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ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. I.

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

[Passed 13th April, 1860.]

MAY IT PLEASE YOUR MAJESTY :—

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

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

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

		£ s. d. Table of Duties.		
Anchors -	-	}	the £100	5 0 0
Barley and Oats -	-			
Canvas -	-			
Cordage and Cables	-			
Copper and Composition Metal for Ships, viz : Sheathing, Bar, Bolt and Nails	-			
Corks and Corkwood	-			
Fishing Tackle, Indian Corn	-			
Iron, viz : Bar, Bolt, Sheathing and Sheet, Wrought Nails	-			
Medicines	-			
Oakum	-			
Pease	-			
Pitch, Tar, Turpentine and Rosin	-			
Poultry and Fresh Meat	-			
Goods, Wares and Merchandize, not other- wise enumerated, described or charged with duty in this Act, and not otherwise ex- empt,				
Fish, salted, dried or pickled, for every cwt. imported		0 5 0		

LOCAL DISTILLATION.

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

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

No. 2.

TABLE OF EXEMPTIONS.

Exemptions.

- Printing Presses, Printing Paper, (Royal and Demy) Types, and all other Printing Materials
- Printed Books, Pamphlets, Maps and Charts
- Coin and Bullion
- Hemp, Flax, Tow
- Plants, Trees and Shrubs
- Specimens illustrative of Natural History
- Works of Art, viz :—Engravings, Paintings, Statuary, and all Articles imported for Religious purposes and not intended for sale
- Manures of all kinds
- Arms, Clothing, and Provisions for Her Majesty's Land and Sea Forces
- Passengers' Baggage, Household Furniture, and Working Tools and Implements used and in the use of Persons arriving in this Island
- Refuse of Rice
- Seeds for Agricultural purposes

Vegetables of all sorts
 Animals of all kinds
 Articles of any description imported for the use of the Governor
 Donations of Clothing specially imported for distribution gratuitously by
 any Charitable Society
 Cotton Yarn
 Pig Iron
 Coke

Exemptions under
 Treaty.

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

No. 3.

TABLE OF EXEMPTIONS UNDER THE TREATY WITH THE UNITED STATES.

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

—So long as the said Treaty between Great Britain and the United States of America, in the recited Act mentioned, shall remain in force in this Island ; and similar Articles, being the growth, produce, and manufacture of the United Kingdom, British North American Provinces, or of the Island of Prince Edward, or the Channel Islands, shall be admitted Duty Free, notwithstanding any law to the contrary.

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

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

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

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

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

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

- The Assistant Collector at St. John's, Three Hundred Pounds.
- The Landing and Tide Surveyor, Two Hundred and Fifty Pounds.
- Two Landing Waiters at St. John's, each Two Hundred Pounds.
- First Clerk and Warehouse Keeper at St. John's, Two Hundred Pounds.
- Second Clerk at St. John's, One Hundred and Fifty Pounds.
- Third Clerk at St. John's, One Hundred and Fifty Pounds.
- Fourth Clerk at St. John's, One Hundred and Fifty Pounds.
- One Locker at St. John's, Thirty Pounds, and Three Shillings per day when employed.

Salaries to Officers.

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

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

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

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

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

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

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

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

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

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

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

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

The Preventive Officer at Bay Bulls, Fifty Pounds.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

X. Nothing in this Act contained shall in any way affect any matter or thing contained in the hereinbefore in part recited Act. This Act not to affect recited Act.

XI. When and so soon as this Act shall come into operation, the Act of the Legislature of this Colony passed in the last Session thereof, entitled "An Act for Granting to Her Majesty certain Duties on Goods, Wares, and Merchandize, imported into this Colony and its Dependencies," shall be repealed, and the same shall stand repealed. Repeal of previous Act. Provided always that all Bonds given and Payments made for Duties under the said Act are hereby confirmed and declared valid, and nothing herein contained shall be construed to affect the same.

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





ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. II.

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

[Passed 14th May, 1860.]

WHEREAS it is expedient to provide for the Internal Improvement of this Colony, by Constructing, Repairing and Improving Main and other Roads, Streets and Bridges therein :

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

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

From

£10,000 granted for purposes of this Act ; to be distributed as follows :

On the Main Road from Catalina to Bonavista, one hundred pounds ; half to be expended by the Boards at the respective places. Catalina to Bonavista £100.

On the Main Road from Bonavista to King's Cove, one hundred pounds ; one half to be expended by the Bonavista Board, and one half by the King's Cove Board. Bonavista to King's Cove £100.

On the Main Road from King's Cove to North West Bridge, seventy-five pounds ; fifty pounds to be expended by the King's Cove Board, and twenty-five pounds by the Trinity Board. King's Cove to North West Bridge, £75.

Main Lines.

On the Main Road from King's Cove to Plate Cove, and Open Hall, forty-five pounds, to be expended by the King's Cove Board.

On the Main Road to Castle Cove, thirty pounds; one half to be expended by the King's Cove Board, and one half by the Keels and Tickle Cove Board.

On the Main Road from Keels to Tickle Cove, thirty pounds, to be expended by the Keels and Tickle Cove Board.

On the Main Road from Cat Harbor to Ragged Harbor, forty-five pounds.

On the Main Road from Seldom-Come-By to Fogo, forty pounds.

On the Main Road from Tilton Harbor to Joe Batt's Arm, forty pounds.

On the Main Line of Road from Tizzard's Harbor to Morton's Harbor, twenty pounds.

On the Main Road from Fortune Harbor to Flury's Bight, thirty pounds.

On the Main Line of Road from White Horse towards Trepassey, Four Hundred and Eighty Pounds; out of which the sum of one hundred pounds shall be appropriated on the Main Line of Road from LaManche towards Bay Bulls, under the supervision of the Very Reverend Dean Cleary, and the remainder by the Board of Works.

On the Main Road from Lance Cove to Spaniard's Bay, Nine Hundred and Eighty-five Pounds, to be expended under the direction of the Board of Works; out of which sum one hundred and thirty-five pounds shall be expended on the Brigus Section of the Main Road, and one hundred pounds on Local Roads in the District of Harbor Main.

On the Main Road from Spaniard's Bay Bridge to Mosquitto Valley, the sum of one hundred and fifty pounds, to be expended by the Harbor Grace Board.

To extend Harvey Street, Harbor Grace West, fifty pounds.

On the Road through Bay Roberts, forty pounds.

On the Road from Spaniard's Bay to New Harbor, fifty pounds, to be expended under the Board of Works.

For surveying and laying out New Line on the Upper Island Cove Road to Bishop's Cove, forty pounds.

On the Main Road from Holyrood to Placentia, four hundred pounds, to be expended under the direction of the Board of Works.

On the Main Road from Salmenier to St. Mary's, three hundred and thirty pounds, to be expended under the direction of the Board of Works.

On the Western Shore, Main Line of Road, the sum of one hundred pounds, to be expended under the direction of the Board of Works.

On the Roads in the District of Burin, Five Hundred and Fifty-five Pounds, to be expended as follows:

Pursey's Path End Hill, one hundred and forty-five pounds.

Burin to Big Head, forty pounds.

Roads in Great and Little St. Laurence, twenty-five pounds.

Main Lines.

St. Laurence to Lawn, forty pounds.

Spoon Cove to Mud Cove, ten pounds.

Dix's Bridge to Path End, twenty pounds.

Fox Cove to Tide's Cove, twenty pounds.

Tide's Cove to Duricle, ten pounds.

Spanish Room to Mooring Cove, twenty pounds.

Burin Proper, thirty pounds.

Burin Bay to Collins Cove, twenty-five pounds.

Beau Bois, twenty pounds.

Little Bay to Johnny Green's Pond, fifteen pounds.

Court House to Morris Point, fifteen pounds.

In Flat Island, forty-four pounds.

Grand Bank to Fortune, fifty pounds.

Spanish Room to John-de-Bay, fifteen pounds.

Whale Cove, eleven pounds.

On Roads, Streets and Bridges in the District of St. John's, East and West, Fourteen Hundred and Eighty Pounds, to be expended under the direction of the Board of Works, as follows :

The sum of Seven Hundred and Forty Pounds to be expended as aforesaid in the Eastern Division of the said District, as follows, that is to say :

For making Road from Snow's Room round South Side Quidi Vidi, called Hanlon's Road, one hundred and twenty pounds.

For making Road from Main Road Outer Cove to Thomas Brine's farm, ten pounds.

For making Road and Bridge to Richard Power's, Quidi Vidi, ten pounds.

For making Road by Mr. Dodd's Room and others, North side Torbay, ten pounds.

For making Road to Dyer and Nugent's farm, fifteen pounds.

For making Road South Side Torbay leading by Patrick Ryan's Room and others, to Beach, thirty pounds.

For making Road by John Maguire's, Torbay, fifteen pounds.

For making Road from Bally Hally, by George Cook's to Torbay Road, twenty pounds.

For making Road by Newell's and others, Pouch Cove, fifteen pounds.

For making Road from Torbay Road to Portugal Cove Road, called Major's Path Road, twenty pounds.

For making Roads and Bridges by Nicholas Roach's, Outer Cove, ten pounds.

For making Roads at Outer Cove, by John Rourk's, ten pounds.

For repairing Bridge and Road at Torbay Beach, five pounds.

For making Road from Logy Bay Bridge leading to Crook's Rooms and others, ten pounds.

For making Road round North Point Portugal Cove, and repairing Goff's Bridge, forty pounds.

For making Road at Outer Cove to Farm of J. Power and others, ten pounds.

This sum to be expended in the settlement of Portugal Cove and Belle Isle, as it may be required, one hundred and fifty pounds.

For making Road at Outer Cove leading to James Walsh's Farm and others, ten pounds.

For making Bridge at Fresh Water by Philip Malone's Fishing Room and others, ten pounds.

Quidi Vidi Road, forty pounds.

White Hills, twenty pounds.

Circular Road, twenty pounds.

King's Bridge, twenty-five pounds.

Rawlin's Corner to Rennie's Mill, twenty pounds.

Fort Townsend to Allen's Bridge and Tubrid's Town Road, thirty pounds.

Allen's Bridge to Neagle's Hill, twenty pounds.

Upper Long Pond Road, to connect the Fresh Water Road, twenty-five pounds.

Magotty Cove Road, leading on to Quidi Vidi, ten pounds.

Old Portugal Cove Road, ten pounds.

And the sum of Seven Hundred and Forty Pounds to be expended as aforesaid in the Western Division, as follows :

For Roads in and about Petty Harbor and Maddox Cove, the sum of Seventy-five Pounds ; out of which the sum of fifteen pounds shall be expended in repairing and putting a rail to the Bridge leading from the North to the South side of Petty Harbor, and the sum of twelve pounds to make the Road from the Beach to the Road on the North side, and the sum of twenty pounds to be expended on Roads in Maddox Cove, and the sum of twenty-eight pounds to be expended on other Roads in and leading to Petty Harbor.

On the Road from Blackhead to St. John's, Fifty Pounds.

To make the Road in Freshwater Bay, Twenty Pounds.

For Roads in and about Broad Cove, as follows :

The sum of thirty pounds to repair the Main Road from Broad Cove towards Horse Cove ; the sum of fifteen pounds to make a Road from the Northern to the Western point ; the sum of ten pounds to make the Road to the Eastern point ; and the sum of ten pounds to be expended on other Roads in the neighborhood.

The sum of One Hundred Pounds to open and make the Road on the South side, River Head, from the Mill Bridge to Waterford Bridge,—the present grant to be expended in making that part of the said Road from Renouf's Bridge, Eastwardly : Provided the Proprietors will give up the Ground necessary for that purpose without compensation ; otherwise this sum to be expended on other Roads in the District.

The sum of fifteen pounds to build a Retaining Wall or Stockade on West side of "Patrick's Street" in front ground belonging to Thomas Raftus and John Ashley. District of St. John's West. (Continued.)

The sum of eight pounds to make the Road leading from Kenmount Road towards Mc Ardell's.

The sum of ten pounds to make the Road through Deer's Marsh towards John Whitney's.

The sum of ten pounds to build a Bridge over South River, and to repair the Road leading by Pasco Carter's towards Bay Bulls Road.

The sum of fifteen pounds to make the Road leading from the Pokeham Path Road by Phillip Mullins's to the Monday Pond Road.

The sum of forty pounds to repair the old Bay Bulls Road beyond William Sinnett's, and to repair the Bridge over the River.

The sum of fifteen pounds to make the Road from Kenmount towards Rennie's.

The sum of twenty pounds to repair Penneywell Roads.

The sum of ten pounds to make a Road from Forest Pond towards Rielly's.

The sum of thirty pounds to repair the old Placentia Road.

The sum of twenty pounds to repair the Road on the South side of Monday's Pond, beyond Dunn's and towards Merigan's.

The sum of fifteen pounds to make the Road leading from Cockpit Road to the Road on the South side of Monday's Pond.

The sum of fifteen pounds to repair the Road through Pearl Town and to put a rail to the Bridge.

The sum of twenty-five pounds to make the Black Marsh Road from the termination of Quigley's contract to the Topsail Road.

The sum of fifteen pounds to fill up the South side of Topsail Road to the rear of Thomas Shortell's, and to extend the cross-drain to the fence on South side thereof.

The sum of twenty pounds to repair the Freshwater Road, to be extended from Neil's towards Kenmount.

The sum of ten pounds to make the Road from Thomas Dillon's towards the Mill, South side River Head.

The sum of fifteen pounds to repair the Road leading from the Topsail Road towards Neville's farm.

The sum of ten pounds to make the Road South-westwardly from Heavy Tree Pond towards Peter Short's.

The sum of fourteen pounds to make and repair the Heavy Tree Road.

The sum of ten pounds for a Road leading by Gregory Griffin's from the Bay Bulls to the Petty Harbor Road.

The sum of fifteen pounds to repair Dreeelan's Well Road.

The sum of ten pounds to make the Road on the North side of Monday's Pond.

District of St. John's West. (Continued.) The sum of fifteen pounds to repair the Western portion of Pokeham Path Road where most required.

The sum of eight pounds to repair the Cockpit Road.

Balance of the Grant, forty pounds, to be expended on Roads in the District where required.

Provided always that it shall be lawful for the Board of Works to let or sell at public auction or otherwise, for a period not exceeding three or five years, the repairing and keeping in repair of the roads and bridges leading from St. John's to Petty Harbor, Topsail, Portugal Cove, Torbay, Flat Rock, Pouch Cove, Bay Bulls, and the road from Petty Harbor to the Goulds, and also to keep the said roads open and clear of snow drifts in the winter season, in such lots as to the said Board may seem reasonable; and the costs of any such contracts shall be defrayed out of the amount herein appropriated for the said respective roads in the said district; and if the same should not be sufficient for the purposes aforesaid, it shall be lawful for the Governor to draw his warrant upon the Receiver General for the yearly balance of any such contracts during the said term, who shall pay the same out of the public monies remaining unexpended in his hands, which balance shall be provided out of such future appropriations as may be made by the Legislature for roads in the District of St. John's; provided that such balance or balances shall have been duly certified by the Chairman of the Board of Works; provided always, that the amount to be expended on any one of the said roads shall not in any one year exceed the sum of ninety pounds.

On the Main Road leading from Black Head to St. John's, the sum of One Hundred and Fifty Pounds to be expended by the Board of Works.

On the Road from Torbay to Tapper's Cove, the sum of Seventy Pounds to be expended by the Board of Works.

Harbor Grace District £400.

On Roads, Streets and Bridges in Harbor Grace District, Four Hundred Pounds, as follows:

In and about the town of Harbor Grace, Bear's Cove and River-head, the sum of One Hundred and Forty Pounds; out of which six pounds shall be appropriated for the Road to the School-house on the South side, and six pounds for the Road petitioned for by James Glavine and others, on the South side, and fifteen pounds nineteen shillings and four pence to compensate Chairman of Harbor Grace Board for advances on Main Road in 1859.

For repairing and draining the road along the South side of Harbor Grace, the sum of forty pounds.

For Bay Roberts Roads, the back and front Roads from Crane's Brook to Frenche's Cove, and other Roads and Bridges, the sum of seventy-five pounds.

For Roads at Cooley's Point, the sum of twenty-four pounds.

For Roads at Spaniard's Bay, the sum of forty-four pounds.

For Upper Island Cove and Bishop's Cove Roads, the sum of fifty-seven pounds.

For Bryant's Cove Roads, the sum of twenty pounds.

Towards opening, making and improving Roads, Streets, and Bridges, in the District of Carbonear (including Mosquitto), Four Hundred Pounds, to be expended as follows: Carbonear District
£400.

On the Valley Road, from Milton's Bridge, in a Southwest direction crossing London Road, and by the New Farm, sixty pounds.

On Barret's Road, in Mosquitto Valley, nine pounds.

On Horwood's Road, on the North Bridge, Carbonear, eighteen pounds.

The remainder to be left to the management and direction of the Road Commissioners.

On Roads, Streets and Bridges, in the District of Ferryland, Two Hundred and Fifty Pounds, to be expended as follows: Ferryland District
£250.

In the Harbor of Bay Bulls, the sum of forty pounds, to be expended on the following Roads:

In Irish Town:

On the Road from Public Wharf by Widow Gee's;

On the Road South side;

On the Road from Fresh Water;

Under the Supervision of Road Commissioners.

In the Harbor of Witless Bay:

Road to Fortune's Beach, the sum of fifteen pounds.

Road to Gallows Cove, the sum of fifteen pounds.

Road from Public Cove to Upper Beach, the sum of ten pounds.

To be expended under supervision of the very Rev. Dean Cleary.

In the Harbor of Mobile:

For Cod Seine Cove Road, the sum of ten pounds.

Road from Toad's Cove to Baleen, twenty-five pounds.

Streets in Toad's Cove, five pounds.

To be expended under supervision of the very Rev. Dean Cleary.

La Manche Branch Road, the sum of ten pounds.

White Horse to Brigus, ten pounds.

Brigus to Admiral's Cove, the sum of ten pounds.

Admiral's Cove to Cape Broyle, the sum of ten pounds.

Shores Cove to Main line the sum of twenty pounds.

North and South sides Cape Broyle, the sum of ten pounds.

Caplin Bay, South side, the sum of ten pounds.

Repairs Bridges in Ferryland, the sum of ten pounds.

Branch Road towards Fermeuse, the sum of ten pounds.

From Main lines to South side Fermeuse, the sum of ten pounds.

South side Renewse, the sum of ten pounds.

Renewse Harbor, the sum of ten pounds.

District of Brigus and
Port-de-Grave £400.

On Roads, Streets and Bridges in the District of Brigus and Port-de-Grave, the sum of Four Hundred Pounds :

For making and repairing Roads in and about Pick Eyes, the sum of ten pounds.

In and about Blow-me-down, the sum of fifteen pounds.

In and about Hib's Hole, the sum of fifteen pounds.

For main line in Ship Cove leading to Episcopal Church, the sum of fifteen pounds.

Other roads in Ship Cove, the sum of five pounds.

For Road from Bareneed to Port-de-Grave, petitioned for by Mercer, Payne and others, of Bareneed, the sum of fifteen pounds.

For other Roads in Bareneed, the sum of five pounds.

Road at Hallstown, Northern Gut, and Northern River, the sum of twenty-five pounds.

Other Roads in the District of Port-de-Grave, the sum of forty pounds.

Norman's Hill, on Cupid's Road, the sum of ten pounds.

Soper's Hill, Cupid's, the sum of five pounds.

South side of Cupid's School-house to Brigus Road, the sum of fifty pounds.

Road in Burnt Head, the sum of ten pounds.

Salmon Cove, from Isaac's Nose to Nathan Andrew's, the sum of eight pounds.

Road from P. Foley's to Caplin Cove, and to the Woods, the sum of sixteen pounds.

Clerk's Beach, and to the Woods, the sum of nine pounds.

Road at Quay, behind the stores at Cupid's, the sum of five pounds.]

Road from Main Road leading to Richard Webber's, Cupid's, the sum of three pounds.

Brigus to Bull Cove, the sum of thirty pounds.

For repairing and widening the Road from Mrs. Freeman's to William Whelan's, the sum of fifty pounds.

Road in English Town, the sum of ten pounds.

Road at Gulleys, the sum of five pounds.

Midcalf and Kehoe's Road, the sum of five pounds.

Road from Mr. Kelly's corner to Dr. Moran's, the sum of two pounds.

Road from Freshwater Road to Merser's, Washer's, and Way's, the sum of five pounds.

Repairing Road from River-head of Brigus to Main Road, the sum of fifteen pounds.

Road at South side of Brigus, or elsewhere, the sum of seven pounds.

Compensation to John Dulhanty, the sum of two pounds.

Compensation to Isaac Snow, the sum of three pounds.

Compensation to John Pearcy (Brigus), the sum of five pounds.

On Local Roads, Streets, and Bridges in Placentia and St. Mary's, District of Placentia & St. Mary's, £104.
One Hundred and Four Pounds, to be expended by the Board of Works as follows :

Forty pounds on Roads in Buffit Long Island ; ten pounds for opening up the Road to the Burial Ground in Great Placentia ; twenty-five pounds on the North East Arm of Great Placentia ; and twenty-nine pounds on the North side Salmonier.

On Roads and Bridges in the District of Fogo, the Sum of Six Hundred and Forty Pounds, to be expended as follows : District of Fogo, £640.

Indian Islands, eight pounds.

Seldom-Come-Bye, ten pounds.

Tilton Harbour, twelve pounds.

Joe Batt's Arm, ten pounds.

Bard Islands, twelve pounds.

Bard Islands to Joe Batt's Arm, ten pounds.

Fogo to Lion's Den, ten pounds.

Fogo Harbour, fifty pounds.

Change Islands, twenty-two pounds.

Herring Neck, twenty-five pounds, (the whole or part to be applied towards making Landing Place at Starve Harbour, if deemed expedient).

Twillingate, North side, sixty pounds.

Twillingate, South side, sixty-five pounds, (a part to be applied towards building Bridge and deepening Tickle, if deemed expedient).

Twillingate, towards Herring Neck, fifteen pounds.

Bluff Head Cove to Twillingate, eighteen pounds.

Little Harbour and on the Road to Twillingate, ten pounds.

Back Harbour to Wild Cove, eleven pounds.

Purcell's Harbour to Little Harbour, fifteen pounds.

Morton's Harbour, fifteen pounds.

Tizzard's Harbour, ten pounds.

Morton's Harbour to Western Head, twelve pounds.

Morton's Harbour to Tizzard's Harbour, twenty-five pounds.

Black Island, twelve pounds.

Exploits Burnt Island, South side, twelve pounds.

Exploits Burnt Island, North side, twelve pounds.

Exploits Burnt Island to Sargent's Cove, twelve pounds.

Waldon's Cove to Fortune Harbour, fifteen pounds.

District of Fogo, (Continued.)

Webber's Bight to Fortune Harbour, eight pounds.
 Indian Cove to Webber's Bight, eight pounds.
 New Bay, eight pounds.
 Leading Ticks, twelve pounds.
 Nimrod Harbour, five pounds.
 Ward's Harbour to Cutman's Arm, thirteen pounds.
 Hall's Bay, seventeen pounds.
 Little Bay Harbour to Anstey Cove, twenty pounds.
 Three Arm Island, eight pounds.
 Jackson's Harbour, eight pounds.
 Jackson's Harbour to King's Cove, eight pounds.
 Nipper's Harbour, five pounds.
 Burying Place, five pounds.
 Shoe Cove to La Scie, twelve pounds.
 Round Harbour, five pounds.
 Shoe Cove, ten pounds.

District of Bonavista,
 £437

On Local Roads, Streets and Bridges in the District of Bonavista, the Sum of Four Hundred and Thirty-seven Pounds, to be expended as follows :

For Roads and Bridges in and about King's Cove, the sum of Thirty Pounds, to be expended under the King's Cove Board, as follows :

For Roads and Bridges in and about King's Cove, twenty pounds, out of which ten pounds shall be paid for work done by Michael Ryan and others in making road over the Beach, &c., if approved of by the Board.

Repairing Road from South side of Broad Cove, West of the Harbour, to San Croix, ten pounds.

For Roads and Bridges in and about Keels and Tickle Cove District, the sum of Fifty Pounds, to be expended under the Keels and Tickle Cove Board, as follows :

For Roads and Bridges in and about Keels and Castle Cove, or to connect the same, or towards Tickle Cove, ten pounds.

For Roads and Bridges in and about Tickle Cove, ten pounds.

For Roads and Bridges from Tickle Cove to Open Hall, via Red Cliff Island, and towards Roman Catholic Chapel, ten pounds.

For Roads and Bridges in and about Plate Cove or Open Hall, or to connect the same, ten pounds.

For Roads and Bridges in and about Indian Arm, or to connect the same with Plate Cove, ten pounds.

For Roads and Bridges in and about Salvage District, the sum of Fifty Pounds, to be expended under the Salvage Board, viz :

For Roads in and about Salvage, thirty pounds.

For Roads in and about Barrow Harbour or Broom Close, seven pounds ten shillings.

For Roads in and about Flat Islands, twelve pounds ten shillings, out of which five pounds shall be appropriated for a Bridge to connect the Main with William Samson's Dwelling, or the whole, if advisable.

Towards Roads and Bridges in and about Greenspond District, the sum of One Hundred and Eighty Pounds, to be expended under the Greenspond Board, as follows : Greenspond District,
£180.

In and about Gooseberry Island, ten pounds.

In and about Vere Islands, nine pounds.

In and about Poole Islands, eleven pounds.

At Swan's Island, fifteen pounds.

On Roads or Bridges in Pinchard's Island, towards building a Bridge to connect Bennett's Island with the Main, or for Road leading to the same, seventeen pounds ten shillings.

On Roads and Bridges for Cape Island or Cape Freels, or Middle Bill Cove, seven pounds ten shillings.

For Roads and Bridges in and about Greenspond, Ship's and Newell's Island, one hundred and ten pounds.

For Roads and Bridges in and about Bonavista, the sum of One Hundred and Twenty-seven Pounds, to be expended under the Bonavista Board, viz :

For Roads and Bridges in and about Bonavista, including arrears due for work performed in 1859 ; also for repairs of Bridge and Road at the Neck, from Coster Street to Connell's Bridge, fifty-nine pounds.

Cape Road from Fisher's Garden to Skiff Gulsh, via Cape Town, ten pounds.

In and about Cannale, fifteen pounds.

Road from Bonavista to Newman's Cove, in improving the New Cut, twenty-five pounds.

Road leading from Catalina road by Henry Will's cottage to road leading from Verge's to the Roman Catholic Chapel, three pounds.

Road leading to Richard Tilley's land, from Rolling Cove, five pounds.

This sum to compensate Alexander Strathie, for survey of Road from Sail Cove to Catalina, ten pounds.

On Roads, Streets and Bridges, in the District of Trinity, the sum of Eight Hundred and Twenty-four Pounds, to be expended as follows : District of Trinity,
£824.

Trinity Bay North Main Line Appropriation :

Trinity to North West Bridge towards Catalina, ninety pounds.

District of Trinity.
(Continued.)

From Catalina Road to Bird Island Cove, thirty-five pounds.

Trinity Bay North Local Appropriation :

Bird Island Cove : In and about the Harbour, and towards Bonavista, twenty-five pounds.

Catalina : In and around the Harbour, including East side of North-east Arm and Western Arm of South-east Cove, forty pounds.

Little Catalina : In and around the Harbor, ten pounds.

Ragged Harbor : In and around the Harbor, ten pounds.

Trinity : In and around the Harbor, thirty pounds.

From Ferry Wharf, North side of Trinity, to North-west Bridge, twenty-five pounds.

From the Catalina Road round to Middleton's Beach, and to Island Cove Brook, twenty-five pounds.

Trouty : In and around the Harbor, seven pounds.

Old Bonaventure, seven pounds.

New Bonaventure, seven pounds.

Trinity : Towards British Harbor, or, at the option of Trinity Board, on lines and places where in can be most usefully expended, thirty-two pounds ten shillings.

Heart's Ease to Fox Harbor, eight pounds.

Upper Shoal Harbor, four pounds.

Gooseberry Cove to Clay Pitts, four pounds.

Trinity Bay South Main Line Appropriation :

New Perlican towards Carbonear, sixty pounds.

New Harbor towards Heart's Delight, forty pounds.

Heart's Delight towards Heart's Content, forty pounds.

New Perlican towards Scilly Cove, fifteen pounds.

To be expended by the Old Perlican Board of Road Commissioners, as follows :

Scilly Cove towards Hant's Harbor, twenty pounds.

Hant's Harbor towards Seal Cove, ten pounds.

Seal Cove to Lance Cove, opening a new line and asking the co-operation of the Surveyor General, fifteen pounds.

Lance Cove to Old Perlican, fifteen pounds.

Old Perlican to Grate's Cove, fifteen pounds.

Trinity Bay South Local Appropriation :

Dildo Cove : Bridge over Black Jack Cove, twenty pounds.

New Harbor : Making a Road around the South-west side, and for repairing the Bridge, twenty pounds.

Heart's Delight : Making a Road around the Harbor towards the Church, ten pounds.

Heart's Content: Repairing Roads and Bridges in and around the Harbor, ten pounds. District of Trinity.
(Continued.)

New Perlican, ten pounds.

To be expended by Old Perlican Board of Road Commissioners as follows:

Scilly Cove: Repairing Roads and Bridges in and around the Harbor, ten pounds.

Caplin Cove: Repairing and making Road thence to the Church at Hant's Harbor, ten pounds.

Hant's Harbor: Repairing Roads and Bridges in and around the Harbor, ten pounds.

Seal Cove: Repairing and making Road to the Church, eight pounds.

Indian Point: For completing Road to the Main Road, eight pounds.

Lance Cove: For building a Bridge over the large Brook leading to Indian Point, five pounds.

Old Perlican: Repairing Bridge over Admiral's River, and for repairing Lanes and Streets, thirty-seven pounds.

Making Road leading to Gardens at the back of Old Perlican Harbor, ten pounds.

Road from Old Perlican towards Bay-de-Verds, twelve pounds ten shillings.

Road from Old Perlican towards Caplin Cove, twelve pounds.

Grate's Cove: Towards Bay-de-Verds, twenty-two pounds.

Round the Harbor of Grate's Cove, twenty pounds.

On Roads and Bridges in the District of Bay-de-Verds, the sum of District of Bay-de-Verds, £521, Five Hundred and Twenty-one Pounds, to be expended as follows:

On Main Line between Fresh Water and Ochre Pit Cove, both inclusive, one hundred and twenty pounds.

Between Bay-de-Verds and Grate's Cove, eighty pounds, out of which twenty-five pounds to be expended between Ochre Pit Cove and Grate's Cove.

On Roads, Streets and Bridges in the several localities, viz:

Fresh Water and Clown's Cove, twenty-three pounds.

Flat Rocks, Blow-me-down, and Otterbury, ten pounds.

Salmon Cove and Marshall's Falls, six pounds eight shillings.

Perrie's Cove, nine pounds six shillings.

Small Point, including Road from Main Line towards Maurice Hurley's House, six pounds sixteen shillings.

Lower Small Point, Mulley's Cove and Broad Cove, including Roads leading from Broad Cove South to Mulley's Cove School House; and from Main Road to farms of LeGrove, Janes and others; also of Squires, Janes and others, forty-one pounds ten shillings.

District of Bay-de-Verds. (Continued.)

Black Head, to be expended as Commissioners may decide, on Road leading from Main Line towards the sea side, or towards the Farms of Brit, Hudson or others, ten pounds fifteen shillings.

Adams Cove and Gussett's Cove, including from Main Road to farms of Buggs, Hudson, Mulley and others, seventeen pounds nineteen shillings.

Bradley's Cove, eight pounds thirteen shillings.

Western Bay, North and South, including from Main Bridge towards Fahey's Plantation, thirty-one pounds fourteen shillings.

Ochre Pit Cove, twenty-two pounds fourteen shillings.

Northern Bay, Gull Island, and Burnt Point, twenty-nine pounds seventeen shillings.

Job's Cove, Main Line towards John English's House and Farm, thirteen pounds sixteen shillings.

Lower Island Cove, thirty-six pounds eighteen shillings, (a portion to be expended in finishing Hanling Place, if Commissioners approve).

Low Point, ten pounds.

Caplin Cove, five pounds.

Bay-de-Verds towards Old Perlican, fifteen pounds.

Bay-de-Verds, including Road to Seal Cove and Red Head Cove, twenty-one pounds fourteen shillings.

District of Fortune Bay, £292.

On Roads and Bridges in the District of Fortune Bay, the sum of Two Hundred and Ninety-two Pounds, to be expended as follows :

Under Harbor Breton Board :

Main Line—From Harbor Breton Arm to the Ferry East side of Connaigre Bay, thirty-five pounds.

Jersey Harbor to Little Bay, twenty pounds.

Little Bay to Miller's Passage, twenty pounds.

In Brunnette Island, twelve pounds.

Under English Harbor Board :

On such parts of Main Lines as most require it, forty-five pounds.

Under Belloram Board :

On such parts of Main Lines as most require it, forty-five pounds.

Under Galtois Board :

Main Line—From Ferry West side Connaigre Bay to Hermitage Cove, forty pounds.

From Hermitage Cove to Grole and Pass, fifteen pounds.

Gaultois to Peckaree and other Settlements on Long Island as require it, thirty-five pounds.

On Bridge between Great and Little Push-through, twenty-five pounds.

On Roads, Streets and Bridges in the District of Burgeo and LaPoile, the sum of Two Hundred and Ninety-seven Pounds, to be expended as follows : Burgeo and LaPoile 2297.

On Roads at Channel, forty pounds.

On Roads at LaPoile, forty pounds.

On Roads at Pettites, forty pounds.

On Roads between Rose Blanche and Harbor Le Cou, forty pounds.

On Roads at Upper and Lower Burgeo, and towards Grandy's Brook, as may be determined by the Road Board, (out of which the Board may expend the sum of fifty pounds on the construction of a Canal between Grandy's Brook and the Little Barrisway) one hundred and twelve pounds.

On a Road across the Harbor of Rencontre, twenty-five pounds.

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

Road appropriations
—how to be expended

III.—It shall not be lawful for the said respective Boards to proceed in the construction, repair, or improvement of any roads, streets or bridges, otherwise than by tender or contract, or by auction to the lowest bidder, in such allotments as may be marked off, after a careful examination, by the respective Boards, or under their Inspectors; and in all such cases of letting by auction, such Boards respectively are hereby required to put up a sufficient number of notices, not less than ten days previous to such sale, in three or more of the public places in the neighbourhood where the work is to be done, which notices shall specify and describe the work to be performed, and also the place, day, and time when and where the same will be let by auction as aforesaid; and it shall be the duty of the Inspectors of the respective Boards to attend at the time and place so appointed, and then to let out to the lowest bidder such allotments, and the purchaser shall immediately thereafter enter into written contracts, with sufficient sureties, for the faithful performance of the work in time and manner set forth in such contracts.

Road work to be done
by tender.

Public notice of ten-
ders to be given.

IV.—It shall be lawful for the respective Boards to divide and apportion the work to be performed on any road, street, or bridge aforesaid, into small contracts or allotments, to meet the exigencies of the people of the several districts.

Work may be given
out in small lots.

Security to be given for due performance of contracts.

V.—The said respective Boards, before entering into any such contracts, shall take security, as is hereinbefore provided, for the due performance of the same, and that upon the production of a certificate from the Board of one half of the amount of work contracted for being completed, such contractor shall be entitled to receive a half part of the amount of his contract ; and such Boards shall so frame their contracts that the same be finished within a limited time, and payment of one third of the full amount thereof respectively shall always be withheld until the work therein contracted for shall appear, by the solemn declaration in writing of the Inspector or Surveyor of such Boards respectively, specifying the particulars and measurement of such work to have been fully completed, examined and passed agreeably to contract ; and every such Inspector or Surveyor who shall knowingly make a false declaration, as aforesaid, shall be subject to the same punishment in law as in case of wilful perjury.

New lines of road to be surveyed.

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

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

VII.—Whenever it shall become necessary, for the opening, making, or widening of any road, street, or other work, to appropriate any piece or parcel of land being private property, it shall and may be lawful for the Board of Works, or any other Board to pay, out of such monies as shall be at their disposal for the purpose of making such respective roads, streets or other work, a fair and reasonable compensation to every person having any interest in the land so intended to be appropriated ; and also to compensate any person for any damage which may be occasioned to his property by the making, opening or widening such roads, streets or other work ; and if the said Board and the owner of such property cannot agree upon the amount of compensation to be paid, such amount shall be ascertained by the Chairman of such Board and two other Assessors, one of whom shall be nominated by the said Board, and the other by the owner of the land, and who shall assess and award the amount of compensation (if any) that shall be paid for the value of the said land, and for the damage occasioned, together with all reasonable costs incurred by the attendance of witnesses, which award shall be final ; and if the owner of the land shall neglect to nominate an Assessor within five days after being thereto required, the Chairman of such Board shall nominate an Assessor on behalf of the owner ; and the said Chairman and the two Assessors shall be paid the sum of ten shillings each for their services in that behalf : Provided, that every such award shall be made in writing within ten days after any day that may be appointed for the hearing of the case ; but before payment or tender to the parties interested of the sum awarded for compensation it shall be lawful for the said Boards respectively, or any person authorised by them, to enter in and upon, and take possession of any land so to be appropriated for any road, street, or lane, as aforesaid.

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

VIII.—In all cases where any sums of money appropriated in and by this Act to any road, street, or bridge, shall be found to be more than sufficient for making, constructing, or repairing the same, as the case may be, it shall be lawful for the said Boards respectively to appropriate and apply such surplus money to the making, constructing, or repairing any other road, street, or bridge, within the district for which such money shall have been granted : Provided always, that when any sum of money

granted for any particular part of any main road shall be found more than sufficient for the purpose of such grant, the surplus thereof shall be expended on such other parts of the same line of road within the district as may require the same.

IX.—No road to be hereafter opened or made shall be gravelled to a greater width than seven feet, or shall have a base of less width from drain to drain than fourteen feet, when such road shall be situated more than five miles from St. John's, or four miles from Harbor Grace, Carbonear, or Brigus, respectively ; and that where any land within thirty feet of the centre of any road now laid out remains unappropriated, and where any land within thirty feet of the centre of any road hereafter to be laid out, shall, at the time of any such road being laid out be unappropriated, such shall not be granted, conveyed, or appropriated to any private purpose.

X.—The Chairman of the Board of Works of this Island shall be Supervisor General of all roads, streets and bridges therein ; that all orders for the payment of monies from the said respective Boards shall be certified by the Financial Secretary of this Colony, before payment, so as to confine the expenditure within the respective appropriations ; and that the Chairman of each Board in the respective districts shall, on or before the first day of December, and oftener if required, transmit to the Supervisor General correct statements of all work done and monies paid on such roads, streets, and bridges as may be within his said district, together with an estimate of the probable amount which may be necessary to complete the same ; and such returns shall be digested and reduced into order by the said Supervisor General, and a consolidated printed report thereof be laid before the Governor in Council, to be laid before the Legislature within ten days after the opening of the session.

XI.—For the purpose of this Act the district of St. John's shall comprehend all roads, streets, and bridges, within the electoral district of St. John's, and also the main road between St. John's and the Goulds ; that the district of Conception Bay shall comprehend all roads, streets, and bridges within the electoral district of Conception Bay, including Holyrood ; that the district of Trinity Bay South shall comprehend all roads, streets, and bridges within the electoral district of Trinity Bay, from Dildo Cove to Split Point ; that the district of Trinity Bay North shall comprehend all roads, streets, and bridges from Bonaventure to Catalina ; that the district of Bonavista shall comprehend all roads, streets, and bridges within the electoral district of Bonavista ; that the district of Fogo shall comprehend all roads, streets, and bridges within the electoral district of Fogo ; that the district of Burin shall comprehend all roads, streets, and bridges within the electoral district of Burin ; that the district of Fortune Bay shall comprehend all roads, streets, and bridges within the electoral district of Fortune Bay ; that the district of Burgeo and LaPoile shall comprehend all roads, streets, and bridges within the electoral district of Burgeo and LaPoile ; and the district of Placentia and St. Mary's shall comprehend all roads, streets, and bridges within the electoral district of Placentia and St. Mary's ; and that the district of Ferryland shall comprehend all roads, streets, and bridges within the electoral district of Ferryland, South of the Goulds, and inclusive thereof.

XII.—Out of the amount of Ten Thousand Pounds hereinbefore granted the sum of One Thousand Pounds, being ten per centum thereon, shall be

Ten per cent of grant to defray expenses.

appropriated to the defrayal of all charges and expenses attendant upon the expenditure of the monies aforesaid, in the constructing, repairing, and improving of all roads, streets, and bridges within the several districts aforesaid, including all expenses of surveying, inspecting, overseeing, the remuneration of Chairmen, Secretaries, and all other necessary officers, Printing, Stationery, and Postage.

Limitation of time to bring action.

XIII.—No action shall be commenced against any Board, Commissioners, Surveyors, or Contractors, or other person, for anything done by him or them in pursuance of the provisions of this Act, until one calendar month next after notice in writing shall have been delivered to him or them, or left at his or their usual place of abode, by the party who intends to institute such action, his attorney or agent, in which notice shall be clearly and explicitly contained the cause of action, the name, place of abode of the person who is to bring the same, and the name and place of abode of his attorney or agent.

Tender of amends.

XIV.—It shall be lawful for any such Board, Commissioners, Surveyors, or Contractors, or other persons, at any time within one calendar month after such notice shall have been given, to tender amends to the party complaining, or to his agent or attorney; and in case such amends be not accepted, or in case no tender has been made, to plead the general issue to any action to be hereafter brought, and to give such tender, if any, or any other special matter, in evidence; and if the plaintiff in any such action shall not at the trial thereof recover a verdict for more than the amount of such tender, if any, the defendant in such action shall be entitled to his costs of suit, and to the like remedy for the recovery thereof as though a verdict had passed against the plaintiff.

Party omitting to make tender to pay money into Court after act on.

XV.—If in any case such Board, Commissioners, Surveyors, Contractors, or other persons, shall neglect to tender any amends, or shall have tendered insufficient amends, before action brought, it shall be lawful for him or them respectively, by leave of the Court wherein such action shall be brought, at any time before the trial thereof, to pay into Court such money as he shall see fit, whereupon such proceedings, orders, and judgments shall be had, made, or given, in and by such Court, as in other actions where the defendant is allowed to pay money into Court.

After contract performed certificate thereof to be given.

XVI.—Within six days after any contractor for any road, street, or bridge, shall give notice to any Road Surveyor, or Inspector, in the district where such road, street, or bridge, may be situated, of the completion of his contract therein, it shall be the duty of such Surveyor or Inspector to inspect such road, street, or bridge, and if the contract be completed, forthwith grant a negotiable certificate accordingly; and it shall be lawful for the Chairman of the said respective Boards, on receiving such certificate, to grant a negotiable order under his hand to the contractor to receive payment by warrant of the Governor on the Receiver General.

Governor may increase Members on Road Board.

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

XVIII.—The Governor in Council shall be at liberty to sub-divide the several districts of the Island for the purpose of the appointment of Road Boards therein.

Sub-division of Road districts.

XIX.—It may be lawful for the Governor in Council to enter into an arrangement for the construction of suitable dwellings on such parts of main lines of roads as may be found most suitable for location, and for letting out the said roads by annual contract for the repairs thereof: Provided always, that the cost of the erection of such dwellings shall be deducted from the sum appropriated for the said main roads.

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



ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. III.

An Act to amend an Act passed in the Seventh Year of Her Majesty's Reign, entitled "An Act to make Provision for the Disposal and Sale of Ungranted and Unoccupied Crown Lands within the Island of Newfoundland and its Dependencies, and for other Purposes," and to make Provision for Granting Mining Licenses, Leases and Grants of Mineral Lands, and for other Purposes.

[Passed 14th May, 1860.]

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

I.—It shall be lawful for the Governor, with the advice of the Council, to issue free Licenses of Occupation, for a term not exceeding Five Years, of any ungranted and unoccupied Wilderness Lands, to such Person or Persons as shall be desirous of permanently settling and cultivating the same, in quantities not exceeding Fifty Acres to each Settler, such Settler being qualified to obtain a Grant under the Provisions of the First Section of the Local Statute, 7 Vic. Cap. 1; and to every such Person desirous of erecting a Saw or other Mill upon any such Land, a similar License for Two Hundred Acres of such Land; but in no case, whether it be a License for the erection of a Saw or other Mill, or any Grant of Land made under the provisions of this Act, shall there be more than one-third fronting on any River by two-thirds deep; and in cases of Grants on the Coast, the frontage on such Coast shall not exceed Two Hundred yards.

Authority to Governor to issue Free Licenses of Occupation of ungranted wilderness land for a term not exceeding five years.



Governor authorised to issue Grants in fee to persons cultivating or improving on such land.

II.—To such Persons as shall have occupied and settled on the Land so licensed, for a period of Five Years after the date of the License, and shall have cultivated within that period Two Acres of the said Land, or to such Persons as shall have erected a Saw or other Mill thereon, and worked the same for the period of Three Years, it shall be lawful for the Governor to issue Grants in fee, under the Great Seal of this Island, for the quantity of Land specified in such License, upon such Person paying the charge of Five Shillings for each of such Grants.

Mode of making application for such grants.

III.—Before any such Grant shall be issued, the Person applying for the same shall file, in the Office of the Surveyor General, a Petition setting forth the quantity of Land occupied and cultivated by him, with a general description thereof, and the general uses to which he intends to apply the Land for which he seeks a Grant; which Petition shall be verified by the Oath of the Petitioner, to be administered by any Justice of the Peace in this Island, who is hereby authorised to administer the same; but no such Grant shall be made unless the Land granted shall be surveyed by the Surveyor General, or an authorised Deputy Land Surveyor, at the cost of Petitioner, unless in case it may appear to the Executive that the applicant resides in such a remote locality that the services of a Deputy Land Surveyor could not have been obtained.

Governor may grant right to search for Minerals, &c.

IV.—The Governor in Council may grant an exclusive right of searching for Minerals and Mines to any Person for any period not exceeding Two Years from the date of the License, over any space not exceeding Three Square Miles, and the Person obtaining the same shall have the right to a grant of any quantity not exceeding One Square Mile of the Land in which he shall discover any Mines or Minerals, if applied for within the said Two Years.

Governor may issue grants in fee or for a term, of one square mile of land with the Mines and Minerals, subject to Royalties, &c.

V.—It shall be lawful for the Governor in Council to issue Grants in fee, or Leases for a term of years not exceeding Nine Hundred and Ninety-nine Years, of One Square Mile of Land, with the Mines and Minerals therein, to any Person applying for the same; but all Grants shall be subject to a Royalty of two and a half per centum on the gross produce of all Mines or Minerals worked thereon, or obtained therefrom, except Gold and Silver, and to the condition that should they not be actually worked within Two Years from the date of the Grant, the same shall be forfeited, and the Land so granted shall revert to the Crown for the use of the Colony, and to such other conditions as the Governor in Council shall deem just, subject to the like forfeiture should the said conditions not be complied with: Provided always, that the Royalty hereinbefore reserved shall not take effect or become chargeable until the expiration of Five Years from the passing of this Act, or from the date of such Lease or Grant.

Governor to prescribe Rules, &c., for the issuing of grants, &c.

VI.—The Governor in Council shall prescribe general rules and regulations for the issuing and cost of such Licenses and Grants, and for the collection of the said Royalties, and which shall be published in the "Royal Gazette" of this Island within One Month after the making thereof: Provided always that the cost of any such License or Grant shall not exceed Ten Pounds.

Governor may cause Crown lands to be let for a term at auction.

VII.—It shall be lawful for the Governor in Council, and he is hereby authorised, to cause any of the Crown Lands of this Colony to be let for a term or terms of years at Public Auction, at the highest annual rent that can be obtained therefor, and to execute Grants or Leases for such term, and on such conditions, and at such rent, as the said Land shall be knocked down at such Public Sale.

VIII.—On the Report of the Attorney General to the Governor in Council that the conditions of any Mining Lease, Grant, or Grant of Land, for erecting a Saw or other Mill, have not been complied with, and the same is therefore liable to forfeiture, the Governor in Council may direct the Attorney General, or, in his absence, the Solicitor General, to give not less than Thirty Days' notice to the holder of any such right, of the grounds of forfeiture, and unless he shall within that time make it appear to the satisfaction of the Governor in Council that there were no such grounds of forfeiture as are mentioned in said Notice, the same shall be Forfeited.

Forfeiture of Mining Leases, Grants, &c., on non-performance of conditions.

IX.—Upon proof of due service of such notice, or if such Person shall be beyond the limits of the Colony, or cannot be found within the same, then, upon proof by affidavit of the service of such Notice on his attorney, agent, or representative, if any, within the Colony, or by publication of such Notice for Three Consecutive Months in the "Royal Gazette," the Governor in Council may escheat such Lease, License, or Grant, upon such equitable terms and conditions as he may deem right, and regulate the expenses thereof, and thereupon order a record of such escheat, under the Great Seal, to be filed in the Secretary's Office; which record, or certified copy thereof, under the hand of the Secretary, shall be evidence of such escheat in all Courts.

Mode of proceeding on such forfeiture.

X.—If the holder of such right shall in person, or by attorney, appear on or before the day fixed in the notice for the hearing, or shall notify the Colonial Secretary in writing, that he require the common law mode of proceeding to be pursued, the Governor in Council shall allow the same.

Party affected by such mode may require common law mode of proceeding to be pursued.

XI.—All Grants or Leases of Mines of Gold or Silver shall be subject to such Royalty as the Governor in Council shall determine.

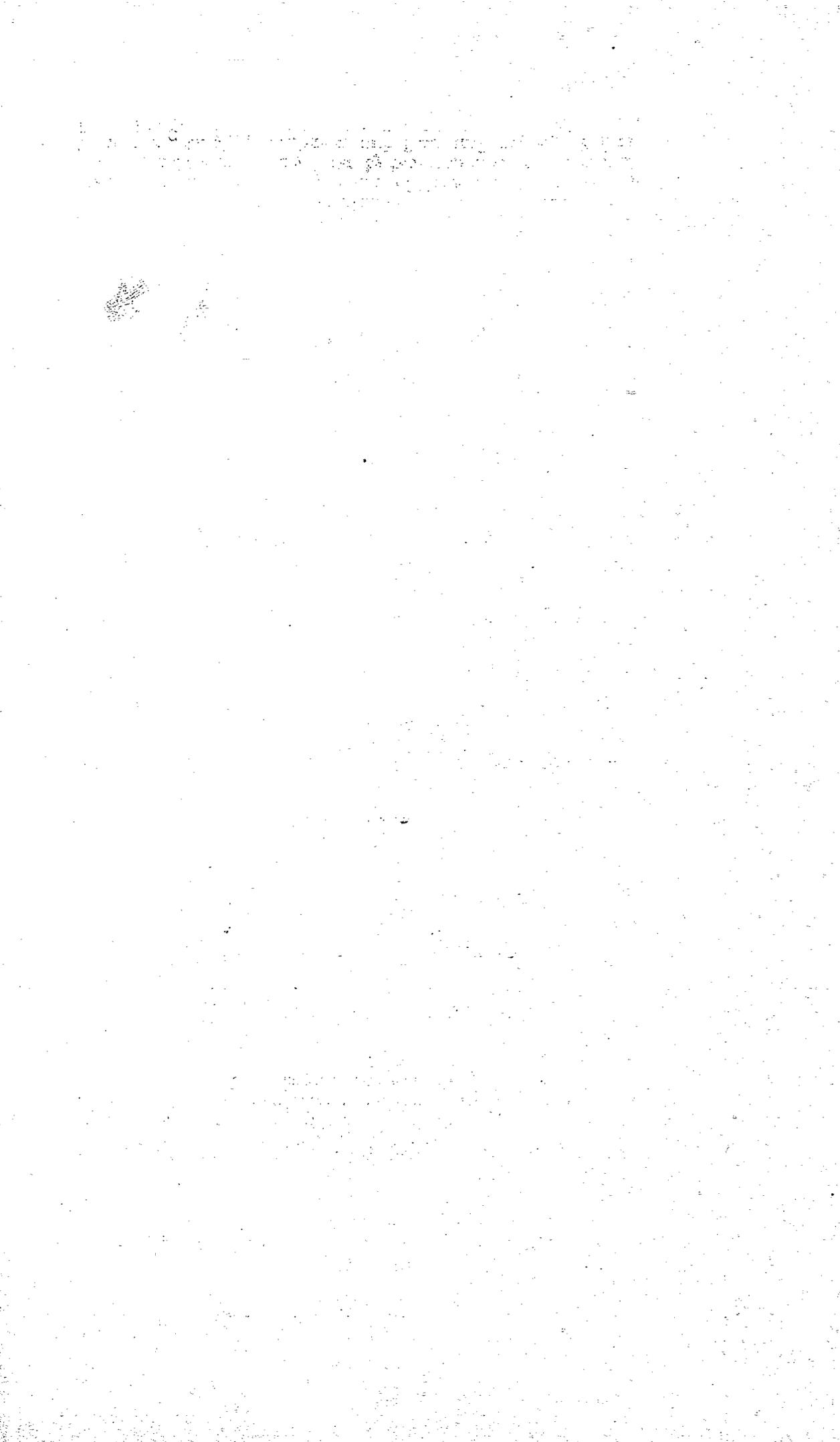
Grants or Leases of Mines of Gold or Silver to be subject to Royalty to be fixed by Governor.

XII.—This Act shall not apply to or be construed to affect the legality or otherwise of any Grant, Lease, or License heretofore made or granted by the Crown.

Act not to affect Grants, Leases, or Licenses already made.

XIII.—This Act shall not come into operation until Her Majesty's assent thereto shall be first given.

Suspending clause.





ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. IV.

*AN ACT to Prevent the Firing of the Woods
and Forests of this Colony, and for other
purposes.*

[Passed 14th May, 1860.]

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

That if any person shall hereafter wilfully or carelessly set on fire, or cause to be set on fire, any Forest Woods, Trees, or Underbush, in this Colony or its dependencies, such Forest Woods, Trees, or Underbush, being public or private property, such person shall be guilty of a misdemeanor ; and on being convicted thereof in a summary manner, before any Justice of the Peace shall be subject to a fine not exceeding Twenty Pounds, or imprisoned in Gaol for a period not exceeding Six Months ; or such person may be indicted for such offence, and tried and sentenced to the like punishment, by and before any Court of Record in this Colony.

Misdemeanor wilful
fully to set Woods,
Trees, or Underbush
on fire.

Penalty.

Nothing in this Act contained shall be construed to deprive any person who may be injured by such firing and burning of his property of his right of action at law for such damages as he may sustain by reason thereof.

Reserving right of
action to party injur-
ed by such firing.





ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. V.

*AN ACT to Provide for the Protection of
Property Wrecked on the Coast of New-
foundland.*

[Passed 14th May, 1860.]

WHEREAS it is necessary that provision be made for the pro-
tection of Property wrecked on the Coast of Newfoundland : Preamble.

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

I.—The Governor in Council shall appoint in every Electoral Dis-
trict of this Island one or more Commissioners of wrecked Property,
who shall be an officer of Customs, or any other person whom the
Governor in Council may think more convenient ; and who, before
acting, shall take the oath in the Schedule to this Act marked A. Appointment of Com-
missioners of wrecked
Property.

II.—Any such Commissioner shall, immediately on receiving infor-
mation of a Shipwreck, or of wrecked Property (above the value of
twenty-five pounds) being within the District for which he shall be
appointed, repair to the place where such Wreck or wrecked Property
shall be, and in case the same shall not then be in the custody of the
owner or his agent, or, if in such custody, if required so to do by the
owner or agent, shall take charge thereof. Duty of Commissioner.

Commissioner to compel party holding wrecked Property, without authority, to give up same.

III.—Should any wrecked Property be in the possession of any person other than the owner thereof, or his agent, it shall be lawful for such Commissioner to demand and receive the same from such person ; and should he refuse to deliver up such Property to such Commissioner, such Commissioner shall command as many men of the neighbourhood to assist him in taking by force possession thereof as may be necessary.

Claim for salvage or other services in case of dispute to be referred to arbitration.

IV.—Should the Commissioner and any person having a claim for salvage, or any other services on such Property, be unable to agree as to the amount due for said services, such claim shall be submitted to the decision of two Arbitrators, in addition to the said Commissioner, one of which Arbitrators shall be appointed by the owner or his agent, and the other by the claimant ; and in case either party should be absent, or omit, or refuse, after the expiration of Four Days from the time the said Commissioner shall take possession of such Property, to appoint an Arbitrator, the Commissioner may immediately thereafter appoint an Arbitrator in his place ; and the award of the said Arbitrators and Commissioner, or of any two of them, shall be final and binding between the parties. The evidence to be taken by the Arbitrators and Commissioner shall be taken on oath, to be administered by the Commissioner. Provided always, that until all claims for salvage or other services are satisfied, the said Property shall remain in the possession of the said Commissioner. And provided further, that in any case where the whole Property saved shall amount to One Thousand Pounds and upwards in value, and the Commissioner shall be of opinion that the amount or amounts awarded to any person or persons is or are excessive or insufficient, there may be an appeal by petition to any Superior Court of Record, or Judge of such Court, to be prosecuted within One Month by either of the parties or the Commissioner, which appeal shall be heard and determined in a summary way by such Court or Judge, either upon the evidence as taken before the Arbitrators and Commissioner, or otherwise, as the Court or Judge may direct ; and a Judge proceeding under this Section shall have and exercise the like power as a Court of Record ; and any party wilfully and corruptly giving false evidence, either before the Arbitrators and Commissioner, or a Court or a Judge, under this Act, shall be deemed guilty of, and punishable for, wilful and corrupt perjury ; the Court or Judge proceeding under this Act shall make such order as to costs, as to the justice of the case may appertain.

Mode of proceeding thereon.

Appeal from decision of Arbitrators to Court of Record, or a Judge. Proceedings thereon.

How award is to be paid or satisfied.

V.—Should the Commissioner be unable to pay the amount of such award, or should the said award specify and define the quantity or portion of such Property to which such person may be entitled for salvage or other services, the said Commissioner is hereby authorized to apply such quantity or portion of such Property in satisfaction of the said award.

Penalty for secreting Property, or refusing to deliver up same.

VI.—If any person finding, or being in possession of such Property, other than the owner or agent, shall secrete the same, or shall not, within reasonable time, make known such finding or possession to the Commissioner, or shall refuse to deliver up possession of such Property to the said Commissioner, he shall forfeit to the said Commissioner double the value thereof, and shall, for each and every of such offences, pay a penalty of One Hundred Pounds to Her Majesty, to be recovered in the name of the said Commissioner in any Court of Record in this Colony and appropriated to the use thereof, and shall forfeit all claim for salvage or other services.

VII.—The Commissioner may employ as many persons as he may require to preserve and secure such property, and he shall have full power to suppress all tumults and disturbances; and any person who shall disobey the lawful orders of the Commissioner in relation thereto shall forfeit and pay for every such offence the sum of Ten Pounds, to be recovered and applied in the manner hereinafter provided.

Power of Commissioner to secure Property preserve the peace, &c.

VIII.—The Commissioner shall make an inventory in writing of all such Property as shall come into his possession, and shall verify the same by affidavit, which shall be in the form marked B in the Schedule to this Act, and shall deliver a copy of the inventory and affidavit, together with the Property, or so much thereof as may remain in the hands of the said Commissioner, after satisfying salvage, or other services, to the person entitled thereto, on being first paid his commission, as hereinafter provided, and all reasonable and necessary charges that he may have been put to for the care and custody of such Property.

Commissioner to make inventory of Property, and deliver a copy thereof to the owner.

IX.—Any person, other than the owner or his agent, intermeddling with such Property after the arrival of the Commissioner at the place where the same may be,—unless with his consent,—shall forfeit a sum not exceeding Fifty Pounds for every such offence, to be recovered and appropriated in the manner hereafter provided.

Penalty for intermeddling with Property.

X.—If no person interested in such Property, or no agent of such person, be present where the same may be, such Commissioner shall, as soon after his arrival as practicable, publish in one of the Newspapers of this Colony the particulars of the Shipwreck, and such other information relating to such Property as he may have obtained. And if he should neglect to do so, he shall forfeit One Hundred Pounds, to be recovered in any Court of Record in this Colony, at the suit and to the use of the person interested in such Property.

Commissioner to publish in the newspapers particulars of shipwreck, &c., where he finds this represented by any owner or agent.

XI.—The Commissioner may, within Thirty Days after all claims for salvage and other services shall have been paid off and discharged, sell so much of such Property by public sale as shall be sufficient to pay all duties and all other charges and expenses thereon; first giving Fourteen Days' public notice of such sale in one of the Newspapers published in this Colony, and by handbills posted up in at least three of the most public places in the District, and in the vicinity of the place appointed for such sale, at least Three Days immediately preceding the day of such sale.

Within 30 days after salvage claim satisfied, Commissioner to sell Property to pay duties, &c.

Proceedings on such sale.

XII.—In case where any wrecked Property in the custody of any such Commissioner is under the value of Twenty-five Pounds, or is of so perishable a nature, or so much damaged, that the same cannot, in his opinion, be advantageously kept, or if the value thereof is not sufficient to defray the charge of storing or warehousing, the Commissioner may sell the same before the expiration of the said period of Thirty Days; and the money raised by such sale, after defraying the expenses thereof, shall be held by the Commissioner for the same purposes, and subject to the same claims, for and to which the article sold would have been held and liable if it had remained unsold.

Commissioner to have authority to sell Property before expiration of the 30 days, when it is under £25, or perishable.

Appropriation of proceeds sale.

XIII.—If no person interested in such Property shall appear and establish his claim thereto within Three Months after the publication of such particulars relating thereto as aforesaid, the Commissioner shall, on the expiration of such time, should all claims for salvage and other

In case of non-claim after publication for owner of wrecked Property, Commissioner to hand over proceeds, first paying off all claims for services, &c.

services be then paid off and liquidated, (but if not, immediately after the discharge of such claims,) deposit with the Receiver General of this Colony a copy, on oath, of the inventory of such Property, so to be taken and made as aforesaid; or if the same shall have been sold, an account of the sales and of all monies paid by the Commissioner for duties, charges, or expenses incurred in any way on account of such Property; and he shall thereupon pay over the balance of the proceeds of such sales, and deliver to the said Receiver General such part of said Property as shall in such case be remaining on hand, first deducting from such proceeds, and from the said Property, a reasonable sum, not exceeding five per cent., exclusive of disbursements and reasonable charges, to satisfy the said Commissioner for all claims he may have against such Property, or the proceeds thereof, for his services or otherwise. And in case any disagreement should arise between him and the Receiver General, in respect of said charges, the same shall be decided by three Arbitrators, one to be appointed by the Commissioner, another by the owner or his agent, and the third by the Receiver General; or, in case a Commissioner or owner, or his agent, shall neglect or refuse, or shall be absent, the Receiver General shall appoint an Arbitrator in his place.

Penalty for Commissioner neglecting to comply with the requirements of the preceding Section.

XIV.—If any such Commissioner shall, for the space of Thirty Days after the expiration of the said Three Months, limited in the last preceding Section, (should all claims for salvage and other services be paid off and liquidated, but if not, immediately after the discharge of such claim), neglect or refuse to render a copy of such inventory or account to the Receiver General, or to pay to him the balance of such proceeds, or to deliver to him any such Property remaining on hand, Her Majesty's Attorney General shall, at the instance of the Receiver General, prosecute, in Her Majesty's name, such Commissioner, for every such neglect or refusal, and recover from him the balance of such proceeds and such Property, or the value thereof, as he shall so retain in his hands after such time as aforesaid.

In case of non-claim of Property, hand to the Receiver General—same to be sold and proceeds paid into the Treasury, there to remain till claimed by the owner.

XV.—If the balance of such proceeds, or of such Property as shall be so deposited in the hands of the Receiver General, as aforesaid, be not claimed by the owner thereof within Twelve Months after the same shall have been received by that officer, he shall immediately thereafter sell such Property at public sale; and after deducting all reasonable costs and charges from the proceeds thereof, pay over the balance, and such money as he shall have so received, as aforesaid, into the Treasury of the Colony, therein to remain until the same shall be claimed by the owner thereof, who, on proof of his right thereto before a Judge of the Supreme Court, shall, upon order of such Judge, receive such money or proceeds out of the Treasury.

Justice to issue warrant to seize Property, wrongfully withheld, and proceedings thereon.

XVI.—When such Property shall be found in the water within Three Miles of the Coast of this Colony, or on any part of the shores thereof, and be detained by any person, not being the owner thereof or his agent, and such person shall refuse, on demand being made, to deliver up such Property to such Commissioner, in such case it shall be lawful for such Commissioner to apply to any Justice of the Peace in this Colony, who, upon an affidavit of such facts made before him, shall thereupon issue a warrant under his hand commanding a Constable of the District within which such Property shall be so detained, to seize and safely keep the same; which warrant the said Constable shall execute, and thereupon make a true inventory of the Property seized, and return

such inventory to the said Justice; and which Property shall remain in the custody of the said Constable, to be disposed of according to the provisions of this Act.

XVII.—Upon the said Constable making such return, the Justice shall summon the person from whom such Property was so taken, as aforesaid, to appear at a time and place to be mentioned in such summons; and if, upon appearing thereto, he shall claim such Property, or a lien thereon, in his own right, the Justice shall then, or upon some other day to be appointed by him for that purpose, consider such claim; and if the Property seized be proved to be that of such person, the Justice shall order the same to be returned to him, and in case the Justice shall certify that the Commissioner acted without reasonable or probable cause, that he be paid by the Commissioner such damages, costs and charges, as such Justice shall order in the premises; but should the Justice find by the evidence given before him that such Property was wrecked Property, found by such person, then the Justice shall adjudge to such person such salvage, costs and charges, as the Judge may deem reasonable; which salvage, costs and charges shall be paid by the said Commissioner out of the Property, which Property he shall dispose of in like manner as other Property coming into his possession under the provisions of this Act.

Justice to summon party withholding such Property, and mode of proceeding thereon.

XVIII.—Any judgment of a Justice given under this Act may be appealed from to any Superior Court of Record of this Colony, or to a Judge thereof, within Six Months from the giving of such judgment, in the same manner, as nearly as may be, and with the like power as provided in the Fourth Section of this Act.

Appeal from any Judgment of a Justice.

XIX.—If any proceedings under this Act shall be removed into, or be moved to be set aside by or be appealed from to any superior Court of Record, or a Judge of such Court, and they shall appear to have been in accordance with the justice of the case, the said Court shall confirm the same, notwithstanding the want of legal form therein, or may correct or amend the same, and give final judgment upon the merits, and shall wholly reverse the proceedings only for wilful and corrupt error, or excessive or insufficient award.

Want of legal form in proceedings not to affect same.

XX.—All fines, penalties, or forfeitures imposed by this Act and not hereinbefore appropriated to any person, or for any purpose, shall be paid to Her Majesty for the use of the Colony, and sued for and recovered in any Court of Record therein, in Her Majesty's name.

Appropriation of fines and penalties.

XXI.—In case any person convicted under any of the provisions of this Act shall make default in the due payment of such fine, penalty, or forfeiture, as shall or may be imposed on him, and shall have no property on which the same can be levied, he shall be committed to gaol for a period not exceeding Six Months, with or without hard labor.

In default of paying fine party to be imprisoned.

XXII.—The word "Property" used in the foregoing Sections of this Act, so far as the same are not repugnant to the context thereof, shall include and mean all wrecks of the sea, or any goods or chattels, jet-sam, floatsam, lagan, or derelict, or any boat, vessel, apparel, anchor, cable, tackle, stores, or materials, or any goods, merchandize, or other article or thing whatsoever which shall have been found floating or sunk at sea, or elsewhere, in any tideway, shore, or coast of this Island, or cast, thrown, or stranded upon the shore or coast thereof, and whether the same be found above or below high water mark, and whether wholly in water or partly on land, or partly in the water.

Definition of terms.

Consul to be deemed agent of owner in certain cases.

XXIII.—For the purposes of this Act the Consul, Vice-Consul, or Consular Agent, of the country of any foreign owner of property, shall, in case of the absence of the owner, or his agent, be deemed, ipso facto, the agent of such owner.

Suspending clause.

XXIV.—This Act shall not be of any force or effect until Her Majesty's assent shall have been first given thereto.

Schedule referred to in the foregoing Act.

SCHEDULE [A.]

Schedule.

Oath of Commissioner.

I, A. B., of _____ in the _____ District of the Island of Newfoundland, a Commissioner appointed for the said District, under and by virtue of an Act passed in the twenty-third year of Her Majesty's reign, entitled "An Act to Provide for the Protection of Property Wrecked on the Coast of Newfoundland," make oath and say, that I will honestly, diligently, and faithfully discharge the duties of such Commissioner, according to the provisions of that Act.

Sworn to at _____
said Island, on the _____

in the District of _____
day of _____

in the _____
A.D., 186 _____

Before me,

Justice of Peace.

SCHEDULE [B.]

Oath or Inventory.

I, A. B., of _____ in the _____ District of the Island of Newfoundland, a Commissioner appointed for the said District, under and by virtue of an Act of the Legislature passed in the twenty-third year of the reign of Her Majesty, entitled "An Act to Provide for the Protection of Property Wrecked on the coast of Newfoundland," make oath and say, that the above and within is a just and true inventory of all and singular the goods, chattels, and property saved from the ship or vessel called the _____ recently wrecked at _____ and which have come to my hands or to my knowledge as such Commissioner, to be disposed of according to the said Act; and also a just and true account of the disbursements made on account of the said goods, chattels and property.

Sworn to at _____
Island, on the _____

in the District of _____
A.D., 186 _____

in the said _____

Before me,

Justice of the Peace.





ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. VI.

*An Act for the Prevention of Nuisances in the
Towns of St. John's, Harbor Grace, Car-
bonear and Brigus.*

[Passed 14th May, 1860.]

WHEREAS it is necessary to provide for the Prevention of Nuisances Preamble.
in the Towns of St. John's, Harbor Grace, Carbonear and Brigus :

Be it therefore enacted by the Governor, Legislative Council and As-
sembly, in Session convened :

I.—Any person who shall commit or be guilty of any of the offences Offender subject to
prescribed penalties.
hereinafter specified, in any of the said Towns, shall be subject and liable
to such penalties as are hereinafter mentioned.

II.—Any person who shall, in or upon any way used, or appointed to Nuisances and offen-
ces.
be used, as a foot-way or side-walk, in any of the said Towns, draw, drive,
or carry any truck, sleigh, wheelbarrow, or other vehicle, except directly
across such foot-way or side-walk, on necessary occasions, or shall lead,
ride, or drive on any such foot-way or side-walk any Horse or other beast,
except directly across the same, as aforesaid, or shall suffer to stand, or
shall tie or fasten any Horse or other beast on or across the same, or who
shall in or on any of the streets, squares, lanes or passages of any of the
said Towns, use or drive any Horse or other animal in a furious and im-
proper manner, or shall thereon drive, or suffer to proceed, any cart,
carriage, slide, or sleigh, without some person leading or guiding with
reins the Horse or Horses attached thereunto, and if a slide or sleigh with
not less than two bells attached to the harness, or shall place or leave in
or on any of such streets, squares, lanes or passages, in such a manner as

to obstruct or endanger the passage thereof, any cart, waggon, carriage, sleigh or slide, or shall show or expose any Stallion kept for the purpose of being let to Mares, except in such place as a Magistrate may appoint, and except indirectly proceeding to and returning from such place, or shall in or on any cart, waggon, carriage, slide or sleigh, carry or convey any timber, iron, or other thing, in such a manner as to protrude two feet beyond the wheel of such cart, waggon, carriage, or, if a slide or sleigh, beyond the bars thereof, or shall in or on any such streets, squares, lanes, and passages, place or leave any mortar, lime, sand, bricks, stones, timber, or other materials for building, or shall sift or screen any lime, sand, or other thing, such mortar or other thing being so placed or left, or such sifting or screening being without the permission of a Stipendiary Magistrate of any of the said Towns, or not defended or enclosed within a fence, or shall cast or leave any dung, dirt, rubbish, or other thing, in or upon such streets, squares, lanes and passages, except only in such manner and in such place as a Stipendiary Magistrate in any of the said Towns shall direct and appoint, or shall in any of such streets, lanes and passages, or in any building within the same, kill, slaughter, or scald and dress, any animal for meat, or shall in any of such streets, lanes, or passages, play at any game, or ride upon a slide or other conveyance, to the annoyance or obstruction of passengers, or shall throw any stone or stones, with or without intent to strike any person or other object, or if any person shall do or commit any act, or shall excavate or build a cellar, or shall leave, or place, or set up, any material or thing whatever which shall cause or create any impediment, obstruction, nuisance, danger, or annoyance in or to the free passage of such streets, squares, lanes, or passages, or shall fail to keep in repair all such cellars as are now erected or built, every such person shall, for the first offence, forfeit and pay a sum not exceeding Twenty Shillings, and not less than Five Shillings; and for the second offence shall forfeit and pay a sum not exceeding Forty Shillings, and not less than Ten Shillings; and for a third or subsequent offence, shall forfeit and pay a sum not exceeding Five Pounds, and not less than Twenty Shillings.

Penalties.

Foot-way and side-walk, how defined.

III.—The Court of General Quarter Sessions for the District in which any of the said Towns is situate, shall, by order to be published in the "Royal Gazette," define what shall be considered as foot-ways or side-walks within the Town for which the said order shall be made.

Horses, &c., found wandering abroad to be impounded and owner fined; mode of proceeding to enforce forfeiture.

IV.—If any Horse, Cow, Swine, or other beast, shall be found wandering or straying in or about any streets, squares, lanes and passages, in any of the said Towns, it shall and may be lawful for any person whatsoever to impound such Horse, Cow, Swine, or other beast, in the nearest common Pound; and the owner thereof for every such beast so found wandering or straying as aforesaid shall forfeit a sum not exceeding Five Shillings, together with the reasonable charges of impounding and keeping such beast; and such beast shall be detained until the said penalty and charges shall be paid; and if the same be not paid within five days after such beast shall be impounded, it shall be lawful for any Stipendiary Justice of the Peace, resident within the Town in which such beast shall be impounded, to notify in such manner as such Justice shall deem meet a time and place for the sale of such beast; and such time shall not be less than forty-eight hours from the date of the notification thereof, and at the time so appointed and notified such beast shall be sold by public auction, unless the penalty, with all the costs and charges of impounding and advertising such beast, shall be then and thereupon paid; and the money arising from such sale shall be in the first instance applied to the payment of such costs and charges, and the owners of such beast shall be entitled to and receive the balance.

V.—On information being given to any Justice of the Peace of any building wherein there is any dangerous chimney, stove, stove-pipe or funnel, the said Justice of the Peace shall direct the Inspector of Police in St. John's, or Chief Constable in other Towns, to proceed to the said building and examine the same, and if he shall report to the said Justice that any repairs, alteration, or removal, be necessary the said Justice shall give an order for such repairs, alteration, or removal, to be made, and if such order shall not be complied with, such Justice shall cause such removal or alteration to be made at the expense of the occupant or owner of the building; and if any person shall refuse admittance to such Constable while acting under this Section, or shall not make the removal or alteration so ordered, he shall forfeit a sum not exceeding Forty Shillings, to be recovered, together with the expenses of removal or alteration, in the name of such Inspector of Police or Constable, and, in default of payment, the offender may be imprisoned for a period not exceeding Ten Days.

Justice to make order respecting dangerous chimney, stove-pipe, &c.

VI.—Penalties and forfeitures imposed by this Act shall be recovered in a summary way by the order and adjudication of any one Stipendiary Justice of the Peace resident in the Town in which the offence shall be committed, on complaint to him for that purpose exhibited and proved, and shall be levied, as well as the costs of such proceedings, in case of non-payment, by distress and sale of the goods and chattels of the offender, liable to pay the same by warrant under the hand and seal of such Justice; and such Justice is hereby authorised and required to summon before him any witnesses and to examine such witnesses upon oath of and concerning all or any such offences, matters, or things, and to hear and determine the same; and the overplus, if any, of the money so levied or received, after discharging the fine, penalty, or forfeiture, for which such warrant shall be issued, and the costs and expenses of recovering and levying the same, shall be returned, upon demand, to the owner of the goods or chattels so seized or distrained; and in case such penalties or forfeitures shall not be forthwith paid, upon conviction, then it shall be lawful for such Justice to order the offender so convicted to be detained and kept in safe custody until return can be conveniently made to such warrant of distress, unless such offender shall give sufficient security to the satisfaction of such Justice for his appearance before such Justice on such day as shall be appointed for the return of such warrant of distress, such day not being more than two days from the time of taking any such security, and which security the said Justice is hereby empowered to take by way of recognizance or otherwise; but if, upon the return of such warrant, it shall appear that no sufficient distress can be had thereupon, then it shall be lawful for such Justice, and he is hereby authorized and required, by warrant under his hand and seal, to cause such offender to be committed to Gaol, there to remain, without bail or mainprize, for any time not exceeding One Month, if the conviction be for a first offence, and not exceeding Two Months, if the conviction be for a second offence, and not exceeding Three Months, if the conviction be for a third or any subsequent offence, unless such penalties or forfeitures, respectively, and all costs, shall be sooner paid and satisfied, and one moiety of such penalties or forfeitures, when so levied, shall be paid to the person who shall sue or prosecute for the same, and the other moiety shall be paid into the Receiver General's hands for the use of the Colony.

Mode of recovering penalties and forfeitures

VII.—All the unrepealed sections and parts of an Act passed in the third year of the Reign of His late Majesty King William the Fourth, entitled "An Act for the more speedy abatement of Nuisances," also the Seventeenth

Repeal of former Acts and sections of Acts relating to Nuisances.

Section of an Act passed in the sixth year of the Reign of Her Majesty, entitled "An Act for granting to Her Majesty a Sum of Money for making and constructing and repairing Roads, Streets, and Bridges in this Colony, and for regulating the expenditure of the same," and also an Act passed in the ninth year of the Reign of Her Majesty, entitled "An Act to amend an Act passed in the third year of His late Majesty's reign, entitled 'An Act for the more speedy abatement of Nuisances,'" and also so much of the Second Section of an Act passed in the Reign of Her Majesty, entitled "An Act for the regulation and management of the Public Market House in the Town of St. John's, as prohibiting the slaughtering of Cattle, Sheep, and Pigs in the Town of St. John's," be and the same are hereby respectively repealed.

Building lots, &c., to be fenced along front thereof.

VIII.—All building lots and improved or occupied lands fronting any public road, street, lane, or cove, within this Colony, and dangerous to passengers, shall be protected with a sufficient fence along such frontage.

Penalty for not fencing.

IX.—If the owner or occupier of any building lots, improved or occupied lands, shall neglect, after receiving notice to protect the same with such fence, the Surveyor General of the Colony or his deputy may erect or repair the same, and shall thereupon recover from such owner or occupier, before any Justice, in a summary way, or any Court of Record, the expenses incurred by him in such erection and reparation of such fences, together with costs of suit.

Mode of proceeding in such case.

X.—In any action the Surveyor General or his deputy shall bring for such expenses the costs against any such owner or occupier of such building lots, improved or occupied lands, who shall be absent from this Colony, service of a copy of the writ or summons in such case upon the agent of the owner therein, or on the occupier of such building lots, improved or occupied lands, shall be deemed sufficient service for the purposes of this Act.

Governor power to extend operation of Act to any town.

XI.—The Governor in Council shall, when it may be deemed necessary, extend the operation of this Act, by proclamation, to any town within this Colony other than the towns already mentioned and provided for in this Act.

Duration of Act.

XII.—This Act shall continue in force for Two Years from the passing thereof, and thence until the end of the then next Session of the Legislature,



ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. VII.

*An Act to Provide against the Destruction of
Sheep and Cattle, and Injuries to the Person,
by Dogs.*

[Passed 14th May, 1860.]

WHEREAS it is expedient to provide against the destruction of Sheep, Preamble.
Lambs, Horses, Goats, or Cattle of any description, and injuries to
the Person, committed by Dogs :

Be it therefore enacted by the Governor, Legislative Council and Assem-
bly of Newfoundland, in Legislative Session convened :

I.—That every Dog found at large, without its owner or other person
in charge thereof, is required to have fastened to its neck a clog or piece
of wood not less than five pounds weight, and not less than eighteen inches
in length, with the name of the owner stamped or marked thereon at full
length ; and every Dog found at large without its owner, or other person in
charge thereof, and not clogged as aforesaid, may be immediately shot, or
otherwise destroyed, by any one ; and the same may be done with any Dog
having on a clog, if the name of the owner be not stamped, or marked upon
it, as aforesaid : Provided that this Section shall not apply to Pointers, Proviso excepting
Pointers, Setters,
Spaniels or Terriers.
Setters, Spaniels, or Terriers, but that all such Dogs must wear a collar of
leather or brass, with the name of the owner marked thereon.

II — That every Dog so at large that may be discovered killing, maiming, Dogs maiming or wor-
rying Sheep, &c.,
may be destroyed.
or worrying Sheep, Lambs, Horses, Goats or Cattle of any description,
may be immediately shot or otherwise destroyed, by the owner or owners
of such Sheep, Lambs, Horses, Goats or Cattle, or by any other person or

Owner of such Sheep, &c., may bring action for damage thereto by dogs.

persons, who may witness such killing, maiming or worrying: And nothing herein contained shall prevent the owner or owners of such Sheep, Lambs, Horses, Goats or Cattle, of any description, killed, maimed or injured, from recovering the value of the same, in the manner hereinafter mentioned.

Authority to Justice to hear and determine complaints for injury done by dogs.

III.—That if any Dog or Dogs shall kill, maim or injure any Sheep, Lamb, Horse, Goat or Cattle of any description, it shall be lawful for any Justice of the Peace, upon complaint made by the owner thereof, or by any other person on his behalf, to issue his Warrant against the owner of such Dog or Dogs, to appear before him on a day certain; and such Justice may proceed to hear the said cause or complaint, and, if he shall see fit, give judgment therein for the value of each and every Sheep, Lamb, Horse, Goat or Cattle of any description, so killed, maimed or injured, with costs, and enforce the payment of such judgment, by execution or distress on the goods and chattels of the defendant. And should no goods or chattels of the defendant, wherewith to satisfy such judgment and costs be found, then it shall be lawful for the said Justice to commit such defendant to gaol for any period not exceeding Thirty Days.

Justice may order dog to be destroyed.

IV.—And the said Justice may, upon the hearing of the said complaint, besides such judgment as aforesaid, make his order in writing, that the Dog or Dogs so killing, maiming or injuring as aforesaid, be forthwith destroyed.

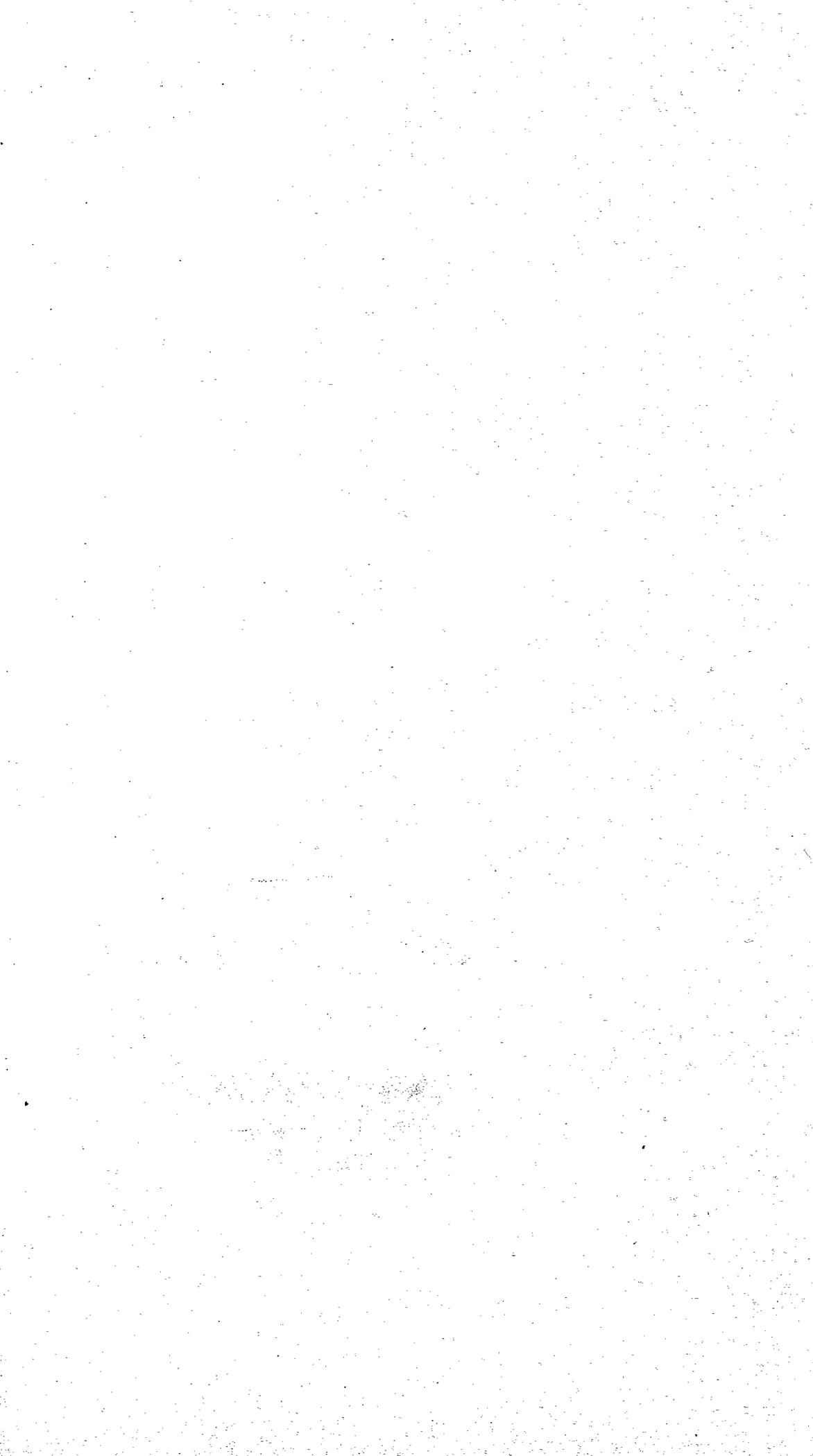
Owner of Sheep, &c., may bring action for injury thereto by dogs.

V.—And it is hereby enacted, that nothing herein contained shall prevent the owner of any such Sheep, Lambs, Horses, Goats or Cattle, of any description, from proceeding, by action, in any Court of competent jurisdiction, to recover the value of any such Sheep, Lambs, Horses, Goats or Cattle, or any special damage arising to such owner from the killing, maiming or injuring such Sheep, Lambs, Horses, Goats or Cattle; and it shall not be necessary, in such action, for the plaintiff to aver or to prove that the defendant had knowledge of the mischievous propensities or habits of the Dog or Dogs.

Any person injured by a dog may proceed therefor before at Justice, &c.

VI.—If any Dog shall bite or otherwise injure any person, such person may proceed before any Justice of the Peace and recover damages for the injury in the mode prescribed by the Third Section of this Act; and such Justice of the Peace may make an order for the destruction of such Dog, or such person may proceed, by an action, in any Court of competent jurisdiction; and it shall not be necessary in such action for such person to aver or prove that the defendant had knowledge of the mischievous propensities or habits of such Dog.







ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. VIII.

*An Act for the Protection of the Salmon
Fishery of this Colony, and for other Pur-
poses.*

[Passed 14th May, 1860.]

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

I.—No person shall, by spearing or sweeping with Nets or Seines, take, or attempt to take, any Salmon, Grills, Parr or Trout, in any Bay, River, Cove, Lake, or Water-course above where the tide usually rises and falls ; and Nets for taking Salmon above the usual rise and fall of the tide shall be set or placed on such River, Stream, Cove, Lake or Water-course, and at such times and in such manner as hereinafter provided for that purpose.

Spearing or sweeping
of nets or seines for
Salmon prohibited.
As to where nets
for Salmon shall be
placed.

II.—No Stake, Seine, Weir, or other contrivance for taking Salmon, except Nets, shall be set or placed across any such River, Stream, Cove, Lake, or Water-course, and that each Net shall not extend more than one-third of the distance in a straight line across such River, Stream, Cove, Lake, or Water-course.

No obstruction to be
placed across any
River, &c.
How far each Salmon
net shall extend
across a River, &c.

III.—After the passing of this Act it shall not be lawful for any person to construct or erect any Mill-dam, Weir, Rack, Frame, Train, Gate, or any other barrier or erection, in, over, or across any River, Stream, Cove, Lake, or Water-course, so as to obstruct the free passage of Salmon, Grills, Parr, Trout, or other fish resorting thereto for the purpose of spawning : Provided always, that all Mill-dams or other erections placed on, over, or across any River, Stream, or Water-course resorted to by fish for spawning, shall be built with a waste-gate, opening, or slope, sufficient for such fish to pass and return down, and which shall be kept in repair during the whole season of such fish passing up and returning.

No Mill-dam, Weir,
&c., to be erected
across a River, &c.,
to obstruct Salmon,
&c.

Waste-gate, or pas-
sage for Salmon.

Salmon nets to be four and a-half inches mesh.

IV.—No person shall haul, catch, or take any Salmon in any Net having the meshes, mokes, or scales of not less than four and a half inches, at least, from knot to knot.

Forfeiture for selling Salmon in contravention of this Act.

V.—It shall not be lawful for any person to buy or sell Salmon knowing the same to have been taken in contravention of this Act; and any Salmon so taken or sold shall be declared forfeited to the complainant by any Justice of the Peace.

Distance one net should be set apart from another.

VI.—It shall not be lawful for any person to moor or set, or cause or procure to be moored or set, in any Harbor, Cove, Creek, or Estuary, or on any other part of the coast of this Island or its Dependencies, for the purpose of catching or taking Salmon, any Net nearer to any other Net set or moored for a similar purpose, than one hundred yards for a single Net, and three hundred yards for a double Net or fleet of Nets.

Close time within which Salmon shall not be taken. Proviso, authorising Governor to alter such time.

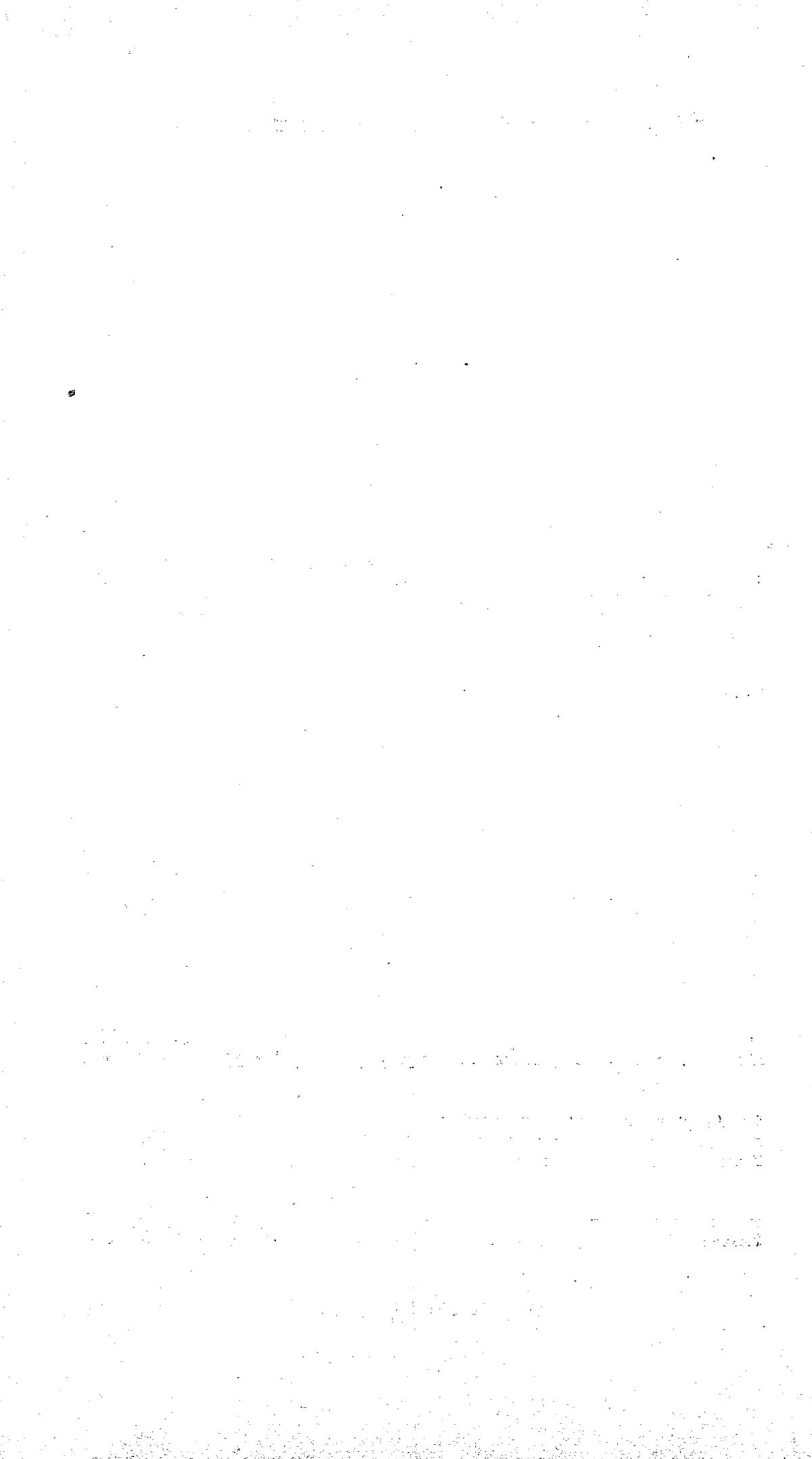
VII.—No person shall, before the first day of May, or after the tenth day of September, in every year, by any means whatsoever, fish for, take, or catch any Salmon on any part of the coast or shores of this Island, or in or near any Bay, River, Stream, Cove, Lake, or Water-course thereof: Provided always, that if the time limited in this Section shall be found to operate injuriously in any part of this Island, it shall be lawful for the Governor and Council at any time to appoint any other time or times, and which shall be as binding on all persons as if specially mentioned therein.

Penalty for offending against the provisions of this Act.

VIII.—Any person who shall violate any of the provisions of this Act in any respect shall forfeit a sum not exceeding Five Pounds, to be recovered in a summary way before any Justice of the Peace; and in default of payment thereof he shall be imprisoned in Gaol for any period not exceeding Twenty Days.

Appropriation of penalties and forfeitures.

IX.—The one half of all penalties recovered under this Act shall be paid to the party prosecuting the offender to conviction, and the other half thereof to Her Majesty for the use of this Colony.







ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. IX.

*AN ACT to Provide for the Establishment of
Steam Packet Communication between St.
John's and the Outports of Newfoundland.*

[Passed 14th May, 1860.]

WHEREAS it is necessary to establish Steam Packet Communication between the port of St. John's, in this Colony, and the Outports thereof: Preamble.

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

I.—That there be granted to Her Majesty, Her Heirs and Successors, the sum of Four Thousand Two Hundred and Fifty Pounds annually, for five years from the passing thereof, to defray the expenses of such communication, out of which sum there shall be annually paid the sum of three thousand pounds towards the payment of all expenses that may be incurred under this Act in establishing Steam Communication between St. John's and the South-west and North-east Coast of this Island, and the balance of such sum of money, being twelve hundred and fifty pounds, shall be annually applied and paid towards defraying the expenses to be incurred under this Act in establishing Steam Communication between St. John's and the North and South sides of Conception Bay, and which sum of money shall be paid annually out of the public revenue of this Colony, by warrant of the Governor for the same, in favour of such company or persons as shall be entitled thereto, on the due performance of their respective contracts.

Grant of £4,250 annually for five years to defray expenses of Steam Packet Communication between St. John's and the Outports.

Governor authorised to contract for such service.

II.—The Governor of this Colony, by and with the advice and assent of Her Majesty's Council therein, shall be and is hereby authorised to negotiate and contract with any company or persons, upon such terms as may be agreed upon, for five years, to run two efficient Steamers between the port of St. John's, in the said Island, and the Outports thereof, on the routes next hereinafter mentioned, according to the provisions hereinafter contained and the terms of such agreement ; and that each of said Steamers shall not be less than sixty horses' power and two hundred two hundred tons register measurement, including boiler and engine rooms.

Routes of Steamers.

III.—One of such Steamers shall, during the term of such contract, and in accordance therewith, run twice in each month from St. John's along the North-east coast of this Island, calling at such ports or harbors on and off that part of the coast of this Island as may be specified in such contract, and the other of such Steamers shall, during the term of such contract, and in accordance therewith, run twice in each month from St. John's along the Southern and Western coast of this Island, calling at such ports or harbors on and off that part of said coast as may be specified in such contract. Provided always, that the Governor in Council shall be and is hereby authorised to provide in such contract for the conveyance in such Steamers of the Judges and their suite on Circuit, and that one of such Steamers may, if desirable, proceed, once or twice in the year, from St. John's to the Labrador.

Governor authorised to contract for Steamer to ply between Conception Bay and St. John's.

IV.—The Governor, by and with the advice and assent of Her Majesty's Executive Council, shall be and is hereby authorised to negotiate and contract with any company or persons upon such terms as may be agreed upon, for five years, to run an efficient Steamer between the North and South sides of Conception Bay and St. John's, according to the provisions hereinafter contained and the terms of such agreement as shall be entered into : Provided that once in each week such Steamer shall make a trip between Conception Bay and St. John's.

Capacity and power of such Steamer.

V.—The Steamer to ply in Conception Bay, as aforesaid, shall not be less than one hundred and fifty tons register measurement, including engine and boiler rooms, and sixty horses' power at least, and shall be provided with good and sufficient engines, boilers, machinery, life-boats, and all other equipments, matters and things, as prescribed and required by the Board of Trade in England.

Steamers to continue efficient during performance of contract.

VI.—The said Steamers shall, respectively, during such term, and the performance of such contracts, be and continue in all respects efficient and seaworthy in their hulls, machinery, sails, rigging, anchors, chains, cables, life-boats, buoys, furniture, compasses, and in all other respects according to the regulations of the Board of Trade in England, in respect of Steamships and the navigation thereof.

Steamers to be surveyed.

VII.—The Governor in Council shall at least twice in each year, and oftener if he think fit, cause such Steamers and the machinery thereof, and all such matters and things relating in any way to such Steamers, to be surveyed by a competent person to be appointed by him for the purpose ; and should any or either of such Steamers be found, on such survey, unseaworthy, unsafe, or insufficient in any respect, for the due performance of the service agreed to be performed under this Act, and such contracts respectively, the Governor in Council shall, in such case, have power to alter

or rescind the same, in case the requisites of such survey be not made good and to the satisfaction of the Governor in Council, within such reasonable time as he may direct for that purpose.

VIII.—During the performance of such contracts, the said several Steamers shall respectively carry all mails and passengers to their destination, according to such contracts and such regulations as may be made by the Governor in Council in relation thereto.

Steamers during performance of contract to carry mails and passengers.

IX.—The Governor in Council, during the performance of such contracts respectively, shall have power and authority, and is hereby authorised to appoint and regulate the days and times of sailing and detention of each and every of such Steamers at their respective ports of call or departure.

Governor to appoint times of sailing and detention.





ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. X.

*AN ACT to Amend an Act passed in the
Twenty-second Year of the Reign of Her pre-
sent Majesty Queen Victoria, entitled "An
Act to Incorporate the General Water Com-
pany."*

[Passed 14th May, 1860.]

WHEREAS it is expedient to amend an Act passed in the Twenty-
second year of the Reign of Her present Majesty entitled, "An
Act to Incorporate the General Water Company :"

Preamble.

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

I.—The Annual General Meeting of the said Company, for the appoint-
ment of Directors and for other business, shall be held on the last Thursday
in May, instead of the first Monday in July, as directed by the Sixth Sec-
tion of the said Act.

Time of holding an-
nual general meeting

II.—It shall not be necessary to fill up a vacancy arising on a Board of
Directors from the absence of a Director, unless such absence shall exceed
the term of Six Calendar Months, except when the number of resident act-
ing Directors shall fall below Four ; in which case the remaining Directors
shall fill up such vacancy by nomination from amongst the Stockholders,
and the party so nominated shall fill up the first vacancy occasioned by
absence, as aforesaid, until the next Annual Meeting of Stockholders.

Mode of filling up
vacancy in Director-
ship.

Share in Stock trans-
ferrable.

III.—The Shares in the Capital Stock of the said Company shall be transferable by endorsement and delivery of the Stock Certificate ; but no transfer shall be valid until an entry thereof shall be made in a Book of the Company to be kept for that purpose, and the proper officer of the Company shall, upon the request of the Stockholder or the Purchaser of said Stock, immediately make such entry.

Repeal of 10th, 11th,
12th and 13th Sec.
of 22d Vic.

IV.—The Tenth and Eleventh Sections of the said recited Act are hereby repealed ; but the Stock Certificates of the said Company shall be subject to seizure under attachment or execution by the Sheriff, and may be sold and transferred by him in manner aforesaid.

V.—The Twelfth and Thirteenth Sections of the said recited Act are hereby repealed.

Power to Company to
dig, &c., lands, &c.,
after giving notice.

VI.—It shall be lawful for the Company to dig, break, and trench the streets and squares, public places, and lands, in and near the town of St. John's, as may be necessary, observing all proper precautions for the safety and convenience of the public ; and for the purposes of this Act, from time to time, after three days' notice in writing to the owner in that behalf, to be signed by the Chairman or Secretary of the Company, to enter upon, excavate, trench, possess, and hold, as the property of the Company, the lands of private parties in or near the said town.

Mode of compensa-
ting for land used, &c

VII.—Should any person whose land shall have been so entered upon, excavated, or taken as aforesaid, require compensation for any injury sustained by him by any act of the Company, or their agents or servants, or for any portion of his lands, tenements, or premises, appropriated or used by the Company, it shall be competent for such person to appoint one Arbitrator, and the said Company another, and such two Arbitrators shall appoint a third, and the award of any two of them, signed by them after hearing both parties and their witnesses, as to such compensation, shall be final and binding. Should either party neglect or refuse, upon being required by the other to appoint an Arbitrator, within ten days after being so required, or should the two Arbitrators, when so appointed, not agree to the appointment of a third within ten days after their appointment, it shall be lawful for a Judge of the Supreme Court of this Island, upon the application of either party, to appoint an Arbitrator for the party refusing, omitting or neglecting to make such appointment ; and such Arbitrator, when so appointed, shall have the same power in all respects as if appointed by either party, or by the said two Arbitrators.

Appointment of Ar-
bitrators.

3





ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. XI.

AN ACT to Regulate the Trial of Controverted Elections or Returns of Members to Serve in the House of Assembly.

[Passed 14th May, 1860.]

WHEREAS it is necessary to provide for the speedy and efficient Investigation of Election Petitions: Preamble.

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

I.—That when a Petition complaining of an undue election or return of a Member to serve in the House of Assembly shall be presented to the House, a day and hour shall be appointed by the House for consideration thereof, and the Speaker shall forthwith in writing notify all parties concerned, or their agents, commanding their attendance at the Bar of the House at the time appointed ; and if at such time the Petitioner shall not appear, either personally, or by counsel or agent, the order for taking the Petition into consideration shall be discharged and the Petition shall not be further proceeded in, unless the House, on sufficient cause shewn, shall order otherwise : no such Petition shall be received after thirty days shall have elapsed from the time the Member whose return is complained of shall have taken his seat.

Time to be appointed for consideration of Petition.

Petition not to be received after 30 days from the time the Member whose return is complained of shall have taken his seat.

II.—No proceedings shall be had upon any such Petition, unless a Petitioner shall within ten days after the presentation thereof, or such further time as shall be limited by the House, personally enter into a recognizance

Recognizance to be entered into before proceeding on Petition.

to Her Majesty the Queen, with sureties, in the sum of Two Hundred Pounds, and which recognizance shall be in the form in the Schedule to this Act; and if at the expiration of the said ten days the recognizance shall not have been so entered into, or been received by the Speaker, he shall report the same to the House, and the order for considering the Petition shall be discharged, unless upon matter specially stated and verified on oath before a Justice of the Peace, the House shall enlarge the time for entering into such recognizance; and if enlarged, the order may be postponed, but no petition shall be taken into consideration till after the recognizance shall have been entered into and received by the Speaker.

How recognizance entered into.

III.—The recognizance shall be entered into before the Speaker, or, if taken out of the Electoral District of St. John's, before a Justice of the Peace, and the sureties shall in all cases severally justify before the Speaker or Justice, by affidavit, that they are severally worth double the sum for which they are respectively bound by such recognizance after payment of all their just debts, which affidavit may be dispensed with by the parties.

Lists of objected votes to be handed to the Chairman of Committee before proceeding on Petition.

IV.—In every Controverted Election or Return the parties shall at such time as the Select Committee may appoint therefor, and before proceeding on the Petition, cause to be delivered to the Chairman lists of the votes objected to, or those improperly rejected or omitted, specifying the nature of the objections or grounds against such rejection or omission, and no evidence shall be allowed before such Committee on such lists unless on the grounds therein specified as aforesaid.

House to be called before proceeding on enquiry.

V.—Previously to reading the Order of the Day for considering the Petition, the House shall be called, and if there be less than Twenty Members present, the House shall forthwith adjourn to a particular hour the next day, when they shall proceed in like manner, and so from day to day till there be Twenty Members present at the reading of such order, in which number the Speaker shall not be included.

Twenty Members being present after a call the parties to attend at the Bar, and on withdrawing, names of Eleven Members present to be drawn by ballot.

VI.—If, after a call, Twenty Members be present, the parties, by themselves, their counsel, or agents, shall be ordered to attend at the Bar; the doors of the House shall be locked and no Member shall enter into or depart therefrom until the parties, their counsel, or their agents, shall be directed to withdraw. When the doors are locked, the Order of the Day shall be read, and the names of the Members of the House then present written on distinct pieces of paper, as near as may be of equal size, and rolled up in the same manner, shall be put in equal numbers into two boxes, placed on the table and shaken together; the Clerk or his assistant shall publicly draw out of the said boxes, alternately, the said pieces of paper, and deliver the same to the Speaker, who shall read them to the House, and so continue to do until Eleven names of the Members then present be drawn.

Name of Member drawn—he being interested in the enquiry, to be set aside.

Member drawn when excused.

VII.—If the name of any Member be drawn who shall have voted at the Election complained of, or who shall be a Petitioner complaining of an undue Election, or against whose return a Petition shall be then pending, it shall be set aside; and if the name of a Member of another Election Committee during the same Session be drawn, he may be excused; and the House may also excuse any member from serving if it appear on the oath of such Member, to be taken before the Clerk of the House, to be attended with great detriment to him; and the drawing shall continue until the whole number of Eleven Members be complete, when the Petitioner and sitting Member shall then each name one from among the Members then

present, to be added to those drawn; but either of the Members so named may be set aside or excused for any of the same causes as those drawn, and another shall be nominated by his nominor, and so on until his nominee is admitted.

Mode of drawing and nominating.

VIII.—If, at the time of the drawing, the number of Eleven Members cannot be completed, the House shall proceed in the manner prescribed in Section V. of this Act.

House to proceed as in Section V, in case the drawing of Eleven Members cannot be completed.

IX.—When the drawing shall be completed the door of the House shall be unlocked, and lists of the Eleven Members so drawn shall be given to each party, and they shall immediately retire with the Clerk or his assistant, and each party, his counsel, or agent, beginning on the part of the Petitioners, shall alternately strike off one of the Eleven Members until the number shall be reduced to Five; and the Clerk or assistant, within one hour, at the furthest, from the time of the lists being given, shall deliver into the House the names of the Five Members then remaining with the names of the nominees added thereto; and the said Five Members, with the nominees, shall be sworn at the table, by the Clerk or his assistant, well and truly to try the matters of the Petition referred to them, and true judgment to give according to the evidence, and who, when sworn, shall be a Select Committee to try and determine the merits of the said Return or Election, and shall meet at the time and place to be determined by the House.

Mode of swearing and selecting the members to try the Petition.

X.—When the name of any Member shall be drawn, and either of the parties shall declare that he is intended to be a nominee, and he consent thereto, his name shall be set aside, and unless objected to for any of the causes hereinbefore mentioned, he shall serve as such nominee, and the name of another Member shall be drawn to supply his place; if the parties shall not nominate a Member then present, the name of one or two Members, as the case may require, shall be drawn in like manner, and subject to like objections and excuses as members already drawn, who shall be added to the list, and shall be liable to be struck off in the same manner, leaving always the number of Seven Members for the Select Committee.

Name of Member intended to be a nominee to be set aside.

Nominee to serve.

Party making default to nominate, names of Members to be drawn to fill up the number required for the Committee.

XI.—If, at the time appointed for considering the Petition, the sitting Member shall not appear by himself, or his counsel, or agent, the Committee shall be appointed as follows: the names of Eleven Members shall be drawn in manner hereinbefore prescribed, but, in reducing the lists, the Clerk or Clerk-Assistant shall stand in the place of the sitting Member, and the same method of reducing the number shall be followed whenever a party waives his right of striking off names.

The sitting Member not appearing, how Committee to be appointed.

XII.—The Committee shall, on their meeting, elect by ballot a Chairman from among the Members thereof who shall have been drawn, and in electing a new Chairman, on the death or necessary absence of the Chairman first elected, if the Committee be equally divided, the Member whose name was first drawn in the House shall have the casting vote. No Member of such Committee shall absent himself therefrom without the leave or excuse allowed by the House, or special cause shewn by affidavit. The Committee shall not sit until the Members not having such leave or excuse are met, and if they shall not all meet within one hour after the time to which the Committee shall have been adjourned, a further adjournment shall be made and reported, with the cause thereof, to the House.

Chairman—how elected.

Proceeding in case of Members of Committee absenting themselves.

XIII.—The Chairman at the next meeting of the House shall report the name of any Member absent therefrom, without such leave or excuse, and such Member shall be directed to attend the House at the next sitting thereof, and shall then be delivered into the custody of the Sergeant-at-Arms for such neglect, and otherwise punished or censured at the discretion of the House, unless he shall make it appear to the House, by affidavit, that he was by accident or necessity prevented from attending. If more than two Members of the Committee be absent, they shall adjourn from time to time until five Members are present.

Committee to adjourn in certain cases.

Power of Committee.

XIV.—The Committee may send for persons, papers and records, and shall examine all witnesses on oath, to be administered by the Chairman, and shall determine by a majority whether the Petitioner or sitting Member, or either of them, be duly elected or returned, or whether the Election be void, which determination shall be final; and the House, on being informed thereof by the Chairman, shall order the same to be entered in the Journals, and give the necessary directions for carrying such determination into execution.

Number of Members of Committee reduced below five by death, &c. New Committee formed.

XV.—If the number of Members able to attend the said Committee shall, by death or otherwise, be unavoidably reduced to less than Five, and so continue for the space of six consecutive days, the said Committee shall be dissolved, and another chosen in the manner and for the purposes aforesaid, but the evidence already taken shall be considered by the new Committee.

Interlocutory decision of Committee referred to House.

XVI.—If the said Committee shall come to any other resolution than a final determination, they shall report the same to the House for their opinion, the Chairman informing the House of such determination, and the House may make such order thereon as they deem proper.

Witnesses, &c., to be committed for contempt in certain cases.

XVII.—If any person summoned by the said Committee shall disobey such summons, or if any witness before such Committee shall perjure or otherwise misbehave in giving or refusing to give evidence, the Chairman, by the direction of the Committee, may at any time during the course of their proceedings report the same to the House, who may commit the offender for the contempt during pleasure; and all persons who shall be guilty of wilful and corrupt perjury in any evidence which they shall give before the House, or the said Committee, under the oath to be taken by virtue of this Act, shall, on conviction thereof, suffer the penalties incident thereto.

Committee—how to deliberate on matters submitted.

XVIII.—Whenever the Committee shall deem it necessary to deliberate among themselves upon any question arising in the course of the trial, or upon the determination thereof, or upon any resolution concerning the matter of the Petition, when they shall have heard the evidence and the parties or their counsel relative thereto, the room shall be cleared during deliberation; all such questions, determinations, and resolutions, shall be decided by a majority.

Committee may examine a Petitioner as a Witness.

XIX.—The Committee may examine any person as a witness, although he may have subscribed the Petition to try and determine such Election or Return.

XX.—The Committee, when they report to the House their final determination on the merits of the Petition, shall also report whether the Petition, in their opinion, be frivolous or vexatious; and they shall also report with respect to every party who shall have appeared before them in opposition to such Petition whether, in their opinion, such opposition was frivolous or vexatious, and if no party shall have appeared before them in opposition, they shall then report to the House whether such Election or Return, as the case may be, was, in their opinion, vexatious or corrupt.

Report of Committee on Petition.

XXI.—Whenever the Committee shall report to the House that such Petition, in their opinion, is frivolous or vexatious, the adverse party may recover from the Petitioner full costs, and the expenses which he shall have incurred in opposing the same, which shall be ascertained as hereinafter directed.

Petition reported frivolous or vexatious, the adverse party to recover costs, &c.

XXII.—Whenever the Committee shall report to the House that the opposition to the Petition appeared to them to be frivolous or vexatious, the Petitioner may recover all costs and expenses which he shall have incurred in prosecuting such Petition; the same to be ascertained as hereinafter directed.

Opposition to Petition reported frivolous and vexatious, the party opposing to pay costs, &c.

XXIII.—The expenses of prosecuting or opposing a Petition shall include witnesses' fees, as well as other costs and expenses, and shall be ascertained as follows: The Speaker, on application, shall direct them to be taxed by the Clerk of the House and a Master in Chancery, who shall tax the same, and report the amount to the Speaker, who, on the approval of the House, or such part thereof as the House may allow, shall, on application, deliver to the parties a certificate under his hand expressing the amount of the expenses allowed; and the party entitled to such costs and expenses, or his executor or administrator, may demand the amount so certified from the party liable for the payment thereof, and in case of non-payment, he may recover the same, with costs, in any Court of competent jurisdiction, in which action the Plaintiff may declare that the Defendant is indebted to him in the said amount by virtue of this Act; and the Speaker's certificate of such amount, shall be sufficient evidence in support of such action.

Expense and costs how taxed and recovered.

XXIV.—When the amount of such costs and expenses shall have been so recovered from any person, he may recover, in like manner, from any other persons liable for the payment of the same, a proportionable share thereof, according to the number of persons so liable.

Contribution between parties as to payment of costs.

XXV.—If the Petitioner forfeit his recognizance, the Speaker shall certify such recognizance to the Supreme Court, and the default therein, which shall be conclusive evidence thereof, and the recognizance so certified, shall have the same effect as if the same were estreated from a Court of Law; but such recognizance so certified shall be delivered by the Clerk or Clerk-Assistant of the House to a Judge of the Supreme Court, or such officer thereof as the Court shall appoint to receive the same.

Recognizance forfeited, how put in force.

XXVI.—The Prorogation of the General Assembly, pending the enquiry of the Select Committee, shall not dissolve the said Committee, but they shall be thereby adjourned to twelve of the clock of the day immediately following that on which the Assembly shall again meet for the despatch of business, (Sundays, Good Friday, and Christmas Day, always excepted,) and their former proceedings shall be of the same force as if the House had not been so prorogued.

Committee not to be dissolved by Prorogation of House.

Mode of drawing list when more than one Petition to be tried at same time.

XXVII.—Should there be more than one Petition complaining of undue Election or Return to be considered by the House on the same day, the House may draw and complete in the manner before mentioned another list to form the Committee on the second Petition, according to the Provision of this Act, if not less than Twenty-five Members be present, exclusive of the Speaker.

Monies received under Recognizance to be paid to the Colonial Treasurer.

XXVIII.—All monies which may be recovered and received under any recognizance which may become forfeited under this Act shall be paid into the Colonial Treasury.

SCHEDULE.

Recognizance.

On the day of A. D., 18 , before me D. H., Speaker of the House of Assembly of Newfoundland, (or J. K., Justice for the) came C. D., petitioner, of E. F., of and G. H., of and severally acknowledged to our Sovereign Lady the Queen, as follows: the said C. D. Two Hundred Pounds, and the said E. F. and G. H. One Hundred Pounds each, to be levied on their respective goods and chattels, lands and tenements, to Her Majesty's use, if the said C. D. fail in performing the condition hereunder, which condition is, if the said C. D. shall duly appear before the House of Assembly, at such time as shall be determined by the said House, for taking into consideration the Petition signed by the said C. D. complaining of an undue Election or Return for the District of and shall appear before any Select Committee, which shall be appointed for the trial of the same, or if the said Petition shall be withdrawn by permission of the House; and shall also well and truly pay all expenses which shall be due and payable from the said Petitioner to any witness who shall be summoned to give evidence in his behalf; and if the said C. D. shall also well and truly pay all costs and expenses of the party opposing such Petition, if the said Petitioner shall fail to appear before the House at the time fixed for taking such Petition into consideration; or if the Select Committee appointed by the House to try the matter of the said Petition, shall report to the House that the said Petition appears to them to be frivolous or vexatious, then this recognizance shall be void, otherwise of force.

D. H., Speaker, or
J. K., J. Peace.



ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. XII.

An ACT to Authorize the Erection of a Poor Asylum in the Town of St. John's, and the raising by loan of a Sum of Money for that purpose, and for the completion of the Penitentiary.

[Passed 14th May, 1860.]

WHEREAS it is expedient to build an Asylum in St. John's Preamble.
for destitute and disabled persons, and also to complete the Penitentiary, and that for such purpose a loan of Money be raised on the credit of the Colony :

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

I.—The Receiver General of this Colony shall be, and is hereby authorized to raise by loan from such parties, or bodies corporate or politic, as will advance the same, a sum not exceeding Five Thousand Pounds, that is to say: Three Thousand Six Hundred and Thirty-nine Pounds for erection of a Poor Asylum, drainage, &c., and One Thousand Three Hundred and Sixty-one Pounds for the completion of the Receiver General authorized to raise by loan £5000 for purposes of this Act.

Penitentiary, in such amounts, and at such times, as the Governor in Council may require the same, chargeable upon and to be repaid out of the public funds of this Colony, together with interest not exceeding the rate of five per cent. per annum thereon. Such sum of money, if required, shall be applied by the Governor in Council towards the erection of an Asylum in St. John's for destitute and disabled persons, and towards the completion of the Penitentiary, and which sums of money, when so raised by loan for such purposes, the Receiver General is hereby authorized to add to the Consolidated Debt of this Colony.

Mode of raising loan.

II.—The said loan shall be raised by public advertisements for tenders thereof, and the interest on the money loaned shall be paid half-yearly on the last days of June and December in each year.

Debentures.

III.—The Receiver General shall be and is hereby authorized to issue to the parties or bodies corporate or politic, respectively, advancing such monies for the purpose of this Act, one or more Debenture or Debentures in the form and to the effect set forth in the Schedule annexed to this Act; which Debentures shall not be issued for sums less than Fifty Pounds respectively, and shall express therein the rate of interest agreed to be paid, and the day of the month and year in which they shall be issued; and shall be numbered consecutively, and shall be signed by the Receiver General and countersigned by the Colonial Secretary, and shall be assignable and transferable by endorsement thereof.

How payable.

IV.—Such Debentures so to be issued under this Act shall be payable at par, at any time after the Government of this Colony shall give twelve months' public notice in the Royal Gazette of their intention to pay off and redeem the same and that the interest on such Debentures as shall be called in shall cease at the times specified in the said notice for redemption thereof.

No.	SCHEDULE.	£	Stg.
Newfoundland.	Debenture.	Consolidated Stock.	

Form of Debentures.

I, the Receiver General of this Colony, do hereby certify and declare that by virtue of an Act passed in the twenty-third year of the reign of Her Majesty Queen Victoria, entitled "An Act to Authorise the Erection of a Poor Asylum in the Town of St. John's, and the raising by loan of a Sum of Money for that purpose, and for the Completion of the Penitentiary," I have borrowed and received by way of loan from _____ the sum of _____ pounds sterling, equal to _____ pounds currency, bearing interest from the date hereof at the rate of five per centum per annum, which interest is payable half-yearly on the last days of June and December in each year; and I do further certify that the said princi-

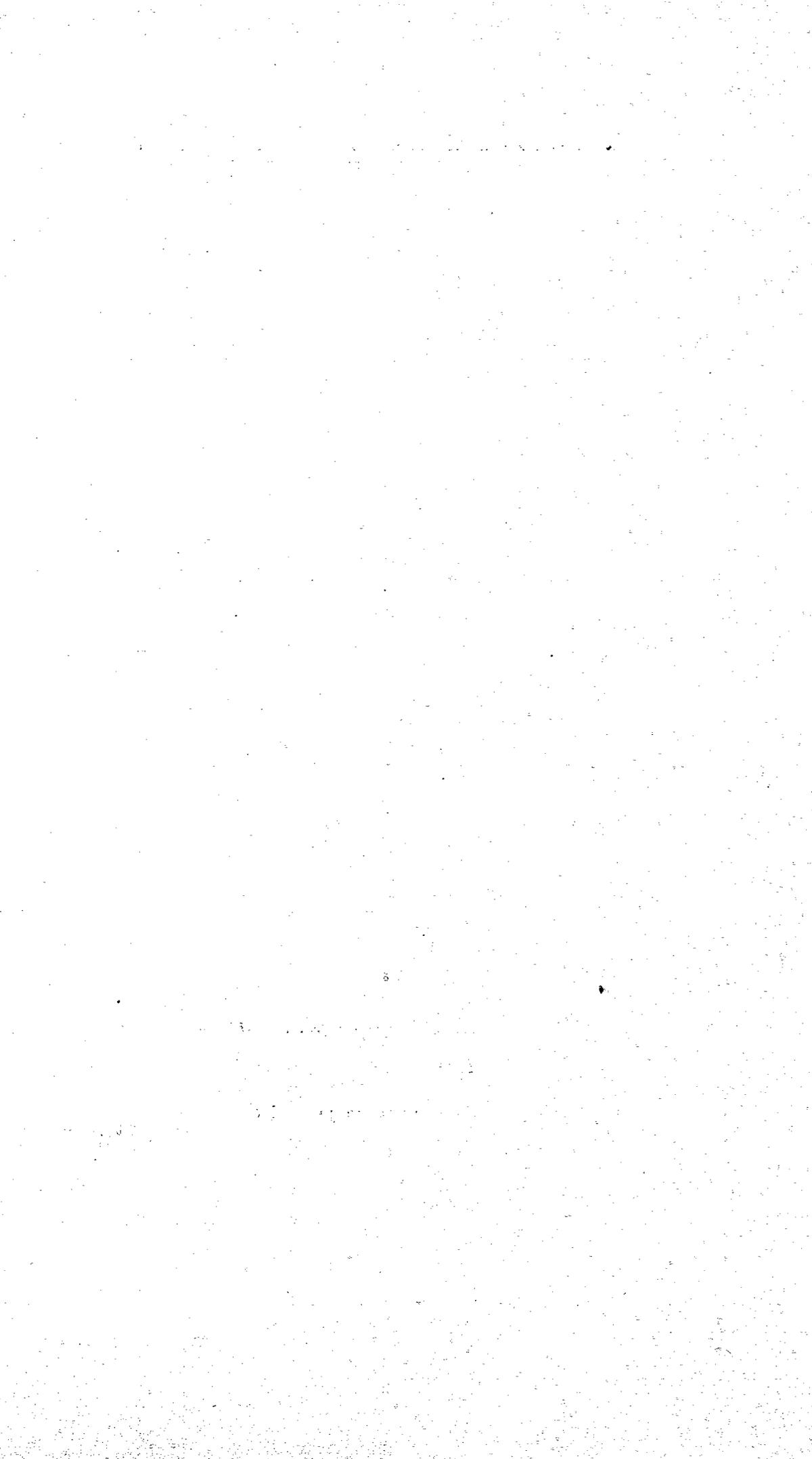
pal, money and interest will be paid and payable to the said (tenderer's name) or his assigns or indorsees, on the production of this Debenture at my office, in St. John's, at such time as shall be stated in a twelve months' notice to be inserted by the Government in the Royal Gazette of this Colony of their intention to pay off the same.

Given under my hand at St. John's, Newfoundland, the
day of in the year of our Lord One Thousand Eight
Hundred and Sixty.

Receiver General,

Countersigned,

Colonial Secretary,





ANNO VICESIMO-TERTIO

VICTORIÆ REGINÆ.

CAP. XIII.

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

[Passed 14th May, 1860.]

MAY IT PLEASE YOUR MAJESTY :—

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

Preamble.

Be it enacted, by the Governor, Legislative Council, and Assembly, in Session convened : That from and out of such monies as shall from time to time remain in the hands of the Receiver General, and unappropriated, there be granted to Your Majesty, Your Heirs and Successors, the sum of Thirty-seven Thousand and Twelve Pounds Ten Shillings, which Sum of

£37,012 10s. appropriated for purposes of Act.

	Money shall be applied in payment of the following charges for the year commencing on the first day of January, one thousand eight hundred and sixty, and ending on the thirty-first day of December in the same year : that is to say :—
Salaries.	
Private Secretary.	The Private Secretary of the Governor, two hundred pounds.
	The First Clerk in the Colonial Secretary's Office, two hundred pounds.
First and Second Clerk in Secretary's Office.	The Second Clerk in the Colonial Secretary's office, one hundred pounds.
Clerk Receiver General's Office.	The Clerk in the Receiver General's Office, two hundred pounds.
Clerk Financial Secretary's Office.	The Clerk in the Financial Secretary's Office, one hundred pounds.
Civil Engineer Surveyor General's Office.	The Civil Engineer in the Surveyor General's Office, one hundred and fifty pounds.
Superintendent Public Buildings	The Superintendent of Public Buildings, one hundred and fifty pounds.
Keeper Colonial Building.	The Keeper of the Colonial Building, sixty pounds.
Office Keeper Secretary's Office.	The Office Keeper of the Colonial Secretary's Office, sixty pounds.
Messenger Secretary's Office.	The Messenger of the Colonial Secretary's Office, sixty pounds.
Keeper Half-way House.	The Keeper of the Half-way House, Salmonier, thirty five pounds.
Gate Keeper Government House.	The Gate Keeper at Government House Lodge, and Preserver of the Grounds about the same, sixty pounds.
Chief Clerk and Registrar Supreme Court.	The Chief Clerk and Registrar of the Supreme Court and Central Circuit Court, three hundred and fifty pounds, and twenty pounds for the purchase of Printed Forms. Eighty pounds to defray the Salary of a Clerk in the Office of the Chief Clerk and Registrar of the Supreme Court and Central Circuit Court: Provided that all Fees and Perquisites received, or that shall be received in or by virtue of the said Office, or in any way connected therewith, shall be accounted for and paid over half-yearly to the Receiver General.
Chief Clerk and Registrar Northern Circuit Court.	The Chief Clerk and Registrar of the Northern Circuit Court, two hundred pounds.
Chief Clerk and Registrar Southern Circuit Court.	The Chief Clerk and Registrar of the Southern Circuit Court, two hundred pounds.
Sheriff's Bailiff.	The Sheriff's Bailiff in the Central District, fifty pounds.
Crier and Tipstaff St. John's.	The Crier and Tip-staff of the Supreme Court at St. John's, sixty pounds.
Crier and Tipstaff Harbor Grace.	The Crier and Tip-staff of the Northern Circuit Court at Harbor Grace, twenty pounds.
Crown Prosecutions.	The sum of three hundred pounds to defray the Expenses of Crown Prosecutions.
Coroners.	The sum of two hundred pounds to defray the Expenses of Coroners.
Expenses Circuit Court.	The sum of six hundred pounds towards defraying the Expenses of Judges and Officers on Circuit, and of Crown Prosecutions thereon ; which sum of

money includes table money and means of conveyance, and for payment of rent of any Court Rooms where Court Houses may not be erected : Provided that Passages shall be allowed and provided on board of each vessel engaged by the Government, proceeding on the respective Circuits, to such members of the Bar as may desire to proceed thereon : Provided further, that the amount of table money and travelling expenses hereinbefore provided for the said Judges and Officers of Court, on Circuit, shall be apportioned for the said Judges and Officers respectively by the Governor in Council : And provided further, that should the Governor in Council be of opinion that the said respective Judges and Officers can proceed on Circuit by land, the said sum of six hundred pounds shall be reduced to five hundred pounds.

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

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

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

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

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

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

The Turn-key of Gaol at St. John's, forty-four pounds. Turn-key, St. John's.

The Assistants, eighty-five pounds. Assistants.

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

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

The sum of Two Thousand and Sixty Pounds to defray the salaries of the undermentioned Outport Magistrates, as follows : Outport Magistrates.

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

A Magistrate at Harbor Grace, two hundred pounds.

A Magistrate at Carbonear, one hundred and fifty pounds.

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

A Magistrate at Trinity, one hundred and fifty pounds.

A Magistrate at Bonavista, one hundred and fifty pounds.

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

A Magistrate at Bay Bulls, one hundred pounds.

A Magistrate at Ferryland, one hundred and fifty pounds.

A Magistrate at Placentia, one hundred and thirty pounds.

A Magistrate at Burin, one hundred and fifty pounds.

A Magistrate at Grand Bank, one hundred and thirty pounds.

A Magistrate at Harbor Breton, one hundred pounds.

A Magistrate at St. Mary's, fifty pounds.

A Magistrate at Lamaline, one hundred and fifty pounds.

Outport Clerks of the Peace.

The sum of five hundred and seventy-five pounds towards defraying the Salaries of the undermentioned Outport Clerks of the Peace, as follows :

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

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

Outport Constables.

The sum of fourteen hundred and nine pounds towards defraying the Salaries of the undermentioned Outport Constables, as follows :

- One Constable at Petty Harbor, twenty pounds.
- One Constable at Torbay, twenty pounds.
- One Constable at Portugal Cove, twenty pounds.
- One Constable at South Shore, twelve pounds.
- One Constable at Harbor Main, twenty pounds.
- One Constable Cat's Cove, twenty pounds.
- Three Constables at Brigus and Port-de Grave, seventy pounds.
- One Constable at Bay Roberts, twenty-five pounds.
- Seven Constables at Harbor Grace, three hundred and fifty-five pounds : that is to say, one Constable at eighty pounds, five Constables at fifty pounds, and one Constable at twenty-five pounds.
- Four Constables at Carbonear, one hundred and forty pounds.
- One Constable at Bay-de-Verd, twelve pounds.
- One Constable at Upper Island Cove, twelve pounds.
- One Constable at Western Bay, twelve pounds.
- One Constable at Heart's Content, twelve pounds.
- One Constable at Hant's Harbor, twelve pounds.
- One Constable at Perlican, twenty pounds.
- One Constable at New Harbor, twelve pounds.
- Two Constables at Trinity, thirty-seven pounds.
- One Constable at Catalina, twenty-five pounds.
- One Constable at Bonavista, twenty-five pounds.
- One Constable at Tickle Cove, twelve pounds.
- One Constable at King's Cove, twenty pounds.
- One Constable at Salvage, twelve pounds.
- One Constable at Greenspond, twenty-five pounds.
- Three Constables at Twillingate and Fogo, forty-nine pounds.
- One Constable at Exploits Bay, twelve pounds.
- One Constable at Bay Bulls, twenty-five pounds.
- One Constable at Witless Bay, twelve pounds.
- One Constable at Toad's Cove, twelve pounds.

- One Constable at Brigus South, twelve pounds.
 One Constable at Cape Broyle, twelve pounds.
 One Constable at Caplin Bay, twelve pounds.
 One Constable at Ferryland, twenty-five pounds.
 One Constable at Aquafort, twelve pounds.
 One Constable at Fermeuse, twelve pounds.
 One Constable at Renewes, twelve pounds.
 One Constable at St. Mary's, twenty-five pounds.
 One Constable at Placentia, twenty-five pounds.
 One Constable at Little Placentia, twenty pounds.
 One Constable at Oderin, twelve pounds.
 One Constable at Merasheen, twelve pounds.
 One Constable at Burin, twenty-five pounds.
 One Constable at St. Lawrence, twelve pounds.
 One Constable at Lamaline, twelve pounds.
 One Constable at Grand Bank, twelve pounds.
 One Constable at Jersey Harbor, twelve pounds.
 One Constable at Harbor Breton, twenty-five pounds.
 One Constable at Hermitage Bay, twelve pounds.
 One Constable at Burgeo Islands, twelve pounds.
 One Constable at Spaniard's Bay, twelve pounds.
 One Constable at Channel, twelve pounds.
 One Constable at Bird Island Cove, twelve pounds.

Outport Constables—
 (continued.)

The sum of two hundred and forty pounds towards defraying the Salaries of the undermentioned Outport Gaolers, as follows :

Outport Gaolers.

A Gaoler at Harbor Grace, ninety pounds : Provided that all Fees of Office received by him shall be accounted for and paid over to the Receiver General.

- A Gaoler for Brigus and Port-de-Grave, ten pounds.
 A Gaoler at Trinity, twenty-five pounds.
 A Gaoler at Bonavista, twenty pounds.
 A Gaoler at Twillingate and Fogo, twenty pounds.
 A Gaoler at Ferryland, twenty-five pounds.
 A Gaoler at Placentia, twenty-five pounds.
 A Gaoler at Burin, twenty-five pounds.

The sum of three hundred and sixty-seven pounds towards defraying the Salaries of the undermentioned Ferrymen, as follows :

- A Ferryman at Great Placentia, thirty pounds.

Ferryman, continued.	A Ferryman at Salmonier, twenty-five pounds.
	A Ferryman at Portugal Cove, twenty-five pounds.
	A Ferryman at Trinity, thirty pounds.
	A Ferryman between Harbor Grace and Thomas Fitzgerald's, on the South side of the Harbor, thirty pounds.
	A Ferryman at Little St. Laurence, ten pounds.
	Ferryman for two Ferries between Burin to Mud Cove, twenty-five pounds.
	A Ferryman at Holyrood, thirty pounds : that is to say, for a boat to be stationed near Crawley's, on the South side, and a boat near Haley's on the North side of the Harbor, fifteen pounds each.
	A Ferryman at Aquafort, fifteen pounds.
	Ferryman for two Ferries at Mortier Bay, twenty-five pounds.
	A Ferryman at Colinet, twenty-five pounds.
	A Ferryman between Topsail and Belle Isle twenty-five pounds.
	A Ferryman at Mall Bay, twelve pounds.
	A Ferryman between King's Cove and Upper Amherst Cove, in Bonavista Bay, twenty-five pounds.
	A Ferryman between the East and West sides Connaigre Bay, in the District of Fortune Bay, twenty-five pounds.
	A Ferryman in Deadman's Bay, in the District of Twillingate and Fogo, ten pounds.
District Surgeon, St. John's.	The District Surgeons for St. John's, two hundred pounds, including provision for Medicines.
Gaol Surgeon, St. John's.	The Gaol Surgeon for St. John's, forty pounds.
Gaol Surgeon, Conception Bay.	The Gaol Surgeon for Conception Bay, thirty pounds.
District Surgeon for Conception Bay.	The District Surgeon for Conception Bay, one hundred pounds.
Physician Lunatic Asylum.	The Physician of the Lunatic Asylum, three hundred pounds.
Medical attendance St. John's Hospital.	For Medical attendance at St. John's Hospital, two hundred and fifty pounds.
Permanent and Casual Poor.	The sum of seven thousand two hundred and fifty pounds towards the Relief of the Permanent and Casual Poor in St. John's and the Outports.
Lunatic Paupers and Servants.	The sum of three thousand pounds towards defraying the Expenses of Lunatic Paupers and Servants at the Lunatic Asylum.
Paupers and Servants St. John's Hospital.	The sum of one thousand seven hundred pounds towards defraying the Expenses of Paupers and Servants in the St. John's Hospital.
Repairs Colonial Building.	The sum of one hundred pounds towards defraying the Expenses of Repairs on the Colonial Building.

The sum of two hundred pounds towards defraying the Expenses of Fuel and Light for the Colonial Building.	Fuel and Light Colonial Building.
The sum of one hundred pounds for Fuel and Light for the Custom House in St. John's.	Fuel and Light Custom House.
The sum of five hundred and forty pounds to defray Expense of Repairs of Lunatic Asylum.	Repairs of Lunatic Asylum.
The sum of four hundred pounds for completing new Building of the St. John's Hospital and the repairs thereof.	Completing New Building St. John's Hospital.
The sum of four hundred and thirty pounds to liquidate outstanding claims on Penitentiary Contracts.	Claims on Penitentiary Contracts.
To defray the Expenses of repairing the Court House in St. John's, five hundred pounds.	Repairing Court House St. John's.
Four hundred pounds in repairing Outport Court Houses and Gaols.	Repairing Outport Court Houses and Gaols.
The sum of one thousand pounds towards defraying the ordinary Expenses of Court Houses and Gaols in this Colony.	Ordinary Expenses Court Houses and Gaols.
The sum of one hundred pounds towards defraying the Expenses of Postages and other Incidentals.	Postages, &c.
The sum of one thousand pounds for Printing and Stationery.	Printing and Stationery.
The sum of three hundred pounds towards defraying the Expenses of insuring Public Buildings.	Insuring Public Buildings.
The sum of one hundred and fifty pounds towards defraying the Expenses of carrying Crown Lands Act into operation.	Crown Lands Act.
The sum of two hundred pounds for Fuel and Light for Government House.	Fuel and Light Government House.
The sum of five hundred pounds to defray unforeseen Contingencies.	Unforeseen Contingencies.
The sum of thirty-six pounds and ten shillings towards defraying the Expenses of men stationed at Fort Amherst.	Fort Amherst.
The sum of fifty pounds towards defraying the payment of Duties on Wines imported or purchased for the use of the Military.	Duties on Wines for Military.
The sum of two hundred and twenty-six pounds towards defraying the Expenses of Lighting St. John's with Gas : Provided that the Inspector of Police at St. John's, shall report, at the end of each quarter, that the lamps have been efficiently lighted.	Gas, St. John's.
The sum of seventy-five pounds to the Harbor Grace Gas Light Company, for lighting the town of Harbor Grace : Provided that the Chief Constable at Harbor Grace shall report, at the end of each quarter, that the lamps have been efficiently lighted.	Gas, Harbor Grace.
The sum of one hundred pounds to St. John's Water Company.	Water Company, St. John's.
The sum of two hundred pounds to defray the Expenses of Shipwrecked Crews.	Expenses Shipwrecked Crews.

- Dorcas Society
St. John's. The sum of fifty pounds towards the support of the Dorcas Society in St. John's.
- Dorcas Society
Harbor Grace. The sum of twenty-five pounds towards the support of the Dorcas Society in Harbor Grace.
- Dorcas Society
Carbonear. The sum of twenty-five pounds towards the support of the Dorcas Society in Carbonear.
- Mechanics' Institute. The sum of fifty pounds towards defraying the Expenses of the Mechanics' Institute in St. John's.
- Factory. The sum of one hundred pounds towards the employment of the Poor in the Factory in St. John's.
- Orphan Asylum. The sum of fifty pounds towards the support of Industrial Department of the Orphan Asylum School in St. John's.
- Agricultural Society. The sum of two hundred and fifty pounds towards the support of the Agricultural Society in St. John's, to be expended as follows:—The sum of one hundred and fifty pounds in the purchase of seeds, and of cattle to improve the breed, in and for such Outport Electoral Districts as may require the same; and the remaining sum of one hundred pounds to be expended for the like purpose in St. John's.
- Robert Smith. The sum of ten pounds to Robert Smith, Constable at Greenspond.
- Patrick Burke. The sum of ten pounds to Patrick Burke of St. John's.
- Phoenix Fire Com-
pany. The sum of one hundred pounds to the Phoenix Volunteer Fire Engine Company at St. John's.
- Cathedral Fire
Brigade. The sum of two hundred and thirty pounds, including arrears of one hundred and thirty pounds, to the Cathedral Fire Brigade.
- Pumps and Tanks. The sum of three hundred and fifty pounds towards defraying the expenses of constructing Pumps and Water-tanks; one hundred and fifty pounds thereof to be expended in the town of St. John's under the direction of the Surveyor General, and the remaining sum of two hundred pounds to be expended in the Outports of the Colony.
- Roads and Bridges. The sum of three hundred and fifty pounds towards the general repairs of Roads and Bridges in this Colony.
- Reading Room St.
John's. The sum of twenty-five pounds towards the support of a Reading Room in St. John's.
- Almanack. The sum of twenty-five pounds to Joseph Woods for publishing an Almanack for 1860, in St. John's.
- Town Clock. The sum of fifteen pounds towards defraying the expenses of repairing and cleaning the Town Clock, in St. John's.
- Grammar School
Carbonear. The sum of one hundred pounds for repairs on Carbonear Grammar School.
- Fisheries. The sum of one thousand pounds towards the protection of the Fisheries at Cape John and Belle Isle, on the Coast of this Island.

The sum of six hundred and fifty pounds towards the support of a Steam, Conception Bay: suitable and efficient Steamer; to ply for one year between the North and South sides of Conception Bay, three days in each week; from April to January, and once in each week during the winter months, when navigation will permit; for which weekly trips the owner shall be entitled to receive ten pounds each extra, on the certificate of the Post Master General or the Stipendiary Magistrate of Harbor Grace; to the faithful performance of the service: Provided the amount to be paid for such winter trips shall not exceed one hundred pounds. Provided always, that the said Steamboat employed in the said service shall be inspected every quarter, or oftener, if deemed necessary, by competent persons to be appointed by the Governor in Council; that a written report of such inspection and survey shall thereupon be forthwith made to the Governor as to her condition and efficiency in every respect, and the competency of the Engineer to perform the said service at all times. Provided further, that the said Steamboat shall, during such service, be provided with two good boats, and that the said Steamboat shall, during the performance of such service, sail punctually at her appointed times of sailing: Provided, that if the Government, before the expiry of one year, as aforesaid, enter into another contract for a more improved conveyance, the Steamer to be contracted for by means of this vote shall be paid rateably for the time engaged in the service.

The sum of one hundred and five pounds to defray expenses of Commissioners investigating Election Riots at Harbor Grace. Election Riots Harbor Grace.

The sum of forty pounds to Mrs. Chauncey, widow of the late Lionel F. R. Chauncey, as a pension. Widow Lionel T. R. Chauncey.

The sum of one hundred pounds to pay arrears due on law reporting: Law Reporting.

The sum of one hundred pounds to defray expenses of reporting proceedings of the Superior Courts of Law; the said sum to be expended in such manner, and subject to such regulations, as may be prescribed by the Benchers of the Law Society. Law Reports.

The sum of forty pounds to C. F. Bennett, on account of expenses incurred in importing two Herring Curers to this Colony. C. F. Bennett.

That the sum of three thousand pounds be appropriated and expended to defray the expenses of the Postal Service of this Colony, to be expended under and by virtue of the provisions of the Act passed in the nineteenth year of the reign of Her Majesty, entitled "An Act to Regulate the Inland Posts of this Colony." Provided always, that out of the said sum there shall be expended the sum of twenty pounds towards defraying the expenses of conveying Newspapers and printed papers to and from this Colony, subject to certain rules and regulations made or to be adopted in relation thereto by the Governor in Council. Postal Service.

II.—And whereas it is necessary to indemnify His Excellency the Governor for the sums of money advanced by him from the Colonial Treasury for the public service, as hereinafter declared: Indemnity to His Excellency the Governor:

Be it therefore enacted by the authority aforesaid, that from and out of such monies as may from time to time remain in the hands of the Receiver General, and unappropriated, there be granted to Her Majesty, her Heirs and Successors, the sum of Five Thousand Five Hundred and Seventy-four Pounds Nine Shillings and Eight Pence, to be appropriated as follows, that £5574 9s. 8d.

is to say :—Towards indemnifying His Excellency the Governor for the said sum advanced by him out of the Colonial Treasury, partly on his own responsibility, and partly with the concurrence of the Council, and expended for the public service, as follows, that is to say :—

Civil and Criminal Prosecutions.	One hundred and eighteen pounds three shillings and seven pence, expended on account of Civil and Criminal Prosecutions.
Circuit Courts.	Seventy pounds seven shillings and eight pence, paid on account of Circuit Courts.
Coroners.	Fifty-eight pounds eight shillings and three pence, paid Coroners.
Court Houses and Gaols.	One hundred and fifteen pounds twelve shillings and one penny, expended on account of ordinary expenses of Court Houses and Gaols.
Fisheries.	One hundred and sixty-seven pounds three shillings and four pence expended on account of the Fisheries.
Public Buildings.	Sixty-three pounds ten shillings and one penny, paid for Insurance of Public Buildings.
Lunatic Paupers.	Five hundred and seventeen pounds eleven shillings and ten pence, paid for Lunatic Paupers.
Printing and Stationery.	Three hundred and thirty-seven pounds two shillings and nine pence, paid for Printing and Stationery.
Relief of the Poor.	Two thousand four hundred and thirty-four pounds two shillings and four pence, expended in the Relief of the Poor.
Postal Department.	Three hundred and sixty-three pounds sixteen shillings and ten pence, expended on account of the Postal Department.
Elections.	One hundred and three pounds one shilling and four pence, expended on account of Elections.
Shipwrecked Crews.	Three hundred pounds six shillings and four pence, expended on account of Shipwrecked Crews.
Legislative Library.	Three pounds three shillings and eleven pence, expended for Legislative Library.
Direct Steam.	Three hundred and forty-seven pounds eighteen shillings and ten pence, expended for direct Steam Communication.
Grist Mill Harbor Grace.	Seventeen shillings and four pence, expended on account of Grist Mill at Harbor Grace.
Police Clothing.	Twenty-four pounds nine shillings and eight pence, paid for Police Clothing.
Italian Seamen.	Ten pounds and two shillings, paid for passages of Italian seamen to New York.
Provisions for St. George's Bay.	One hundred and sixty-eight pounds eighteen shillings and sixpence, paid for provisions from Halifax to St. George's Bay.
William Witham.	Two hundred and five pounds ten shillings and nine pence, paid Executors of the late William Witham.

Thirty-five pounds eight shillings and nine pence, paid on account of ^{Block House.}
new Block House.

One hundred and twenty-eight pounds thirteen shillings and six-pence, ^{Lock-up.}
paid for Lock-up.

III.—The monies hereinbefore granted shall be paid by the Receiver ^{Monies to be paid by}
General in discharge of such Warrants as may from time to time be drawn ^{Warrant drawn by}
by the Governor for the purposes of this Act; and it shall not be lawful for ^{the Governor.}
the Receiver General to pay any monies out of the Colonial Treasury other
than such as are granted by this Act, or some other Act of the Legislature:
Provided that any sums of money advanced by the Government of this
Colony, on account of any of the foregoing appropriations, shall be
deducted therefrom.

Ex. J. 16.
5/29/08