

ACTS

OF THE

GENERAL ASSEMBLY

OF

HIS MAJESTY'S PROVINCE

OF

NEW-BRUNSWICK,

PASSED IN THE YEAR

1824.



FREDERICTON :

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MDCCCXXIV.

MAR 9 1909

ANNO REGNI

GEORGIIV.

Britanniarum Regis, Quinto.



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

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THE
ACTS
OF THE
GENERAL ASSEMBLY,
&c.

CAP. I.

An ACT to continue an Act, intituled, "An Act to prevent Desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters."

Passed 11th March, 1824.

BE it enacted by the President, Council, and Assembly, That an Act made and passed in the fifty-ninth year of His late Majesty's Reign, intituled, "An Act to prevent Desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters," be, and the same is hereby further continued for the term of five years, and thence until the end of the then next Session of the General Assembly.

59 Geo. 3. c. 15,
continued for five
years.

CAP.

CAP. II.

An ACT to continue an Act, intituled, " An Act to regulate the
 " Herring Fisheries in the Parishes of West Isles, Campo Bello,
 " Pennfield, and Saint George, in the County of Charlotte,
 " and an Act to extend the provisions of the said Act to the
 " Parish of Grand Manan."

Passed 11th March, 1824.

59 Geo. 3, c. 16,
 continued for
 three years.

BE it enacted by the President, Council, and
 Assembly, That an Act made and passed
 in the fifty-ninth year of the Reign of His
 late Majesty King George the Third, intituled,
 " An Act to regulate the Herring Fish-
 " eries in the Parishes of West Isles, Campo
 " Bello, Pennfield, and Saint George, in the
 " County of Charlotte," and an Act made and
 " passed in the second year of the Reign of
 " His present Majesty, intituled, " An Act
 " to extend the provisions of an Act, intitu-
 " led, " An Act to regulate the Herring
 " Fisheries in the Parishes of West Isles,
 " Campo Bello, Pennfield, and Saint George,
 " in the County of Charlotte, to the Parish
 " of Grand Manan," be further continued,
 and the same are hereby further continued
 for the term of three years; and thence until
 the end of the then next Session of the Ge-
 neral Assembly.

CAP. III.

An ACT for erecting and maintaining a Light-House upon one of
 the Islands or Rocks near the South-East Coast of the Island
 of Grand Manan.

Passed 11th March, 1824.

Preamble.

WHEREAS it is necessary for the
 safety of ships navigating in the Bay
 of Fundy, that a Light-House should be
 erected and maintained upon one of the
 Islands or Rocks off the South-East Coast
 of the Island of Grand Manan---

I. Be

*Repealed by
 9 Geo. 4. c. 24.*

I. *Be it therefore enacted by the President, Council, and Assembly,* That the expence of building and maintaining a Light-House in the situation aforesaid, shall be paid out of the surplus that has arisen or may arise from monies collected under and by virtue of "An Act to provide for the support of a Light-House to be built upon Partridge Island," and "An Act in amendment thereof," by warrant of the President and Commander-in-Chief, by and with the advice of His Majesty's Council.

Expence of building and maintaining a Light-House to be paid out of the surplus of monies collected under 28 Geo. 3. c. 4. and 4 Geo. 4. c. 26.

II. *And be it further enacted,* That it shall and may be lawful to and for the President and Commander-in-Chief for the time being, to appoint three or more Commissioners to direct and superintend the construction of a Light-House, either upon the Revolving Principle, or such other Principle as may be best adapted to the situation, to be built on one of the South-Eastern Islands or Rocks lying off the Island of Grand Manan, and to provide for maintaining the same; which Commissioners are hereby authorized and empowered to make contracts with good and sufficient Workmen, to erect, finish and complete the same, and to hire one or more person or persons as Keepers thereof, and also to provide all things necessary for its annual support. *Provided always,* that no expence shall be incurred until the proper scite for the said Light-House and the proper Principle of constructing the same, shall be reported by the said Commissioners, and approved of by the President or Commander-in-Chief.

President to appoint Commissioners to direct and superintend the construction of a Light-House,

to be built on one of the South-eastern Islands off Grand Manan.

Commissioners to contract with Workmen, and hire Keepers.

No expence to be incurred until the scite for the building and the principle of construction approved by the Commander in Chief.

III. *And*

Commissioners to render an account of expences of building, and an annual account and report of the expence of maintaining the Light-House.

III. *And be it further enacted*, That the said Commissioners shall render an account, duly attested, of all expences incurred in erecting, finishing and completing the Light-House to be erected as aforesaid, and also an annual account, also duly attested, of the expence of maintaining the same, to the President or Commander-in-Chief, accompanied with a report of all things connected with the establishment, for the information of the Legislature.

CAP. IV.

An ACT to continue an Act, intituled, " An Act for the more effectual punishment of Persons who shall be guilty of the Trespasses therein mentioned, in the City of Saint John."

Passed 11th March, 1824.

BE it enacted by the President, Council, and Assembly, That an Act made and passed in the fifty-ninth year of the Reign of His late Majesty King George the Third, intituled, " An Act for the more effectual punishment of Persons who shall be guilty of the Trespasses therein mentioned, in the City of Saint John," be, and the same is hereby continued for the term of five years, and thence to the end of the then next Session of the General Assembly.

Gen. c. 6, continued for five years.

CAP. V.

An ACT to repeal the Laws now in force for appointing Firewards, and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town.

Passed 11th March, 1824.

WHEREAS it is expedient to repeal the Laws now in force for appointing Firewards, and the better extinguishing Fires,

See: further 7. G. 4. C. 11. intended to amend & substitute by G. 5. d. L. 14.

Preamble.

Fires, so far as the said Laws relate to the Town of Fredericton, and to make regulations more suitable to the said Town---

I. *Be it therefore enacted by the President, Council, and Assembly,* That the Act passed in the fifty-seventh year of the Reign of His late Majesty King George the Third, intituled, "An Act for appointing Firewards in the Towns of Fredericton and St. Andrews; and ascertaining their power and duty, and more effectually to prevent fires in the said Towns;" and also an Act passed in the second year of the Reign of His present Majesty, intituled, "An Act for the better extinguishing Fires which may happen in the Towns of Fredericton and St. Andrews;" and also an Act passed in the third year of the same Reign, intituled, "An Act in addition to an Act, intituled, "An Act for the better extinguishing Fires which may happen in the Towns of Fredericton and Saint Andrews;" also an Act passed in the fourth year of the same Reign, intituled, "An Act to amend an Act, intituled, "An Act for the better extinguishing Fires which may happen in the Towns of Fredericton and St. Andrews," be, and the same are hereby repealed, so far as relates to the Town of Fredericton.

57 Geo. 3. c. 9.
2 Geo. 4. c. 2.
3 Geo. 4. c. 17.
4 Geo. 4. c. 20.
repealed so far as
relates to the
Town of Fredericton.

II. *And be it further enacted,* That the Governor or Commander-in-Chief for the time being, is hereby authorized and empowered, by and with the advice of His Majesty's Council, from time to time, by warrant under his hand and seal, to appoint a sufficient number of prudent and discreet persons, not exceed-

Governor, with
advice of the
Council, to ap-
point Firewards,

who shall be sworn before a Justice of the Peace, and certificate endorsed on warrants of appointment, without fee.

exceeding eight, in the Town of Fredericton, who shall be sworn to the faithful discharge of their duty, before any one of His Majesty's Justices of the Peace of the County of York, and a certificate thereof endorsed on the several warrants of appointment, for which warrants and certificates no fees shall be demanded or received from the person so appointed and sworn.

Firewards on duty to carry a Staff and Speaking Trumpet.

III. *And be it further enacted,* That in order that the said Firewards may be distinguished from others when on duty at a fire; and to enable them to communicate their directions with more facility, they shall each carry a Staff seven feet in length, coloured red, and also a Speaking Trumpet, painted white, with the name of the Town painted on it in black letters.

In case of fire, the Firewards, jointly or separately, to command assistance for extinguishing the fire, and removing goods, &c.

IV. *And be it further enacted,* That whenever a fire shall break out in the said Town or in its vicinity, and during the continuance thereof, the said Firewards are hereby authorized and required, jointly or separately, to command assistance for extinguishing the fire, and removing household stuff, furniture, books, public stores, goods and merchandise, out of any houses, storehouses and other buildings, actually on fire, or in danger thereof, and to appoint persons to take care of the same, and also to require assistance to prevent the further spreading of the fire in the said Town, and to prevent tumults and disorders in the same; and the said Firewards respectively, are hereby required upon the notice of fire breaking forth in the said Town (taking their Badges and

To appoint persons to take care of goods, and to require assistance to prevent the spreading of the fire, and to prevent tumults.

Firewards upon notice of fire, to repair with Badges and Trumpets

and Trumpets with them), immediately to repair to the place and vigorously to exert their authority in requiring assistance, and to use their utmost endeavours to extinguish the fire and prevent its spreading, and to preserve and secure property and effects, both public and private; and due obedience is hereby required to be yielded to them and each and every of them accordingly, for that service, as well by the person or persons having the charge and management of any Engine or Engines in the said Town, as all other persons whomsoever.

to the place, and exert their authority.

Due obedience to be yielded to the Firewards, by all persons.

V. And be it further enacted, That for every refusal or neglect of any person to obey the order of any Fireward, in performing any of the duties and services hereinbefore mentioned, such person shall forfeit and pay the sum of Forty Shillings, to be recovered upon conviction before any one of His Majesty's Justices of the Peace for the County of York, on the oath of a Fireward, or any other credible witness, and levied by distress and sale of the offender's goods and chattels; and for want of sufficient distress, such offender shall suffer eight days imprisonment, unless the penalty and costs shall be sooner paid; which penalty when recovered shall be paid into the hands of the Firewards of the said Town, or their Treasurer for the time being, to be applied by them towards defraying the necessary expence attending the keeping the Engine or Engines of the said Town in a proper state of repair and equipment, and any other necessary expences attending the keeping the Fire Companies of the

Persons disobeying orders of the Firewards, to forfeit 40s. to be recovered before a Justice of the Peace, on the oath of the Fireward or other credible witness, and levied by distress and sale.

For want of distress, offender to suffer eight days imprisonment.

Penalties to be paid to the Firewards, and applied towards keeping the Engines in repair and other expences of the Fire Companies.

the said Town in a proper state of organization.

VI. *And whereas* it is necessary that prompt and implicit obedience should at all times during the raging of a fire, be paid to the directions of the Firewards: *Be it further enacted,* that the said Firewards respectively,

Firewards may compel persons present at a fire, to form lines for conveyance of water.

or any or either of them, shall have power, and they and every of them are hereby authorized when such necessity shall exist, to require and compel the persons present at any fire, to fall in and form the lines or ranks for the conveyance of water for extinguishing the fire, and to remain in such ranks as long as may be deemed necessary; and if

Persons refusing to fall in or to remain in ranks, shall forfeit 40s to be recovered and expensed as by § 5.

any person present at a fire shall refuse to fall in or remain in any such rank when thereunto required by any Fireward, such person so offending shall for each and every offence forfeit and pay the sum of Forty Shillings, to be recovered, levied and applied, in the manner specified and provided in and by the fifth Section of this Act.

VII. *And be it further enacted,* That the Firewards, or any two or more of them, are hereby authorized and empowered from time to time, and at all seasonable times in the day time, to enter into any house, shop, or other building, within the limits of the said Town, and to examine and inspect the manner in which any stove or stove-pipes are set up, placed, fixed or carried, or any hearths, fireplaces or chimnies, constructed or built, and if such stove or stove-pipes, or such hearth, fireplace or chimney, shall be found, in the opinion and judgment of the said

Firewards, or any two of them, may at seasonable times in the day time, enter any building and examine stove, fire-places and chimnies;

and if such stoves, fireplaces or chimnies, are so found or con-

said

said Firewards, or any two of them; and in case more than two be present, the major part of those present, so set up, placed, fixed or carried, constructed or built, as to be dangerous, such Firewards are hereby authorized and empowered to give directions in writing, to prevent the continuance of fire in any such stove or any such hearth, fireplace or chimney, until the same shall have undergone such alterations as shall be pointed out in writing by the same Firewards, and any person or persons who shall disobey any such directions of such Firewards, shall for each offence forfeit and pay the sum of Three Pounds, to be recovered and applied in manner aforesaid.

structed as to be, in the opinion of the Firewards, dangerous, they may, by written order, forbid the continuance of fire therein, until such alterations be made as they shall by writing direct.

Persons disobeying directions of Firewards, to forfeit £3, to be recovered and applied as before.

VIII. *And be it further enacted,* That the Firewards of the said Town, shall, at any meeting to be for that purpose holden, nominate and appoint, by warrant under the hands and seals of them, or the hands and seals of the major part then present, a sufficient number of able and discreet men, willing to accept, not exceeding twenty in number for each Engine, being Inhabitants of the said Town, to have the care, management, and working of the said Engines, Tools and Instruments, for extinguishing fires which may happen within the same, and to remove and displace all or any of them, from time to time, and to nominate and appoint others in their stead, and to fill up any vacancies which may happen at any time by death, or removal, or otherwise, and that the names of the said persons so appointed, shall from time to time as the ap-

Firewards to appoint persons, not exceeding twenty to each Engine, to have the care and management of the Engines and Tools for extinguishing fires,

and may remove them and appoint others, and fill vacancies.

Appointments to be registered with the Clerk of the Peace, upon certificate of the Firewards. Persons so appointed, to be called the Firemen, and to be ready at all times.

pointments shall be made, be registered with the Clerk of the Peace in the said County, upon the certificate of the said Firewards, and to be called the Firemen of Fredericton, and are hereby enjoined and required to be ready at a call, by night as well as by day, to manage, work, and use the Engine or Engines, Tools and Instruments, for extinguishing fires which may happen to break out within the said Town.

Major part of the Firewards, at any meeting to make rules and regulations for the government of the Firemen,

and impose fines not exceeding 40s.

to be recovered as by § 5.

Regulations to be put up at the Engine-House, and published in the Newspaper.

IX. *And be it further enacted*, That it may and shall be lawful for the Firewards for the time being, of the said Town, at any meeting to be holden at which the major part shall be present, to make and establish such rules, orders and regulations, in respect of the government, conduct, duty and behaviour, of the said Firemen, in working, managing, exercising, trying, and using the Engines, Tools and Instruments, and to impose and establish such reasonable fines and penalties upon them or any of them, for default or neglect of the duties and services thereby to be enjoined or required from them, as the said Firewards, or the major part of them present, met as aforesaid, shall from time to time think meet, so that the fine or penalty shall not exceed, in any one instance, the sum of Forty Shillings, to be recovered and applied as in the fifth Section of this Act; which rules, orders and regulations, shall be notified to the said Firemen, by putting the same up at the Engine-House, and inserting the same in the Newspaper, if any there be printed in the said Town.

X. *And*

X. *And be it further enacted*, That the Firemen within the said Town, and each and every of them, from time to time, during their continuance in the office of Firemen, and no longer, shall be, and they are hereby declared to be freed, exempted and privileged, from the several offices of Constable, and Surveyors of Highways, and from all Statute Labour on the Highways and Streets in the said Town, and from serving on any Juries at the General Sessions of the Peace and Inferior Court of Common Pleas, in the said County.

Privileges and exemptions of the Firemen during their continuance in office.

XI. *And be it further enacted*, That the Justices of the Peace for the County of York, in their General Sessions, or the major part of them, are hereby authorized and empowered to raise by assessment such sum or sums, not exceeding One Hundred Pounds, on the said Town, as the Firewards may from time to time, by estimate made out by them in writing, and produced to the said Justices of the Peace, or the major part of them, in their General Sessions, shew to be necessary, over and above such of the fines hereinbefore mentioned, as they may have received, for the sinking and constructing such Public Wells in the said Town, as the Firewards may think necessary, for the supply of the Fire Engines at the time of any fire that may happen in the said Town, and for the necessary expences attending the keeping the Fire Company in a proper organized state, and the Engines of the said Town in a sufficient state of equipment, with Buckets, Ladders, Hooks, and other necessities,

Justices of York County, in General Sessions, may raise by assessment on the Inhabitants of the Town of Fredrickton, such sum as the Firewards may shew to be necessary, not exceeding £100,

for sinking Public Wells,

for keeping the Fire Company in a proper state, for equipment of the Engines, and for procuring more Engines if necessary.

Assessment to be made upon the Householders within the Town.

saries, and also, if found necessary, for the purchasing or providing one or more engines for the said Town; such assessment to be made in due proportion upon all and every the person or persons who do or shall inhabit, hold, occupy or enjoy, any House, Shop, Warehouse or other Tenement, within the said Town.

Assessment to be assessed, levied, and collected, as other Parish rates

XII. *And be it further enacted,* That such sum of sums shall be assessed in manner aforesaid, by the Assessors of the said Town, and shall be levied and collected in the same manner as any other Parish rate or assessment in the said Town can or may be levied and collected, by virtue of any Law now in force or hereafter to be made, and to be paid, when collected, to the said Firewards, or their Treasurer for the time being, to be applied to and for the purpose abovementioned.

Firewards to account annually to the Justices at their first General Sessions, if required, for the expenditure of monies assessed, and for fines received by them.

XIII. *And be it further enacted,* That the said Firewards of the said Town, shall render to the Justices of the Peace of the County of York, at their first General Sessions at the time of making the annual appointments of Town or Parish Officers, when required so to do, a full and particular account of the expenditure of all monies so to be assessed as aforesaid, and also of all fines to be recovered as aforesaid, as they may have received respectively; and any of the Firewards refusing or wilfully neglecting to render such account when required, shall be considered guilty of a contempt of such Court of General Sessions of the Peace, and it shall and may be lawful for the Justices of the Peace

Firewards neglecting to account when required, may be brought, by warrant, before the Justices, & committed to Prison until account shall be made.

of the said County, or the major part of them, in General Sessions, to bring, by warrant, before them, such Fireward or Firewards, so guilty of such contempt, and if found necessary, to commit such Firewards or Fireward so offending, to prison, until such account shall be made out and rendered to the satisfaction of the said Court of General Sessions, or to the Treasurer of the County, in case such Court should be over before such account shall be rendered.

XIV. *And be it further enacted*, That no person or persons within the said Town of Fredericton, shall enter or remain in any Barn or Stable where hay or straw is, with a lighted candle, except the said lighted candle be in a good, safe, and sufficient lanthorn, and that every person or persons so offending, shall forfeit and pay the sum of Ten Shillings for each and every offence, to be recovered and applied as the fines in the fifth Section of this Act.

No person to enter or remain in any Barn or Stable where hay or straw is, in Fredericton, with a lighted candle, unless it be in a sufficient lanthorn, under the penalty of 10s.

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

Limitation
continued to 1. April
1835 by 1st 11. S. 4.
c. 9.

CAP. VI.

An ACT for confirming Public Acts.

Passed 11th March, 1824.

WHEREAS during the last Session of the General Assembly, His Excellency the late Major-General George Stracey Smyth, then Lieutenant-Governor and Commander-in Chief of this Province, was suddenly seized with an alarming illness, by which

Preamble.

which he was prevented from personally declaring his assent to the several Acts hereinafter mentioned, which said Acts were, owing to the said illness of His Excellency, severally and respectively assented to and enacted on the twenty-seventh day of March last, in the presence of the Council and House of Assembly, by certain Commissioners, in the name and on the behalf of him the said George Stracey Smyth, late Lieutenant-Governor as aforesaid, which said Commissioners were authorized and empowered thereto, by Letters Patent under the Great Seal of this Province, and signed with the Hand of the said Lieutenant-Governor, which same Acts were severally recited in the said Letters Patent.

And whereas the said Acts being of necessary use, and fit to be continued and confirmed, although the manner of passing the same, enforced by the difficulty aforesaid, is not to be drawn into example---

Be it therefore enacted by the President, Council, and Assembly, That all and singular the Acts made, or mentioned to be made, by the Lieutenant-Governor, Council, and Assembly, upon the twenty-seventh day of March last, hereinafter particularly mentioned and expressed---That is to say,

An Act to continue an Act, intituled,
 “ An Act for the better regulation of Licences to Taverns, Inns, and Houses, for
 “ selling strong Liquors by retail.”

An Act to continue an Act, intituled,
 “ An Act more effectually to provide for the
 “ support of a Nightly Watch in the City of
 “ Saint John.”

An

Acts passed on the
 27th March 1823,
 confirmed.

An Act to continue an Act, intituled,
 “An Act to empower and authorize the
 “Justices of the County of Westmorland;
 “at their General Sessions of the Peace, to
 “regulate the grazing and depasturing of
 “the several Marshes, Low Lands or Mea-
 “dows, within the said County.”

An Act to continue an Act, intituled,
 “An Act to authorize the Justices of the
 “Peace in their General Sessions, to esta-
 “blish Ferries in their respective Counties.”

An Act in addition to an Act, to regulate
 the exportation of Fish.

An Act in addition to an Act, intituled,
 “An Act for the regulation of Booms for
 “securing Masts, Logs and Lumber, in the
 “County of Charlotte.”

An Act to repeal an Act, intituled, “An
 “Act to increase the Revenue of this Pro-
 “vince, by imposing a duty on certain
 “Merchandise.”

An Act for regulating the inspection of
 Fish to be consumed within the Province.

An Act in further amendment of the Laws
 now in force for the support and relief of
 confined Debtors, and for the further relief
 of Debtors with respect to the imprisonment
 of their persons.

An Act for erecting a part of the Parish
 of Saint Stephen and the Country adjacent,
 in the County of Charlotte, into a separate
 and distinct Town or Parish.

An Act to amend an Act, intituled, “An
 “Act to provide for and maintain an armed
 “Cutter, for the protection of the Revenue
 “of this Province.”

An

An Act to repeal an Act, intituled, "An Act for granting bounties on Grain raised in this Province."

An Act in amendment of an Act, for relief against absconding Debtors.

An Act to continue an Act, intituled, "An Act for granting further aid in support of the Grammar School in the Town of St. Andrews."

An Act further to continue and alter an Act, for the preservation of Oysters in the Counties of Westmorland and Northumberland.

An Act to provide for the surrender of the Principal in discharge of Bail, in actions pending in the Supreme Court of Judicature of this Province.

An Act in addition to an Act made and passed in the twenty-sixth year of the Reign of His late Majesty King George the Third; intituled, "An Act for enabling the Justices of the Supreme Court, to try all causes at Nisi Prius, and authorizing Attornies of the Supreme Court, to practice in the Inferior Courts of Common Pleas of this Province."

An Act to amend an Act, intituled, "An Act subjecting Real Estate in the Province of New-Brunswick, to the payment of Debts, and directing the Sheriff in his proceedings thereon."

An Act to amend an Act, intituled, "An Act for the better extinguishing Fires which may happen in the Towns of Fredericton and Saint Andrews."

An Act for the regulation of Booms for secur-

securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland.

An Act to encourage the commerce of this Province, by granting bounties on the exportation of certain articles.

An Act to impose a duty on certain articles imported from any Foreign State in North or South America.

An Act in further amendment of the Laws for regulating the Fisheries in the County of Northumberland.

An Act to alter the Act for the establishment of Grammar Schools in several Counties of this Province.

An Act for the encouragement of Parish Schools in this Province.

An Act to alter and amend an Act, intituled, "An Act to provide for the support of a Light-House to be built on Partridge Island."

An Act to explain and amend the Laws now in force for the organization and regulation of the Militia of this Province.

An Act for altering the Term of the General Sessions of the Peace and Inferior Court of Common Pleas in the County of Westmorland.

An Act to provide for the calling in the Arms issued to the Militia of this Province.

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

An Act to appropriate a part of the Public Revenue, for the services therein mentioned.---

And all and every the clauses, sentences and

To have the full force and strength of Acts of Assembly, according to their tenor and purport.

articles, in them and every of them contained, shall be and are hereby ratified and confirmed, and enacted and declared, to have the full force and strength of Acts of Assembly, according to the tenor and purport thereof, and so shall be adjudged, deemed and taken, to all intents and purposes whatsoever, and as if the same had been made, declared and enacted, by authority of this present General Assembly.

CAP. VII.

An ACT to continue an Act, intituled, "An Act in amendment of the Act for making further provision for preventing the importation and spreading of contagious Distempers in the City of St. John."

Passed 11th March, 1824.

BE it enacted by the President, Council, and Assembly, That an Act made and passed in the fifty-ninth year of the Reign of His late Majesty King George the Third, intituled, "An Act in amendment of the Act for making further provision for preventing the importation and spreading of contagious Distempers in the City of St. John," be, and the same is hereby continued for the term of five years, and thence to the end of the then next Session of the General Assembly.

59 Geo. 3. c. 7, continued for five years.

CAP. VIII.

An ACT to authorize the Justices of the Peace for the County of Charlotte, to make regulations for the Market Wharf at Saint Andrews.

Passed 11th March, 1824.

WHEREAS the Town Landing in St. Andrews, has been granted to the Justices of the Peace for the County of Char-

Preamble.

Charlotte, in trust for the use of the said Town of Saint Andrews, as a scite for a Public Market House, and such Buildings and Fabrics as may by them be deemed necessary from time to time to be erected for the accommodation of said Town: *And whereas* a Wharf has been erected on said Town Landing, and a Market-House and other Buildings built thereon---

I. *Be it enacted by the President, Council, and Assembly,* That the Justices of the Peace for the County of Charlotte, at their General Sessions, shall and may, and they are hereby authorized and empowered to make such orders and regulations for the due ordering of Vessels lying at the said Market Wharf in Saint Andrews, or coming to or removing from the same, and for the lading and unlading of Goods and Merchandise at the said Market Wharf, and for preventing nuisances, obstructions and incumbrances, by the depositing and leaving of Goods and Merchandise, or otherwise howsoever, on the said Market Wharf, and generally for the safe keeping and well ordering of the said Market Wharf in all respects, and from time to time to repeal, alter and amend, such rules and regulations, and to substitute others in their place, as to the said Justices, or the major part, of them, at such General Sessions, shall seem fit and reasonable, and to enforce such orders and regulations by pecuniary fines and penalties, so always that such fines and penalties shall not in any case exceed the sum of Forty Shillings, which shall be sued for and recovered, on the oath
of

Justices of Charlotte County, in General Sessions, may make regulations for the due ordering of vessels at the Market Wharf in St. Andrews, for lading and unloading goods, and for preventing nuisances and obstructions,

and from time to time, repeal and alter them,

may enforce the regulations by fines, not exceeding 40s.

to be recovered
before a Justice,

and levied by dis-
tress and sale of
goods which by
conviction may
appear to be an
incumbrance on
the Wharf,

or of the goods
and chattels of the
offender.

Penalties to be
paid half to the
Wharfinger,

residue to the use
of the Poor.

Justices may at
the time of ap-
pointing Parish
Officers, appoint
a Wharfinger,
who shall be
sworn and liable
to the same pe-
nalties as other
Parish Officers.

of one or more credible witness or witnesses,
before any Justice of the Peace of the said
County, and be levied by warrant of dis-
tress and sale of any Goods and Merchan-
dise, that by conviction of such Justice may
appear to be an incumbrance or nuisance
on the said Wharf, contrary to the said re-
gulations, or otherwise by warrant of dis-
tress and sale of the goods and chattels of
the offender, rendering the overplus, if any,
after deducting the charges of prosecution
and sale, to the owner or owners of such
goods, or the offender or offenders as the
case may be; such fines and penalties to be
paid, one moiety to the Wharfinger of the
said Wharf, to be appointed as hereinafter
directed, and the remainder to the Overseers
of the Poor for the Parish of Saint Andrews,
for the use of the Poor of the said Parish.

II. *And be it further enacted,* That the said
Justices of the Peace for the County of Char-
lotte, shall and may at the time of making
the annual appointment of Town and Parish
Officers, have power and authority to ap-
point a fit person to be Wharfinger of the
said Market Wharf, who shall be sworn to
the faithful discharge of his duty, and be in
every respect subject to the same rules and
regulations, penalties and forfeitures, as any
other Town or Parish Officers are, or shall
be made subject to, by virtue of any Laws
now in force, or hereafter to be enacted, for
the appointment and regulation of Town or
Parish Officers, in the several Counties of
this Province, and it shall be the duty of said
Wharfinger to carry into force and effect the
orders

orders and regulations of the said Justices, so to be made as aforesaid, respecting the said Market Wharf, and in his own name to sue for all fines and penalties incurred under the said regulations, and to account from time to time to said Justices at their General Sessions, as they at such Sessions shall from time to time order and direct.

Wharfinger shall carry into effect the regulations made by the Justices, and sue in his own name for fines and penalties and account to the Justices in their Sessions.

CAP. IX.

An ACT for the safe keeping of Lunatics whom it may be dangerous to permit to go at large within the Province.

Passed 11th March, 1824.

WHEREAS there are sometimes Persons, who by Lunacy or otherwise, are furiously mad, or so far disordered in their senses that they may be dangerous to be permitted to go abroad---

Preamble.

I. *Be it therefore enacted by the President, Council, and Assembly,* That from and after the passing of this Act, it shall and may be lawful for two or more Justices of the Peace, where such Lunatic or mad Person shall be found, by warrant under their hands and seals, directed to any one or more Constables within the County, to cause such Person to be apprehended, and kept safely locked up in some secure place within the County where said Town or Parish shall lie, as such Justices shall, under their hands and seals, direct and appoint, and (if such Justices find it necessary) to be there chained, and the reasonable charges of removing, and of keeping, maintaining, and curing such Person, during such restraint, which shall be during such time only as such Lunacy or madness shall continue, shall be satisfied and paid

Lunatics may be confined by order of two Justices,

and chained if necessary.

paid (such charges being first proved upon oath) by order of two or more Justices of the Peace, directing the Overseers of the Poor, where any goods, chattels, lands or tenements, of such Person shall be, to seize and sell so much of the goods and chattels; or receive so much of the annual rents of the land and tenements, as is necessary to pay the same, and to account for what is so seized, sold or received, to the next General Sessions; but if such Person hath not an estate to pay and satisfy the same, over and above what shall be sufficient to maintain his or her family, then such charges shall be satisfied and paid by the Town or Parish where such Person was found, by order of two Justices of the Peace, directed to the Overseers of the Poor for that purpose. *Provided*, that any Person aggrieved by any Act of such Justices, out of such Sessions, may appeal to the next General Sessions, giving reasonable notice, whose order therein shall be final.

Goods and estates of Lunatics to be seized to pay the charge of their maintenance.

If estate is insufficient, charges to be paid by the Parish where the Lunatic shall be found.

Persons aggrieved, may appeal to the Sessions.

Proviso, saving the King's Prerogative and the Powers of the Chancellor

II. *Provided always, and be it further enacted*, That nothing herein contained shall extend, or be construed to extend, to abridge the Prerogative of His Majesty, or of the Chancellor, concerning such Lunatics, or to restrain or prevent any friend or relation of such Lunatics, from taking them under their own care or protection.

CAP. X.

An ACT to provide for making Rules and Regulations for the management of the Poor House in the Parish of Saint Andrews.

Passed 17th March, 1824.

WHEREAS a Poor House has been Preamble.
erected in the Parish of Saint Andrews, in the County of Charlotte, for the use of the Poor of the said Parish: *And whereas*, under proper rules and regulations, the said Poor-House may be of great advantage to the Inhabitants of the said Parish---

I. *Be it enacted by the President, Council,* Commissioners to be appointed by the Sessions.
and Assembly, That the Justices of the Peace for the County of Charlotte, in their first General Sessions of the Peace, annually, be, and they are hereby authorized and empowered, to appoint so many fit persons, not exceeding seven, nor less than five, (not more than two of whom shall be Justices of the Peace of the said County); as they shall think fit, to be Commissioners for superintending and managing the Poor-House, in the Parish of Saint Andrews, in the County aforesaid, who shall be sworn to the faithful discharge of their duty, and for neglecting or refusing to qualify and perform the same, they shall be subject to the same fines and penalties as Parish Officers are, by virtue of any Acts made or hereafter to be made, for the appointment of Town and Parish Officers, in the several Counties in this Province. Subject to the like penalties as other Parish Officers.

II. *And be it further enacted,* That it shall and may be lawful for the Commissioners to be appointed in pursuance of this Act, from
time

Commissioners to provide materials for employing the Poor.

May compel idle people seeking relief, to dwell in the Poor-House.

And have power to bind out poor Children as Apprentices.

Commissioners to make rules and regulations for the government of the House,

to be approved of by the Sessions,

and may inflict reasonable punishment.

time to time, to provide such materials and things as they shall judge necessary, for the setting to work and employing such poor Persons, of what age or sex soever they be, who may apply for relief, and shall be capable to work, and shall have power and authority, at their discretion, to compel such idle or poor People begging or seeking relief, as do not betake themselves to some lawful employment, or who do or shall hereafter, seek and receive alms of the said Parish hereinbefore mentioned, or who may stand in need of relief from the said Parish, to dwell, inhabit, and to work, in the said Poor-House, and to do all such work, as they shall think them able and fit for, and shall have the same powers to bind out poor Children, Apprentices, as are by the Laws of this Province, given to the Overseers of the Poor in the several Towns and Parishes.

III. *And be it further enacted*, That the said Commissioners to be appointed as aforesaid, shall have power to make such rules, orders, and regulations, for the good government and management of the said Poor-House, as they shall find necessary, (such rules and regulations to be approved of by the Justices in their General Sessions) and to inflict such correction and punishment, by solitary confinement or otherwise, from time to time, as to them shall seem reasonable, on any person or persons within the said Poor-House, who shall be set to work and shall not conform to such rules, orders, and regulations, to be made as aforesaid, or shall misbehave in the same.

IV. *And*

IV. *And be it further enacted,* That the said Commissioners shall at the first General Sessions of the Peace to be holden for the said County, annually lay before the Justices in their said Sessions, an account to be audited by the said Justices, of the expences incurred by them for the support and maintenance of the Poor of the said Poor-House, for the past year, together with an estimate of what sum or sums of money will be needful for the maintenance or employment of the Poor of the said House, for the current year, which sum or sums of money shall be assessed, levied and raised, in such manner and form as by the Laws of this Province is or shall be appointed and directed, and when raised and received, shall be paid to the said Commissioners, for the use aforesaid and for no other.

Commissioners to account annually to the General Sessions,

and make an estimate of the amount requisite for the maintenance of the Poor, for the current year.

V. *And be it further enacted,* That the profits of any work or labour to be performed under the direction of the said Commissioners, shall be duly accounted for by them, and shall be applied towards the support and maintenance of the persons inhabiting within the said Poor-House.

Profits of work to be accounted for, and applied towards the support of the Poor in the House.

CAP. XI.

An ACT to extend the provisions of an Act, to encourage the Inhabitants of this Province, who are engaged in prosecuting the Cod and Scale Fisheries, by granting Bounties on the same.

Vid. 6 G. 4. c. 2.

Passed 11th March, 1824.

I. **B**E it enacted by the President, Council, and Assembly, That the benefits and provisions of an Act made and passed in the third year of the Reign of His present Majesty, intituled, "An Act to encourage the

Provisions of the Act 3 Geo. 4. c. 33, extended to Vessels registered and owned in any of His Majesty's North American Colonies.

“Inhabitants of this Province, who are engaged in prosecuting the Cod and Scale Fisheries, by granting Bounties on the same,” be, and the same are hereby extended to all Vessels of thirty tons and upwards, registered in any one of His Majesty’s North American Colonies, and owned wholly by persons resident therein.

II. *Provided always, and be it further enacted,*

Non-Residents not entitled to the bounty, unless the stores and equipments shall have been procured in this Province, and the Fish actually landed and sold to some Inhabitant within the same.

That no person or persons not resident in this Province, shall be entitled to receive any Bounty under the provisions of this or of the said recited Act, for any Vessel or Vessels which shall be employed in the Fisheries, unless the salt, stores, and equipments, for carrying on the Fisheries, shall have been procured and taken on board either in the Harbour of Saint John, the Harbour of the Town of Saint Andrews, or some harbour or place in the County of Northumberland, or the Port of Shediac, in the County of Westmorland, nor unless all the fare of Fish for which the said Bounty shall be claimed, shall have been actually landed at some or one of the said harbours or places, and there bona fide sold to some Inhabitant or Inhabitants thereof.

III. *And be it further enacted,* That before any Warrant shall issue for the Bounty hereinbefore given by this Act, to Vessels not owned and registered in this Province, a Certificate shall be produced from the proper Officers of His Majesty’s Customs at the port or place of clearance, to the effect and in the form contained in the Schedule marked A, to this Act annexed, and proof shall be made

Proof to be made before issuing any Warrant for Bounty.

made to the satisfaction of the President or Commander-in-Chief for the time being, and His Majesty's Council, by affidavit of the Master, or the person acting as such; and the Owner or Consignee, and the Men, or the major part of them, belonging to the Vessel claiming such Bounty, to be made before one of His Majesty's Justices of the Peace, in the form and to the effect contained in the Schedule marked B, to this Act annexed. *Provided always,* that in cases where there shall be reasonable ground to suspect fraud in any application for the said Bounty, other proof may be required for the removal of such suspicion.

If there be ground to suspect fraud, further proof may be required.

IV. *And be it further enacted,* That any person or persons guilty of false swearing in any affidavit to be made under and by virtue of this Act, shall, upon conviction thereof, be liable to the pains and penalties of wilful and corrupt Perjury, in like manner as is provided in and by the said recited Act.

False swearing made Perjury.

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

Limitation.

Amended by Act of 1831 by 9. 9. 4. C.

31.

SCHEDULE A.

Custom-House Certificate.

Custom-House at _____ in the Province of New-Brunswick.

Form of Certificate.

This certifies that the _____ or Vessel called the _____ whereof _____ was Master, and whereof _____ are the registered Owners, was cleared out at this office on the _____ day of _____ 182 _____, upon a Fishing Voyage to _____, and that the said _____

said is of the registered tons, and at the time of so clearing, the said was fully provided with salt, stores, and equipments, necessary for carrying on the said Fishery, and that the said Master and Owners, or Consignee, (as the case may be) of the same, did at that time declare, that it was intention to prosecute the said fishing voyage with effect, and that the said was entered at this office upon her return from the said voyage, on the day of then next following, with a fare consisting of quintals of fish, taken on the said voyage.

Dated the day of 182

SCHEDULE B.

Form of Affidavit.

Form of Affidavit under the Act of Assembly to encourage the Fisheries carried on by vessels not owned and registered in this Province.

Master, and Owner
or Consignee of the or vessel
called the make oath and say,
that the said is of the registered
tonnage of tons, and is registered
and owned in His Majesty's Province of
, that the said was on
the day of 182, cleared out at
the Custom-House, in this Province,
upon a Fishing Voyage to, and
at the time of so clearing, the
was fully provided with salt, stores, and
equipments, necessary for carrying on the
said Fishery, which said salt, stores, and
equipments, were procured and taken on
board

board of the said _____ at _____
 in this Province, and that _____ the
 Deponents did at that time truly declare,
 that it was _____ intention to prosecute
 the said fishing voyage with effect, and that
 the said _____ sailed on the said voyage
 on the _____ day of _____ in the
 same year, and continued to be employed in
 the same voyage, from the said day last men-
 tioned, until the _____ day of _____
 then next following, on which day the said
 _____ arrived at _____ in the
 same Province, on her return from the said
 voyage, and that during the said voyage the
 said _____ did make a fare of Fish, that
 is to say _____ quintals of Fish, all of
 which fare of Fish have been actually landed
 in this Province, and have been bona fide
 sold to Persons being Inhabitants thereof,
 and that during the said voyage, no Foreign
 Subject or Alien, had directly or indirectly
 any part, share, or interest, of any nature or
 kind whatsoever, in the said _____, and
 the _____ Master, as aforesaid, and
 _____ being the major part of the men
 belonging to the said _____ during the
 said voyage, severally make oath, and say,
 that the said _____ was actually em-
 ployed and engaged on the said Fishing
 Voyage, during the time hereinbefore in that
 behalf set forth.

Sworn at _____ in the County of _____
 the _____ day of _____ 182 _____, before
 me _____ Justice of the Peace for the
 said County.

CAP. XII.

An ACT to provide for the permanent Interment of the Remains of the late Lieutenant-Governor Smyth, within the Walls of the Parish Church of Fredericton.

Passed 11th March, 1824.

Preamble.

WHEREAS His Excellency Major-General George Stracey Smyth, late Lieutenant-Governor and Commander-in-Chief of this Province, a short time before his decease, solemnly enjoined the Executors named in his last Will, to have his Remains interred under the Church in Fredericton: *And whereas* by unanimous voice of the Church-Wardens and Vestry of the said Church in Fredericton, (there being no Rector at the time) permission was given to deposit the Body of the said Lieutenant-Governor, under the same Church, until the present meeting of this General Assembly, and the same was accordingly there deposited, and is now there remaining, in a temporary Vault prepared for the purpose, at the expence of the said Executors.

And whereas by an Act made and passed in the twenty-ninth year of the Reign of His late Majesty King George the Third, intituled, "An Act for erecting a Parish in the City of Saint John, and Incorporating the Rectors, Church-Wardens and Vestries, of the Church of England, in the several Parishes in this Province," it is provided and enacted, that thenceforth no Corpse should be interred within or under the Walls of any Church then erected or thereafter to be erected in this Province.

And whereas it is deemed advisable in compliance with the desire of the said Deceased,

to

to permit his Body to remain permanently deposited under the same Church, and to prevent the same from being removed.

I. *Be it therefore enacted by the President, Council, and Assembly,* That it shall and may be lawful for the Body of the said late Lieutenant-Governor, to remain interred under the said Church in Fredericton, any thing contained in the said recited Act to the contrary notwithstanding.

The Body to remain interred under the Church.

II. *Provided always, and be it further enacted,* That it shall be the duty of the said Executors of the Will of the said Deceased, at their expence, to cause the said temporary Vault to be further walled in and secured, in such manner and within such reasonable time, as shall be pointed out and directed by the Rector, Church-Wardens and Vestry, of the said Church, or by them approved of.

Executors to cause the Vault to be further secured.

III. *And be it further enacted,* That this Act shall be deemed a Public Act, and supplementary to the said hereinbefore recited Act.

To be deemed a Public Act.

IV. *And be it further enacted,* That this Act shall not for any cause whatever hereafter be taken or construed as a precedent for dispensing with any of the provisions of the herein before recited Act.

Not to be taken as a precedent.

CAP. XIII.

AN ACT to provide for the erection of Fences with Gates, across the Highway leading through Deer Island, in the Parish of West-Isles and County of Charlotte.

Passed 11th March, 1824.

I. **BE** it enacted by the President, Council, and Assembly, That when any Proprietor

prietor or occupant of any Lands in Deer Island, in the Parish of West-Isles and County of Charlotte, over which the Public Road passes, shall think it necessary or expedient that a Fence or Fences extending to the water, where the said Road may require Fencing (if the same shall be at or near the sea shore), it may and shall be lawful for such

Upon Petition of any Proprietor for a fence, the Sessions may order the Commissioners of Highways to examine and report.

Proprietor or occupant, to prefer a Petition to the Court of General Sessions of the Peace for the said County of Charlotte, stating particularly the object and ground of such applications, and praying for permission to erect such Fence or Fences. Upon the presenting whereof, the Justices of the Peace in their said General Sessions, are authorized and required forthwith, by order thereon endorsed, to direct the Commissioners of Highways in the said Parish, to examine and report upon such Petition to the said Jus-

If it shall appear to the Sessions necessary or expedient, they may order the fence to be erected with a gate.

tics, and if it shall appear to the said Justices of the Peace in General Sessions, from the report so made by the Commissioners of Highways aforesaid, or the major part of them, that it is necessary or expedient that the Fence or Fences prayed for, should be erected, they are hereby required to make an order for the erection of such Fence or Fences, with a convenient swinging Gate or Gates in the same, where such Fence or Fences cross the road, and to make such further order respecting the same as to them shall seem meet; and that it shall be lawful for the person or persons so petitioning, at his, her, or their own expence, to erect such Fence or Fences with such swinging Gate

or Gates, agreeably to the directions of the said Court.

II. *And be it further enacted,* That if any person or persons shall break or throw down, or in any way destroy any Fence or Fences so to be erected or any part thereof, or shall block up and fasten, or stake open or destroy any Gate or Gates which may be erected by virtue of this Act, such offender or offenders shall upon conviction thereof before any one of His Majesty's Justices of the Peace of the said County, upon the oath of any one or more credible witness or witnesses, forfeit and pay the sum of Forty Shillings, for each and every offence, to be levied with costs, by warrant of distress and sale of the offender's goods, under the hand and seal of such Justice, directed to either of the Constables of the Parish, and for want of goods whereon to levy the same, the offender or offenders shall be committed to the Common Gaol of the said County, there to remain for the space of eight days, unless the said sum, with costs, be sooner paid; which forfeiture, when recovered, shall be paid into the hands of the Overseers of the Poor of the said Parish of West Isles, and such offender or offenders shall be further liable to all damages sustained thereby, to be recovered, with costs of action or actions, at the suit of the party injured.

Persons breaking the fence, or fastening up, staking open, or destroying the gate, so forfeit 40s.

Forfeiture to the use of the Poor.

III. *And be it further enacted,* That whenever it shall appear to the said Justices in their said General Sessions, by the report of the said Commissioners of Highways, or the major part of them, that the reason for

When it shall appear to the Sessions that the fence is no longer necessary, they may order it to be removed.

erecting such Fence or Fences as aforesaid, has ceased to exist, it shall and may be lawful for the said Justices, in their said General Sessions, to order such Fence or Fences to be removed; and the Proprietor or Proprietors of such Fence or Fences, shall not, after such order, have any benefit or advantage from this Act, and the continuance of such Fence or Fences, shall thereafter be considered and adjudged to be a nuisance on the Highway.

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

Limitation.

*Cont. to 1. April
1835 by 9. G. C. G.*

CAP. XIV.

An ACT to continue the Acts for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns and Parishes in this Province.

Passed 11th March, 1824.

BE it enacted by the President, Council, and Assembly, That an Act made and passed in the fiftieth year of the Reign of His late Majesty King George the Third, intituled, “An Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways within the several Towns and Parishes in this Province;” also an Act made and passed in the fifty-eighth year of the same Reign, intituled, “An Act further to continue and amend an Act, intituled, “An Act for regulating, laying out, and repairing Highways and Roads, and for ap-
“ point-

50 Geo. 3, c. 6,

58 Geo. 3, c. 3,

“pointing Commissioners and Surveyors of
 “Highways, within the several Towns and
 “Parishes in this Province,” be, and the same
 are hereby continued for three years, and
 from thence to the end of the then next Ses-
 sion of the General Assembly, and no longer.

continued for
 three years.

CAP. XV.

An ACT to amend the Acts for imposing a duty on certain Articles
 imported into this Province.

Passed 11th March, 1824.

WHEREAS it is expedient that an
 Act made and passed in the fifty-
 second year of the Reign of His late Majesty
 King George the Third, intituled, “An Act
 “to impose a duty on certain Articles im-
 “ported into this Province;” and also an-
 other Act made and passed in the fifty-ninth
 year of the same Reign, intituled, “An Act
 “to explain and amend an Act, intituled,
 “An Act to impose a duty on certain Arti-
 “cles imported into this Province,” be re-
 vised and amended---

Preamble.

52. G. S. C. 6

59. G. S. C. 9

I. *Be it therefore enacted by the President,
 Council, and Assembly,* That from and after
 the passing of this Act, it shall be the duty
 of all persons importing or bringing Horses
 or Cattle into the County of York, from the
 United States of America, excepting such
 as are imported by the way of Holton-Town,
 as hereinafter mentioned, to report the same
 forthwith, under oath, to the Deputy-Trea-
 surer in Fredericton, whether the duty on the
 same has been previously paid or not, under
 the same pains and penalties for neglect or
 refusal so to do, as are prescribed in and by
 the third Section of an Act made and passed

Importers of
 horses or cattle
 from the United
 States, into the
 County of York,
 (except by way of
 Holton Town) to
 report to the De-
 puty Treasurer at
 Fredericton.

Horses and cattle imported by way of Holton Town, to be reported to the Deputy Treasurer at Woodstock.

in the third year of His Majesty's Reign, intituled, "An Act for raising a Revenue in this Province." *Provided always*, that the duties on all Horses and Cattle, which may be imported from or by the way of Holton-Town, shall be reported, on oath, and the duties thereon paid, or secured to be paid, to the Deputy-Treasurer appointed, or hereafter to be appointed, residing in the Parish of Woodstock, in like manner and under the same pains and penalties as are prescribed in the said third Section of the said last recited Act.

Limitation.

II. *And be it further enacted*, That this Act shall continue and be in force for and during the continuance of the Acts to which this is an amendment, and no longer.

CAP. XVI.

An ACT to authorize the Justices of the General Sessions of the Peace, for the City and County of Saint John, to make an Assesment for building a Court-House, within the City of Saint John.

Passed 11th March, 1824.

Resimble.

WHEREAS the Building at present used as a Court-House in the City of Saint John, is much out of repair, and has always been found to be extremely inconvenient, as not affording sufficient accommodation for the Courts of Judicature. *And whereas* it is highly expedient that a suitable Building should be erected for that purpose, within the said City---

General or Special Sessions, may contract for building a Court-House.

Be it therefore enacted by the President, Council, and Assembly, That the Justices of the Peace for the City and County of St. John, at any General Sessions of the Peace, to be here-

hereafter holden, or the major part of them, or at any Special Session, for that purpose expressly convened and holden, be, and they are hereby authorized and empowered to contract and agree with able and sufficient Workmen, for building and finishing a Court-House within the City of Saint John, and to agree for such sum or sums of money as to them shall seem proper, in order to carry their object into full effect; and the said Justices are hereby authorized and empowered, at any such General Sessions, if they shall see fit, to make a rate and assessment of a sum not exceeding Five Hundred Pounds, for the year one thousand eight hundred and twenty-four, to enable them to commence erecting a Court-House within the said City as aforesaid; the said sum to be assessed, levied, collected, and paid, in such proportion and in the same manner as any other County rates for public charges can or may be assessed, levied, collected, and paid, under and by virtue of any Act or Acts in force in this Province, for assessing, levying, and collecting of rates for public charges.

General Sessions may make an assessment not exceeding £500.

to be assessed, levied and collected, as other County rates.

CAP. XVII.

An ACT to continue and amend an Act, intituled, "An Act for raising a Revenue in this Province."

Passed 11th March, 1824.

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

*Contd to 1. Apr. 1826 by
6. G. 4. c. 21.
repealed by 7. G. 4. c. 26
18. G. 4. c. 24*

3 Geo. 4. c. 9.
continued for one
year.

(excepting where the same is hereby amended and altered); and declared to be in full force until the first day of April, which will be in the year of our Lord one thousand eight hundred and twenty-five.

Short duty on articles purchased with the produce of the Province, altho' the vessel not owned therein.

II. *And be it further enacted*, That the short duty only shall be demanded and taken in all cases where the dutiable articles have been altogether purchased with the produce of this Province, and imported into the Province in the same vessel in which such produce of the Province was exported therefrom, although no part of such vessel may be owned therein, as well as in the cases in that behalf specified in the first Section of the said recited Act.

CAP. XVIII.

An ACT to repeal an Act, intituled, "An Act to authorize the Justices of the Peace for the Counties of York and Charlotte respectively, to regulate the Assize of Bread in the Towns of Fredericton and Saint Andrews," so far as relates to the Town of Fredericton, and to make more effectual provision for the same.

Passed 11th March, 1824.

Preamble.

WHEREAS the Act for regulating the Assize of Bread in the Towns of Fredericton and Saint Andrews, has been found ineffectual for preventing abuses in the sale of Bread in the Town of Fredericton---

52 Geo. 3. c. 7. repealed, so far as relates to Fredericton.

I. *Be it therefore enacted by the President, Council, and Assembly*, That an Act made and passed in the fifty-second year of the Reign of His late Majesty King George the Third, intituled, "An Act to authorize the Justices of the Peace for the Counties of York and Charlotte respectively, to regulate the Assize

“Assize of Bread in the Towns of Frederic-
 “ton and Saint Andrews,” be, and the same
 is hereby repealed, so far as the same re-
 lates to the Town of Fredericton,

II. *And be it further enacted*, That the Jus-
 tices of the Peace for the County of York,
 be, and they are hereby authorized and em-
 powered, from time to time, to make such
 rules and regulations for ascertaining and
 establishing the Assize of Bread, and the sale
 thereof, for the said Town of Fredericton,
 as they, or the major part of them, in Ge-
 neral Sessions, or at any Special Sessions to
 be held for that purpose, shall deem just
 and expedient, and to enforce such rules
 and regulations under such fines as they,
 or the major part of them, shall think fit.
Provided always, that no fine for any one of-
 fence, shall exceed the sum of Forty Shillings.

Justices may re-
 gulate the Assize
 of Bread in Fre-
 dericton;

and impose fines
 not exceeding
 40s

III. *And be it further enacted*, That the
 Clerk of the Market for the said Town of
 Fredericton, is hereby authorized and em-
 powered, whenever he shall judge it neces-
 sary, and it shall be his duty at all times
 when complaint shall be made to him, in
 the day time, to enter and go into any Bake-
 house within the said Town, where Bread is
 manufactured for sale, and into any Shop or
 other place where Bread is sold or offered
 for sale, and carefully to inspect and weigh
 all Bread so manufactured or offered for sale,
 and in case he shall find any Bread to be of
 less weight than the regulated Assize, to be
 established as aforesaid, it shall be his duty,
 and he is hereby enjoined and required to
 seize all Bread he shall so find deficient in
 weight,

Clerk of the
 Market, upon
 complaint made,
 to inspect Bake-
 Houses and
 Shops where
 Bread is sold,

to seize light Bread, and deliver it to the Commissioners of the Alms-House.

weight, and deliver the same to the Commissioners of the Alms-House & Work-House for the County of York, for the use and towards the support of the Paupers inhabiting and dwelling in the said Alms-House and Work-House; and the said Clerk of the Market shall have like power to seize and send to the Alms-House any Bread that may be found deficient in weight in any Cart, Sled, or other Vehicle, in which the same may be carried about for delivery or sale.

May seize light Bread carried about for sale

Clerk to forfeit 40s for neglect of duty.

IV. *And be it further enacted,* That the said Clerk of the Market shall forfeit and pay for every neglect of the duty imposed on him by virtue of this Act, the sum of Forty Shillings.

Mode of recovering and applying fines and penalties.

V. *And be it further enacted,* That the several fines and penalties imposed by this Act, shall be recovered upon the oath of one or more credible witness or witnesses, before any one of His Majesty's Justices of the Peace in the County of York, and levied by distress and sale of the goods and chattels of the offender, rendering the overplus, if any, after deducting the costs and charges of prosecution and sale, to such offender, and be applied one half to the person who shall sue for the same, and the other half to the use of the Poor of the said Parish.

VI. *And be it further enacted,* That this Act shall continue and be in force for five years, and thence to the end of the then next Session of the General Assembly.

imitation.
*continued by
10 & 11. G. 4. c. 3.*

CAP. XIX.

An ACT for erecting a separate Parish in the City of Saint John
Passed 11th March, 1824. 2

WHEREAS in and by an Act made Preamble.
 and passed in the twenty-ninth year
 of the Reign of His late Majesty King George 29. 9. 3. C. 1.
 the Third, intituled, "An Act for erecting
 a Parish in the City of Saint John, and In-
 corporating the Rectors, Church-War-
 dens and Vestries, of the Church of Eng-
 land, in the several Parishes in this Pro-
 vince," all the Lands lying and being and
 contained within the limits of the said City
 of Saint John, on both sides of the Harbour
 of Saint John, are constituted and erected
 into one Parish, by the name of the Parish
 of Saint John.

And whereas many of the Inhabitants of
 the Western part of the said City, have, with
 the assent and concurrence of the Rector,
 Church-Wardens and Vestry, of Trinity
 Church, in the said Parish, petitioned that
 that part of the said City of Saint John, ly-
 ing on the Western side of the said Harbour
 of Saint John, comprehending Guy's Ward
 and Brooks' Ward, so called and commonly
 called, and known by the name of Carleton,
 should, for all Ecclesiastical purposes, be
 constituted and established a separate and
 distinct Parish, by the name of the Parish of
 Carleton, in order that a separate Rectory
 or Mission may be there appointed, and the
 Chapel there lately erected, become the Pa-
 rish Church of such Parish.

And whereas it appears expedient and pro-
 per, as well from the great increase of In-
 habi-

habitants in the said City, since the passing of the abovementioned Act, and the local situation thereof, as for divers other good causes and considerations, that the same should be divided, for the abovementioned purposes, into two Parishes---

Parish of Carleton
established for all
ecclesiastical pur-
poses.

I. *Now therefore be it enacted by the President, Council, and Assembly,* That from and after the first day of January, which will be in the year of our Lord one thousand eight hundred and twenty-five, that part of the said City of Saint John, lying on the Western side of the said Harbour of Saint John, and comprehending the said Guy's Ward and Brooks' Ward, shall, and the same is hereby declared to be, from and after the said first day of January, one thousand eight hundred and twenty-five, a separate and distinct Parish within the said City of Saint John, for all matters and purposes Ecclesiastical or relating to the Established Church of England, by the name of the Parish of Carleton, in the City of Saint John.

Inhabitants of
Carleton may
choose Church-
Wardens and
Vestrymen.

II. *And be it further enacted,* That the Inhabitants of the said Parish of Carleton, who shall be duly qualified according to the Act of Assembly for that purpose made and provided, shall, on the Easter Monday which shall first happen in the said year of our Lord one thousand eight hundred and twenty-five, and for ever thereafter, yearly and every year, assemble and meet together at the said Parish Church of Carleton, and then and there, by a plurality of voices, elect and choose two fit persons, belonging to the said Parish, to be Church-Wardens for the year then

then next ensuing, and any number, not exceeding twelve, of other fit persons, belonging to the said Parish, to be Vestrymen for the year then next ensuing, who shall thereupon enter into the execution of their respective offices, and shall continue in the same until other fit persons shall be chosen in their stead; which persons so elected and chosen, together with the Rector of the said Parish, duly appointed and inducted, and their Successors for ever, shall be a Body Politick and Corporate, in deed and in name, and shall have succession for ever, by the name of the Rector, Church-Wardens, and Vestry, of Saint George's Church, in the Parish of Carleton, in the City of Saint John, and shall be entitled to, and have, take, and enjoy, all the powers, capacities, immunities, rights, and privileges, and be subject in all respects to the directions and provisions contained in the said recited Act, and the Act made in explanation and amendment thereof, in the fifty-sixth year of the Reign of His said late Majesty.

Rector, Wardens,
and Vestry, of St.
George's Church,
in Carleton, in-
corporated.

III. *And be it further enacted,* That the Rector, Church-Wardens, and Vestry, of Trinity Church, in the Parish of Saint John, shall and may, and are hereby authorized and required, to grant, convey, and release, unto the Rector, Church-Wardens, and Vestry, of Saint George's Church, in the Parish of Carleton, in the City of Saint John, when duly appointed, all the right, title, and interest, of the said Rector, Church-Wardens, and Vestry, of Trinity Church, in the said Parish of Saint John, of, in, and to the said Lands

Corporation of
Trinity Church,
in the Parish of
Saint John, may
convey to the
Corporation of
Saint George's
Church, in Carle-
ton, all their right,
and title to Lands
and to the Chapel
and Pewsthercia,
in Carleton.

Lands and Chapel, at Carleton, and the rents, profits, and reversions, of the Pews therein, and of, in, and to, all and singular the Lands, Tenements, and Hereditaments whatsoever, situate and being within the limits of the said Parish of Carleton, to them the said Rector, Church-Wardens, and Vestry, of Trinity Church, in the said Parish of Saint John, in any wise belonging: *To Have and to Hold*, to the said Rector, Church-Wardens, and Vestry, of Saint George's Church, in the said Parish of Carleton, their Successors and Assigns, for ever.

Saving the rights of the Mayor, Aldermen, and Commonalty, of the City of Saint John.

IV. *And be it further enacted*, That nothing in this Act contained shall be construed in any way to abridge, diminish, or take away, any of the rights, powers, privileges, and advantages, of the Mayor, Aldermen, and Commonalty, of the City of Saint John, or of any of the Citizens or Inhabitants of the said City, as granted to them in and by the Charter of the said City, any thing herein contained to the contrary thereof in anywise notwithstanding.

CAP. XX.

An ACT to alter the Division Line between the Parishes of New-Castle and Northesk, in the County of Northumberland.

Præamb'e.

Passed 11th March, 1824.

WHEREAS the Dividing Line of the two Parishes of New-Castle and Northesk, in the County of Northumberland, is the Division Line between the Public Lot number Three, on which the Court-House and Gaol of the said County stand, and the adjoining Lot number Two, and the prolongation of that Line: *And whereas* the

Set-

Settlements in the Vicinity of the said Court-House, which form the Town or Village commonly called the Town of New-Castle, are extending themselves across the said Division-Line into the said Parish of Northesk: And whereas it will be convenient for the Inhabitants of that Village, for the whole of the same Village to be in one Parish---

Division Line described.

I. Be it therefore enacted by the President, Council, and Assembly, That henceforth the Division-Line between the said Parishes, shall commence at the Bank or Shore of the North-West Branch of the River Miramichi, at the upper or westerly Boundary of the Tract of Land formerly owned and for many years occupied by James Oxford, and extend thence, or from the said Boundary, on a line North twenty-two degrees West, until it meets or intersects the prolongation of the rear or Southerly line of the first division of Lots in the Tracadie Grant to William Ferguson and associates, running West from the Sea Shore.

Alteration not to affect penalties incurred or assessments made.

II. Provided always, and be it further enacted, That the enlargement of the said Parish of New-Castle, as hereinbefore provided, shall not operate or be construed to operate, to release or exonerate any person who heretofore belonged to the said Parish of Northesk, or any property which heretofore was situated in the same Parish, and which will by this Act be placed in the Parish of New-Castle, from the payment of any penalty incurred, or any assessment which may have been made, before the passing of this Act, but the same may be recovered as if this Act had not been made.

CAP.

CAP. XXI

An ACT for taking an account of the Population of this Province.
Passed 11th March, 1824.

Preamble.

WHEREAS it is expedient to take an account of the total number of persons within this Province—

Justices to appoint fit persons in each Parish, to take an account of the Population.

I. Be it enacted by the President, Council, and Assembly, That the Justices of the Peace in the several Counties in this Province, shall and may, and they are hereby required at their first General Sessions to be holden after the receipt of this Act by the Clerk of the Peace for the County, as hereinafter provided, or at any Special Sessions to be for that purpose expressly convened, to appoint such and so many fit person or persons within each Town or Parish within their respective Counties, as they shall think expedient, to take an account of the Population thereof, in manner hereinafter directed; and if more than one person shall be so appointed for any Town or Parish, then to divide such Town or Parish into convenient Districts, (assigning to each person so appointed to take such account, his particular District), which persons so appointed to take such account, shall be liable in all respects to the same rules and regulations, penalties and forfeitures, as Town or Parish Officers are subject and liable to, by virtue of any Law in force for the appointment and regulation of Town or Parish Officers: *Provided,* that the Mayor, Aldermen and Commonalty, of the City of Saint John, in Common Council convened, shall as soon as conveniently may be after the passing of this Act, appoint such and

Persons appointed, to be subject to the same regulations and penalties as other Parish Officers.

Mayor, Aldermen, &c. in Saint John, to appoint persons in the City.

and so many fit person or persons as to them shall seem meet, to take such account within the said City, in like manner with the Justices of the Peace for the several Counties at their General or Special Sessions as aforesaid.

II. *And be it further enacted*, That the persons so to be appointed as aforesaid, shall at the times and in the manner hereinafter directed, severally take an account of the number of persons who shall be actually found at the time of taking such account, within the limits of the Parish, City or District, for which they may be respectively appointed, and shall set down the several particulars respecting the same, according to the form prescribed in the Schedule annexed to this Act.

Account to be taken as herein after prescribed.

III. And for the more speedy and effectual obtaining of such accounts: *Be it further enacted*, That a sufficient number of printed copies of this Act, and of the Schedule thereto, (such number to be regulated and determined by order of the President or Commander-in-Chief for the time being) shall on or before the first day of April next after the passing of this Act, be transmitted by the King's Printer, to the Clerks of the Peace in the several Counties, and the said several Clerks of the Peace shall, and they are hereby required with all convenient speed, to cause the said Act to be distributed among the Justices of the Peace in the several Counties, so that at least one Justice in each Parish may be furnished with one of the said printed copies of the said Act, and also to cause

This Act to be sent to the Clerks of the Peace in the several Counties, and by them to the Justices.

Two printed Schedules to be delivered to the persons appointed to take account

two of the said printed Schedules to be delivered to each person appointed as aforesaid to take the account required by this Act, within the said several and respective Counties.

Persons appointed to take an account, to inform themselves by going from house to house or otherwise,

IV. *And be it further enacted*, That the persons so appointed to take such account as aforesaid, shall with all convenient expedition after receiving the said Schedules, and within such time as will enable them to deliver or transmit their respective answers and returns to the Clerks of the Peace, by the day hereinafter limited for that purpose, proceed to take an account in writing of the number of persons at the time of taking such account, being within the limits of the Parish, City or District, for which they may be respectively appointed as aforesaid, and inform themselves of the several particulars relating to the matters specified in the questions contained in the said Schedule, by proceeding from house to house or otherwise, as they shall judge expedient, for the better execution of this Act, and from such information shall prepare duplicate answers or returns to the said questions, according to the form prescribed in the said Schedule, and shall sign and make oath to the same before a Justice of the Peace of the County, according to the said form, which oath any such Justice is hereby authorized and required to administer; and the better to enable such persons so appointed as aforesaid, to make such answers and returns, they are hereby severally and respectively authorized and empowered to ask all such questions of the

and prepare duplicate answers and returns, under oath.

the persons within the Parish, City or District, for which they may be respectively appointed as aforesaid, respecting themselves, and the number and quality of the persons constituting their respective families, as shall be necessary for stating the particulars required to be stated concerning them in the said answers and returns, and every person refusing to answer, or wilfully giving a false answer to such questions, or any of them, shall for every such refusal or false answer, forfeit a sum not exceeding Three Pounds, nor less than Twenty Shillings, at the discretion of the Justice, before whom complaint thereof shall be made; and the said persons so appointed as aforesaid, to take such account, shall deliver or transmit their several and respective answers and returns, in duplicate as aforesaid, to the Clerks of the Peace for the several and respective Counties, on or before the first day of December next after the passing of this Act.

Penalty for refusing to answer, or giving false answers.

V. And be it further enacted. That the several Clerks of the Peace shall on or before the tenth day of December next after the passing of this Act, transmit one copy of such answers and returns as they shall have received in manner aforesaid, together with a list of the Parishes, Districts or Places, within their respective Counties from which no returns may have been received, to the office of the Secretary of the Province, and shall place and keep the other copy of such answers and returns, on file, in their offices respectively, and the answers and returns which shall be so transmitted to the office of the

Clerks of the Peace, on or before 10th December next, to transmit one copy of returns, with lists of places from which no returns have been received, to the Secretary's office, and file another copy in their office.

Returns to be arranged, and an abstract laid before the General Assembly.

Secretary of the Province, shall be digested and reduced into order by such officer or person as the President or Commander-in-Chief for the time being, shall appoint for that purpose; and an abstract thereof shall be laid before the General Assembly at their next Session.

Allowance to the Clerks of the Peace.

VI. *And be it further enacted,* That there shall be allowed and paid out of the Province Treasury to each Clerk of the Peace, for the services required of him by this Act, the sum of Three Pounds, and to each and every person appointed and employed under this Act to take such account as aforesaid, who shall make and transmit to the Clerk of the Peace of the County by the day hereinbefore limited for that purpose, due answers and returns according to the Schedule to this Act annexed, the sum of Ten Shillings for each and every day that such person shall make it appear to the Justices of the Peace for the several Counties at their General Sessions, that he has been actually employed in the services required of him by this Act; the number of days to be certified by the said Justices at their General Sessions, to the President or Commander-in-Chief for the time being, which said sums in this Section mentioned, shall be paid out of any monies in the Province Treasury, by warrant of the President or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council.

Allowance to persons appointed to take account, 10s. per diem.

Days to be certified by the Sessions.

VII. *And be it further enacted,* That any person appointed under this Act to take such account as aforesaid, who shall refuse or neglect

glect to perform any of the duties required of him by this Act, shall for each and every such refusal or neglect, forfeit and pay a sum not exceeding Five Pounds, nor less than Forty Shillings, at the discretion of the Justice before whom complaint shall be made.

Penalty for refusal or neglect of duty of persons appointed to take account.

VIII. *And be it further enacted,* That the several and respective forfeitures and penalties hereinbefore mentioned, shall and may be recovered upon complaint made before any Justice of the Peace for the County where the offence may be committed, upon the oath of one or more credible witness or witnesses, and be levied by distress and sale of the goods and chattels of the offender, rendering the surplus, if any, after deducting the costs and charges of prosecution and sale, to such offender, and to be applied, one half to the use of the person who shall sue for the same, and the other half to the use of the Poor of the Parish where the offence may be committed.

Penalties to be recovered before a Justice.

SCHEDULE.

Questions, to which, by directions of an Act of Assembly, passed in the fifth year of the Reign of His Majesty King George the Fourth, intituled, "An Act for taking an Account of the Population of this Province," written answers, in duplicate, are to be returned by the persons appointed under and by virtue of the said Act, to take such account, signed and attested upon oath, by such persons respectively.

1st.---How many Inhabited Houses are there in your City, Parish or District, and by how many Families are they occupied?

2nd.

2nd.--How many Houses are now Building, and therefore not yet Inhabited?

3rd.--How many other Houses are Uninhabited?

4th.----How many Persons (including Children of whatever age) are there actually found within the limits of your City, Parish or District, at the time of taking this account, distinguishing Males and Females, and Persons above and under sixteen years of age, and People of Colour, and exclusive of Men actually serving in His Majesty's Regular Forces, and of Seamen either in His Majesty's Service or belonging to Registered Vessels, and of Native Indians?

5th.--Are there any matters which you think it necessary to remark in explanation of your answers to either of the preceding questions?

CAP. XXH.

An ACT to continue the Act to provide for and maintain an armed Cutter, for the protection of the Revenue of the Province.

Passed 11th March, 1824.

BE it enacted by the President, Council, and Assembly, That an Act made and passed in the third year of His present Majesty's Reign, intituled, "An Act to provide for and maintain an armed Cutter, for the protection of the Revenue of the Province," and also an Act made and passed in the fourth year of His said Majesty's Reign, intituled, "An Act to amend an Act, intituled, "An Act to provide for and maintain an armed Cutter, for the protection of the Revenue of the Province," be, and the same are hereby severally continued for one year, and from thence to the end of the then next Session of the General Assembly.

3 Geo. 4. c. 52.

4 Geo. 4. c. 12.

continued for one year.

CAP. XXIII.

An ACT to provide for the better support of the Poor, in certain Parishes in the County of Northumberland.

Passed 11th March, 1824.

Preamble.

WHEREAS by the mode generally pursued, to provide for the support of the Poor in this Province, many persons who might, under proper regulations, contribute to their own maintenance, have nevertheless become chargeable to, and are entirely maintained by, the Inhabitants of the Parishes in which such persons reside, to the great burthen of such Inhabitants: *And whereas* the establishment of suitable Alms-Houses and Work-Houses, in proper situations, within this Province, would not only enable many poor persons who are now charge-

chargeable to the Parishes in which they reside, to contribute materially to their own support, but would also afford the means of checking the disorderly behaviour of divers persons, who by drunkenness and idleness disqualify themselves from earning a proper support---

I. *Be it therefore enacted by the President, Council, and Assembly,* That the Justices of the Peace for the County of Northumberland, in their General Sessions, be, and they are hereby authorized and empowered, to agree for the erecting and finishing a proper Building for an Alms-House and Work-House in the Town or Parish of New-Castle, and to fix upon a certain sum of money for defraying the expence thereof, which sum of money shall be raised by an assessment upon the Inhabitants of New-Castle, Chatham, Northesk, Ludlow, Alnwick, and Glenelg, in the said County, in the manner prescribed by any Law in force for assessing, collecting, and levying County rates. *Provided,* that such assessment shall not exceed the sum of Seven Hundred Pounds.

Justices in General Sessions, may agree for erecting a proper Building,

and fix upon a sum for defraying the expence, to be assessed upon the Parishes of New-Castle, Chatham, Northesk, Ludlow, Alnwick, and Glenelg.

Id: 6. 9. 4. 1

Not to exceed £700.

II. *And be it further enacted,* That it shall and may be lawful for the President or Commander-in Chief of the Province, by warrant under his hand and seal, to be issued by and with the advice of His Majesty's Council, from time to time to appoint so many fit persons, not exceeding seven, nor less than five (not more than two of whom shall be Justices of the Peace for the said County), to be Commissioners for superintending and managing the said Building so to be erected

The Governor to appoint Commissioners for superintending the Alms-House.

for

Commissioners to provide materials for employing the Poor,

may compel People seeking relief, to dwell in the Alms-House,

and have power to bind out Poor Children, as Apprentices.

Commissioners to make rules and regulations for the government of the House,

to be approved of by the Justices in Sessions

and may inflict reasonable correction and punishment.

for the purposes aforesaid; and that it shall and may be lawful for the said Commissioners, from time to time, to provide such materials and things as they shall judge necessary, for the setting to work and employing such Poor Persons, of what age or sex soever they be, who may apply for relief and shall be able to work, and shall have power and authority, at their discretion, to compel such idle or Poor People begging or seeking relief, as do not betake themselves to some lawful employment, or who do or shall hereafter seek or receive alms of any of the said Parishes hereinbefore mentioned, within the said County, or who may stand in need of relief from any of the said Parishes, to dwell, inhabit, and to work in the said Work-House, and to do all such work as they shall think them able and fit for, and shall have the same powers to bind out Poor Children, apprentices, as are by the Laws of this Province given to the Overseers of the Poor in the several Towns or Parishes in this Province.

III. *And be it further enacted*, That the said Commissioners so to be appointed as aforesaid, shall have power to make such rules, orders, and regulations, for the good government and management of the said Alms-House and Work-House, as they shall find necessary (such rules and regulations to be approved of by the said Justices in their General Sessions), and to inflict such correction and punishment, by solitary confinement or otherwise, from time to time, as to them shall seem reasonable, on any person

or persons within the said Alms-House or Work-House, who shall be set to work and shall not conform to such rules, orders, and regulations, to be made as aforesaid, or shall misbehave in the same.

IV. *And be it further enacted*, That the said Commissioners shall at the first General Sessions of the Peace, to be holden for the said County, annually lay before the Justices in their said Sessions, an account, to be audited by the said Justices, of the expences incurred by them for the support and maintenance of the Poor of the said Alms-House and Work-House, for the past year, together with an estimate of what sum or sums of money will be needful for the maintenance or employment of the Poor of the said House, for the current year; in which estimate shall be stated the proportion that each Town or Parish within the said County ought to pay, according to the number of Poor Persons that such Town or Parish shall have in the said Alms-House, or committed to the care of the said Commissioners, to the intent that no other levy or assessment may be made for any other maintenance or allowance to or for any such Poor; which sum or sums of money shall be assessed, levied and raised, in such manner and form as by the Laws of this Province is or shall be appointed and directed, and when raised and received, shall be paid to the said Commissioners, for the use aforesaid and for no other.

Commissioners to account annually to the General Sessions.

Estimate to be made of amount requisite for the maintenance of the Poor for the current year,

with the proportion that each Parish is to pay.

V. *And be it further enacted*, That the Commissioners to be appointed in pursuance of this Act, shall have full power and authority

Commissioners may agree with the Overseers of the Poor of any other Parish in

Northumberland, or any adjoining County, for the maintenance of the Poor of such Parish.

Overseers to pay or secure such sum as shall be agreed on,

and report to the Commissioners the names and characters of Paupers.

Profits of work to be accounted for, and applied towards the support of the Poor in the House.

Until a House is built, Commissioners may hire a suitable Building.

to contract and agree with the Overseers of the Poor of any Parish in the said County, or of any adjoining County of this Province, for the maintenance of any Poor Persons belonging to such Parishes respectively, which contract and agreement such Overseers are hereby authorized and empowered to make. *Provided always*, that such Overseers shall first pay, or secure to be paid, to the said Commissioners, such sum or sums of money as shall be so agreed for, and shall also report to the said Commissioners; the names, character, and condition, of all such Poor Persons within the said Towns or Parishes respectively, in whose behalf such application shall be made.

VI. *And be it further enacted*, That the profits of any work or labour to be performed under the direction of the said Commissioners, shall be duly accounted for by them, and applied towards the support and maintenance of the persons inhabiting within the said Alms-House and Work-House.

VII. *And be it further enacted*, That until such time as a proper Building shall be erected and prepared within the said Parish of New-Castle, for the purposes by this Act contemplated, it shall and may be lawful for the Commissioners to be appointed as hereinbefore mentioned, to hire and make use of any other House within the said Parish, which they shall think fit and convenient for an Alms-House and Work-House, in manner and form as by this Act is prescribed.

CAP. XXIV.

An ACT to extend the powers of the Mayor, Aldermen, and Commonalty, of the City of Saint John, for preventing the incumbering and filling up of the Harbour of the said City, to the Waters and Places of Anchorage in the Vicinity thereof.

Passed 11th March, 1824.

WHEREAS it is expedient to extend Preamble.
the powers of the Mayor, Aldermen, and Commonalty, of the City of Saint John, for preventing the incumbering and filling up of the Harbour of the said City, to the places of Anchorage and Waters of the Bay of Fundy, contiguous or near to the said Harbour and City, and without the limits of the same--

Be it enacted by the President, Council, and Assembly, That it shall and may be lawful to and for the Mayor, Aldermen, and Commonalty, of the said City of Saint John, in Common Council convened, and they are hereby authorized and required, from time to time as they shall find it necessary or expedient, to make any by-laws, rules and regulations, for preventing the unloading or throwing overboard of any ballast or rubbish, in any Roadstead, Place of Anchorage, or Waters of the Bay of Fundy, contiguous or near to the Harbour of the said City, and without the limits of the said City, or for preventing such Roadsteads, Places of Anchorage or Waters, being in any other manner encumbered or filled up, and to enforce the observance of such by-laws, rules or regulations, by pains, punishments, and penalties, in such and the like manner to all intents and purposes as the said Mayor, Aldermen, and Commonalty, may now do by
virtue

Mayor, Aldermen, and Commonalty, may make By-Laws, Rules and Regulations, to prevent the throwing of ballast or rubbish into any Roadstead or Place of Anchorage, contiguous to and without the limits of the City.

virtue of the Charter of the said City, or otherwise by Law, with regard to the Harbour and Places within the limits of the said City.

CAP. XXV.

An ACT to alter and amend an Act, intituled, " An Act to repeal all the Laws now in force relating to the establishment, regulation and improvement, of the Great Roads of communication through the Province, and to make more effectual provision for the same."

Passed 11th March, 1824.

Preamble.

39.4. C.31.

WHEREAS it is expedient to authorize and empower the President or Commander-in-Chief for the time being, to displace and remove any of the Supervisors appointed under and by virtue of an Act made and passed in the third year of the Reign of His present Majesty, intituled, " An Act to repeal all the Laws now in force relating to the establishment, regulation and improvement, of the Great Roads of communication through the Province, and to make more effectual provision for the same"---

Commander-in-Chief, with advice of the Council, may displace Supervisors, if necessary or expedient, and appoint others.

Be it enacted by the President, Council, and Assembly, That it shall and may be lawful for the President or Commander-in-Chief for the time being, by and with the advice of His Majesty's Council, to displace and remove any Supervisor appointed under the said recited Act, in case it shall be necessary or expedient so to do, and, by and with the advice aforesaid, to nominate and appoint some other fit person to be Supervisor in the room of such person so displaced and removed, in like manner as is provided in and

and by the fifteenth Section of the said re-
cited Act, in case of the death, removal from
the district, or refusal to act, of any Super-
visor.

CAP. XXVI.

An ACT further to continue and amend the Acts, for more effec-
tually repairing the Streets and Bridges in the City and County
of Saint John.

Passed 11th March, 1824.

I. **B**E. it enacted by the President, Council,
and Assembly, That an Act made and
passed in the fiftieth year of the Reign of
His late Majesty King George the Third,
intituled, "An Act to provide for the more
"effectually repairing the Streets and Bridges
"in the City and County of Saint John,"
and another Act made and passed in the
fifty-eighth year of the same Reign, intituled,
"An Act further to continue and to amend
"an Act, for the more effectually repairing
"the Streets and Bridges in the City and
"County of Saint John," be, and the same
are hereby further continued, and shall, to-
gether with this Act, be and remain in force
for three years, and thence to the end of the
then next Session of the General Assembly.

II. And be it further enacted, That the
Mayor, Aldermen, and Commonalty, of the
City of Saint John, shall and may, and are
hereby authorized and empowered, yearly
and every year, in any district within the
said City and County, where they shall think
it fit and necessary, to order the Surveyor
of Highways within the said District, imme-
diately after the first fall of snow, in the
winter season, and so from time to time
during

*continued to 1. April
1832 by 10 & 11. G. 4.
C. 25. -*

50 Geo. 3, c. 16,

58 Geo. 3, c. 9,

continued for
three years.

Mayor, &c. may
order Surveyors
in the several Dis-
tricts, to sum-
mon Inhabitants
to work on the
Winter Roads.

during the winter season, as occasion may require; to summon the Inhabitants of such district to labour on any such roads or part of roads within such district, as the said Mayor, Aldermen, and Commonalty, may order and direct, by marking the same in a line as straight and as near the centre of such road as may be, with one row of evergreen bushes, erected at distances not exceeding four rods from each other; and in case of refusal and neglect to appear when so summoned, every person so offending shall forfeit and pay the sum of Four Shillings for each and every day he shall so refuse or neglect to appear and labour, to be recovered with costs in the manner prescribed in and by the said recited Acts, and to be applied, when received, towards the repairing of the roads within such district, and all such labour so performed, or fines paid in lieu thereof, shall be accounted for to the persons performing the same, and be deducted from and allowed out of the amount of labour required to be performed the then next ensuing year.

Penalty for neglect or refusal.

Labour on Winter Roads to be deducted from Statute Labour to be performed the ensuing year.

Persons travelling on the Winter Roads, to leave the evergreen bushes on the left hand, under penalty of 10s.

III. *And be it further enacted;* That all persons travelling with their horses, cattle, sleighs, sleds, and carriages of what kind soever, in the winter season, on any road within the said City and County, which shall be marked with a row of evergreen bushes, in manner aforesaid, by authority of the said Mayor, Aldermen, and Commonalty, shall leave the said row of bushes always on the left hand, under the penalty of Ten Shillings for each and every offence committed

con-

contrary to the true intent and meaning of this Act, to be recovered in the manner prescribed in and by the said recited Act; for recovering of fines for neglecting to appear and work on the roads, and to be applied, when received, to the repairing of the roads within the said district.

CAP. XXVII.

An ACT for erecting a part of the Parishes of Saint Mary and Queensbury, in the County of York, into a separate and distinct Town or Parish.

Passed 11th March, 1824.

WHEREAS great inconvenience is Preamble.
found to exist in consequence of the extended bounds and increased population of the Parish of Saint Mary: *And whereas* it is expedient to erect a separate Parish in the same, including also a part of the Parish of Queensbury---

I. *Be it therefore enacted by the President, Council, and Assembly,* That all that part of the said Parishes of Saint Mary and Queensbury, comprised within the bounds hereinafter described, to wit:---the lower bounds Boundaries described. to commence at the upper line of Lot number twenty-nine in letter C. of the Maryland Loyalists' grant, in the Parish of Saint Mary, now owned and occupied by William Sewell, Junior, and to extend along the said line to the rear thereof, on a course North forty-five degrees East, by the Magnet---thence North forty-five degrees West, to the lower line of Lot number one, in the grant to Daniel Sawyer and others, or the prolongation of that line---thence North until it meets the River Nashwack. And the upper bounds
to

to commence at the upper line of Lot number fifty-five, in the grant to the Guides and Pioneers, in the Parish of Queensbury, aforesaid, owned and occupied by Nehemiah Estey; and to extend back from the River Saint John, to the rear thereof---thence North twenty-five degrees East, until it meets the River Nashwack, aforesaid---thence down the said River Nashwack, along its Southern Bank or Shore, until it meets the beforementioned line, running North from the lower line of Lot number one, in the grant to Daniel Sawyer, and others---be, and the same is hereby erected into a separate and distinct Town or Parish, known and distinguished by the name of the Town or Parish of Douglas.

Justices to appoint Parish Officers.

II. *And be it further enacted*, That the Justices of the Peace for the said County, shall and may have power to appoint, annually, from time to time, Officers for the said Town or Parish of Douglas, in the same manner as for other Towns or Parishes within the said County, and also that the said Justices may at a Special Session for that purpose to be holden, have power and authority to appoint such Officers for the present year, which Officers shall be sworn to the faithful discharge of their duties respectively, and be liable to the like penalties for neglect or refusal to accept or perform the duties of their respective offices, as any other Town or Parish Officers within the said County.

Penalties for neglect of duty.

Provisions of the 3rd Geo. 4, c. 25, extended to the Parish of Douglas.

III. *And be it further enacted*, That the provisions of an Act of the General Assembly, made and passed in the third year of His

Ma-

Majesty's Reign, intituled; "An Act to provide for the erection of an Alms-House and Work-House within the County of York, and for making rules and regulations for the management of the same;" shall extend to the said Parish of Douglas, in as full and ample a manner to all intents and purposes, as if the said Parish of Douglas had been particularly named in the said recited Act.

V. *And be it further enacted*, That this Act shall in no way prevent or interfere with the recovery of any Parish or County assessment which may have heretofore been made or ordered by the Court of General Sessions of the Peace for the said County.

Not to interfere with any assessment heretofore made.

CAP. XXVIII.

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

Passed 11th March, 1824.

I. *BE it enacted by the President, Council, and Assembly*, That there be allowed out of the Treasury of the Province, for the services hereinafter named, the following sums, to wit;

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

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

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

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

Clerk of Assembly.

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

Clerk-Assistant.

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

Sergeants at Arms.

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

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

Door-keepers and Messengers.

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

Speaker & Members.

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

Tide-Surveyor.

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

Thomas Bonnor.

To Thomas Bonnor, Esquire, such sum as will procure a Bill of Exchange on England,

land, for one hundred pounds Sterling, for his services as Agent for the Province, for the year one thousand eight hundred and twenty-three.

To Nathaniel Atcheson, Esquire, Secretary to the Society of British North American Merchants, and Agent to some of His Majesty's North American Colonies, for his services from February, one thousand eight hundred and twenty-three, to February, one thousand eight hundred and twenty-four, such sum as will procure a Bill of Exchange on England, for one hundred pounds Sterling, to be remitted by the Committee of Correspondence.

Nathl. Atcheson,
Esq.

To His Honor the President or Commander-in-Chief, for defraying the contingent expences of the Province, a sum not exceeding two hundred and fifty pounds, for the year one thousand eight hundred and twenty-four.

Provincial Con-
tingencies.

To John Chaloner, for gauging and weighing, in the year one thousand eight hundred and twenty-three, the sum of one hundred and ten pounds thirteen shillings and six-pence.

John Chaloner.

To the Treasurer of the Province, to defray the expences incurred by him for stationary, blanks, and advertising, the sum of eighteen pounds one shilling and two-pence.

Treasurer.

To His Honor the President or Commander-in-Chief, for the purpose of enabling the Treasurer to pay Alexander Miller, a Tidewater in the City of Saint John, for his services from the twenty-eighth day of March, one thousand eight hundred and twenty-three.

Alex. Miller:

three, to the twenty-eighth day of March, one thousand eight hundred and twenty-four, the sum of ninety-one pounds and ten shillings.

John Robinson, Esq. To John Robinson, Esquire, Treasurer of the Province, for his services from the first day of March, one thousand eight hundred and twenty-three, to the first day of March, one thousand eight hundred and twenty-four, the sum of six hundred pounds.

Saml. Buchanan. To Samuel Buchanan, the sum of twenty pounds, for airing and taking care of the Province Hall, for the year one thousand eight hundred and twenty-three.

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

Schools. To His Honor the President or Commander-in-Chief for the time being, for the encouragement of Schools, the sum of three thousand pounds, agreeably to a Law of this Province.

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

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

College of New-Brunswick. To the Governor and Trustees of the College of New-Brunswick, the sum of two hundred and fifty pounds, for the year one thousand eight hundred and twenty-four, agree-

agreeably to the two Acts of the General Assembly.

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

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

To His Honor the President or Commander-in-Chief, a sum not exceeding three thousand pounds, to be paid for the encouragement of raising Bread-Corn on new lands, agreeably to a Law of the Province.

To His Honor the President or Commander-in-Chief, the sum of three thousand pounds, to be paid for the encouragement of the Fisheries of this Province, for the year one thousand eight hundred and twenty-four, agreeably to Law.

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

To His Honor the President or Commander-in-Chief, a sum not exceeding one hundred and twenty pounds, to pay the Serjeant-Majors of the Militia of this Province, for

for the time being, who are actually employed. *Provided*, that each Serjeant-Major, who shall appear by a certificate from his Commanding Officer, to have faithfully performed his duty, shall receive the sum of seven pounds ten shillings, and no more, in each year.

Courier from
Fredericton to
New-Castle.

To the Commissioners to be appointed by His Honor the President or Commander-in-Chief for the time being, for the defraying the expences of a Courier employed between Fredericton and New-Castle, in the County of Northumberland, for the year one thousand eight hundred and twenty-four, the sum of one hundred and twenty-five pounds.

Light-House on
Briar Island.

To the Commissioners to be appointed by His Honor the President or Commander-in-Chief, the sum of one hundred pounds, to be applied towards the support of a Light-House on Briar Island, in the Province of Nova-Scotia, for the year one thousand eight hundred and twenty-four.

Courier from
New-Castle to
St. Peters.

To the Commissioners to be appointed by His Honor the President or Commander-in-Chief for the time being, for defraying the expence of a Courier employed between New-Castle and St. Peters, in the County of Northumberland, for the year one thousand eight hundred and twenty-four, the sum of seventy pounds.

Packet between
Digby and Saint
John.

To three such Commissioners as His Honor the President or Commander-in-Chief may appoint, the sum of one hundred and fifty pounds, for the support of a Packet to ply between Digby and Saint John, for one year, to commence the fifth day of April next.

next: *Provided*, no Packet is established at the exclusive expence of the General Post-office for that purpose.

To His Honor the President or Commander-in-Chief, the sum of one hundred and seventy-five pounds, for the support of a Master of the Grammar School in the County of Northumberland; agreeably to the two Acts of the General Assembly.

Northumberland
Grammar School.

To His Honor the President or Commander-in-Chief, the sum of one hundred and seventy-five pounds, for the support of a Master of the Grammar School in the County of Sunbury, for the year one thousand eight hundred and twenty-three, and a like sum for the year one thousand eight hundred and twenty-four, agreeably to the two Acts of the General Assembly.

Sunbury Gram-
mar School.

To His Honor the President or Commander-in-Chief for the time being, the sum of one hundred and seventy-five pounds, for the support of a Master to the Grammar School in the County of Westmorland, agreeably to the two Acts of the General Assembly.

Westmorland
Grammar School.

To His Honor the President or Commander-in-Chief for the time being, the sum of one hundred and seventy-five pounds, for the support of a Master to the Grammar School in the County of Kings, agreeably to the two Acts of the General Assembly.

Grammar School
Kings.

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

John Boyd, Surg.
geon.

To

Inspecting Field
Officer of Militia.

To His Honor the President or Commander-in-Chief, the sum of two hundred and fifty pounds, as a provision for a Staff Officer, to inspect the Militia of the Province, and superintend the details of the same, for the year one thousand eight hundred and twenty-four.

Adjutant General
of Militia.

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

To be paid by
Warrant.

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

CAP. XXIX.

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

Passed 11th March, 1824.

BE it enacted by the President, Council, and Assembly, That there be allowed and paid out of the Treasury of this Province, the following sums, to wit,

Sheriff of Sunbury.

To the Sheriff of the County of Sunbury, for returning William Wilmot, Esquire, a Member from that County, to serve in General Assembly, the sum of twenty pounds.

Peter Smith, Tide
Surveyor, Saint
Andrews.

To His Honor the President or Commander-in-Chief, the sum of seventy-five pounds, for the purpose of enabling the Treasurer to pay Peter Smith, a Tide-Surveyor at St. Andrews, for his services as such from the eighteenth

eighteenth day of May, one thousand eight hundred and twenty-three, to the eighteenth day of May, one thousand eight hundred and twenty-four.

To the Commissioners of the Revenue Cutter; the sum of eleven hundred and three pounds fourteen shillings and five-pence halfpenny, being the balance due them as appears by their account.

To His Honor the President or Commander-in-Chief, the sum of forty-seven pounds one shilling, to defray the expence incurred in the hire of a Building for the accommodation of the Detachment of the Seventy-fourth Regiment, at Miramichi, in the year one thousand eight hundred and twenty-two.

To His Honor the President or Commander-in-Chief, the sum of eighteen pounds eleven shillings, to defray the expence of the examination, plans, and survey of the roads between the Forks of the Great Marsh in the County of Saint John, and Hampton Church.

To His Honor the President or Commander-in-Chief, the sum of fifty-nine pounds and two-pence, to defray that amount expended on the Nerepis road over and above the sum allowed for that road in the year one thousand eight hundred and twenty-two.

To His Honor the President or Commander-in-Chief, the sum of three hundred pounds, to defray the balance of the account of the Commissioners for Government House, and to provide for the contract with the Gardener, and for the necessary repairs of

the said House and the Premises belonging thereto.

Furniture for Government House.

To His Honor the President or Commander-in-Chief, such sum as will procure a Bill of Exchange on London, for seven hundred and fifty pounds Sterling, to be expended in providing Furniture for the Public Rooms in Government House.

Special Messengers to Sussex Vale and St. John.

To His Honor the President or Commander-in-Chief, the sum of sixty-eight pounds fifteen shillings, being the expence incurred in sending Special Messengers to Sussex Vale and to Saint John, on occasion of the death of His Excellency the late Lieutenant-Governor Smyth, and of His Honor the late President Chipman.

Court-House, St. John.

To the Justices of the General Sessions of the Peace for the City and County of Saint John, the sum of one thousand pounds, towards building a Court-House within the City of Saint John.

John Kinnear.

To John Kinnear, the sum of sixty-three pounds eleven shillings and two pence, for duties on rum, sugar, and molasses, paid by him at Saint John, the same having been previously paid at Saint Andrews.

John Kinnear.

To John Kinnear, the sum of forty-two pounds three shillings and six pence, drawback on ten puncheons of rum exported by Kinnear & Pidgeon, to the United States.

Thomas Baldwin and William Ball, Tidewaiters at St. John.

To Thomas Baldwin and William Ball, the sum of ninety-one pounds five shillings each, for services as Tidewaiters at the Port of Saint John, from the first day of February, one thousand eight hundred and twenty-three, to the first day of February, one thousand eight hundred and twenty-four. To

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

To James Dunn, a Licenced School-Master, the sum of twenty pounds, being the Provincial allowance for keeping a School, in the year one thousand eight hundred and twenty-two, he not having been enabled to obtain such allowance by reason of his having kept School part of the year in a Dwelling-House while the School-House was erecting. James Dunn.

To James Bennet, Tide-Surveyor at the Port of Saint John, appointed to assist in collecting the duties under the late Acts of Parliament, for his services from the first day of February, one thousand eight hundred and twenty-three, to the first day of February, one thousand eight hundred and twenty-four, the sum of one hundred and eighty-two pounds ten shillings. James Bennet,
Tide-Surveyor,
St. John.

To William Harvey, the sum of twenty-four pounds fifteen shillings, drawback on six puncheons of rum exported to the United States, in the year one thousand eight hundred and twenty-two, to be endorsed on his Bond now in the hands of the Attorney General for collection. William Harvey.

To James Wetmore, of the Parish of Kingston, in Kings County, the sum of eight pounds, for repairs on the road and bridges between his house and Bates' mill-pond. James Wetmore.

To

Alexander Davidson.

To Alexander Davidson, Esquire, the sum of seventy-two pounds nine shillings and four-pence, being a balance due him for building a bridge over the Cove between the Parishes of Nelson and Chatham, in the County of Northumberland.

Thos. Donahoe.

To Thomas Donahoe, the sum of twenty-five pounds, to aid him in support of an establishment for the accommodation of Travellers on the road leading from St. John to St. Andrews.

Saml. Buchanan.

To Samuel Buchanan, the sum of twenty-five pounds, for the year one thousand eight hundred and twenty-four, upon his retiring from his office as Doorkeeper to His Majesty's Council, which he has faithfully discharged for thirty-three years, and in consideration of his advanced age and infirmities.

Reverd. Christopher Milner.

To the Reverend Christopher Milner, the sum of thirty-three pounds six shillings and eight-pence, to remunerate him for teaching the Grammar School in the County of Westmorland, from the sixth day of September, one thousand eight hundred and twenty, to the sixth day of January, one thousand eight hundred and twenty-one.

Rachel Martin.

To Rachel Martin, the sum of forty pounds, for services as Teacher of a Free Madras School at Fredericton, two years, from the first day of April, one thousand eight hundred and twenty-two.

Samuel Freeze.

To Samuel Freeze, the sum of one hundred pounds, to assist him in rebuilding the bridge over the Kenebeckasis River, on the great road of communication, which bridge was built by him in the year one thousand eight

eight hundred and seventeen, and was to be maintained by him until the year one thousand eight hundred and twenty-seven, the same having been carried away by an unusual rise of water. *Provided*, the said sum be not paid to him until he produces a certificate from the Supervisor, of the bridge being built of good materials and completed in a workmanlike manner.

To William Morgan, the sum of fifty pounds, towards building a Grist and Hulling Mill on the Middle Branch of the Nashwacksis Stream, leading to the Cardigan Settlement, in the Parish of Saint Mary, in the County of York. The said sum not to be paid to the said William Morgan, until it shall be made appear to the satisfaction of the President or Commander-in-Chief, that such Mill has been erected and is ready to go into operation. William Morgan.

To such person as His Honor the President or Commander-in-Chief may appoint, the sum of one hundred pounds, for the purpose of removing rocks and other obstructions in Mispick River, and for deepening the Thoroughfares between the Loch Lomond Lakes. Removing rocks and other obstructions in Mispick River.

To the Governor and Trustees of the Madras School in New-Brunswick, the sum of six hundred pounds, towards the support of that Institution throughout the Province: such part of the said sum as may be necessary for that purpose, to be appropriated to the revival and support of the School for Children of Colour in the City of Saint John. Madras School.

To

Mayor, Aldermen, and Commonalty, of Saint John.

To the Mayor, Aldermen, and Commonalty, of the City of Saint John, the sum of five hundred pounds, to assist them further to extend the Breakwater at the mouth of the Harbour.

Wm. Kennedy.

To William Kennedy, of Saint Stephen, in the County of Charlotte, the sum of twenty-five pounds, to assist him in support of himself and family: the said William Kennedy having served his Country faithfully during the whole of the Revolutionary War with the United States, and upwards of twenty-five years in the Charlotte County Militia, and not being able to earn his livelihood by reason of his having lost the use of his right hand, and being without any means of support, and otherwise aged and infirm.

Wm. Walker.

To William Walker, the sum of fourteen pounds fifteen shillings, for duties paid by him on fifty barrels of flour supplied for the use of Government.

John Clarke.

To John Clarke, the sum of forty-five pounds, for his services as Adjutant of the First Battalion of Northumberland Militia, from the year one thousand eight hundred and thirteen, to the year one thousand eight hundred and twenty-two, inclusive.

Crookshanks & Johnston.

To Crookshanks & Johnston, of the City of Saint John, the sum of thirteen pounds fifteen shillings, amount of debenture short allowed them at the Treasury, on the exportation of fifteen puncheons of rum to the United States, in the year one thousand eight hundred and twenty-two.

Duncan M'Arthur.

To Duncan M'Arthur, the sum of one hundred and forty-eight pounds, being the amount

amount of his claim for bounty on a Fishing Voyage performed by the Schooner Concord, in the year one thousand eight hundred and twenty-two: the documents in support of this claim having been forwarded to the Secretary's office, and by accident mislaid, and satisfactory proof of the justice of this claim having been produced by the said Duncan M'Arthur.

To William Hazen, Solomon Perley, and Philip Nase, the sum of twenty-one pounds, for their services seven days each in exploring the proper route for the road leading from Fredericton to Saint John, by the Oromocto and Nerepis.

William Hazen,
Solomon Perley,
and Philip Nase

To Benjamin Wilson, one of the Commissioners appointed by an order of the House of Assembly, on the eighth day of March, one thousand eight hundred and twenty-two, to examine and report on the most practicable method of carrying into effect the building a bridge over Hammond River, in King's County, on the great road of communication near the late Nathaniel Golding's Farm, the sum of eight pounds, to remunerate him for that service.

Ben. Wilson.

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

Adjutant second
Battalion Char-
lotte Militia.

To the Overseers of the Poor for the City of Saint John, the sum of four hundred and eight pounds six shillings and two-pence, to reimburse them for expences incurred in the

Overseers of the
Poor, St. John.

sup-

support of transient Poor and distressed Emigrants, within the said City, for the year one thousand eight hundred and twenty-three.

Alms-House and
Work-House in
Fredericton.

To the Commissioners of the Alms-House and Work-House, in the Parish of Fredericton; the sum of one hundred and twenty pounds eleven shillings and one penny, for expences actually incurred by them in support of transient Poor; distressed Emigrants, Soldiers and Sailors, for the year one thousand eight hundred and twenty-three.

J. Drummond.

To William John Drummond, the sum of two hundred and eleven pounds eight shillings and three-pence, the amount of expences incurred by him in opening the new Shepody road, laid out for settling Emigrants, by order of His Excellency the late Lieutenant-Governor.

Martin Chapman.

To Martin Chapman, the sum of nineteen pounds ten shillings, to remunerate him for exploring and surveying the new road from the Bend of the Petticodiac River to Fredericton, over and above the former grant for that service.

Exploring a route
for a Canal from
the Bay of Fundy
to Chediac.

To His Honor the President or Commander-in-Chief, the sum of one hundred and ninety-two pounds ten shillings, to defray the expence incurred the last year in exploring a route for a Canal from the Bay of Fundy to Chediac.

Province Hall.

To the Commissioners appointed for enlarging, and improving the Province Hall, the sum of three hundred and seventy pounds, for defraying the amount due on the contracts for erecting the Surveyor General's

ral's office, and raising and enclosing the Wings to the Province Hall.

To His Honor the President or Commander-in-Chief, the sum of forty-four pounds five shillings and two-pence, being the amount of expence incurred in securing the Secretary's office, in the year one thousand eight hundred and twenty-two.

To the Secretary of the Province, the sum of seventy-eight pounds five shillings, for issuing three hundred and thirteen Warrants, at five shillings each, between the twenty-third day of February, one thousand eight hundred and twenty-two, and the sixth day of March, one thousand eight hundred and twenty-three: And the further sum of eighty-four pounds ten shillings, for issuing three hundred and thirty-eight Warrants, between the sixth day of March, one thousand eight hundred and twenty-three, and the twenty-sixth day of February, one thousand eight hundred and twenty-four.

To John Patterson, the sum of one hundred and twenty-four pounds four shillings and seven-pence, amount of transient duty paid by him on sundry importations of West-India produce, no part of the said produce having been landed in this Province.

To John Patterson, the sum of thirty-three pounds fourteen shillings, for drawback on sixty hogsheads of molasses and thirty-two barrels of sugar, imported in the Schooner Union, Hobbs, Master, satisfactory proof being produced by him of the exportation of the same.

College of New-Brunswick.

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

Thomas C. Lee.

To Thomas C. Lee, Esquire, the sum of eight pounds eight shillings, being the balance due to him by the Province, as Supervisor for the Western District.

William M. Hazen.

To William M. Hazen, the sum of eight pounds, for his services in exploring on the Nerepis road, in the spring of one thousand eight hundred and twenty-three, by order of the Executive.

John Abrams, a Tidewater, Saint John.

To His Honor the President or Commander-in-Chief, the sum of thirty-seven pounds five shillings, to pay John Abrams, a Tidewater at the Port of Saint John, for his services in the year one thousand eight hundred and twenty-three.

Geo. K. Lugin.

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

Do.

To Geo. K. Lugin, the sum of seventy-three pounds seventeen shillings and sixpence, being the balance due on his several accounts against the Province for printing.

Printing Laws.

To His Honor the President or Commander-in-Chief, the sum of fifty pounds, towards defraying the expence of printing the Laws of the present Session: And a further sum not exceeding one hundred pounds, towards defraying the expence of printing the Journals of the present Session.

Printing Journal.

Contingencies of the Session.

To the Clerk of the House of Assembly, for fuel, stationary, sleigh hire, and other con-

contingent expences of the present Session, the sum of two hundred pounds four shillings and eight-pence.

To John Patterson, the sum of forty John Patterson. pounds, or such sum as will be sufficient to cancel a Bond given by him for duties on a cargo of rum, sugar, and molasses, imported in the Brig Robert, Palmeto, Master, from Trinidad, in September, one thousand eight hundred and twenty-three, satisfactory proof having been produced by him of the exportation of the same.

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

CAP. XXX.

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

Passed 11th March, 1824.

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

The

From St. John to
the Misiguash Ri-
ver.

The sum of one thousand pounds, for the great road from Saint John to the Misiguash River. The sum of (not exceeding) eighty pounds, part of the said sum of one thousand pounds, to be appropriated for rebuilding the bridge over Studholm's Mill-stream, lately carried away, and to be laid out by a special Commissioner, to be appointed, if His Honor shall see fit, for that purpose. And the sum of forty pounds, part of the said sum of one thousand pounds, to be appropriated for rebuilding the bridge over the Kenebeckasis River, near Pitfield's, lately carried away, and to be laid out by a special Commissioner, to be appointed for that purpose, if His Honor shall see fit.

From Fredericton
to St. Andrews.

The sum of eight hundred pounds, for the great road from Fredericton to Saint Andrews.

From Fredericton
to Restigouche.

The sum of one thousand pounds, for the great road from Fredericton to Restigouche. So much thereof as the Supervisor may find absolutely necessary, to be expended in ascertaining whether alterations may not be required in the line of that part of the said road which lies between Burntland Brook and the River Restigouche.

From Gary Set-
tlement to Saint
John.

The sum of eight hundred pounds, for the road from the Gary Settlement to St. John, by way of the Nerepis.

From Saint John
to St. Andrews.

The sum of eight hundred pounds, for the great road from Saint John to Saint Andrews.

From the Fork of
the Great Road
on the Great

The sum of four hundred pounds, for the great road from the Fork of the road on the Great

Great Marsh near the City of St. John, to the head of the Bellisle. Marsh to the head of the Bellisle.

The sum of six hundred pounds, for the great road from Shediac to Chatham. From Shediac to Chatham.

The sum of one thousand pounds, for the great road from Fredericton to the Canada line: And that six hundred pounds of the said sum be expended in opening and making the great road from Prequ' Isle to the Great Falls. From Fredericton to the Canada Line.

The sum of three hundred pounds, for the great road from Fredericton to the Finger-Board. From Fredericton to the Finger-Board.

The sum of one hundred and fifty pounds, for the great road from Shediac to Dorchester. From Shediac to Dorchester.

The sum of one hundred and fifty pounds, for the great road from the Bend of the Petticodiac to Shediac. From the Bend of the Petticodiac to Shediac.

The sum of fifty pounds, for the road from Stephen Ward's to the Bay Verte. From Stephen Ward's to Bay Verte.

The sum of fifty pounds, for the road from Gaspereau to the Chemogue. From Gaspereau to the Chemogue.

The sum of twenty-five pounds, for the road where it turns from the Chemogue road to the Little Chemogue. From the Chemogue Road to the Little Chemogue.

The sum of thirty pounds, for the road from Abogagen to Sackville. From Abogagen to Sackville.

The sum of twenty-five pounds, for the road from Chemogue to Teedish River. From Chemogue to Teedish River.

The sum of forty-five pounds, for the road from Westcock to Cape Meranguin. From Westcock to Cape Meranguin.

The sum of twenty pounds, for the road from Sinton's to Gildart's. From Sinton's to Gildart's.

The sum of thirty pounds, for the road from George Colpit's to the Dutch Village. From Geo. Colpit's to the Dutch Village.

The

- From J. Wortman's to the Butternut Ridge. The sum of twenty pounds, for the road from Jacob Wortman's to the Butternut Ridge.
- From R. Scott's to the North River. The sum of twenty pounds, for the road from R. Scott's to the North River.
- From P. Lutze's to M. Latchey's. The sum of forty pounds, for the road from Peter Lutze's to M. Latchey's.
- From Bay Verte to Cape Tormentine. The sum of one hundred pounds, for the road from the Bay Verte to Cape Tormentine.
- Bay Verte to Tignish River. The sum of fifteen pounds, for the road from Bay Verte to Tignish River.
- Dutch Village to Widow Hamilton's. The sum of twenty-five pounds, for the road from the Dutch Village to Widow Hamilton's.
- From Stultze's to Cocagne River. The sum of fifty pounds, for the road from Stultze's farm to the Cocagne River.
- From Ezra Stiles' to William Parkins'. The sum of fifteen pounds, to explore a road from Ezra Stiles' to William Parkins', on the Coverdale River.
- Bridge over Turtle Creek. The sum of fifty pounds, to assist in building a bridge over Turtle Creek.
- Sackville to the Settlement back of the Mill-pond. The sum of twenty-five pounds, for the road from Sackville to the Settlement back of the Mill-pond.
- Caton's to Thos. Ayer's. The sum of fifteen pounds, for the road from Caton's to Thomas Ayre's, on the Peticodiac River.
- Between Bartibogue and Oak Point. The sum of fifty pounds, for opening and repairing the road through the swampy ground between Bartibogue and Oak Point.
- Bridge over Oyster River. The sum of twenty-five pounds, for erecting a bridge over Oyster River.
- Tabusintack to Tracadu. The sum of one hundred pounds, to lay out and open a road from Tabusintack to Tracadu.

The sum of fifty pounds, to lay out and open a road from Tracadu to Pokemouche.

Tracadu to Pokemouche.

The sum of fifty pounds, to improve the Portage road from Pokemouche to Caraqueite.

Pokemouche to Caraqueite.

The sum of thirty pounds, to erect a bridge over the North-West Arm of Caraqueite River.

Bridge over the North-West Arm of Caraqueite River.

The sum of twelve pounds ten shillings and eight-pence, for opening a road from the North-West Arm of Caraqueite River, to the Settlement of Grandance.

West Arm of Caraqueite River to Grandance Settlement.

The sum of twenty-five pounds, for opening a road from New-Bandon to the new Settlement in the rear, and from thence out to Jacob Tague's.

New-Bandon to Jacob Tague's.

The sum of twenty-five pounds, for erecting a bridge over Bass River, near St. Peter's.

Bridge over Bass River.

The sum of fifty pounds, for the road from Daniel Currie's to Dingie's mill.

Daniel Currie's to Dingie's mill.

The sum of forty pounds, for the road from Swan Creek to Watson's ferry.

Swan Creek to Watson's ferry.

The sum of fifteen pounds, for the road from Zachariah Roberts' to New-Ireland Settlement.

Zachariah Roberts' to New-Ireland Settlement.

The sum of twenty-five pounds, for the road from the New-Jerusalem Settlement to the River Saint John, near Jones' mill,

New-Jerusalem to Saint John River.

The sum of twenty-five pounds, for a bridge across Foster's Mill-stream.

Bridge across Foster's mill.

The sum of twenty-five pounds, for a bridge across the Stream that enters in at the head of Cumberland Bay.

Bridge across the Stream that enters the head of Cumberland Bay.

The sum of fifty pounds, for the road from the New-Canaan Settlement to Studholm's Mill-stream.

New-Canaan Settlement to Studholm's mill-stream.

The

New-Castle to
the Forks of Sal-
mon River.

The sum of fifty pounds, for the road from New-Castle to the Forks of Salmon River.

William Robin-
son's to Yeas-
mans' mill.

The sum of twenty pounds, for the road from William Robinson's to Yeamans' mill.

From the Brook
above Charles
Robinson's to
Pickett's Cove.

The sum of forty pounds, for the road on the West side of the Washademoak Lake, commencing at the Brook above Charles Robinson's, to Pickett's Cove.

Foster's mill to
the Washademo-
ak Lake.

The sum of thirty pounds, for the road from Foster's mill to the Washademoak Lake.

New-Jerusalem
Settlement to the
River St. John.

The sum of fifteen pounds, granted in the year one thousand eight hundred and twenty-two, for the road from New-Ireland to Low Valley, to be re-appropriated and laid out upon the road from the New-Jerusalem Settlement to the River Saint John, near Jones' mill.

From Wm. Slip's
to New-Ireland
Settlement.

The sum of twenty-five pounds, for the road from William Slip's to the New-Ireland Settlement.

New-Canaan Set-
tlement to But-
ternut Ridge.

The sum of fifteen pounds, for the new road from the New-Canaan Settlement to the Butternut Ridge.

Magaguadavic
River to the new
Settlement on the
great road from
Fredericton to
Saint Andrews.

The sum of one hundred and twenty-five pounds, for the road and bridges from the second Falls of the River Magaguadavic, to the new Settlement on the great road from Fredericton to Saint Andrews, through the wilderness.

Bridge across
Winder's mill-
pond.

The sum of fifty-one pounds, in aid of the Statute Labour of the Inhabitants of the district, to rebuild the bridge across Winder's Mill-pond, and repairing the bridge over Boney River, in the Parish of Saint George.

Bridge over Bo-
ney River.

The sum of twenty-five pounds, for the road from Benjamin Hanson's farm to Peter M'Diarmid's lot, on the Western side of the River Magaguadavic.

Benjamin Hanson's to Peter M'Diarmid's.

The sum of twenty-five pounds, for the road from the new Settlement on the Eastern side of the Lake Eutopia, to communicate with the great road leading from Saint John to Saint Andrews.

New Settlement at Lake Eutopia to the great road from St. John to St. Andrews.

The sum of thirty-eight pounds: Two-thirds of which sum to be laid out on the road from Lawrence Williams' to Joshua Shaw's, and one-third on the road from Eliphalet Scott's to Joseph M'Lauchlan's, in the Parish of Saint David's.

Lawrence Williams' to Joshua Shaw's.

The sum of sixty-two pounds and ten shillings, in addition to a former grant, for aiding in building a bridge over Frost's stream, in the Parish of Saint Patrick's.

Bridge over Frost's stream.

The sum of sixty-two pounds and ten shillings, for the road from Digdeguash River to Whittier's, by way of Peter Morrison's, in the Parish of Saint Patrick's.

Digdeguash River to Whittier's

The sum of forty pounds, for the road between Linnikin's and Connick's, in the Parish of Saint David's.

Between Linnikin's and Connick's.

The sum of twenty-five pounds, for the road from the Ledge to Pagan's Mill-stream, in the Parish of Saint Stephen.

From the Ledge to Pagan's mill-stream.

The sum of forty pounds, for the road between Stuart's mill and Potter's hill, in the Parish of Saint James.

Between Stuart's mill and Potter's hill.

The sum of twenty-four pounds, for the road from Robert Spence's to the River Saint Croix, in the Parish of Saint James.

Robert Spence's to the River St. Croix.

- Daniel Hallett's
to the mouth of
Kiswick River. The sum of one hundred pounds, for the road from Daniel Hallett's, in Saint Mary's Parish, to the mouth of the Kiswick Brook, to commence where the improvements left off last year.
- Estey's mill to
the Cardigan Set-
tlement. The sum of forty pounds, for the road from Estey's mill to the Cardigan Settlement, in the Parish of Saint Mary.
- Bridge over Kis-
wick Creek. The sum of thirty pounds, towards repair-
ing the bridge over the Kiswick Creek, near Estey's, in the Parish of Saint Mary.
- From Jewett's to
the new Settle-
ment on the Ri-
ver Mactiquack. The sum of fifty pounds, for the road from Jewett's to the new Settlement on the River Mactiquack.
- Bridge over Mac-
tiquack Creek. The sum of seventy pounds, towards erect-
ing a bridge over the Mactiquack Creek, below the Island in said Creek.
- Bridge over
Long's Creek. The sum of forty pounds, towards re-
pairing the bridge over Long's Creek, in the Parish of Prince William.
- Bridge over
Garden's Creek. The sum of forty-five pounds, towards
completing the bridge over Garden's Creek, in the Parish of Prince William.
- William Harper's
to John Parle's. The sum of thirty pounds, for the road
from William Harper's to John Parle's, in the Parish of Prince William.
- From Palmer's to
the Poquiac. The sum of fifty pounds, for the road
from Palmer's to the Poquiac, in the Parish of Prince William.
- Joseph Wolver-
ton's to Robert
Phillips'— The sum of fifty pounds, for the road
from Joseph Wolverton's to Robert Phillips', in the Parish of Northampton.
- Thence to the
Bigaguimack
Creek. The sum of seventy-five pounds, for the
road from Robert Phillips' to the Biga-
guimack Creek, in the Parish of Wake-
field.

The sum of twenty pounds, for the road from the Magundy Settlement to the River Saint John, in the Parish of Prince William.

Magundy Settlement to the River Saint John.

The sum of fifty pounds, to improve the road from the entrance of the Harbour of Musquash to the Saint Andrew's Road.

Musquash Harbour to the Saint Andrews road.

The sum of twenty pounds, to improve the road from Dipper Harbour to the Saint Andrew's road.

Dipper Harbour to the Saint Andrew's road.

The sum of ten pounds, to improve the road from Pissurink's to the Saint Andrew's road.

From Pissurink's to the Saint Andrew's road.

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

Little River bridge to Black River Settlement.

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

Anthony's farm to the Settlement at Mispeck.

The sum of fifteen pounds, for the road from Little River Bridge to Anthony's Farm.

Little River bridge to Anthony's farm.

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

Westmoreland road to the head of the third Lake.

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

Little River to Loch Lomond

The sum of thirty pounds, to the Commissioners for building a bridge across the Mispeck River, at the foot of the Lake.

Bridge across the Mispeck River.

The sum of fifteen pounds, for improving the road leading from the bridge at the foot of the Large Loch Lomond to the Black Settlement.

Loch Lomond to the Black Settlement.

Settlement at
Tynemouth to the
Bay of Fundy.

The sum of fifteen pounds, to open a road from the Settlement at Tynemouth, on the Bay of Fundy, to the Quaco road.

Garden's Creek
to Quaco road.

The sum of fifteen pounds, for improving the road from Garden's Creek to the Quaco road.

Large Loch Lo-
moud to Quaco
Settlement.

The sum of one hundred pounds, for the road leading from the head of the Large Loch Lomoud to the Quaco Settlement.

Money to be paid
to the persons
who labour.

II. *And be it further enacted,* That the said several and respective sums of money, and every part thereof, shall be paid to the several and respective persons who shall actually work and labour in making, completing, and repairing the said several roads and bridges, or in furnishing materials therefor, at the most reasonable rates that such labour and materials can be provided; and that the several and respective persons who shall be entrusted with the expenditure of the said several and respective sums, shall keep an exact account of the expenditure thereof, and shall produce receipts, in writing, from the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payment, and shall render an account thereof, upon oath, (which oath any Justice of the Peace in the several and respective Counties, is hereby authorized to administer) to be transmitted to the office of the Secretary of the Province, for the inspection and examination of the General Assembly, at their next Session; and such Commissioners or persons entrusted with the expenditure of the said several and respective sums of money, shall stand charged and charge-

Commissioners to
account.

chargeable with all sums of money entrusted to them and not accounted for as aforesaid, and shall repay the same into the Province Treasury.

III. *And be it further enacted*, That the said Commissioners or persons entrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble be allowed to retain at and after the rate of five per cent, out of the said sums so entrusted to them respectively, together with a reasonable compensation for actual work and labour performed by them on the said several roads and bridges.

Commissioners to retain at and after the rate of 5 per cent. together with reasonable compensation for actual labour on roads and bridges.

IV. *Provided always, and be it further enacted*, That nothing in this Act shall extend or be construed to extend to limit the allowance to any Supervisor or Supervisors of the great roads throughout the Province.

Allowance not to extend to any Supervisor of great roads.

V. *And be it further enacted*, That all the beforementioned several sums of money, shall be paid by the Treasurer, by warrant of His Honor the President or Commander-in-Chief for the time being, by and with the advice and consent of His Majesty's Council, out of the monies now in the Treasury, or as payment may be made at the same, and not otherwise.

Money to be paid by Warrant.

ANNO REGNI.

GEORGE IV.

Britanniarum Regis, Quarto.

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## CAP.

An ACT to enable the Governor and Trustees of the College of New-Brunswick, to make a conditional surrender of their Charter, and for the further endowment of the College, upon the granting of a new Charter.

*Passed the 25th of March, 1823.*

**W**HEREAS the Governor and Trustees of the College of New-Brunswick, have by their Petition, under their Seal of Incorporation, to this General Assembly, stated, “ that by a Provincial Charter under the Great Seal of this Province, “ bearing date the twelfth day of February, “ in the year of our Lord one thousand and “ eight hundred, granted in the King’s name, “ during the administration of the late Lieutenant-Governor Carleton, the College of “ New-Brunswick was established and incorporated, with perpetual succession, by “ the

Preamble—reciting the Petition of the Governor and Trustees of the College, to the General Assembly.

“ the name of *The Governor and Trustees of*  
“ *the College of New-Brunswick*, and with  
“ power to confer Degrees in the liberal Arts  
“ and Sciences, in the same manner as they  
“ are conferred by the Universities in Eng-  
“ land---That until very lately the funds and  
“ state of the Corporation were such as to  
“ prevent the Petitioners from attempting  
“ to put the Institution into any thing like  
“ a Collegiate form---That an attempt has  
“ recently been made to organize, and to  
“ put into operation, the College, and a Pre-  
“ sident was accordingly appointed, and  
“ statutes proposed and established, under  
“ which four Students were matriculated---  
“ That the Petitioners are very desirous to  
“ see the Institution placed upon a respec-  
“ table footing, and so as to ensure to those  
“ who may receive their instruction there,  
“ all the advantages which usually result  
“ from a Collegiate education---That in or-  
“ der to effect the same, the Petitioners are  
“ of opinion the first step to be taken will  
“ be to surrender the present Charter into  
“ the hands of His Majesty, and to solicit  
“ one in its place to pass under the Great  
“ Seal of the United Kingdom, which the  
“ Petitioners have reason to hope may be  
“ obtained, together with some other marks  
“ of His Majesty’s favour---That the estates  
“ and property already vested in the Corpo-  
“ ration, are so circumstanced as to make it  
“ necessary that an Act of the General As-  
“ sembly should pass, to enable them to sur-  
“ render the present Charter, conditionally,  
“ so as to preserve the rights of the College  
“ and



“ and the interests of those who hold under  
 “ titles from the Petitioners, and who are  
 “ connected with the Institution”: *And*  
*whereas* the said Governor and Trustees  
 by their said Petition, have prayed, “ that  
 “ such an Act may pass the General As-  
 “ sembly as may answer the intended pur-  
 “ pose”---

I. *Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly*, That the said Governor and Trustees of the College of New-Brunswick, shall and may have power and authority, and they are hereby authorized and empowered, by an Instrument in writing under their said Seal of Incorporation, to surrender into His Majesty's hands the said Charter of Incorporation, bearing date as aforesaid the twelfth day of February, in the year of our Lord one thousand and eight hundred, upon condition that His Majesty will accept of the same, and will be graciously pleased to grant another Charter in its place, for the re-incorporation of the said College. *Provided always*, that until such new Charter shall be granted, and the same go into operation, the said Provincial Charter, and the powers of the said Governor and Trustees, and all estates and rights vested in them, and all statutes, rules and orders, made or to be made by them, shall continue to exist in the same manner, to all intents and purposes, as if this Act, and the surrender so to be made under and by virtue hereof, had not been made, any thing herein contained to the contrary in any wise notwithstanding.

Trustees of the College empowered to surrender to His Majesty, their Charter of Incorporation, on condition.

Provincial Charter to remain in force until a new one shall be granted.

II. *And*

His Majesty, in case He shall be pleased to grant a new Charter, to be deemed the Founder of the College,

and may appoint persons to form the Corporation, with such powers as He may think fit.

Upon the commencement of the exercise of the powers under a new Charter, the Provincial Charter to be cancelled.

Debts owing to the Governor and Trustees, to become due to the new Corporation.

II. *And be it further enacted,* That should His Majesty be graciously pleased to favour this Province with such a Charter as is intended to be prayed for by the said Petition, His said Majesty shall be deemed and taken to be the Founder of the College, and shall be vested with all the rights and powers by Law belonging to the Founder of a College, and that His said Majesty may in and by such new Charter, nominate, constitute and appoint, such persons to form the Corporation of the College, and such persons to be Patron and Visitor respectively, with such powers and authorities to be vested in them severally, and in general may put the said Collegiate Establishment upon such a footing as to His Majesty in His Royal Wisdom may seem meet.

III. *And be it further enacted,* That immediately upon the commencement of the exercise of the powers to be vested by the contemplated new Charter, the said Provincial Charter, and the enrolment thereof in the Chancery, shall be, and shall be deemed and taken to be, *ipso facto* cancelled and annulled, and that all powers and authorities vested, as well in the said Governor and Trustees, as in all and singular the Officers by them appointed, shall from that time cease, and that all debts at that time due and owing to the said Governor and Trustees, shall thence become debts due and owing to the new Corporation of the said College, and recoverable in the name of such new Corporation, as if the same debts had been contracted with them; and that property real and personal

sonal of every kind and description which may at that time belong to and be holden by the said Governor and Trustees, shall immediately thereupon be transferred to and vested in the said new Corporation, and be holden thenceforth by such new Corporation in the same manner as the said Governor and Trustees might have held and enjoyed the same if the surrender of the said Provincial Charter had not been made; and that all Tenants of the said Governor and Trustees, shall thereupon be deemed and taken to be the Tenants of the said new Corporation, in the same manner as if they had originally become Tenants of such new Corporation; and that all the statutes, rules and orders, of the said Governor and Trustees of the College of New-Brunswick, shall thenceforth cease to exist. *Provided always*, that the Graduates and Students of the said College, shall be entitled to all the benefits resulting, or which would have resulted to them severally, if such statutes, rules and orders, had continued in force, and such surrender had not been made, any thing herein contained to the contrary notwithstanding.

IV. *And whereas* the funds of the said College will require to be increased, to render the Institution beneficial as an Academical Establishment---*Be it therefore further enacted*, that in addition to the monies heretofore granted towards the endowment of the said College of New-Brunswick, and the Schools connected therewith, there be granted to the King's Most Excellent Majesty, and to His Heirs and Successors, towards the

Property of all kinds belonging to the Governor and Trustees, to be vested in the new Corporation.

Tenants of the Governor and Trustees, to be Tenants of the new Corporation.

Graduates and Students to be entitled to all the benefits resulting, or which would have resulted, if the Statutes had continued in force.

An additional grant of £600 per annum, for the endowment of the College.

*Repealed by  
9th Dec. 5 3rd Act.  
29. S. 2.*

the further endowment of the said College, the sum of six hundred Pounds currency per annum, payable out of the aggregate Fund of the Province, in such way as His Majesty may please to direct, after the surrender of the said Provincial Charter, and the granting of a new one as aforesaid under the Great Seal of the United Kingdom, and also the further sum of fifteen hundred Pounds, to be applied towards the erection of a suitable Building for the residence of the President and Professors, and the Students of the College, and towards the procurement of a Library and Philosophical Apparatus for the same.

£1500 towards  
the erection of a  
Building; and to-  
wards procuring  
a Library, &c.

To be deemed a  
Public Act.

V. *And be it further enacted*, That this Act shall be deemed and taken to be a Public Act, but not to be in force until His Majesty's Royal Approbation be thereunto had and declared.

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N.B.—This Act was “Confirmed, finally Enacted and Ratified,” by an Order of His Majesty in Council, dated at the Court at Windsor, the 18th of November, 1823.

R. A. G. C.  
3/9/09