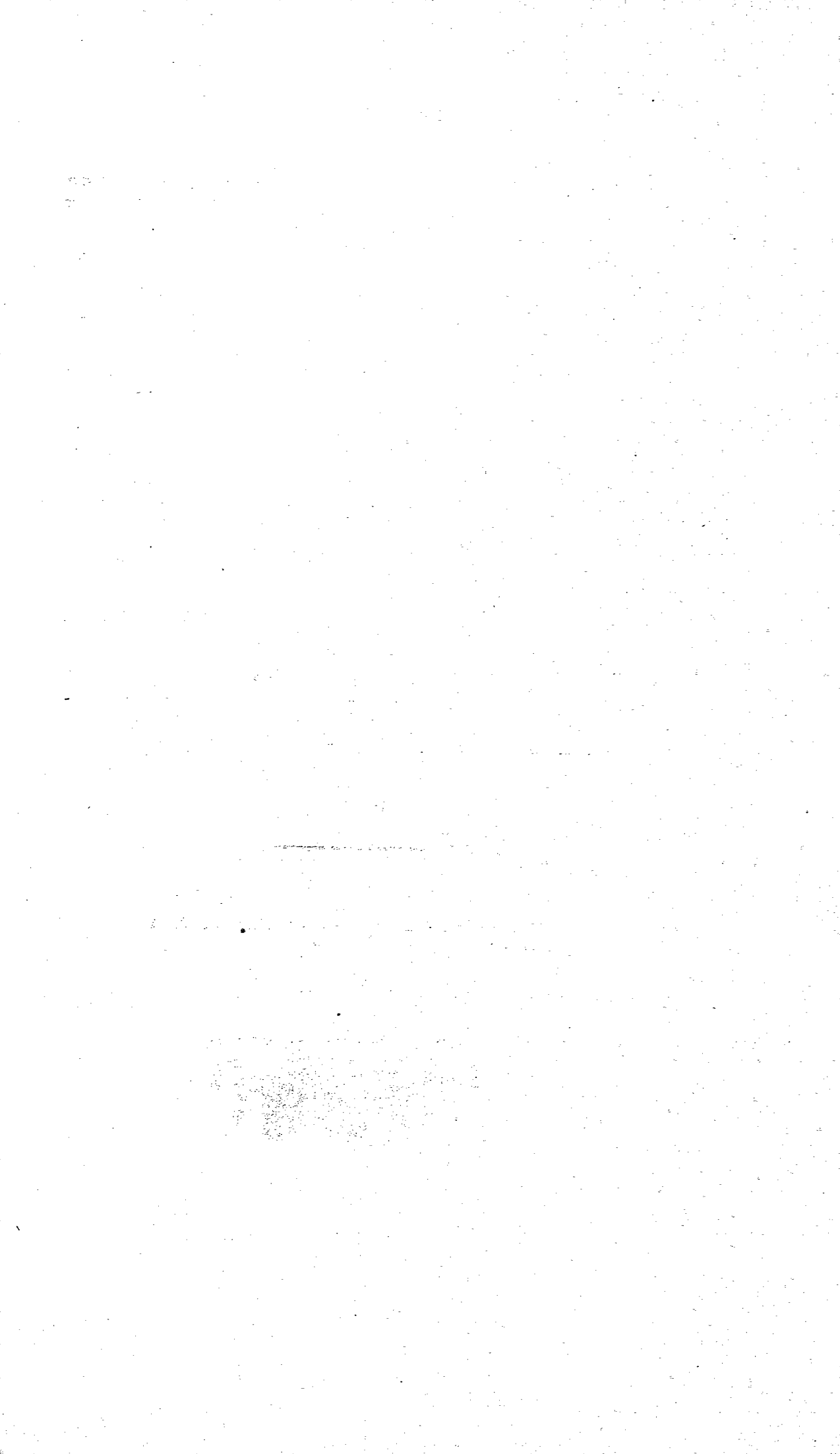
Not to interfere with Actions pending.

III.—This Act shall not interfere with any Action now pending before any of the Superior Courts of this Colony.

Suspending Clause.

IV.—This Act shall not come into operation until Her Majesty's pleasure thereon is known.







Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. XI.

An ACT to Incorporate the St. John's Association in aid of the Colonial and Continental Church Society.

[Passed 27th March, 1862.]

Be it enacted, by the Governor, Legislative Council, and Assembly, in Legislative Session convened, as follows :

I.—That the Persons hereinafter named, that is to say, Charles Simms, John Winter, M. D., Edward L. Jarvis, James Bayly, Hugh W. Hoyles, J. W. Marriott, the Reverend Thomas M. Wood, Frederick B. T. Carter, and all such other Persons as now are Members of the Corresponding Committee in St. John's, Newfoundland, of the Society called "The Colonial and Continental Church Society," and their Successors, are hereby created a Body Corporate, by the name of "The St. John's Association in aid of the Colonial and Continental Church Society," and by that name shall have succession and a common Seal, and by that name may sue and be sued, and may purchase, take and hold Real and Personal Estate, and may let, sell, and convey, or otherwise manage and dispose of the same, or any part thereof, and shall have power to make Bye-Laws for the rule and good management of the Association, the establishing of the Officers proper for the management of its Affairs, and generally for the promotion of the Interests of the Society ; but such Bye-Laws shall not be contrary to the Laws of Newfoundland, or to the provisions of this Act. The Standing Rules of the Association previously to the passing of this Act are confirmed as the Bye-Laws of the Association.

Incorporation of Colonial and Continental Church Society.

Society may hold Real Estate to the value of £10,000 Sterling.

II.—The Society shall not hold at any time Real Estate of greater value than Ten Thousand Pounds Sterling.

Annual Subscribers of 10 Shillings or Donors of £10 to be Members.

III.—All Persons paying an Annual Subscription of Ten Shillings Sterling or upwards, or making at one time a Donation of Ten Pounds Sterling when admitted pursuant to the Bye-Laws, shall be Members of the Society; but if such Annual Subscription shall not be actually paid into the Funds on or before the Twenty-fifth day of November in each Year, such Member shall cease to be a Member of the Society until the same shall be paid, or until such Person shall otherwise become a Member thereof under some Bye-Law or Rule of the Society.

Committee to consist of not more than Twelve nor less than Six.

IV.—The Association shall be governed and its affairs managed by a Committee of not more than Twelve nor less than Six Persons, such Committee constituting the Corresponding Committee of the Parent Society.

President and others to be Committee men.

V.—The President, Vice-President, Treasurer, and Secretary, shall be ex officio Members of all Committees.

Committee to be appointed at Annual Meetings.

VI.—The Committee and all the Office-bearers shall be appointed at the Annual General Meeting of the Society by the Majority of the Members present, according to the Standing Rules now in operation, or to be made under and by virtue of this Act. The Committee and the Office-bearers shall be eligible for re-election. The appointment of Members of the Committee is to be subject to approval by the Committee in England of the Colonial and Continental Church Society.

May be re-elected.

To be subject to approval.

Meetings of Committee.

VII.—The Committee shall meet as often as there may be occasion, Five being a Quorum.

Transfer of Property, &c.

VIII.—All the Property belonging to the Association, and all the Lands, Tenements and Property belonging to the Colonial and Continental Church Society situate in this Island (the Trustees of the last named Society having testified their consent in writing thereto) shall, by virtue of this Act, and without further or other conveyance, be transferred to and vested in the said Incorporated Society for the uses thereof.

Standing Rules of the Association.

Adopted previously to the Act of Incorporation.

Standing Rules.

1.—Annual Subscribers of Ten Shillings Sterling or upwards shall be Members of the Association during the continuance of their Subscriptions. Benefactors of Ten Pounds Sterling or upwards at one time shall be Life Members.

2.—Members will be entitled to receive the Annual Reports and other occasional Publications of the Parent Society, and will have the same privileges as if they subscribed direct to the Parent Society.

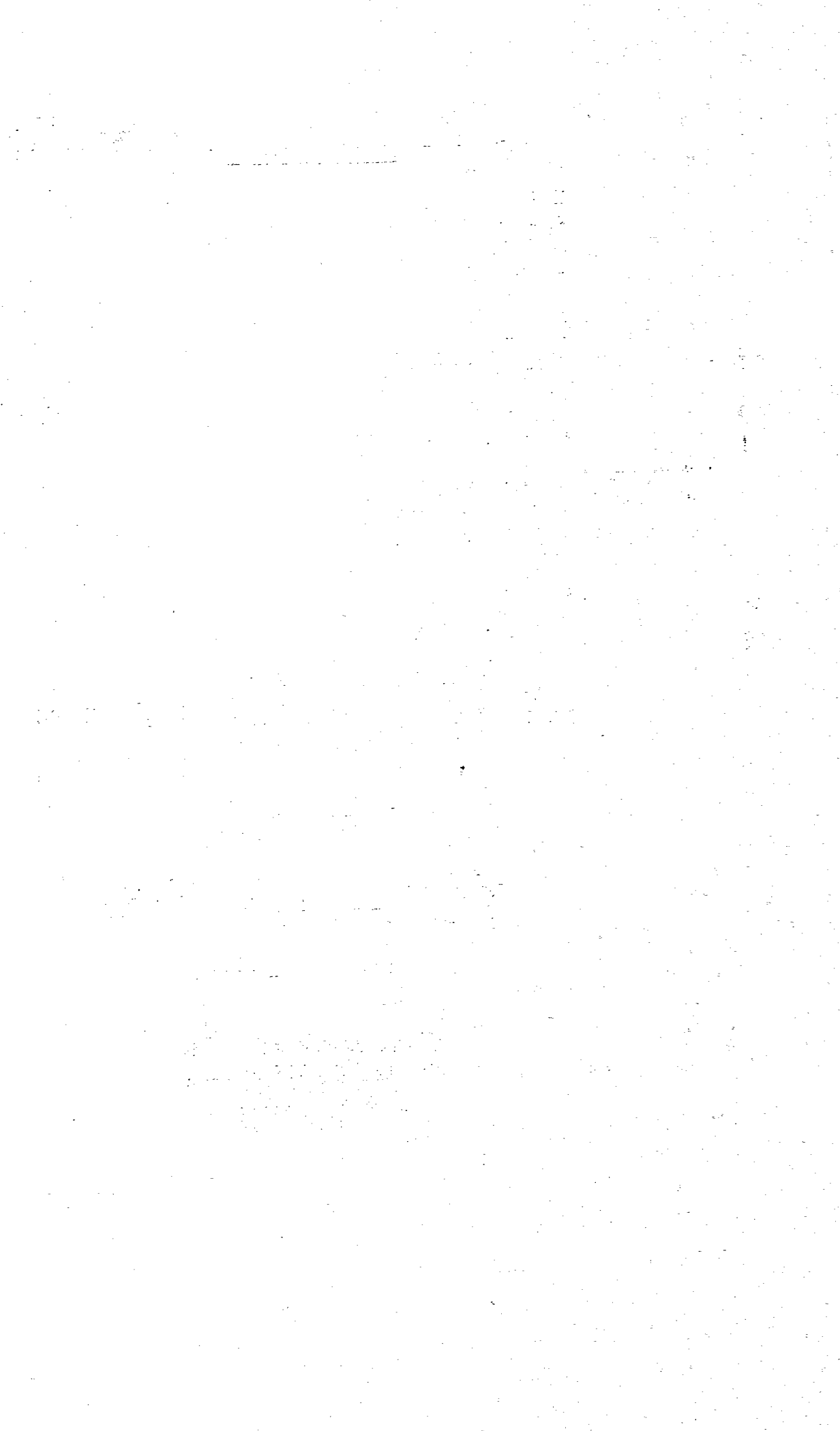
3.—The objects of this Association shall be to call forth the zeal of Christians in general, and especially of Members of the Church of England, in support of the Colonial and Continental Church Society, to promote its objects and proceedings, to procure collections, subscriptions and other contributions, and to give the Society in England information upon all matters coming within the operation of the Society.

4.—No part of the Lands or Property of the Colonial and Continental Church Society shall be sold by the Association without the express authority of the Committee of the Parent Society, signified by a Resolution authenticated by the Signature of the Secretary.

5.—The whole of the Funds obtained by the Association, after deducting Incidental Expenses, shall be accounted for to the Parent Society in England.

6.—A General Meeting of the Association shall be held annually on such a day as shall be fixed by the Committee, when a Report of the proceedings shall be read, and an account of Receipts and Disbursements presented, duly audited, and the Officers of the Association chosen for the ensuing year.

7.—The Committee and all Officers of the Association, and the several Teachers employed shall be Members of the Church of England.





Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. XII.

An ACT to Indemnify His Excellency Governor Sir Alexander Bannerman for certain Sums of Money advanced by him from the Colonial Treasury for the Service of the Colony.

[Passed 27th March, 1862.]

WHEREAS it is necessary to Indemnify His Excellency Governor Sir Alexander Bannerman for Sums of Money advanced by him from the Colonial Treasury for the Public Service as is hereinafter detailed : Preamble.

Be it therefore enacted, by the Governor, Legislative Council, and Assembly, in Session convened :

That from and out of such Monies as may from time to time remain in the hands of the Receiver-General, and unappropriated, there be granted to Her Majesty, Her Heirs and Successors, the Sum of Two Thousand Six Hundred and Eighty-six Pounds Three Shillings and Two Pence, to be appropriated as follows, that is to say : Total amount £2086
3s 2d.

Towards Indemnifying His Excellency Governor Sir Alexander Bannerman for the Sum of Two Thousand Six Hundred and Eighty-six Pounds Three Shillings and Two Pence, advanced by him out of the Colonial Revenue on his own responsibility, and expended by him for the Public Service as follows :

Criminal Prosecutions.	For Civil and Criminal Prosecutions, three hundred and eighty-five pounds nineteen shillings and three pence.
Coroners.	For Coroners, twenty-five pounds four shillings and two pence.
Circuits.	For Circuit Courts, seventy-six pounds eleven shillings and eight pence.
Gaols, &c.	For Ordinary Expenses of Court Houses and Gaols, four hundred and eighty-nine pounds two shillings and five pence.
Colonial Building.	For Fuel and Light, Colonial Building, two pounds thirteen shillings and four pence.
Insurance.	For Insurance on Public Buildings, one pound and eleven pence.
Postal Service.	For Expenses of the Postal Service of this Colony, two hundred and fifty-eight pounds and seventeen shillings.
Elections.	For Election Expenses, four hundred and eighty-three pounds five shillings and nine pence.
Registration of Voters.	For Registration of Voters, two pounds fifteen shillings and one penny.
Shipwrecked Crews.	For the Expenses of Shipwrecked Crews, sixty pounds fourteen shillings and nine pence.
Contingencies.	For Unforeseen Contingencies, twenty-six pounds two shillings and two pence.
Repairs Colonial Building.	For Repairs of Colonial Building, forty-one pounds fifteen shillings and seven pence.
James Tobin.	For Compensation to the Hon. James Tobin, two hundred pounds.
John Freeman.	To John Freeman, on account of Post Office Investigation, four pounds and eleven shillings.
Grave-yard at Channel.	For Grave-yard Fence at Channel, per the Reverend William Le Gallais, twenty pounds.
Public Wharf at Carbonear.	The Commissioners of Public Wharf, Carbonear, one hundred and two pounds two shillings and nine pence.
Revenue Cruiser.	For Hire of Cruiser, on account of Marmaduke Clow, seventeen pounds six shillings and eight pence.
Placentia Gut.	For Placentia Gut, per Ambrose Shea, thirty-five pounds.
Exhibition.	For Expenses on account of International Exhibition, one hundred pounds.
Paupers.	For the Expenses of Paupers at the Saint John's Hospital, two hundred and twenty-eight pounds ten shillings and three pence.
Police Clothing.	For Police Clothing, thirteen pounds sixteen shillings and eleven pence.
Halifax Packet.	For Extra Winter Trips of Halifax Packet, one hundred and ten pounds thirteen shillings and six pence.





Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. XIII.

An ACT for granting to Her Majesty a Sum of Money for defraying the Expenses of the Civil Government of this Colony for the Year ending the Thirty-first Day of December One Thousand Eight Hundred and Sixty-two, and for other Purposes.

[Passed 27th March, 1862.]

MAY IT PLEASE YOUR MAJESTY :

WE, Your Majesty's dutiful and loyal Subjects the Commons of New-
foundland, having freely and voluntarily resolved to give and grant unto Your Majesty a Supply to defray certain Charges for the Support of the Civil Government, for the Administration of Justice, and the general Improvement of this Colony, do beseech your Majesty that it may be enacted, and

Be it therefore enacted, by the Governor, Legislative Council, and Assembly, in General Session convened : That from and out of such Monies as shall from time to time remain in the hands of the Receiver-General, and unappropriated, there be granted to Your Majesty, Your Heirs and Successors, the Sum of Forty-six Thousand Nine Hundred and Fifty Pounds Five Shillings and Two Pence, which said Sum shall be applied in payment of the following Charges, for the Year commencing on the First Day of January, One Thousand Eight Hundred and Sixty-two, and ending on the Thirty-first Day of December in the same Year—that is to say :

£46,950 5s 2d appropriated for purposes of Act.

Private Secretary.	The Private Secretary to the Governor, two hundred pounds.
	The First Clerk in the Colonial Secretary's Office, two hundred pounds.
Clerks in Colonial Secretary's Office.	The Second Clerk in the Colonial Secretary's Office, one hundred pounds.
Clerk in Receiver-General's Office.	The Clerk in the Receiver General's Office, two hundred pounds.
Civil Engineer, Surveyor-General's Office.	The Civil Engineer in the Surveyor General's Office, one hundred and fifty pounds.
Superintendent Public Buildings.	The Superintendent of Public Buildings, one hundred and fifty pounds.
Surveyor of Roads.	The sum of one hundred and sixty pounds to defray the salary of the Surveyor of Roads.
Inspectors of Roads—Salaries to be deducted out of next Road Grant.	The sum of two hundred and forty-five pounds to defray the salaries of the Inspectors of Roads, to be paid, in the first instance, out of the general Revenue, and to be afterwards deducted out of the Road Grant for the District of St. John's, when any such Grant shall be made.
Keeper of Colonial Building.	The Keeper of the Colonial Building, sixty pounds.
Secretary's Office Keeper and Messenger.	The Office Keeper and Messenger Colonial Secretary's Office, seventy pounds.
Keeper of Salmonier House.	The Keeper of the Half-way House, Salmonier, thirty-five pounds.
Gate Keeper Government House.	The Gate Keeper at Government House Lodge and Preserver of the Grounds about the same, sixty pounds.
Chief Clerk and Registrar Supreme and Central Circuit Court	The Chief Clerk and Registrar of the Supreme Court and Central Circuit Court, three hundred and fifty pounds, and twenty pounds for the purchase of Printed Forms. Eighty pounds to defray the salary of a Clerk in the Office of the Chief Clerk and Registrar of the Supreme Court and Central Circuit Court: Provided that all Fees and Perquisites received, or that shall be received, in or by virtue of the said Office, or in any way connected therewith, shall be accounted for and paid over, half-yearly, to the Receiver-General.
Chief Clerk Northern Circuit Court.	The Chief Clerk and Registrar of the Northern Circuit Court, two hundred pounds.
Chief Clerk Southern Circuit Court.	The Chief Clerk and Registrar of the Southern Circuit Court, two hundred pounds.
Sheriff's Bailiff, St. John's.	The Sheriff's Bailiff in the Central District, fifty pounds.
Tipstaff of Supreme Court.	The Crier and Tip-staff of the Supreme Court at St. John's, sixty pounds.
Tipstaff Northern Circuit Court.	The Crier and Tip-staff of the Northern Circuit Court at Harbor Grace, twenty pounds.
Crown Prosecutions.	The sum of five hundred pounds to defray the Expenses of Crown Prosecutions.
Coroners.	The sum of two hundred pounds to defray the Expenses of Coroners.

The sum of four hundred and fifty pounds towards defraying the Expenses of Judges and Officers on Circuit, and of Crown Prosecutions thereon ; which Sum of Money includes Table Money and means of conveyance, and for the payment of Rent of any Court Rooms where Court Houses may not be erected : Provided that Passages shall be allowed and provided on board of such Vessel engaged by the Government, proceeding on the respective Circuits, to such Members of the Bar as may desire to proceed thereon : Provided further, that the amount of Table Money and Travelling Expenses hereinbefore provided for the said Judges and Officers of Court on Circuit shall be apportioned for the said Judges and Officers respectively by the Governor in Council.

Circuit Courts,

To two Police Magistrates at St. John's, six hundred and fifty pounds, namely : to the Chief Magistrate three hundred and fifty pounds ; and to the Junior Magistrate three hundred pounds.

Police Magistrates,
St. John's.

To the Clerk of the Peace at St. John's, two hundred and twenty pounds.

Clerk of the Peace,
St. John's.

To the Inspector of Police at St John's, one hundred pounds.

Inspector Police.

To two Sergeants of Police, one hundred and forty pounds—namely, seventy pounds to each of them.

Two Sergeants.

To fifteen Constables at St. John's, at fifty-five pounds each, eight hundred and twenty-five pounds ; and two hundred and fifty pounds for Clothing for them and for the Constables at Harbor Grace and Carbonear.

Fifteen Constables.

The Gaoler at St. John's, one hundred and fifty pounds, in lieu of all Fees, which are to be accounted for and paid over to the Receiver General.

Gaoler St. John's.

The Turnkey of the Gaol at St. John's, fifty pounds.

Turnkey.

The Assistants, eighty-five pounds.

Assistants.

The Keeper of the Court House at St. John's, fifty-five pounds.

Keeper Court House,
St. John's.

The Keeper of the Court House at Harbor Grace, ten pounds.

Keeper Court House,
Harbor Grace.

The Sum of Two Thousand One Hundred and Sixty Pounds to defray the Salaries of the undermentioned Outport Magistrates, as follows :

Outport Magistrates

A Magistrate at Brigus and Port-de-Grave, one hundred and fifty pounds.

A Magistrate at Harbor Grace, two hundred pounds.

A Magistrate at Carbonear, one hundred and fifty pounds.

A Magistrate at Old Perlican, one hundred and fifty pounds.

A Magistrate at Trinity, one hundred and fifty pounds.

A Magistrate at Bonavista, one hundred and fifty pounds.

A Magistrate at Twillingate and Fogo, one hundred and fifty pounds.

A Magistrate at Bay of Bulls, one hundred pounds.

A Magistrate at Ferryland, one hundred and fifty pounds.

A Magistrate at Saint Mary's, fifty pounds.

A Magistrate at Placentia, one hundred and thirty pounds.

A Magistrate at Burin, one hundred and fifty pounds.

- A Magistrate at Lamaline, one hundred and fifty pounds.
- A Magistrate at Grand Bank, one hundred and thirty pounds.
- A Magistrate at Harbor Britain, one hundred pounds.
- A Magistrate at Burgeo and La Poile, one hundred pounds.

Outport Clerks of the Peace

The Sum of Five Hundred and Seventy-five Pounds towards defraying the Salaries of the undermentioned Clerks of the Peace, as follows :

- A Clerk of the Peace for Brigus and Port-de-Grave, sixty pounds.
- A Clerk of the Peace at Harbor Grace, one hundred and fifty pounds.
- A Clerk of the Peace for Carbonear, ninety pounds.
- A Clerk of the Peace for Trinity, sixty pounds.
- A Clerk of the Peace for Bonavista, sixty pounds.
- A Clerk of the Peace for Twillingate and Fogo, sixty pounds.
- A Clerk of the Peace for Burin, sixty pounds.
- A Clerk of the Peace for Harbor Britain, thirty-five pounds.

Provided that all Fees of Office received by the said Clerks of the Peace shall be accounted for and paid over, half-yearly, to the Receiver-General.

Outport Constables

The Sum of Nineteen Hundred and Thirty-nine Pounds towards defraying the Salaries of the Outport Constables, as follows :

- One Constable at Petty Harbor, twenty pounds.
- One Constable at Torbay, twenty pounds.
- One Constable at Portugal Cove, twenty pounds.
- One Constable at South Shore, twelve pounds.
- One Constable at Harbor Main, twenty pounds.
- One Constable at Cat's Cove, twenty pounds.
- Four Constables at Brigus and Port-de-Grave, one hundred and five pounds.
- Three Constables at Bay Roberts, forty-nine pounds.
- Thirteen Constables at Harbor Grace, six hundred and fifty-five pounds : that is to say, one Constable at eighty pounds, eleven Constables at fifty pounds each, and one Constable at twenty-five pounds.
- Eight Constables at Carbonear, three hundred pounds.
- One Constable at Bay-de-Verds, twelve pounds.
- One Constable at Western Bay, twelve pounds.
- One Constable at Hant's Harbor, twelve pounds.
- One Constable at Old Perlican, twenty pounds.
- One Constable at Heart's Content, twelve pounds.
- Two Constables at Trinity, thirty-seven pounds.
- One Constable at New Harbor, twelve pounds.
- One Constable at Catalina, twenty-five pounds.
- Two Constables at Bonavista, twenty-four pounds.
- One Constable at Tickle Cove, twelve pounds.
- One Constable at King's Cove, twenty pounds.
- One Constable at Salvage, twelve pounds.
- One Constable at Greenspond, twenty-five pounds.
- Three Constables at Twillingate and Fogo, forty-nine pounds.

One Constable at Exploits Bay, twelve pounds.
 One Constable at Bay Bulls, twenty-five pounds.
 One Constable at Witless Bay, twelve pounds.
 One Constable at Upper Island Cove, twelve pounds.
 One Constable at Lower Island Cove, twelve pounds.
 One Constable at Toad's Cove, twelve pounds.
 One Constable at Brigus South, twelve pounds.
 One Constable at Cape Broyle, twelve pounds.
 One Constable at Caplin Bay, twelve pounds.
 One Constable at Ferryland, twenty-five pounds.
 One Constable at Aquafort, twelve pounds.
 One Constable at Fermeuse, twelve pounds.
 One Constable at Renewes, twelve pounds.
 One Constable at St. Mary's, twenty-five pounds.
 One Constable at Placentia, twenty-five pounds.
 One Constable at Little Placentia, twenty pounds.
 One Constable at Oderin, twelve pounds.
 One Constable at Merasheen, twelve pounds.
 One Constable at Burin, twenty-five pounds.
 One Constable at St. Laurence, twelve pounds.
 One Constable at Lamaline, twelve pounds.
 One Constable at Grand Bank, twelve pounds.
 One Constable at Jersey Harbor, twelve pounds.
 One Constable at Harbor Britain, twenty-five pounds.
 One Constable at Burgeo Island, twelve pounds.
 One Constable at Hermitage Bay, twelve pounds.
 One Constable at Spaniard's Bay, twelve pounds.
 One Constable at Channel, twelve pounds.
 One Constable at Bird Island Cove, twelve pounds.

Outport Constables

The Sum of Two Hundred and Sixty Pound towards defraying the Salaries of the undermentioned Outport Gaolers, as follows :

Outport Gaolers.

A Gaoler at Brigus and Port-de-Grave, ten pounds.
 A Gaoler at Harbor Grace, ninety pounds : Provided that all Fees of Office received by him shall be accounted for and paid over to the Receiver-General.
 A Gaoler at Trinity, twenty-five pounds.
 A Gaoler at Bonavista, twenty-five pounds.
 A Gaoler at Greenspond, fifteen pounds.
 A Gaoler at Twillingate and Fogo, twenty pounds.
 A Gaoler at Ferryland, twenty-five pounds.
 A Gaoler at Placentia, twenty-five pounds.
 A Gaoler at Burin, twenty-five pounds.

The District Surgeons for St. John's, two hundred pounds, including provision for Medicines.

District Surgeons.

The Gaol Surgeon for St. John's, forty pounds.

Gaol Surgeon

District Surgeon— Conception Bay.	The District Surgeon for Conception Bay, one hundred pounds.
Gael Surgeon.	The Gael Surgeon for Conception Bay, thirty pounds.
Physician Lunatic Asylum.	The Physician of the Lunatic Asylum, three hundred pounds.
Medical attendance St. John's Hospital.	For Medical Attendance at St. John's Hospital, two hundred and fifty pounds.
Commissioner of Poor	The sum of two hundred and fifty pounds towards defraying the salary of the Commissioner of the Poor.
Inspector of Poor.	The sum of ninety pounds towards defraying the salary of the Inspector of the Poor.
Assistant.	The sum of ninety pounds towards defraying the salary of the Assistant Inspector of the Poor.
Keeper Poor Asylum.	The sum of sixty pounds towards defraying the salary of the Keeper of the Poor Asylum.
Assistant.	The sum of forty-four pounds towards defraying the salary of the Assistant Keeper of the Poor Asylum.
Permanent and Casual Poor.	The sum of fifteen thousand pounds towards the relief of the Permanent and Casual Poor of St. John's and the Outports.
Lunatic Paupers.	The sum of three thousand five hundred pounds towards defraying the expenses of Servants and Lunatic Paupers at the Lunatic Asylum.
Paupers St. John's Hospital.	The sum of one thousand seven hundred pounds towards defraying the expenses of Paupers at the St. John's Hospital.
Servants and Pau- pers, Poor Asylum.	The sum of one thousand two hundred pounds towards defraying the expenses of Servants and Paupers at the Poor Asylum.
Ferryman.	The sum of Three Hundred and Sixty-seven Pounds towards defraying the salaries of the undermentioned Ferryman, as follows :
	A Ferryman at Great Placentia, thirty pounds.
	A Ferryman at Salmonier, twenty-five pounds.
	A Ferryman at Malbay, twelve pounds.
	A Ferryman at Colinet, twenty-five pounds.
	A Ferryman at Portugal Cove, twenty-five pounds.
	A Ferryman at Trinity, thirty pounds.
	A Ferryman at Topsail, twenty-five pounds.
	A Ferryman at Harbor Grace, thirty pounds.
	A Ferryman at Little St. Laurence, ten pounds.
	A Ferryman at Holyrood, thirty pounds.
	A Ferryman from Burin to Mud Cove, twenty-five pounds.
	A Ferryman at Aquaforte, fifteen pounds.
	A Ferryman at Mortier Bay, twenty-five pounds.
	A Ferryman at Connaigre Bay, twenty-five pounds.

- A Ferryman from King's Cove to Upper Amherst Cove, twenty-five Ferrymen-pounds.
- A Ferryman at Fogo, or Deadman's Bay, ten pounds.
- The sum of one hundred and fifty pounds towards defraying the expenses of repairs on the Colonial Building. Repairs of Colonial Building.
- The sum of one hundred and fifty pounds towards defraying the expenses of repairs on the Lunatic Asylum. Do Lunatic Asylum.
- The sum of one hundred pounds towards defraying the expenses of repairs on the St. John's Hospital. Do St. John's Hospital.
- The sum of two hundred and fifty pounds towards defraying the expenses of repairs of Court Houses and Gaols. Do Court Houses and Gaols.
- The sum of one thousand one hundred pounds towards defraying the ordinary expenses of Court Houses and Gaols in this Colony. Ordinary Expenses of Court Houses and Gaols.
- The sum of twenty-five pounds for Fuel, Light and Repairs at the Custom House. Fuel, &c., Custom House.
- The sum of two hundred pounds for Fuel and Light at the Colonial Building. Fuel and Light—Colonial Building.
- The sum of two hundred pounds for Fuel and Light at Government House. Do Gov't House.
- The sum of nine pounds two shillings and six pence towards defraying the expenses of Men stationed at Fort Amherst. Fort Amherst.
- The sum of fifty pounds towards defraying the payment of Duties on Wines imported or purchased for the use of the Military. Duties Military Men
- The sum of two hundred and twenty-six pounds towards defraying the expenses of lighting St. John's with Gas: Provided that the Inspector of Police at St. John's shall report at the end of each Quarter that the Lamps have been efficiently lighted. Gas Light St. John's
- The sum of seventy-five pounds to the Harbor Grace Gas Light Company: Provided that the Chief Constable at Harbor Grace shall report at the end of each Quarter that the Lamps have been efficiently lighted. Do Harbor Grace.
- The sum of two hundred pounds towards defraying the expenses of Shipwrecked Crews. Shipwrecked Crews.
- The sum of fifty pounds towards the support of the Dorcas Society in St. John's. Dorcas Society Saint John's.
- The sum of twenty-five pounds towards the support of the Dorcas Society in Harbor Grace. Do Harbor Grace.
- The sum of twenty-five pounds towards the support of the Dorcas Society in Carbonear. Do Carbonear.
- The sum of fifty pounds towards defraying the expenses of the St. John's Athenæum. St. John's Athenæum.
- The sum of one hundred pounds towards the employment of the Poor in the Factory in St. John's. St. John's Factory.

- Orphan Asylum.** The sum of fifty pounds towards the support of the Industrial Department of the Orphan Asylum School in St. John's.
- Agricultural Society.** The sum of two hundred pounds towards the support of the Agricultural Society in St. John's, to be expended as follows: the sum of one hundred pounds in the purchase of Seeds, and of Cattle to improve the breed, in and for such Outport Electoral Districts as may require the same; and the sum of eighty pounds to be expended for the like purpose in St. John's; and twenty pounds for the introduction of the Nova Scotia Hares into this Colony.
- Robert Smith.** The sum of ten pounds to Robert Smith, Constable at Greenspond.
- Patrick Burke.** The sum of ten pounds to Patrick Burke, St. John's.
- Phoenix Fire Co.** The sum of one hundred pounds to the Phoenix Volunteer Fire Engine Company at St. John's: Provided Engine Hose of a sufficient length for general purposes be procured and supplied by the said Company.
- Cathedral Fire Brigade.** The sum of one hundred pounds to the Cathedral Fire Brigade at St. John's: Provided Engine Hose of a sufficient length for general purposes be procured and supplied by the said Brigade.
- Pumps, &c.** The sum of two hundred pounds towards defraying the expenses of Pumps and Water Tanks.
- Roads and Bridges.** The sum of three hundred and fifty pounds towards the general repairs of Roads and Bridges in this Colony.
- Town Clock.** The sum of fifteen pounds towards defraying the expenses of repairing and cleaning the Town Clock in St. John's.
- Conception Bay Steamer.** The sum of seven hundred and fifty pounds towards the support of a suitable Steamer to ply between the North and South Sides of Conception Bay, viz., the sum of six hundred and fifty pounds from the first day of April to the thirty-first day of December: the said Steamer to ply five times per week during that time, unless unavoidably prevented from so doing; Provided that the said Steamer call at least once a week at Bay Roberts: and the sum of one hundred pounds from the first day of January to the thirty-first day of March; Provided that the said Steamer make at least one trip a week across the Bay during that time, unless unavoidably prevented from so doing: Provided that Officers of the Government travelling on the Public Service shall be entitled to free Passages in the said Steamer.
- Protection of Fisheries.** The sum of six hundred pounds towards defraying the expenses of the Protection of the Fisheries.
- Election Expenses.** The sum of one hundred pounds towards defraying the expenses of Elections.
- Pension to Mrs Chancey.** The sum of forty pounds to the widow of the late Lionel T. R. Chancey.
- Do to Mrs Buckley.** The sum of twenty-five pounds to the Widow of the late William Buckley, killed in the discharge of his duty as a Volunteer Fireman, and their children during her widowhood; and in the event of her death or marriage, then to the use of the said children until they respectively attain the age of sixteen years.

The sum of one hundred pounds in part payment of Retiring Allowance to John Stark, Esquire, Chief Clerk and Registrar of the Northern Circuit Court. John Stark.

The sum of two hundred and fifty pounds towards defraying the expenses of Night Police. Night Police.

The sum of one hundred and thirty pounds towards defraying the expenses of Telegraph News. Telegraph News.

The sum of fifty pounds towards defraying the expenses of repairs on the Custom House at Harbor Grace. Repairs of Custom House, Har. Grace.

The sum of twenty-five pounds towards defraying the expense of painting the Block House. Painting Block House

The sum of seventy-five pounds towards defraying the expenses of carrying the Crown Lands Act into operation. Crown Lands Act.

The sum of one thousand pounds for Printing and Stationery. Printing and Stationery.

The sum of one hundred pounds towards defraying the expenses of Postages and other Incidentals. Postages, &c.

The sum of three hundred pounds towards defraying the expenses of insuring Public Buildings. Insurance on Public Buildings.

The sum of five hundred pounds to defray Unforeseen Contingencies. Contingencies.

The sum of three thousand three hundred and seventy-nine pounds to be appropriated and expended to defray the expenses of the Postal Service of this Colony, to be expended under and by virtue of the provisions of the Act passed in the Nineteenth Year of Her Majesty's Reign, entitled an "An Act to Regulate the Inland Posts of this Colony." Provided always, that out of the said sum there shall be expended the sum of twenty pounds towards defraying the expenses of conveying Newspapers and Printed Papers to and from this Colony, subject to certain Rules and Regulations made or to be adopted in relation thereto by the Governor in Council. Postal Service.

The sum of two hundred and fifty pounds to defray the expenses of completing the Poor Asylum. Completing Poor Asylum.

The sum of two hundred and eighteen pounds four shillings and nine pence towards defraying the expenses of Fog Guns. Fog Guns.

The sum of one hundred and twenty-five pounds towards defraying the salary of the Landing Waiter at Harbor Grace. Landing Waiter at Harbor Grace.

The sum of thirty pounds Retiring Allowance to Richard Furneaux. Richard Furneaux.

The sum of twenty-five pounds Retiring Allowance to Patrick Kough. Patrick Kough.

The sum of twenty-seven pounds seventeen shillings and eleven pence to indemnify His Excellency the Governor for Monies expended on account of the Volunteer Rifle Companies. Indemnity.

The sum of one hundred and fifty pounds towards the erection of Ice-Houses for the Preservation of Bait. Bait Houses.

- Widow Dunn.** The sum of thirty pounds to the Widow of the late Jerimiah Dunn, killed in the discharge of his duty as a Police Constable, and their Children during her widowhood ; and in the event of her death or marriage, then to the use of the said Children until they respectively attain the age of sixteen years.
- Engine House, Harbor Grace.** The sum of fifty pounds towards the erection of an Engine House for the Harbor Grace Fire Company.
- Breakwater, Toad's Cove.** The sum of one hundred pounds towards the completion of a Breakwater at Toad's Cove : Provided half that amount in Labour, Money or Materials, be supplied by the People of the District, to be expended under the control of the Government.
- Do, Lamaline.** The sum of fifty pounds towards the erection of a Breakwater at Lamaline : Provided that the Inhabitants of that District contribute a further sum of twenty-five pounds in Money, Labour, or Materials, for the said Break-water, to be expended under the control of the Government.
- Monies to be paid by Warrant [drawn by Governor.** The Monies hereinbefore granted shall be paid by the Receiver General in discharge of such Warrants as may from time to time be drawn by the Governor for the purposes of this Act ; and it shall not be lawful for the Receiver General to pay any Monies out of the Colonial Treasury other than such as are granted by this Act or some other Act of the Legislature : Provided that any sums of Money advanced by the Government of this Colony, on account of any of the foregoing appropriations, shall be deducted therefrom.

THE UNIVERSITY OF CHICAGO



Anno Vicesimo-Quinto

VICTORIÆ REGINÆ.

CAP. XIV.

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

[Passed 27th March, 1862.]

WHEREAS it is expedient to provide for the Contingent Expenses of the Legislature of this Colony :

Præambula.

Be it therefore enacted by the Governor, Legislative Council, and Assembly, in Legislative Session convened :

That from and out of such Monies as shall from time to time remain in the hands of the Receiver General, and unappropriated, there be granted to Her Majesty, Her Heirs and Successors, the Sum of Five Thousand Nine Hundred and Sixty-seven Pounds Seventeen Shillings and Three Pence, to be applied towards remunerating the Officers of the Legislature for their Services, and towards defraying the Contingent Expenses of the Legislative Council and House of Assembly, as follows :

*Contingencies—
£5967 17s 3d.*

The Clerk and Master-in-Chancery, for his services during the present Session, three hundred and fifty pounds.

Clerk Council.

The Usher of the Black Rod, for his services during the present Session, one hundred and twenty pounds.

Usher Black Rod.

The Reporter of the Legislative Council, for his services during the present Session, one hundred and twenty-five pounds.

Reporter Council.

The Door-Keeper of the Legislative Council, for his services during the present Session, fifty pounds.

Door-keeper.

Assistant.	The Assistant Door-Keeper and Messenger of the Legislative Council, for his services during the present Session, thirty pounds.
Messenger.	The Messenger of the Legislative Council, for his services during the present Session, twenty-five pounds.
Robert Dicks.	Robert Dicks, for Binding Journals of the Legislative Council, and Newspapers, thirty-three pounds and five pence.
Times, Debates.	The Proprietor of the Times, for publishing Debates and Proceedings of the Legislative Council for the present Session, forty pounds.
Newfoundlander, copying Debates.	The Proprietor of the Newfoundlander, for copying Debates and Proceedings of the Legislative Council for the present Session, thirty pounds.
Ledger—Debates	The Proprietor of the Ledger, for copying Debates and Proceedings of the Legislative Council for the present Session, thirty pounds.
Clerk's Contingencies.	The Clerk of the Legislative Council, to defray the Contingent Expenses of his Office, ninety-eight pounds seventeen shillings and four pence.
Usher Black Rod, do	The Usher of the Black Rod, to defray the Contingent Expenses of his Office, twenty-three pounds fifteen shillings and ten pence.
J. W. McCoubrey.	John W. McCoubrey, Printing Miscellaneous Papers for the Legislative Council, fifty-three pounds, sixteen shillings and five pence.
Estimate for Printing and Binding.	Estimate of Printing and Binding Journals of the Legislative Council for the present Session, one hundred pounds.
Speaker of Assembly.	The Speaker of the House of Assembly, for his services during the present Session, two hundred pounds.
Clerk of Assembly.	The Clerk of the House of Assembly, for his services during the present Session, and for indexing and superintending the Printing of the Journals, two hundred and seventy-five pounds.
Assistant.	The Clerk Assistant, for his services during the present Session, one hundred and twenty-five pounds.
Solicitor.	The Solicitor, for his services during the present Session, one hundred and fifty pounds.
Representatives late Sergeant-at-Arms,	The Representatives of the late Sergeant-at-Arms, one hundred and twenty-five pounds.
Sergeant-at-Arms.	The Sergeant-at-Arms, fifty pounds, for his services the present Session.
Doorkeeper Assembly	The Door-Keeper, for his services during the present Session, forty-five pounds.
Messenger.	The Messenger, for his services during the present Session, forty pounds.
Under Door-keeper.	The Under Door-Keeper, for his services during the present Session, thirty-five pounds.
Assistant Doorkeeper	The Assistant Door-Keeper, for his services during the present Session, fifteen pounds.

- The Outer Door-Keeper, for his services during the present Session, fifteen pounds. Outer Doorkeeper.
- The Assistant Messenger and Fireman, for his services during the present Session, thirty pounds. Assistant Messenger.
- The Reporters, for their services during the present Session, two hundred and twenty-five pounds, being one hundred and twelve pounds and ten shillings each. Reporters.
- The Proprietor of the Newfoundlander, for publishing Debates of the House of Assembly during the present Session, seventy pounds. Newfoundlander—Debates.
- The Proprietor of the Ledger, for publishing Debates of the House of Assembly during the present Session, seventy pounds. Ledger, do.
- The Proprietor of the Express, for publishing Debates of the House of Assembly during the present Session, seventy pounds. Express, do.
- The Proprietor of the Daily News, for publishing Debates of the House of Assembly during the present Session, fifty pounds. Daily News, do.
- The Proprietor of the Standard, for publishing synopsis of Debates and Proceedings of the House of Assembly, twenty-five pounds. Standard, do.
- Henry Winton, for Printing Bills and Miscellaneous Papers for the House of Assembly, one hundred and sixty-six pounds one shilling and eleven pence. Henry Winton.
- James Seaton, estimate for Printing Journals of the House of Assembly, two hundred pounds. Estimate for printing Journals.
- James Seaton, for Newspapers and Printing, twelve pounds eight shillings and eleven pence. James Seaton.
- Robert Dicks, for Binding Journals of the House of Assembly, the last Session, forty-three pounds six shillings and eight pence. Robert Dicks.
- Robert Dicks, estimate for Binding Journals of the House of Assembly, the present Session, forty-three pounds six shillings and eight pence. Estimate for binding Journals.
- Richard B. Holden, copying Bills and attending Select Committees the present Session, one hundred pounds. Richard B. Holden.
- The Clerk of the House of Assembly, to defray the Contingent expenses of his Office, one hundred and fifty-three pounds eight shillings and four pence. Clerk's Contingencies.
- The Clerk of the House of Assembly, to defray the Contingent Expenses of the Legislative Library, one hundred and forty-six pounds seventeen shillings and seven pence. Contingencies Legislative Library.
- To twenty-nine Members of the House of Assembly (the Speaker not included) for their attendance during the present Session, being six Out-port Members at sixty-three pounds each, and twenty-three Members resident in St. John's at forty-two pounds each, one thousand three hundred and forty-four pounds. Members' pay.
- To Thomas Byrne, Esquire, Member for the District of Harbor Main, for his services the last Session, forty-two pounds. Thomas Byrne.

- Patrick Nowlan. To Patrick Nowlan, Esquire, Member for the District of Harbor Main, for his services the last Session, sixty-three pounds.
- Ambrose Shea To Ambrose Shea, Esquire, for arrears of Salary as Speaker of the House of Assembly, the Second Session of the Seventh General Assembly, one hundred pounds.
- Ambrose Shea. To Ambrose Shea, Esquire, Travelling Expenses to and from London on account of the House of Assembly, twenty-five pounds.
- Chairman of Supply. The Chairman of Supply, fifty pounds.
- Harbor Main Election Committee. To the Chairman and Members of the Select Committee to inquire into the contested Election for Harbor Main last Session, one hundred pounds.
- Proprietor of Newfoundland. To the Proprietor of the Newfoundlander, balance for printing Journals of the House of Assembly the Second Session of the Seventh General Assembly, two hundred and sixty-three pounds and fifteen shillings; and twelve pounds and ten shillings balance for printing Index; and ten pounds four shillings and one penny for Newspapers for the use of Members.
- Joseph Woods. Joseph Woods, for binding Journals of the House of Assembly for the Second Session of the Seventh General Assembly, and for Newspapers, thirty-nine pounds and six shillings.
- Bowring Brothers. Bowring Brothers, for Carpeting, thirty-three pounds and four pence.
- Telegraph Company. The Telegraph Company for Local Messages in the Years 1861 and 1862, thirty-three pounds eighteen shilling and five pence.
- Thomas McCannan. Thomas McCannan, for Stationery, fifty-nine pounds nine shillings and seven pence.
- J. J. Graham. James J. Graham's account for Stationery for the Years 1860, 1861, and 1862, fifty-two pounds eleven shillings and seven pence.
- Robert Winton. Robert Winton, for Newspapers the last two Sessions, twenty-two pounds and fifteen shillings.
- William Freeman. William Freeman, account for Carpentry, forty-six pounds twelve shillings and six pence.
- Thomas Cole. Thomas Cole, account for repairing Furniture, two pounds nine shillings and ten pence.
- McMillan & Rankin. McMillan & Rankin, account for Candles, two pounds four shillings and ten pence.
- Robert J. Parsons. Robert John Parsons, Esq., Acting Speaker of the House of Assembly, Second Session of the Seventh General Assembly, fifty pounds.
- Proprietor of Daily News. The Proprietor of the Daily News, in addition to the sum of fifty pounds already granted for publishing Debates the present Session, twenty-five pounds.
- Pay to Members of Council:—Proviso. And the amounts, if any, that may, by the opinion of the Right Honorable the Secretary of State for the Colonies, to whom the subject matter was referred at the instance of the House of Assembly, be allowable to the President and Members of the Council for the last and present Sessions.

II.—The Monies hereinbefore granted shall be paid by the Receiver General in discharge of such Warrants as may from time to time be drawn by the Governor for the purposes of this Act.

J. C. Withers, Printer to the Queen's Most Excellent Majesty.

Ex J. C. W.
10/17/07