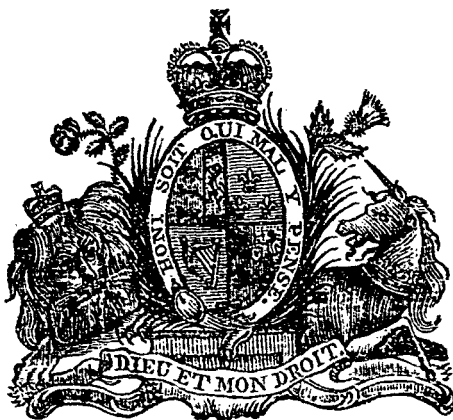


The Editors

A C T S
OF THE
GENERAL ASSEMBLY,
OF
HIS MAJESTY'S PROVINCE
OF
NEW-BRUNSWICK;

PASSED IN THE YEAR 1812.



SAINT JOHN:
PRINTED BY JACOB S. MOTT, PRINTER TO THE KING'S MOST
EXCELLENT MAJESTY, AT THE SIGN OF THE BIBLE AND
CROWN, PRINCE WILLIAM-STREET.
1812.

Dec. Aug. 14, 1906.

ANNO REGNI
GEORGI III.
BRITANNIARUM REGIS,
QUINQUAGESIMO SECUNDO.

AT the GENERAL ASSEMBLY of the Province of NEW-BRUNSWICK, begun and holden at FREDERICTON, on the *twenty-seventh* day of JANUARY, *Anno Domini*, 1810, in the fiftieth year of the Reign of our said Sovereign Lord GEORGE the THIRD, by the Grace of GOD, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. and from thence continued by several Prorogations, to TUESDAY the *first* day of FEBRUARY, 1812; being the Second Session of the Fifth General Assembly convened in the said Province.

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L A W S

OF THE

PROVINCE OF NEW-BRUNSWICK.

CAP. I.

An ACT to continue and amend the Act for raising a Revenue in this Province, and the Act in amendment thereof. Passed the 21st February, 1812.

WHEREAS an Act made and passed in the fiftieth year of His present MAJESTY'S Reign; to continue and amend an Act made and passed in the forty-seventh year of the same Reign, intituled "An Act for raising a Revenue in this Province," will expire on the first day of April next, and whereas it is expedient further to continue the same. Preamble:

I. *Be it therefore enacted by the President, Council and Assembly,* That the same Acts be, and the same are hereby further continued, as herein after amended, and declared to be in full force until the first day of April, which will be in the year of our Lord one thousand eight hundred and fourteen. Continued to 1st of April, 1814.

II. *And be it further enacted,* That the Bonds hereafter to be taken by the Treasurer and his deputies, to secure the payment of the duties arising under the said Act for raising a Revenue in this Province, shall be taken in the name of the King's MAJESTY, and payable to His said MAJESTY, his Heirs and Successors, and not in the name of the Treasurer, as provided in and by the same Act, and that the said Bonds be respectively conditioned for the payment of the monies thereby secured as in the said Act is provided. Bonds to be taken to the King, instead of the Treasurer.

CAP. II.

An ACT to amend an Act, intituled "An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery, and Fornication." Passed the 21st of Feb. 1812.

WHEREAS in and by an Act made and passed in the thirty-first year of His MAJESTY'S Reign, intituled "An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery, and Fornication;" it is provided and enacted, that in case there shall be no Parson, Vicar, Curate or other Person in Holy Orders of the Church of England, in any Town or Parish in this Province, Preamble.

in which any Persons of lawful age and capacity, shall intend to make a contract of marriage, it shall and may be lawful for any of His MAJESTY'S Justices of the Peace, being of the Quorum, in the County where such Persons respectively reside, to solemnize and take the acknowledgement of marriage between such parties, in the manner and form directed and prescribed in and by the said Act, first giving such notification of such Banns of Matrimony as is directed in and by the same Act; And whereas by His MAJESTY'S Letters Patent, or Royal Charter, granted, made and passed under the Great Seal of this Province, to the Mayor, Aldermen and Commonalty of the City of Saint John, ratified and confirmed by an Act of the General Assembly, made and passed in the twenty-sixth year of His MAJESTY'S Reign, it was among other things granted to the said Mayor, Aldermen and Commonalty of the said City, and to their Successors forever, that the Mayor, Recorder and Aldermen of the said City, for the time being, should be at all times for ever thereafter Justices, and each of them a Justice of the Peace within the City and County of Saint John, and that they the said Mayor, Recorder and Aldermen of the said City, for the time being, and such other Person and Persons as His MAJESTY, his Heirs and Successors should from time to time assign to be Justice and Justices of the Peace, within the said City and County of Saint John, whereof the said Mayor, Recorder, or any one of the Aldermen of the said City, for the time being, should be one, should and might forever thereafter hold and keep four Courts of General Quarter Sessions of the Peace, in and for the said City and County, in every year. And whereas great inconveniencies have arisen from the want of some Person or Persons duly authorised to solemnize and take the acknowledgement of marriage between such parties as aforesaid, intending to make a contract of marriage in the several Parishes, in the said County of Saint John, distinct from the said City, in which there is not any Parson, Vicar, Curate or other Person in Holy Orders of the Church of England, by reason that no Persons other than the said Mayor, Recorder and Aldermen of the said City can, consistently with the said Royal Charter ratified and confirmed as aforesaid, be appointed Justices of the Quorum in the said County: For remedy whereof.

Justices in the City and County of Saint John, not being of the Quorum may solemnize marriage.

I. Be it enacted by the President, Council, and Assembly, That from and after the passing of this Act, it shall and may be lawful for His MAJESTY'S Justices of the Peace, for the said City and County of Saint John, not being of the Quorum, severally and respectively to solemnize and take the acknowledgement of marriage, in all cases where any Justice of the Peace, being of the Quorum, may solemnize and take the same by virtue of the said first herein before in part recited Act, in manner and form as prescribed by the same Act, to such Justice of the Peace being of the Quorum, and such Justice of the Peace shall have the like power and authority in every respect as any Justice of the Peace, being of the Quorum, can or may have under and by virtue of the same Act,

Act, any thing in the same Act contained to the contrary thereof in any wise notwithstanding.

II. *And be it further enacted*, That such Justices of the Peace as aforesaid, as shall solemnize and take the acknowledgement of any marriage under and by virtue of this Act, shall be respectively subject and liable to the same rules, regulations, penalties, and forfeitures, in every respect, and to all intents and purposes as Justices of the Peace, being of the Quorum, are subject and liable to under and by virtue of the said first herein before recited Act, any thing in the same Act contained, to the contrary thereof in any wise notwithstanding.

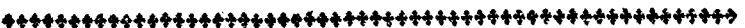
III. *And be it further enacted*, That the said first herein before recited Act, and every clause, matter, and thing therein contained, not altered and amended by this Act, shall be and remain in full force, any thing in this Act contained, to the contrary thereof in any wise notwithstanding.



CAP. III.

An ACT to continue for a limited time an Act, intituled "An Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, within the several Towns and Parishes in this Province." Passed the 21st of Feb. 1812.

I. *BE it enacted by the President, Council, and Assembly*, That an Act made and passed in the fiftieth year of His Majesty's Reign, intituled "An Act for regulating, laying out, and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways, within the several Towns and Parishes in this Province," be continued, and the same is hereby continued and declared to be in full force for the term of two years and no longer.



CAP. IV.

An ACT to repeal an Act passed in the thirty-first year of His Majesty's Reign, intituled "An Act for fixing permanently the boundary lines between the different Grants in this Province." Passed the 21st of February, 1812.

WHEREAS the Provisions made by an Act passed in the thirty-first year of His Majesty's Reign, intituled "An Act for fixing permanently the boundary lines between the different Grants in this Province," have been found ineffectual for the purposes intended; by reason of the increasing variations of the magnetic needle from the true meridian, which

Preamble.

which are different in different places, and in the same places at different times, so that the course or direction of any line now to be run by the needle would differ widely from what it would have been had the same nominal course been so run, at or soon after the time of the passing of the said Act.

Act 31, G. 3, c. 8, repealed.

I. *Be it therefore enacted by the President, Council, and Assembly,* That the said Act for fixing permanently the boundary lines between the different Grants in this Province, be, and the same is hereby repealed.

Proceedings under the repealed Act confirmed.

II. *Provided always,* That nothing in this Act contained, shall extend, or be construed to extend to invalidate or any wise effect any proceedings already had in any part of this Province under and by virtue of the said herein before recited Act, but that such proceedings shall be and remain in the same force as if this present Act had not been passed.

The lines of certain Grants in the County of Charlotte, to be ascertained by reference to the true meridian,

III. *And whereas,* in certain Grants of Land in the County of Charlotte, passed under the Seal of the Province of Nova-Scotia, the courses of the boundary lines have by mistake been specified as lines to be run by the magnetic needle, be it further enacted, that in the said Grants the courses of the boundary lines shall be ascertained by reference to the true meridian, as represented on the plans thereto annexed.



CAP. V.

An ACT to appropriate a sum of money as an aid to His Majesty in the defence of the Province. Passed the 7th of March, 1812.

MAY IT PLEASE YOUR HONOR!

PREAMBLE. **WE** His MAJESTY's dutiful and loyal Subjects the Representatives of the Commons of His MAJESTY's Province of New-Brunswick, in General Assembly convened, taking into serious consideration the danger with which we are threatened by the Government of the United States of America; and relying with confidence upon the readiness and power of His MAJESTY, under Divine Providence, to defend us in the event of hostilities with that Country; and being desirous to evince to His MAJESTY, and the Nation, our strong attachment to the British Constitution, as well as our loyalty to His MAJESTY's Person and Government, by the exertion of all the means which the Province affords in making a defence for the same, do humbly beseech that it may be enacted—and

£10,000 appropriated in case of hostilities with the United States.

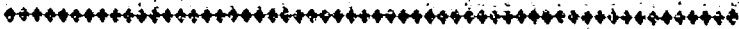
I. *Be it enacted by the President, Council, and Assembly,* That should hostilities with the United States take place, there be appropriated, as an aid to His MAJESTY in the general defence, out of such monies as may then be, or afterwards may be received in the Treasury, the sum of *ten thousand pounds*, to be paid and applied in such way and manner, and

and at such time or times, as the President or Commander in Chief for the time being, by and with the advice and consent of His MAJESTY'S Council shall order and direct.

To be applied as the Commander in Chief with the advice of His MAJESTY'S Council shall direct.

II. *And be it further enacted*, That if it should so happen that the full amount of the said sum of *ten thousand pounds*, should not be in the Treasury, when the contemplated emergency may arise, the President, or Commander in Chief for the time being, be and he is hereby authorised by and with the advice and consent of His MAJESTY'S Council, to raise by Loan whatever sum may happen to be deficient.

Such part of the sum as may not be in the Treasury may be raised by loan.



CAP. VI.

An ACT to impose a Duty on certain Articles imported into this Province: Passed the 7th of March, 1812.

*Contd by
52 Geo. 3
c. 3. 1812.*

WHEREAS it is deemed expedient that a Duty be laid on certain Articles imported into this Province, for the purpose of increasing the Revenue.

Preamble.

I. *Be it therefore enacted by the President, Council, and Assembly*, That from and after the first day of May next, there be, and is hereby granted to His MAJESTY, his Heirs and Successors, for the use of this Province, and for the support of the Government thereof, the several rates and duties on the articles herein after mentioned which shall or may be brought or imported into this Province from the United States of America, to be paid by the person or persons importing or bringing the same, that is to say, on every ton of square Timber, *two shillings*—on every Ox, *twenty shillings*—on every Horse, *five pounds*.

Duties on Timber, Oxen, and Horses, imported from the United States.

II. *And be it further enacted*, That the duties so to be levied shall be collected by the Treasurer or his Deputy in the different Counties, and that it shall be the duty of every person importing or bringing any articles made liable to duty, by virtue of this Act, to report the same immediately to the Treasurer, or his Deputy as aforesaid; under the same pains and penalties for neglect or refusal so to do, as are prescribed in and by the third section of an Act, made and passed in the forty-seventh year of His MAJESTY'S Reign, intituled "An Act for raising a Revenue in this Province," and that such persons shall pay, or secure to be paid, the amount of such duties in the same manner, and in the same proportions, and under the same pains and penalties as are prescribed in the said in part recited Act, and an Act passed this present Session for continuing and amending the same.

To be paid or secured as directed by the Act for raising a Revenue, and under the like penalties.

III. *And be it further enacted*, That this Act shall be, and remain in full force for two years and no longer.

Limitation.

CAP. VII.

CAP. VII.

An ACT to authorise the Justices of the Peace for the Counties of York and Charlotte, respectively to regulate the Affize of Bread in the Towns of Fredericton and Saint Andrews. Passed the 7th of March, 1812.

Justices in York and Charlotte, may establish an Assize of Bread for the Towns of Fredericton and St. Andrews.

I. BE it enacted by the President, Council, and Assembly, That the Justices of the Peace in the respective Counties of York and Charlotte be, and they are hereby authorised and empowered to make such rules and regulations for ascertaining the Assize of Bread, and sale thereof for Fredericton, in the County of York, and for Saint Andrews, in the County of Charlotte, as they, or the major part of them in General Sessions, or at any Special Sessions held for that purpose, shall deem just and expedient, and to enforce such regulations under such fines as they shall think fit. Provided that no fine for any one offence shall exceed the sum of forty shillings.

and impose fines.

Fines not to exceed forty shillings.

Limitation.

II. And be it further enacted, That this Act shall continue and be in force for two years and no longer.

Made perpetual.

CAP. VIII.

An ACT to amend and continue for a limited time an Act, intituled "An Act for better regulating the Militia in this Province." Passed the 7th of March, 1812.

Preamble.

WHEREAS the Act made and passed in the fiftieth year of His present MAJESTY's Reign, intituled "An Act for better regulating the Militia in this Province," will by its limitation, expire on the thirteenth day of March, in this present year. And whereas it is deemed expedient to continue the same with some amendments thereto.

Act continued for two years.

I. Be it therefore enacted by the President, Council, and Assembly, That the same Act except wherein it is herein and hereby altered and amended, be, and the same is hereby continued in full force for the term of two years from the time of its expiration, as aforesaid.

Sections repealed.

II. And be it further enacted, That the seventh, eighth and eleventh Sections of the same Act be, and the same Sections are hereby repealed.

All persons enrolled to assemble by Regiments, Battalions or detachments, three days successively, at such times and places as the Commander in Chief shall direct, of

III. And be it further enacted, That all Persons enrolled in the Militia, shall assemble by Regiments or Battalions, or Detachments thereof, three days in each year successively, for the purpose of training and disciplining, and for inspection and review, at such times and places respectively, as the Commander in Chief shall direct and appoint, in order that an opportunity may be afforded to the Inspecting Field officer

cer

cer to attend the same, of which times and places such notice shall be given as is required by the fifth Section of the said Act, in regard to the training by Companies. *Provided always* that no person shall be obliged to go more than twenty miles from his place of residence, to attend such general muster or training. And provided also that all Persons above fifty years of age, shall not be required to continue at such general muster or training after the first day. And provided also that the number of days for the attendance of the others may be lessened at the discretion of the Commander in Chief.

which notice to be given.
No person to go more than twenty miles.
Persons above fifty years not to continue after the first day.
Commander in Chief may lessen the duty.

IV. *And be it further enacted*, That every person enrolled in the Militia, who shall neglect to appear agreeably to the provisions of this Act, when called upon, shall pay, for each neglect on each and every of the days herein before required of him to attend, *ten shillings*, and upon neglect or refusal to pay the same to any non-commissioned officer, having an order to receive the same, signed by the officer commanding the Company for the time being, to which such delinquent belongs, the same shall be recovered before any one of His MAJESTY'S Justices of the Peace, with costs, upon the complaint of the commanding officer of the same Company, upon the Oath of one or more credible witness or witnesses, and levied by warrant of distress and sale of the goods and chattels of such delinquent; and if no goods or chattels can be found, whereon to levy the same; the said delinquent shall, by Warrant under the hand and seal of such Justice, be committed to the County Gaol, there to remain for the term of four days, for the fine for each day's delinquency, unless such sum, with costs, shall be sooner paid; and that all monies to be received for such delinquencies, shall be paid by the commanding officers of Companies respectively into the hands of the Quarter-Master of the Regiment or Battalion.

Persons neglecting to appear to forfeit ten shillings for each day
Which upon refusal to pay the same to a Non-Commissioned officer, shall be recovered with costs, before a Justice of the Peace.
And levied by warrant of distress.
For want of goods offender to be imprisoned for four days for each offence.
Fines to be paid to the Quarter-Master.

V. *And be it further enacted*, That the Clergymen of the Established Church, and licensed Ministers of the Gospel, be in future exempt, not only from doing any duty in the Militia, but from the payment of the money required by the twentieth Section of the Act to which this is an amendment.

Clergymen exempted from doing duty and from paying money.

VI. *And be it further enacted*, That that part of the fourth Section of the said Act, which provides "that nothing in the said Section contained, shall be in force until the same shall be more effectually established as far as it relates to the officers of the regular and fencible forces by a General Order of the Lieutenant-General commanding His MAJESTY'S forces, and published by the Governor or Commander in Chief for the time being, in General Orders to the Militia," be, and the same is hereby repealed.

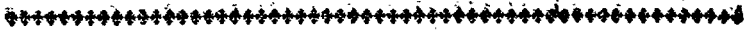
Part of the 44th Section of former Act repealed.

VII. *And be it further enacted*, That Clerks employed in the Military Offices, who have been announced as such in General Orders, shall be altogether exempted from doing any duty in the Militia, and also from the payment of the money required by the twentieth Section of the Act, to which this is an amendment.

Clerks in the Military Offices exempted.

Imitation:

VIII. *And be it further enacted,* That this Act shall continue and be in force for two years.



CAP. IX.

An ACT for erecting a Court House and Gaol in the County of Northumberland. Passed the 7th of March, 1812.

Preamble:

WHEREAS the buildings lately occupied as a Court House and Gaol in the town of Newcastle, in the County of Northumberland, are gone to decay, and it is necessary to erect new buildings for the same purpose, and the Justices of the General Sessions of the Peace in said County, have already assessed the inhabitants of said County to the amount of *three hundred pounds*, and granted Warrants of Assessment for collecting the same, and such further sum will be required for completing the said proposed buildings, as cannot be assessed agreeably to the laws now in force.

Justices of the Peace may contract for building a Court House and Gaol:

I. *Be it enacted by the President, Council, and Assembly,* That the Justices of the Peace, in and for the County of Northumberland, in their General Sessions, or the major part of them be, and they are hereby authorised and empowered to contract and agree with able and sufficient workmen for building and finishing a public Court House and Gaol in the said town of Newcastle, in the County aforesaid, on or near

or appoint Contractors for that purpose,

the site of the former buildings, or to appoint contractors for that purpose, and to agree for such sum or sums of money as to them shall seem meet, and such Justices shall and may ap-

and apportion the necessary assessment upon the Towns or Parishes;

portion and assess such sum or sums as may be necessary upon the respective towns or parishes, in said County, and by warrant under the hand and seal of such Justices, or the major part of them to be directed to the assessors of the several

and order the Parish assessors to apportion on the same on the Inhabitants,

and respective towns or parishes, order such assessors to apportion and assess on their respective towns or parishes, their respective quota or proportion, to be paid by the several and respective inhabitants of such town or parish, and such others as by law are liable to be taxed, as the said assessors in their

Justices to appoint Collectors, who shall be sworn, and for refusal after notice, made liable to a penalty of five pounds.

discretion shall think just and reasonable, and the said Justices as aforesaid, shall and may appoint such collectors as they shall think fit and necessary, who shall be sworn to a faithful discharge of their duty; and in case of refusal after notice of such appointment, every collector so refusing, shall be subject to the penalty of *five pounds*; and in case of death

In case of death or refusal of a Collector another to be appointed subject to the same penalty.

or refusal of any collector, another may be appointed in his stead, at any General or Special Session, who shall be subject to the same penalty in case of refusal to accept such appointment, or be guilty of neglect of duty, provided such assess-

Assessment not to exceed £300

ment do not exceed *three hundred pounds*.

Assessors neglecting or refusing to make assessments to forfeit £7e pounds.

II. *And be it further enacted,* That in case any assessor or assessors, shall neglect or refuse to make such assessment as aforesaid, such assessor or assessors so neglecting or refusing, shall

shall forfeit and pay to the Treasurer of the same County, the sum of *five pounds*, to be recovered in a summary way, before any Justice of the Peace for the same County, with costs of suit.

To be recovered in a summary way before a Justice.

III. *And be it further enacted*, That it shall be the duty of every such collector appointed as aforesaid, within ten days after receiving his warrant of assessment to give notice to the several persons contained in his list respectively; of the several sums on them assessed; and in case any person so notified, shall refuse or neglect to make payment for other ten days, it shall be the duty of such collector forthwith to collect the sums so assessed, and by warrant under the hand and seal of any two Justices of the Peace for the said County; to make distress on the goods and chattels of such person or persons refusing; and within ten days thereafter, shall make sale of such distress to the amount of such assessment, with costs, rendering the overplus, if any there be; to the owner or owners thereof.

Collector within ten days after receiving his warrant to give notice to the persons contained in his list, of the sums assessed on them, which if not paid within ten days, to be levied by a warrant of distress under the hand and seal of two Justices, and sale of goods.

IV. *And be it further enacted*, That every such collector shall forthwith pay over the monies by him collected to the Treasurer of the County; deducting five per cent, for collecting; and in case any collector shall neglect or refuse to pay the same to the County Treasurer, every such delinquent collector, shall incur the penalty of *five pounds* per month, to be paid to the County Treasurer; who may sue for the same penalty before any Justice of the Peace, who shall, on conviction, issue his warrant against the goods and chattels of such delinquent as in other cases of distress.

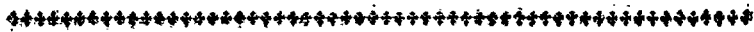
Collectors to pay monies to the County Treasurer, deducting five per cent. And for neglect or refusal to forfeit £5 per month, to be recovered by the County Treasurer, before a Justice of the Peace.

V. *And be it further enacted*, That all penalties to be incurred by or under this Act, shall be applied for the purpose of building the said Court House and Gaol.

Penalties to be applied to the building of the Court House and Gaol.

VI. *And be it further enacted*, That the proceedings of the said Justices of the Peace, in the said County of Northumberland, in making and collecting an assessment for the purpose aforesaid, and in issuing their warrant of assessment, and levying said sum of *three hundred pounds*, upon the towns and parishes in said County be, and the same are ratified and confirmed, and rendered firm and valid in the law, in the same manner, and to all intents and purposes, as if there had heretofore been no Gaol or Court House in said County.

Former proceedings of the Justices in making an assessment confirmed.



CAP. X.

An ACT to authorise the Justices of the Peace for the County of Charlotte, to levy an Assesment for paying off the County debt, and for finishing and compleating the County Gaol and Court House, lately erected in said County.---
Passed the 7th of March, 1812.

Preamble.

WHEREAS the building now occupied as a Court House and Gaol, in the town of Saint Andrews, in the County of Charlotte, has so far gone to decay, as that it has been found necessary to erect a new Court House and Gaol near the site of the old building; and whereas the Justices of the Peace in their General Sessions in said County, have already assessed the inhabitants to the amount of *four hundred pounds*, and granted warrants of assessment for collecting the same for defraying the expence of repairing the old Gaol, and paying off the County debt; And whereas the sum so assessed is not sufficient for that purpose, and a further sum is required to pay off the County debt, and for finishing and compleating the Gaol and Court House lately erected, which cannot be assessed agreeably to the Laws now in force.

Justices to make an assessment.

I. Be it therefore enacted by the President, Council, and Assembly, That the Justices of the Peace, in and for the County of Charlotte, in their General Sessions, or the major part of them be, and they are hereby authorised and empowered to apportion and assess such sum or sums as may be necessary for paying off the County debt, and for finishing and compleating the new County Gaol and Court House, in said County, and by warrant under the hand and seal of such Jus-

And by warrant to order the Parish assessors to apportion the same on the respective towns or parishes.

such assessors to apportion and assess on their respective towns or parishes, their respective quota or proportion to be paid by the several and respective inhabitants of such town or parish, and such others as by Law are liable to be taxed, as the said assessors in their discretion shall think just and reasonable, and the said Justices as aforesaid, shall and may

Justices to appoint Collectors, who shall be sworn.

appoint such collectors as they shall think fit and necessary, who shall be sworn to a faithful discharge of their duty, and in case of refusal after notice of such appointment, every collector so refusing, shall be subject to the penalty of *five pounds*, and in case of death or refusal of any collector, ano-

In case of death or refusal, another collector to be appointed subject to the same penalty.

ther may be appointed in his stead, at any General or Special Session, who shall be subject to the same penalty, in case of refusal to accept such appointment, or be guilty of neglect of duty: Provided such assessment does not exceed *eight hundred pounds*.

Assessment not to exceed £800.

Assessors for neglect of duty to forfeit £5 to be recovered before a Justice of the Peace.

II. And be it further enacted, That in case any assessor or assessors, shall neglect or refuse to make such assessment as aforesaid, such assessor or assessors, so neglecting or refusing, shall forfeit and pay to the Treasurer of the same County, the sum of *five pounds*, to be recovered in a summary way, before any Justice of Peace for the same County, with costs of suit.

Collectors within ten days after receiving warrants to notify to the persons on their lists the sums to be paid, which if not paid within ten days, to be levied by a Jus-

III. And be it further enacted, That it shall be the duty of every such collector, appointed as aforesaid, within ten days after receiving his warrant of assessment, to give notice to the several persons contained in his list respectively, of the several sums on them assessed, and in case any person so notified, shall refuse or neglect to make payment for other ten days, it shall

shall be the duty of such collector forthwith to collect the sums so assessed, and by warrant under the hand and seal of any two Justices of the Peace for the said County, to make distress on the goods and chattels of such person or persons refusing, and within ten days thereafter, shall make sale of such distress to the amount of such assessment with costs, rendering the overplus, if any there be, to the owner or owners thereof.

tices warrant, and in ten days after, if not paid, sale to be made of the goods.

IV. *And be it further enacted,* That every such collector shall pay over the monies by him collected, to the Treasurer of the County, deducting five per cent, for collecting, and in case any collector shall neglect or refuse to pay the same to the County Treasurer, every such delinquent collector, shall incur the penalty of *five pounds* per month, to be paid to the County Treasurer, who may sue for the same, before any Justice of the Peace, who shall on conviction, issue his warrant against the goods and chattels of such delinquent, as in other cases of distress.

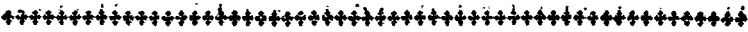
Collectors to pay over monies to the County Treasurer, deducting five per cent; under the penalty of five pounds per month.

V. *And be it further enacted,* That all penalties to be incurred by, or under this Act, shall be applied for the purpose of completing the said Court House and Gaol.

Penalties applied towards completing the Court House & Gaol.

VI. *And be it further enacted,* That the proceedings of the said Justices of the Peace; in the said County of Charlotte, in making and collecting an assessment for the purpose aforesaid, and in issuing their warrant of assessment, and levying said sum of *four hundred pounds*, upon the towns and parishes in said County, be, and the same are ratified and confirmed, and rendered firm and valid in the Law, to all intents and purposes.

Former assessment made by the Justices confirmed.



CAP. XI.

An ACT to authorise the Common Council of the City of Saint John, to appoint Constables for such Wards of the City, as shall omit to choose the same. Passed 7th of March, 1812.

WHEREAS by the Charter of the City of Saint John, the Freemen and Freeholders, of the said City, being inhabitants, are authorised and empowered to elect annually, one Constable for each of the six Wards of the City. And whereas it has frequently happened that in some of the said Wards no Constable has been chosen agreeably to the provisions of the said Charter.

Preamble.

I. *Be it enacted by the President, Council, and Assembly,* That it shall and may be lawful for the Common Council of the said City annually, to appoint one fit person to be Constable, for each and every of the said Wards, in which no Constable shall have been chosen agreeably to the provisions of the said Charter.

Common Council may annually appoint Constables for the wards in which none shall have been chosen.

In case of the death, removal from the City, or refusal of any person appointed or elected to the office of Constable, the Common Council may appoint another.

II. *And be it further enacted;* That if any Person appointed to the office of Constable, under and by virtue of this Act, or elected to the same office agreeably to the provisions of the said Charter, shall happen to die; or remove out of the said City, within the time for which he shall be so appointed or elected, or shall refuse to take upon himself to execute the said office, when so appointed or elected; it shall and may be lawful for the said Common Council to appoint one other fit person to execute the said office, in the room of such person so dying, or removing, or refusing to take upon himself to execute such office.

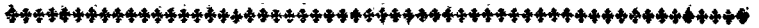
Constables to be appointed by the Common Council to be sworn.

III. *And be it further enacted,* That every Person appointed under and by virtue of this Act, shall before he executes the office of Constable, be duly sworn as is provided by the said Charter, in the case of persons elected to the said office; and any person who shall refuse, deny, delay or neglect to take upon him to execute the said office, when so appointed by the said Common Council, shall be subject to the like fine as is provided by the said Charter, upon the refusal or neglect of any person to take upon him to execute the said office, after being elected to the same; to be imposed or recovered, and levied and collected, as in and by the same Charter is provided,

And for refusal or neglect of duty to be liable to the same fine as Constables elected under the Charter.

Constables in the eastern district, to be inhabitants of the wards for which they are appointed, and Freemen, and in the western district to be inhabitants of the district, and Freemen.

IV. *And be it further enacted,* That the persons who may be appointed to the office of Constable, under and by virtue of this Act, for the several Wards in the eastern district of the said City, shall be inhabitants of the Wards, for which they shall be respectively appointed, and Freemen of the said City, and the persons who may be in like manner appointed for the Wards in the western district of the said City, shall be inhabitants of the said district, and Freemen of the said City,



CAP. XII.

An ACT more effectually to prevent the encumbering or filling up of Harbours, and to authorise the appointment of Harbour Masters. Passed the 7th of March, 1812.

Preamble:

WHEREAS the Laws now in force "to prevent the encumbering or filling up of Harbours," are found ineffectual: And whereas it is necessary for the security of vessels, that Harbour Masters should be appointed in this Province.

Former Acts repealed.

I. *Be it therefore enacted by the President, Council, and Assembly,* That an Act made and passed in the thirty-third year of His MAJESTY'S Reign, intituled "An Act to prevent the encumbering or filling up of Harbours," and also an Act, made and passed in the fiftieth year of His MAJESTY'S Reign, intituled "An Act in addition to an Act, to prevent the encumbering or filling up of Harbours," be, and the same are hereby repealed.

II.

II. *And be it further enacted,* That no master or commander of any ship or vessel, shall unload or throw overboard, any ballast or rubbish, into any Road, Port, or Harbour, in this Province, or land the same in any other part of such Road, Port, or Harbour, than shall be appointed by the Harbour Master, or Port Wardens of the respective Ports, under the penalty of *twenty five pounds*, for each and every offence.

No ballast or rubbish to be unloaded or thrown into any other part of any road, port or harbour, than shall be appointed by the Harbour master, or Port Wardens under the penalty of 25/.

III. *And be it further enacted,* That when ballast is discharged in any of the Harbours of this Province, into boats or lighters, there shall be a sufficient piece of canvas, or tarpauling, reaching from the ballast port, or gunwale of such ship or vessel, to the boat or lighter, to prevent any part of such ballast or rubbish falling into such Harbour, under the penalty of *ten pounds*, for each and every offence, which penalties shall be recovered on the oath of one or more credible witness or witnesses, before any two of His MAJESTY'S Justices of the Peace, for the County where such offence shall be committed; all which penalties when recovered, shall be paid into the hands of the Commissioners appointed to erect beacons, land marks, buoys, and other necessary purposes in their respective Counties, who shall account to the Justices in their Sessions for the expenditure: Provided always that nothing in this Act shall extend or be construed to extend to the City of Saint John.

In discharging ballast a piece of canvas to be used to prevent ballast from falling into the harbour, under the penalty of 10/.

To be recovered before two Justices and paid into the hands of the commissioners appointed to erect Beacons, &c.

Not to extend to the City of Saint John.

IV. *And be it further enacted,* That it shall and may be lawful for the Justices of the Inferior Court of Common Pleas, in the respective Counties, to appoint Harbour Masters for such Harbours as may be found to require the same, which Harbour Masters shall have full power and authority to direct and regulate the proper ballast births, and also the anchoring and mooring of each and every vessel coming into such Harbours, and the master or commander of any ship or vessel, who shall refuse or neglect to obey or conform to the directions of such Harbour Master, shall forfeit and pay the sum of *five pounds*, for each refusal or neglect, to be recovered and applied as aforesaid; and it shall and may be lawful for such Harbour Master to ask, demand and receive from the master, commander or consignee of every ship or vessel, (coasters excepted) which shall come into and anchor in such Harbour, the sum of *five shillings*, for all vessels above fifty tons, and not exceeding one hundred tons, and *ten shillings* for all vessels above one hundred tons, as Harbour Masters fees, which Harbour Masters shall furnish copies of the Regulations made for their respective Harbours to the Pilots appointed for such Harbours, one copy of which Regulations, such Pilots are hereby required to give to the master or commander of every vessel they may take charge of for his information; and it shall be the duty of such Harbour Masters to prosecute all breaches of this Act.

Justices of the Inferior Courts of Common Pleas to appoint Harbour Masters, who shall have power to regulate ballast births, and the anchoring and mooring of vessels.

Master of vessels disobeying directions of Harbour Masters, to forfeit £5.

Harbour Master's fees.

Harbour Masters to furnish copies of Regulations to the Pilots, who shall give one copy to the master of every vessel which they may take charge of.

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

Limitation.

CAP. XIII.

An ACT to authorise the Justices of the Peace in the City and County of Saint John, in their General Sessions, to levy an additional Assessment for the purpose of finishing the Gaol of the said City and County, and to discharge the debt already contracted in adding to the said Gaol. Passed the 7th of March, 1812.

Preamble.

WHEREAS by an Act of the General Assembly made and passed in the fiftieth year of His present MAJESTY's Reign, intituled "An Act to authorise the Justices of the Sessions, in the City and County of Saint John, to levy an assessment for the purpose of repairing and adding to the Gaol of the said City and County," the said Justices were authorised and empowered to make a rate or assessment of any sum not exceeding the sum of five hundred pounds, as they in their discretion might think necessary, for the purpose of repairing and adding to, and finishing the said Gaol, of the said City and County: And whereas an assessment has been levied of the said sum of five hundred pounds, which has been found to have been insufficient for the purpose of finishing the same building: And whereas it appears that in the erection of the said building, a large debt has been contracted, and the building yet remains unfinished, and it is found necessary for the purpose of finishing the same building and discharging the said debt already contracted that a further sum be raised.

Justices in their Sessions may make a further assessment not exceeding £500, for finishing the Gaol & paying off the debt incurred, to be assessed, levied, collected and paid as other County rates.

I. Be it therefore enacted by the President, Council, and Assembly, That the said Justices of the Peace for the said City and County, at any General Quarter Sessions of the Peace, hereafter to be holden are hereby authorised and empowered to make a further rate or assessment of any sum not exceeding the sum of five hundred pounds, as they in their discretion may think necessary for the purpose of finishing the said building, and discharging the said debt already contracted, to be assessed, levied, collected and paid in such proportion, and in such manner as any other County rates can or may be assessed, levied, collected and paid by virtue of an Act made and passed in the twenty-sixth year of His MAJESTY's Reign, intituled "An Act for assessing, collecting and levying County rates."

CAP. XIV.

An ACT to establish a Winter Road from Bates's Millpond, to the River Kennebeckacis, at or near the site of the old Court House in King's County. Passed the 7th of March, 1812.

WHEREAS

WHEREAS the sum of *thirty pounds* has been granted, Preamble.
to be applied to the purpose of opening a Winter Road
from the head of Bates's Millpond so called, in the Parish of
Kingston, in King's County, to the River Kennebeckacis.

I. Be it enacted by the President, Council, and Assembly, Commissioners to be
That the Commissioner or Commissioners to be appointed appointed by the Pre-
by the President, to expend the said sum of *thirty pounds,* sident to lay out a
shall have full power and authority to lay out a Winter Road, Winter Road from
on such part of the land lying between the head of the said the Millpond to the
Millpond, and the Kennebeckacis River, as he or they shall Kennebeckacis.
judge proper, which doings of such Commissioner or Com- And make return to
missioners, shall be returned to the Clerk of the Peace for the Clerk of the Peace
said County, and shall be by him registered as other roads to be registered.
and highways by law are required to be done; and in case
any person or persons shall obstruct or lay any incumbrance
on said road, he or they shall be liable to the same fines and Penalty for obstruct-
penalties, as he or they would be subject to for the same of- ing the Road.
fence on any other road or highway.

CAP. XV.

An ACT to alter and amend an Act, intituled
“ An Act for the further regulation of Fisheries,
and for preventing their decay.” Passed the
7th of March, 1812.

WHEREAS in and by the second Section of an Act made Preamble:
and passed in the fiftieth year of His MAJESTY'S Reign,
intituled “ An Act for the better regulation of Fisheries, and
“ for preventing their decay,” it is among other things enact-
ed, that no drift net be used for the purpose of catching fish
in the harbour of Saint John, and whereas it is just and rea-
sonable that the privilege of catching fish in the different ri-
vers, coves and creeks of this Province, should be equalised
where no infringement is made to existing laws, nor injury
done to individuals:

I. Be it therefore enacted by the President, Council, and As- Drift nets may be used
sembly, That from and after the passing of this Act, it shall for the purpose of tak-
and may be lawful for the Freemen and inhabitants of the ing Shad only from
City of Saint John, to use drift nets for the purpose of catch- Navy Island to lower
ing Shad only, within the said harbour, from the first day of ferry point, in the
May, to the first day of June, in each and every year, from harbour of St. John,
Navy Island, to lower ferry point, under the direction of the from the first of May
overscers of the Fisheries, and according to the Laws and Or- to the first of June,
dinances of the Mayor, Aldermen and Commonalty of the under the direction
said City, any thing in the herein before recited Act to the of the overscers, and
contrary notwithstanding: Provided always that no nets used according to the laws
for drifting as aforesaid, shall exceed thirty fathoms in length, of the Mayor, Alder-
or be made use of within a less distance than thirty fathoms men, &c.
from each other, under the penalty of *ten pounds.* Nets not to exceed 30
fathoms in length, or
be used nearer toge-
ther than 30 fathoms:

II. And be it further enacted, That hereafter no drift net
shall

No drift net to be used below Worden's tavern, after first of June. shall be used below Worden's tavern, at the head of the Long Reach, after the first day of June under the penalty of ten pounds, for each and every offence, any law, usage or custom, to the contrary notwithstanding.

Penalties how recovered and applied. III. And be it further enacted, That all penalties incurred by virtue of this Act, shall be recovered and applied in like manner as penalties are recoverable in the herein before recited Act: And whereas the provisions made in the fourth Section of the said herein before recited Act, have been found ineffectual for the purposes thereby intended.

No net to be set for taking Salmon between first of October and first of April, under the penalty of £10. IV. And be it further enacted, That no net shall be set in any river, cove or creek in this Province, for the purpose of taking Salmon at any time between the first day of October, and the first day of April, in each and every year, under the penalty of ten pounds, for each and every offence, to be recovered, paid and applied in like manner as is directed by the third Section of the said herein before recited Act, and every such net shall also be liable to seizure, and sale in the manner, and under the conditions and regulations prescribed for the seizure and sale of nets, by the first Section of the said herein before recited Act; and that all the penalties inflicted in and by the said fourth Section, of the said herein before recited Act, shall be also recovered, paid and applied as thereby directed in the same manner as if this Act had not been made.

And nets made liable to seizure and sale as directed by the recited Act.

And penalties to be recovered and applied as by the same Act directed.

CAP. XVI.

An ACT authorising the Mayor, Aldermen and Commonalty of the City of Saint John, to make regulations for the more effectual prevention of fires within the said City. Passed the 7th of March, 1812.

Preamble.

WHEREAS the City of Saint John is in imminent danger from fire, from the improper construction of many chimnies and hearths within the said City, and whereas sundry regulations are necessary to be made, as well relating thereto, as to the dangerous practice of keeping gunpowder in many of the stores and dwelling houses, and to sundry other practices which are liable to cause or promote fires, and also to provide for the better extinguishment of fires which may take place.

Mayor, Aldermen & Commonalty may make laws for preventing and extinguishing fires.

I. Be it therefore enacted by the President, Council, and Assembly, That the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, shall have full power and authority to pass and to provide for the execution of such Ordinances as they may deem proper for the more effectual prevention and extinguishment of fires in the said City, and to compel the attendance of all Engineers, and Firemen, and such other persons as they may deem necessary

And compel the attendance and pre-

necessary

cessary to assist at the extinguishment of fires, and to pre-
 scribe the duties of such Engineers, Firemen and other per-
 sons; and to remove or prevent the construction of any
 hearth, fireplace, or chimney, stove, oven, or boiler kettle, or
 apparatus used in any manufacture or business which may
 be dangerous in causing or promoting fires; and also to direct
 the construction of deposits for ashes, in safe and suitable
 places, and of materials secure against fire. And also to re-
 gulate the keeping, carting, conveying or transporting of gun-
 powder, or any other combustible or dangerous material with-
 in the said City, and to provide for the forfeiture thereof, if
 the same shall be kept, carted, conveyed or transported con-
 trary to such regulations: And also to regulate the use of
 light and candles in livery and other stables, within the same
 City, and to direct the inhabitants or owners of houses, with-
 in the said City, to provide themselves with fire buckets, to
 be ready in their respective houses, for the purpose of extin-
 guishing fires; and to authorise such suitable officer or offi-
 cers, as they may think proper at such reasonable time or
 times, as they may appoint to enter into and examine all
 dwelling houses, lots, yards, enclosures and buildings of eve-
 ry description, within the said City, to examine and discover
 whether any danger exists therein, and to give order and di-
 rection concerning the same, so as effectually to provide for
 the safety of the inhabitants in the neighbourhood thereof;
 and for the more effectual and perfect execution of such laws
 and ordinances.

II. *Be it further enacted*, That it shall and may be lawful
 for the said Mayor, Aldermen and Commonalty, in Common
 Council convened, from time to time to impose penalties for
 the non observance of the same, not exceeding ten pounds, to
 be recovered, paid and applied in like manner as all other
 penalties inflicted by any of the laws or ordinances of the
 said Mayor, Aldermen and Commonalty of the said City.

III. *And be it further enacted*, That this Act shall conti-
 nue and be in force for five years, and to the end of the then
 next Session of the General Assembly and no longer.

CAP. XVII.

An ACT in further addition to an Act, intituled
 "An Act for better extinguishing fires that
 may happen within the City of Saint John."---
 Passed the 7th of March, 1812.

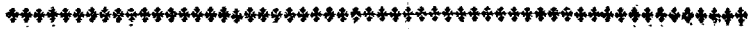
WHEREAS it is an object of the greatest importance in
 the City of Saint John, to have Firemen to take charge
 of, direct and work the Fire Engines, within the said City,
 who are skilful in working and managing the same: And
 whereas such persons are not to be procured without some
 further exemptions from public duties, than are at present
 extended to them; and without skilful persons to have the
 care,

care, management and working thereof, the fire engines in the said City, can be of little or no service in cases of casualty, and distress by fire.

Registered fire-men in the City of Saint John, exempted from Statute labour on the highways and streets.

I. *Be it therefore enacted by the President, Council, and Assembly,* That the registered Firemen within the said City of Saint John, in addition to all other exemptions, to which they are by law intituled, shall and are hereby declared to be exempt and free from all statute labour on the Highways and Streets, within the said City, during their continuance in the office of Firemen, any law or usage to the contrary notwithstanding: Provided always and be it further enacted, that the said Firemen shall be liable to perform the same Militia duty as may be required of any other inhabitants of the same City, any thing in the Act made and passed in the twenty-sixth year of His Present MAJESTY'S Reign, intituled "An Act for the better extinguishing fires in the City of Saint John," or, in an Act made and passed in the fiftieth year of His MAJESTY'S Reign, intituled "An Act for better regulating the Militia in this Province," to the contrary thereof notwithstanding.

And made liable to do the same Militia duty as other inhabitants of the City.



CAP. XVIII.

An ACT in amendment of an Act, made and passed in the forty-fifth year of His Majesty's Reign, intituled "An Act to regulate the Winter Roads in the Counties of York and Sunbury." Passed the 7th March, 1812.

Sections repealed.

I. *BE it enacted by the President, Council, and Assembly,* That the first, second, third, and fifth Sections of an Act, made and passed in the forty-fifth year of His MAJESTY'S Reign, intituled "An Act to regulate the Winter Roads in the Counties of York and Sunbury," be, and the same are hereby repealed.

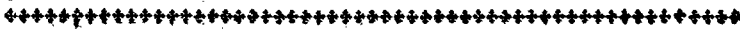
Commissioners to order Surveyors to summon the inhabitants to mark the roads with one row of evergreen bushes.

II. *And be it further enacted,* That from and after the passing of this Act, the Commissioners of Highways, or either of them, for the time being, in the Parishes of Fredericton, King's Clear and Saint Mary's, in the County of York, and the Commissioners of Highways, or either of them, for the time being, in the several towns and parishes in the County of Sunbury, where the major part of such Commissioners shall think it necessary, shall yearly and every year, order the Surveyors of Highways in their several districts, so soon as the ice shall be sufficiently strong to bear a team or teams; and immediately after the first fall of snow, to summon the inhabitants of the said parishes to labour on the said Winter Roads by marking the same in lines as straight as may be, with one row of evergreen bushes, erected at distances not exceeding four rods from each other, and that the said Roads shall be marked on the River Saint John, excepting from the usual

usual landing place, below the town of Fredericton, to the usual landing place above the said town, where the Road shall be marked upon the land through the front street of the Town Plat.

III. *And be it further enacted,* That the said Commission-^{Roads to be laid out}ers, or either of them, are hereby required to lay out the said ^{on each side of, and} Winter Roads, on each side of, and within six feet from the ^{six feet distant from} said one row of bushes, erected as aforesaid, and all persons ^{the row of bushes.} travelling with their horses, cattle, sleds and carriages of eve-^{Travellers to leave}ry denomination, on the said Roads, within the aforesaid li-^{the bushes on the left}mits, shall leave the said one row of bushes always on the left ^{hand, under the pe-} hand, under the penalty of *ten shillings*, for each and every ^{nalty of 10s.} offence committed contrary to the true intent and meaning of this Act, to be recovered upon conviction, before any one ^{To be recovered bea-} of His MAJESTY's Justices of the Peace, upon the oath of ^{fore a Justice.} one or more credible witness or witnesses, and levied by ^{And levied by war-} warrant of distress and sale of the offenders goods, rendering ^{rant of distress.} the overplus, if any, after deducting the costs and charges, to ^{To the use of the in-} the offender, to and for the use of the informer; and for want ^{former.} of such effects whereon to levy, the offender or offenders, shall ^{For want of effects} be imprisoned for a time not exceeding four days. ^{offender to be impris-}

IV. *And be it further enacted,* That the said herein before ^{Recited Act confirm-} recited Act, and every clause, matter and thing, therein con-^{ed.} tained, except wherein the same is hereby altered and repeal-
ed, shall be, and continue in full force; any thing herein con-
tained to the contrary in any wise notwithstanding.



CAP. XIX.

An ACT to amend an Act, intituled " An Act to provide for the more easy partition of Lands in Coparcenary, Joint-Tenancy, and Tenancy in Common." Passed the 7th of March, 1812.

WHEREAS by the first Section of an Act, made and passed in the fiftieth year of His Present MAJESTY'S ^{Preamble.} Reign, intituled " An Act to provide for the more easy Par-
" titution of Lands in Coparcenary, Joint-Tenancy, and Te-
" nancy in Common," it is enacted that upon the petition of any one or more Coparceners, Joint-Tenants or Tenants in Common, to the Supreme Court praying a division of the lands in which they may be interested, to the proprietors in severalty according to their respective shares and rights, it shall and may be lawful for the said Court to examine the title of the Petitioners prefering such petition, and the quantity of their respective parts and purparts, and accordingly as they shall find their respective rights, parts, and purparts to be, to award a writ of Partition, as nearly as may be in the form for that purpose established in the register of Judicial writs, and whereas the said recited part of the said Act has been found to be inconvenient.

Part of recited Act repealed.

I. *Be it therefore enacted by the President, Council, and Assembly,* That the same part of the said Act be, and the same is hereby repealed.

Proceedings at law for partition shall commence by writ out of the Supreme Court, as nearly as may be in the form of the writ from chancery.

And after return of such writ and affidavit made of due notice to the Tenant, and of a copy being left with the occupier or Tenant, &c.

or if they cannot be found, being published in the Royal Gazette for 30 days, if an appearance be not entered by the first day of the next term, after the return of the writ.

the demandant having entered his declaration, the Court may examine the title and give judgment by default, and award a writ to make partition.

And proceedings shall be as directed by recited Act.

If defendants appearing to be according to law, and upon judgment for partition, a writ to be awarded and executed as directed by the recited Act.

Twenty days notice to be given of executing writ to make partition.

Recited Act confirmed.

II. *And be it further enacted,* That from and after the first day of May next, all proceedings at law for partition between Coparceners, Joint-Tenants, and Tenants in Common, shall commence by writ issuing out of the Supreme Court, as nearly as may be in the form of the writ of Partition issuing out of the Court of Chancery in England, and after such writ of Partition returned, and affidavit being made by any credible person of due notice given of the said writ of Partition to the Tenant or Tenants to the action, and a copy thereof left with the occupier or Tenant or Tenants, or if they cannot be found, to the wife, son or daughter, (being of the age of twenty-one years or upwards) of the Tenant or Tenants, or to the Tenant in actual possession, by virtue of any estate of Freehold, or for term of years, or uncertain interest, or at will, of the lands, tenements or hereditaments, whereof the Partition is demanded (unless the said Tenant in actual possession be demandant in the action) or if no such person can be found by publishing such copy in the Royal Gazette, at least thirty days before the day of the return of the said writ of Partition, if the Tenant or Tenants to such writ, or any of them, or the true Tenant to the messuages, lands, tenements and hereditaments as aforesaid, shall not in such case, on or before the first day of the term next after the return of such writ, cause an appearance to be entered, then in default of such appearance, the demandant having entered his declaration, the Court may proceed to examine the demandants title and quantity of his part and purpart, and accordingly as they shall find his right, part, and purpart to be, they shall for so much thereof give judgment by default, and award a writ to make partition, and such proceedings shall be had thereon in every respect as are directed in and by the said herein before recited Act, any thing herein before contained to the contrary thereof, in any wise notwithstanding.

III. *And be it further enacted,* That if such defendants or Tenants shall appear, the cause shall proceed according to due course of law, and upon judgment that Partition be made between the parties in such action, a writ to make Partition shall be in like manner awarded, and the same shall be executed in such manner and form as are particularly mentioned and directed in and by the same Act, any thing in the same Act contained to the contrary thereof in any wise notwithstanding.

IV. *And be it further enacted,* That the Sheriff's respectively, shall give twenty days notice of the execution of the writ to make Partition, instead of forty days, as required by the first Section of the said in part recited Act.

V. *And be it further enacted,* That the said herein before recited Act, and every clause, matter and thing therein contained, not altered or amended by this Act, shall be and remain in full force, any thing herein before contained to the contrary thereof in any wise notwithstanding. CAP.

CAP. XX.

An ACT supplementary to the Acts now in force for the public registering of Deeds, Conveyances, and Wills, and other incumbrances of, or which may affect any lands, tenements, or hereditaments within this Province, and for more effectually securing the title of purchasers of real Estates, against claims of dower. Passed the 7th of March, 1812:

WHEREAS it has been found to be necessary or expedient to make some further provision for the making and taking of acknowledgments or proof of any Deeds and Conveyances of lands within this Province, in order that the same may be registered in the respective offices erected in the several Counties for registering such Deeds and Conveyances. Preamble.

I. Be it enacted by the President, Council, and Assembly, That from and after the passing of this Act, if the grantors or bargainors in any Deeds or Conveyances of lands lying within this Province heretofore executed, or hereafter to be executed, shall live in any foreign state or kingdom, the acknowledgment or proof of such Deeds or Conveyances may be had and taken by and before any Public Minister, Ambassador, or Consul, from the Court of Great-Britain, resident in any such state or kingdom, and certified on such Deeds or Conveyances, by and under the hand and seal of such Minister, Ambassador or Consul, so taking the acknowledgment or proof thereof, as aforesaid; and if such grantors or bargainors shall live or reside in any part of the United Kingdom of Great-Britain and Ireland, the acknowledgment and proof of the execution of such Deeds or Conveyances, by the grantors or bargainors respectively, and also the acknowledgment of any Femes Covert therein named, of the execution of the same, by them may in all cases be had and taken before any Mayor, or other Chief Magistrate of the City, Borough or Town, Corporate in any part of the said United Kingdom, where or near to which the said grantors or bargainors, and their wives respectively; shall reside, and certified under the Common Seal of such City, Borough, or Town Corporate, or the seal of the office of such officer, or other Chief Magistrate, and that all such acknowledgments or proofs so taken, under and by virtue of this Act, shall be registered with the respective Deeds and Conveyances; so acknowledged in the respective offices; of the registers of Deeds and Wills, established in and by an Act made and passed in the twenty-sixth year of His Present MAJESTY'S Reign, intitled "An Act for the public registering of all Deeds, Conveyances and Wills, and other incumbrances which shall be made of, or that may affect lands, tenements, or hereditaments within this Province," and such Deeds or Conveyances so acknowledged, certified, and registered, shall be subject to the same rules of construction, and shall have the same If the grantor or bargainor live in any foreign State or Kingdom the acknowledgment of the deed may be taken by any public Minister, Ambassador or Consul from the Court of Great-Britain, resident in such State or Kingdom, and certified on such deed under the hand and seal of such Minister. And in Great-Britain and Ireland acknowledgments may be taken before any Mayor or Chief Magistrate of the City, &c. where or near to which the grantors and their wives respectively reside. And certified under the Common Seal of such City, &c. or the Seal of Office of such officer or Chief Magistrate. Acknowledgments to be registered with the deeds. Deeds so acknowledged, certified and registered, to be subject to the same rules of construction, and same

have the same effect same operation, force, and effect, and the certificates of the as other deeds proved registry thereof, intituled to the same credit in every respect as and registered agree- any other Deeds or Conveyances; acknowledged or proved, ably to the Provisi- and registered, agreeably to the provisions of the same Act: ons of the Act of 26 Geo. 3, for register- ing deeds, &c. Provided always that nothing herein contained, shall be construed to deprive any other officers or persons before authorised by any Act of the General Assembly of this Province, of the power of taking the acknowledgment or proof, of the execution of any Deeds or Conveyances of any persons residing within the said United Kingdom.

II. *And be it further enacted and declared,* That all Deeds, Grants and Conveyances which have been, or which hereafter shall be duly acknowledged or proved, before any Court, or Officer, or person authorised and empowered by the said Act, or by this or any other Act of the General Assembly of this Province; and duly registered agreeably to the provisions thereof, shall be, and shall be deemed and taken to be good effectual, and available for the passing and transferring the estate and possession of such lands, tenements, and hereditaments, according to the intents and uses and purposes in such Deeds, Grants, and Conveyances, expressed without livery of seisin, or any other act or deed, or form or ceremony whatsoever.

Register's Fees. III. *And be it further enacted,* That the Registers of Deeds and Wills respectively, shall be intituled to receive for the entering and Registering all Deeds, Conveyances and Wills, and for all Certificates and all office copies at the rate of one shilling for every hundred words contained therein, instead of the fees provided for the same services by the thirteenth Section of the said in part recited Act.

CAP. XXI.

An ACT more effectually to provide for the public Registering of all Marriages solemnized within this Province. Passed the 7th of March, 1812.

Preamble. WHEREAS the provisions made for the Registry of Marriages have been found to be ineffectual: and it is expedient that there should be but one book in each County for the Registry of all Marriages solemnized within the same.

Fourth Section of the Marriage Act repealed. I. *Be it therefore enacted by the President, Council, and Assembly,* That the fourth Section of an Act made and passed in the thirty-first year of the Reign of His Present MAJESTY, intituled "An Act for regulating Marriage and Divorce, and for preventing and punishing Incest, Adultery, and Fornication," be, and the same is hereby repealed.

Clerks of the Peace in the several Counties, to be provided with a book for the II. *And be it further enacted,* That immediately after the passing of this Act the Clerks of the Peace of the several Counties in this Province, shall each be provided with a book at

at the expence of the Province, for the Registry of the Cer-Registry of Certifi-
 tificates of all Marriages which may be celebrated and so-^{ates of Marriage.}
 lemnized within the said Counties respectively, which book
 shall contain six quires of good paper, and be well bound;
 and every page thereof shall be marked at the top with the
 figure of the number of every such page, and the same book
 shall be intituled and deemed and taken to be the book of
 Registry of Marriages for the same County.

III. *And be it further enacted;* That from and after the Marriages to be so-
 first day of May next, all Marriages shall be solemnized in lemnized in presence
 the presence of two or more credible witnesses, besides the of two witnesses be-
 Minister or person who shall celebrate the same, and that side the Minister.
 immediately after the celebration of every Marriage, a Certi-And a Certificate
 ficate thereof shall be made in which it shall be expressed made thereof and
 that the said Marriage was celebrated by Banns or Licence, signed by the Mini-
 and if both, or either of the parties named by Licence, be ster, and the parties,
 under age, with consent of the Parents or Guardians as the and the witnesses.
 case may be; and shall be signed by the said Minister or
 other person so celebrating the same, with his proper hand,
 and also by the parties named and attested by such two wit-
 nesses; which Certificate shall be made in the form or to the
 effect following, that is to say—

A. B. of the Parish of and C. D. of the Parish of Form of Certificate.
 (or same Parish,) were married by { Banns } with consent
 of { Father } this day of in the year by
 { Guardian }
 me E. F. { Rector, &c. as the }
 { title may be. }
 This Marriage was solemnized between us { A. B. } in the pre-
 sence of { C. D. }
 { G. H. }
 { I. K. }

And the same Certificate so made and attested shall be Certificate to be with-
 within two months from the making thereof, transmitted by in two months trans-
 the said Minister, or other person so celebrating such Marri- mitted by the Mini-
 age, to the Clerk of the Peace of the said County, in which ster to the Clerk of
 the same Marriage is solemnized, and be forthwith Register- the Peace of the
 ed at full length by such Clerk, in the book so provided as County.
 aforesaid, and when Registered an indorsement made there- To be by him Regis-
 on of the day of such Registry, and the page of the book in tered, indorsed and
 which the same is Registered, and then the same Certificate filed.
 shall be filed by the said Clerk; to remain in his office.

IV. *And be it further enacted,* That at the time of the ce- Minister to demand
 lebration of any Marriage, the Minister or person celebrating seven shillings and
 the same, shall demand and receive the sum of seven shillings six pence, one half of
 and six pence, one moiety thereof as a compensation for ma- which to be to him-
 King the Certificate of such Marriage, and transmitting the self, and the other
 same as herein before mentioned, and the other moiety shall half to be by him paid
 be paid by him to the Clerk of the Peace, as his fee for Re- to the Clerk of the
 gistering and filing such Certificate. Peace.

V. *And be it further enacted,* That for every neglect or re- Minister refusing or
 fusal of any person so celebrating any Marriage, to make neglecting to make
 and transmit the Certificate thereof, or of any Clerk of the and transmit Certifi-
 Peace cate, or Clerk to re-

gister, mark and file the said Certificate in manner and form aforesaid, the Person offending shall forfeit and pay to His MAJESTY, the sum of *twenty pounds*, to be recovered with costs of suit by bill, plaint or information in the Supreme Court of Judicature.

VI. *And be it further enacted*, That copies from the said Register of the entries therein made certified by the said Clerk of the Peace, under his hand, and the seal of the Court of General Sessions of the Peace, which the said Clerk is hereby authorised upon such occasions to use, shall be received and taken as evidence, in all Courts of Law or Equity in this Province; without other proof of the same being copies: Provided always that nothing in this Act contained, shall be construed to extend to any Marriages amongst the people called Quakers.

Copies from the entries made by the Clerk, certified under his hand and the seal of the Court of Sessions made evidence.

Not to extend to marriages among Quakers.

CAP. XXII.

An ACT to provide for the payment of the Ordinary Services of the Province. Passed the 7th of March, 1812.

I. *BE it enacted by the President, Council, and Assembly*, That there be allowed and paid out of the Treasury of this Province, unto the several persons hereafter mentioned, the following sums, to wit.

To the Speaker, and *the Speaker of the House of Assembly, the sum of fifty pounds.*

To the Members of the House of Assembly, for defraying the expences of their attendance during the present Session, and for travelling charges, reckoning twenty miles for each day's travel, to be certified by the Speaker, *ten shillings per diem.*

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

To the Chaplain of the House of Assembly, the sum of *twenty pounds*, and a further sum of *five pounds* for travelling charges.

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

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

To the Serjeant at Arms attending the Council in General Assembly, *fifteen shillings per diem*, during the present Session.

To the Serjeant at Arms attending the House of Assembly, *fifteen shillings per diem*, during the present Session. To

10- }

12-1

15-

15-

To the Door Keepers and Messengers attending the Council and Assembly, *seven shillings and six pence per diem each*, during the present Session. Door keepers and Messengers. ✓

To the Treasurer of the Province for his services, from the first day of March, one thousand eight hundred and ten, to the first day of March, one thousand eight hundred and eleven, the sum of *two hundred and fifty pounds*, and from the first day of March, one thousand eight hundred and eleven, to the first day of March, one thousand eight hundred and twelve, the sum of *two hundred and fifty pounds*. Treasurer of the Province. ✓

To the Tide Surveyor in the City of Saint John, for his services from the first day of March, one thousand eight hundred and ten, to the first day of March, one thousand eight hundred and eleven, the sum of *fifty pounds*; and the like sum for his services from the first day of March, one thousand eight hundred and eleven, to the first day of March, one thousand eight hundred and twelve. Tide Surveyor in St. John. ✓

To Edward Goldstone Lutwyche, Esquire, Agent for the Province, for his services for the year one thousand eight hundred and ten, the sum of *one hundred pounds sterling*, and the like sum of *one hundred pounds sterling*, for the year one thousand eight hundred and eleven. Province Agent. ✓

The sum of *twenty pounds* to the Committee of Correspondence, for the purpose of defraying the expense of postage incurred by them and the Province Agent. Committee of Correspondence for postage &c. ✓

To His Honor the President or Commander in Chief, for defraying the contingent expences of this Province, a sum not exceeding *one hundred and fifty pounds* for the year one thousand eight hundred and twelve, and a like sum for the year one thousand eight hundred and thirteen: And the further sum of *ten pounds* for purchasing books for the Registry of Marriages. To the President for Provincial contingencies. For books for registering marriages. ✓

To the President and Directors of the Grammar School in the City of Saint John, the sum of *one hundred pounds*, for the salary of the Master of the same, for the year one thousand eight hundred and twelve, and the like sum for the year one thousand eight hundred and thirteen. Grammar School in St. John.

To the Governor and Trustees of the College of New-Brunswick, to be applied by them towards the tuition of the Pupils of said College, the sum of *one hundred pounds* for the year one thousand eight hundred and twelve, and the like sum of *one hundred pounds*, for the year one thousand eight hundred and thirteen. College of New-Brunswick.

To the Justices of the Peace of the different Counties of this Province, the sum of *three hundred and seventy five pounds*, for County Schools, agreeably to the Law of this Province, for the year one thousand eight hundred and twelve, and the like sum for the year one thousand eight hundred and thirteen. County Schools. ✓

- Adjutants of the Militia. To the Adjutants of the Militia in the different Counties of this Province, a sum not exceeding *one hundred and eighty five pounds*, for the year one thousand eight hundred and twelve, and the like sum for the year one thousand eight hundred and thirteen, agreeably to a Law of this Province.
2. For apprehending deserters. To His Honor the President or Commander in Chief for the time being, a sum not exceeding *one hundred and fifty pounds*, for rewarding such persons as shall apprehend deserters from His Majesty's Service, according to a Law of this Province.
- Clerk of the Assembly for contingencies. To the Clerk of the House of Assembly, the sum of *one hundred and fifty six pounds ten shillings and one penny*, for the stationary, fuel and other expences of the present Session.
- To Samuel Buchanan. To Samuel Buchanan, the sum of *thirty pounds*, for opening and airing of the Province Hall, and other past services.
- To Nathaniel Atchison, Esq. for past services. To Nathaniel Atchison, Esquire, for his past services, *one hundred pounds* sterling.
- Keeper of the Light House. To the Keeper of the Light House on Partridge Island, for his services for the year one thousand eight hundred and twelve, the sum of *one hundred pounds*, and the like sum for the year one thousand eight hundred and thirteen.
- St. Andrews Packet. A sum not exceeding *one hundred and fifty pounds*, to such person or persons as His Honor the President or Commander in Chief for the time being, may appoint for the purpose of establishing by a sufficient Packet, the communication between Saint John, and Saint Andrews, from May one thousand eight hundred and twelve, to May one thousand eight hundred and thirteen, and the like sum for the same purpose, from May one thousand eight hundred and thirteen, to May one thousand eight hundred and fourteen, under such regulations as His Honor the President shall think fit to direct, agreeably to a resolution agreed to by the Council and House of Assembly.
- Adjutant General of the Militia, for past services, stationary, &c. The sum of *fifty pounds* to the Adjutant General of the Militia forces in this Province, for past services, stationary, and other incidental expences.
- For repairing arms issued to the Militia. A sum not exceeding *fifty pounds*, to His Honor the President and Commander in Chief, for the purpose of defraying the expences of repairing such of the English Arms issued to the Militia, as may be deemed repairable.
- Jacob S. Mott, for printing and advertising. The sum of *one hundred and sixty five pounds seven shillings and four pence*, to Jacob S. Mott, for printing and advertising, and the further sum of *twenty-nine pounds, eleven shillings and three pence*, being the balance of his account for printing the Journals of the last Session.
- And for printing Journals. A sum not exceeding *thirty pounds* for printing the Votes and Journals of the House, during the present Session.

The sum of *twenty-one pounds two shillings*, to the present Clerk of the House of Assembly, for the payment of sundries, which ought to have been paid by the late Clerk. To the Clerk of the Assembly for payment of sundries unpaid by the late clerk.

The sum of *thirty-one pounds five shillings* to the Secretary of the Province, being the amount of his fees for warrants on the Treasurer. Secretary of the Province for issuing warrants.

The sum of *ten pounds* to the Attorney General, for preparing for the Press the Votes and Journals of the last Session, being left in an unfinished state by the late Clerk. Attorney General for preparing Journals for the Press.

The sum of *fifty pounds* to the Honorable George Sproule, the Surveyor General, towards the expence of a Clerk in his office. To the Surveyor General:

The sum of *sixty pounds* to His Honor the President or Commander in Chief, to defray expences already incurred on the Military road, leading to Saint John, over and above the sum heretofore granted for that purpose. Expences incurred on the military road.

To the Justices of the Peace of the County of York the sum of *seventy-five pounds* to complete the Gaol of that County. Justices of York County to complete the gaol.

The sum of *one hundred pounds* to the Justices of the Peace for the County of Sunbury, for completing the Court House and Gaol in the said County. Justices of Sunbury for gaol and Court house.

To His Honor the President or Commander in Chief, the sum of *fifty pounds* sterling, for the purpose of paying a Missionary to the Indians, for the year one thousand eight hundred and twelve; and the like sum for the year one thousand eight hundred and thirteen. Indian Missionary. ✓

The sum of *one hundred pounds* to the Justices of the Peace of Queen's County, for the purpose of finishing the Gaol and Court House, and paying off sundry debts by them already contracted for that purpose. Justices of Queen's for gaol and Court house.

The sum of *fifty pounds* to complete the Court House in King's County, and towards discharging part of the debt incurred in building the same. To complete the Court house in King's County.

The sum of *two hundred and fifty pounds* to the Justices of the Peace for the City and County of Saint John, towards enabling them to discharge the debt already incurred in building the Gaol for the said City and County, and to finish the same. Justices of St. John, towards discharging the debt incurred in building a gaol.

The sum of *two hundred pounds* to the Justices of the Peace for the County of Charlotte, towards finishing the new Gaol and Court House, lately erected there. Justices of Charlotte for gaol and Court house.

The sum of *fifty pounds* to the Justices of the Peace for the County of Westmorland, for the purpose of finishing the Court House and Gaol in that County. Justices of Westmorland, for gaol and Court house.

Justices of Northumberland, for Court house and gaol. The sum of *two hundred pounds* to the Justices of the Peace for the County of Northumberland, towards defraying the expence of building a Court House and Gaol in the said County.

Commissioners of the Light House for a wharf, repairs, &c. The sum of *two hundred pounds* to the Commissioners of the Light House on Partridge Island, for the purpose of building a suitable wharf for the security of boats; repairing and making a small addition to the house for the Keeper; a Vat to hold the Oil for the use of the Light House, and for digging a well on the said Island.

Sheriff of King's County for holding Elections. The sum of *thirteen pounds fifteen shillings* to the Sheriff of the County of King's, for holding the Poll for electing Members for that County, in October one thousand eight hundred and nine, and in March one thousand eight hundred and ten.

Clerk of the Assembly for purchasing stoves. The sum of *ten pounds* to the Clerk of the House of Assembly, in addition to the proceeds arising from the sale of the two open stoves for the purchase of other open stoves for the House of Assembly.

To Elizabeth Tilton. To Elizabeth Tilton, the widow of John Tilton, who was murdered in attempting to apprehend deserters, the further sum of *fifty pounds*.

To John Pond, Philip Weade and James Stewart, on account of losses. To John Pond, Philip Weade, and James Stewart, the sum of *one hundred pounds*, as some relief for the losses they have sustained by the unusual freshet in December last, as stated in their Petition, that is to say, John Pond, *fifty-five pounds*, Philip Weade, *twenty-five pounds*, and James Stewart, *twenty pounds*.

Overseers of the poor in Fredericton. The sum of *fifty pounds* to the overseers of the poor of the parish of Fredericton, in part to reimburse the expences heretofore incurred by them in supporting sundry impoverished and disabled disbanded soldiers.

To the Attorney General for services rendered to the province Treasurer. The sum of *eleven pounds thirteen shilling and four pence* to His Majesty's Attorney General, being the amount of his account for special services rendered to the Province Treasurer and his Deputies, in the years one thousand eight hundred and nine, one thousand eight hundred and ten, and one thousand eight hundred and eleven.

John Robinson, Esq. for money lent on account of embodied Militia. To John Robinson, Esquire, the sum of *one hundred pounds*, to reimburse him in that sum advanced to Militia embodied at Fredericton in the year one thousand eight hundred and eight, under the Administration of the Honorable President Ludlow, which sum has not been repaid to him in consequence of the sudden death of the President, and the frequent changes in the Administration of the Government of the Province.

The sum of *two hundred and fifty pounds* to the Mayor, Aldermen and Commonalty of the City of Saint John, for the purpose

purpose of assisting in erecting a Pier or Break Water to be carried out to low water mark, or as much further as may be found necessary on or near the south side of the lot formerly owned by Thomas Handford, Esquire, and now belonging to General Coffin, for the purpose of better securing the harbour of Saint John, to be paid whenever the President, and Commander in Chief in Council, shall be furnished with proper and satisfactory certificates, that a like sum of *two hundred and fifty pounds* has been raised and paid, or secured to be paid, to be used and applied towards the erection and completion of the said fabrick.

Aldermen and Com-
monalty of St. John,
towards erecting a
Pier for securing the
Harbour.
To be paid when the
President shall be
furnished with pro-
per Certificates that
a like sum has been
raised and paid or
secured to be paid for
the same purpose.

II. *And be it further enacted*, That the following sums be also allowed and paid out of the Treasury as follows, to wit.

A sum not exceeding *one hundred pounds* to the overseers of the poor for the City of Saint John for the time being, for the purpose of supporting and taking care of such sick and lame seamen as may arrive at that Port, who have no wages due to them and cannot support themselves.

Overseers of the Poor
of St. John for sup-
porting sick and lame
seamen.

Also a sum not exceeding *fifty pounds* to the overseers of the poor for the time being, in the town of Saint Andrews, for the purpose of supporting and taking care of such sick and lame seamen as may arrive in that Port, who have no wages due to them, and cannot support themselves. And

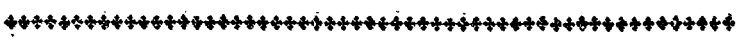
Overseers of the Poor
of St. Andrews for
the same purpose.

A sum not exceeding *fifty pounds* to the overseers of the poor for the parish of New-Castle, in the County of Northumberland, for the time being, for the support of such sick and lame seamen as may arrive in that County, who have no wages due to them, and cannot support themselves: Provided always that the said sick and disabled seamen be not persons intitled to claim any relief from any, or either of the said places or parishes as paupers thereof: And provided also, that no part of the said several sums of money shall be paid or drawn for, until proper certificates shall be furnished to the President or Commander in Chief, that the said several sums have been expended in whole, or in part, or that the whole or some part or parts thereof are necessary to provide for those objects.

Overseers of the Poor
of New Castle.
Such seamen not to
be Persons intitled to
claim relief as Parish
Poor.
Monies not to be paid
until Certificates be
furnished to the Pre-
sident that the whole
or part has been ex-
pended, or is neces-
sary to provide for
those objects.

III. *And be it further enacted*; That all the before mentioned sums of money shall be paid by the Treasurer, by Warrants of His Honor the President or Commander in Chief, for the time being, by and with the advice of His Majesty's Council, out of the monies now in the Treasury, or as payments may be made at the same.

Monies to be paid by
the President's Warrant
with the advice
of Council.



CAP. XXIII.

An ACT to provide for opening and improving Roads, and erecting Bridges throughout the Province. Passed the 7th of March, 1812.

- Sums to be paid out of the Treasury. I. *BE it enacted by the President, Council, and Assembly,* That there be allowed and paid out of the Treasury of this Province, to such person or persons as His Honor the President, or Commander in Chief, for the time being shall appoint, the following sums for the purposes hereafter mentioned, that is to say,
- Military Road from Little River to Bellisle and Kennebeckacis. The sum of *five hundred pounds* to be laid out in making and improving the Military Road from Little River, the lower boundary of Queen's County, to the Bellisle, and from thence to Guthries on the Kennebeckacis River.
- Bridge across Salmon River. The sum of *three hundred pounds* to build a bridge across Salmon River below Mr. Samuel Hallet's.
- From Rouse's Lake to Hammond River. The sum of *four hundred pounds* to be laid out on the Road from Rouse's Lake, so called to Hammond River near Golding's.
- From Jemseg to the head of Bellisle. The sum of *one hundred and fifty pounds* to be laid out on the Road from the Jemseg; to the head of the Bellisle.
- From New Canaan to the Mill stream. The sum of *forty pounds* to be laid out on the Road from New Canaan, to the Mill Stream.
- Bates's Mill Pond to Kennebeckacis. The sum of *thirty pounds* to be laid out on the Road to be established from Bates's Mill pond across the Lake to the Kennebeckacis.
- Bostwick's to Kingston Court house. The sum of *twenty five pounds* for improving the Road from Handford Bostwick's on the Long Reach, to Kingston Court House.
- Devil's and Foster's Creeks. The sum of *one hundred pounds* to build Bridges, and make Causeways on the Devil's Creek, and Foster's Creek.
- Between the Nashwack and Betts's. The sum of *one hundred pounds* towards repairing the Roads and Bridges between the settlements on the River Nashwack, and Betts's on the southwest branch of the River Miramichi.
- From Mitchel's to Astles. The sum of *fifty pounds* to be laid out in repairing and improving the Road on the north side of the said southwest branch from Lewis Mitchel's to John Astle's, near the forks, or Etienne's River.
- From Etienne's River to the Elm tree. The sum of *one hundred pounds* towards opening a Road, and erecting Bridges on either side of the said southwest branch, as the Commissioner or Commissioners to be appointed may find expedient, from the forks, or Etienne's River, to the Elm Tree.
- Bridge across Black Brook Miramichi. The sum of *twenty-five pounds* towards erecting a Bridge across Black Brook on the south side of Miramichi River.
- Dennis's Creek Bay du Vin. The sum of *twenty-five pounds* towards erecting a Bridge across Dennis' Creek, so called, in Bay du Vin Bay, Miramichi.

The sum of *fifty pounds* to assist in building a boat, or
SCOW

scow to be employed at or near Kollock's; in ferrying travel-
 lers and cattle across the River and Bay of Passabiquack, and
 for building a hut on the beach at or near the entrance of
 Passabiquack River, for the convenience of travellers.

The sum of *sixty pounds* for erecting a Bridge across Gas-
 pereaux River near Richibucto.

Bridge on Gaspe-
 reaux River Richi-
 bucto.

The sum of *twenty five pounds* towards opening and impro-
 ving the Road from Cocagne to Bucktouch, and the further
 sum of *fifty pounds* from Bucktouch to Richibucto.

Cocagne to Bucktouch
 and Richibucto.

The several sums hereundermentioned to be laid out in re-
 pairing and improving the undermentioned Roads in the
 County of Charlotte, to wit;

Roads in Charlotta.

From Linigin's to Connick's; *fifty pounds.*

Linigin's to Con-
 nick's.

From Connick's to Bradford's *one hundred and fifty pounds.*

To Bradford's.

From Shamcook's to Mark Turner's *fifty pounds.*

Shamcook's to Tur-
 ner's.

From Buckabeck Bridge to the Magagaudavic River, *one*
hundred and fifty pounds.

Buckabeck to Maga-
 gaudavic.

From Clinch's to Beaver Harbour settlement, *seventy-five*
pounds.

Clinch's to Beaver
 Harbour.

For opening a Road from the settlement on Digidigush Ri-
 ver to the settlements on Pleasant Ridge, the sum of *fifty*
pounds.

Digidigush to Plea-
 sant Ridge.

For blowing Rocks on the Road near Winder's Mill on the
 Magagaudavic River, *twenty-five pounds,*

Road near Winder's.

For repairing the Road and erecting a Bridge between
 Carlisle's, and James Blakeney's, the sum of *two hundred*
pounds.

Carlisle's to Blake-
 ney's.

For repairing the Road from James Blakeney's to Sher-
 man's, *one hundred and fifty pounds.*

To Sherman's.

For repairing and improving the Road from Sherman's to
 the bend of the Peticoodiac River, *one hundred and fifty*
pounds.

To Peticoodiac.

For repairing the Road across Memramcook Portage, *one*
hundred pounds.

Memramcook Por-
 tage.

Towards repairing the Portage from Dorchester to Sack-
 ville, *one hundred pounds.*

Dorchester to Sack-
 ville.

The sum of *one hundred pounds* to repair and improve the
 Road from the Bend of Peticoodiac River, to Shediac Harbour.

From Bend. of Pefi-
 coodiack to Shediac.

The sum of *two hundred pounds* for repairing and improv-
 ing the Road from Shediac Harbour to Memramcook Bridge.

Shediac harbour to
 Memramcook.

The sum of *fifty pounds* for erecting a Bridge across Crook-
 ed Creek, in Hopewell.

Bridge on Crooked
 Creek Hopewell.

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50. Westmorland to Botsford. The sum of *fifty pounds* for erecting a Bridge across Gas-pereaux River, on the Road leading from Westmorland to the Parish of Botsford.
25. Ferry boat at West-cock. The sum of *twenty-five pounds* to build a boat to be employed as a ferry boat from Westcock to Fort Cumberland.
50. Between Sackville and Westmorland. The sum of *fifty pounds* for repairing the Road across the Marsh, between Sackville and Westmorland.
100. Military Road thro' Queen's County. For improving the Military Road from the lower line of Queen's County, to the upper line thereof, the sum of *one hundred pounds*.
25. Bridges Easty's Mill Stream. The sum of *twenty-five pounds* for erecting a Bridge over Easty's Mill Stream, in Queen's County, and the like sum of *twenty-five pounds* for erecting a Bridge near Hewlett's in said County.
50. Military Road from Queen's County to Burpe's. For repairing the Military Road from the upper line of Queen's County to Edward Burpe's, the sum of *fifty pounds*.
00. Burton Causey. The sum of *two hundred pounds* towards completing the causey in Burton in the public Road, leading through Mr. Street's Meadow.
00. Kemble's to Smith's Oromocto. The sum of *one hundred pounds* for improving the Road commencing at the Main Road near Richard Kemble's to Daniel Smith's on the Oromocto.
40. Little River to the French Lake. The sum of *forty pounds* for improving the Road on the Little River, to the Road on the French Lake, in the County of Sunbury.
50. Bridges in Fredericton. The sum of *fifty pounds* for repairing Bridges in the town of Fredericton.
75. Bridges over Garden's Mill Stream. And Lyken's Creek. The sum of *seventy-five pounds* for building a Bridge over Garden's Mill stream in the Parish of King's Clear, and the sum of *fifteen pounds* for erecting a Bridge over Lyken's Creek, in the same Parish.
100. From Fredericton to Presque Isle. The sum of *four hundred pounds* for improving the Road on the general line of communication from Fredericton to Presque Isle commencing where the improvements left off last year.
50. Fredericton to the Rushiguanish. The sum of *fifty pounds* for improving the Road from Fredericton to the Rushiguanish and for erecting a Bridge across the same.
00. Nashwack Road. The sum of *one hundred pounds* to assist in repairing the Roads and Bridges on the Nashwack Road from Monckton ferry to the head of the settlement.
25. Road in Wakefield. The sum of *twenty-five pounds* to assist the inhabitants of the Parish of Wakefield in opening and repairing Roads, on the west side of the River Saint John, in that Parish.

The sum of *fifty pounds* to erect a Bridge across the Nash-Nashwacis bridge, wacis Creek in the Parish of Saint Mary's.

The sum of *twenty-five pounds* for improving the Road from From Tabor's to Tabor's at the head of Hammond River to the settlement at Quaco.

The sum of *seventy-five pounds* for erecting a Bridge over Musquash River the southwest branch of the Musquash River. Bridge.

The sum of *fifty three pounds ten shillings and nine pence*, to John Mount, balance John Mount, being the balance due to him for completing a of account. Bridge over Musquash River.

The sum of *twenty-five pounds* for improving the long Por-Hazen's Marsh to tage from Hazen's Marsh to the Kennebeckacis. Kennebeckacis.

The sum of *twenty-five pounds* for improving the Road from Dipper Harbour to Dipper Harbour to Musquash. Musquash.

The sum of *fifty pounds* for improving the Road from Quaco to Saint John, along the Bay of Fundy and Black River. Quaco to St. John.

The sum of *twenty-five pounds* for improving the Road from New Maryland to New Maryland to Fredericton. Fredericton.

The sum of *twenty-five pounds* for opening a Road from Fir-Firman's to Mactu- man's Bridge to Mactuquack. quack.

The sum of *twenty-five pounds* to His Honor the President for exploring a Road from Pleasant Ridge to the settlements on the Otomocto, and a further sum of *seventy-five pounds* to be laid out in opening such Road, if on the report of the Commissioner employed by him to explore it, he shall deem it advisable. For exploring a Road from Pleasant Ridge to the Otomocto.

And the like sum of *twenty-five pounds* to His Honor the President for exploring a Road from the settlements at Beaver Har- ver Harbour to the settlements at Musquash; and a further sum of *seventy-five pounds* to be laid out in opening said Road, if upon report he shall deem it advisable. bour to Musquash.

The sum of *twenty pounds* for completing the Aboideau on Aboideau in Sack- the lower Mill Creek in Sackville being on the general line ville. of communication.

The sum of *seventy-five pounds* to assist in opening the Road from Tabor's on Hammond River leading to the Parish of Hopewell. From Tabor's to Hopewell.

The sum of *twenty-five pounds* to assist in opening the Road from Martin's Head to the Hopewell Road. From Martin's Head to Hopewell.

The sum of *twenty-five pounds* for the purpose of aiding in clearing the Creek, commonly called Simond's Creek, communicating with the River Saint John and the back Lakes. Simond's Creek.

The sum of *fifteen pounds* in aid of the settlers on the Nash-Nashwacis Creek. wacis, to enable them to clear out the said Creek to facilitate the passage of logs and lumber along the same.

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25.
Basswood and Cheputnecticook to St. Stephen's. The sum of *twenty-five pounds* to the settlements on the Basswood and Cheputnecticook Ridge to assist them in repairing the Roads from those settlements to Saint Stephen's.

50.
Sums granted in 1807 re-appropriated and applied to the Road from widow Moore's to the public landing at St. Stephen's. II. *And be it further enacted*, That the sum of *fifty pounds* granted in the Session of one thousand eight hundred and seven, to assist in building a boat to be employed at the ferry from Wahwig Creek to Oak Point; and also the sum of *twenty pounds* granted the same Session for widening and repairing the Road from Oak Point to Dennis's Stream in the County of Charlotte, be re-appropriated and applied for opening and shortening a Road from the widow Moore's to the public landing at Saint Stephen's in said County.

50.
Bridge across Dennis's Stream. III. *And be it further enacted*, That the sum of *fifty pounds* heretofore granted towards building a Bridge across Dennis's Stream be re-appropriated, and the said sum applied towards building a Bridge across the said stream on the Road leading from the widow Moore's to the public landing at Saint Stephen's.

20.
Bridge across Studholm's Mill Stream. IV. *And be it further enacted*, That the sum of *twenty pounds* heretofore granted to assist the inhabitants of Sussex-Vale, in repairing the Bridge near Hallet's lately carried away, be re-appropriated and the said sum of *twenty pounds* be granted and applied towards building or repairing a Bridge across Studholm's Mill Stream in King's County.

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828.
Sums formerly granted for the Roads on the southwest branch of Miramichi to be laid out on those Roads in addition to the sums herein before granted. V. *And be it further enacted*, That the sum of *fifty pounds* heretofore granted for repairing the Road from Lewis Mitchell's to John Astle's on the north side of the southwest branch of Miramichi, together with the sum of *one hundred and fifty pounds* also heretofore granted for opening a Road, and erecting Bridges from the Forks, or Etiennes's River to the Elm Tree on the said southwest branch, neither of which sums have been laid out, be, and the same shall be laid out and appropriated on the said Roads in addition to the sum of *fifty pounds*, and the sum of *one hundred pounds* hereinbefore granted, as by Commissioners to be appointed for that purpose shall be deemed most convenient and expedient.— All which several sums shall be paid by Warrant of His Honor the President or Commander in Chief, by and with the advice of His Majesty's Council out of the monies now in the Treasury, or as payment may be made at the same.

Monies to be paid by Warrant, &c.

Monies to be paid to the persons who shall actually work on the Roads and Bridges or furnish materials.

Persons entrusted with the expenditure of the monies to be accountable for the same.

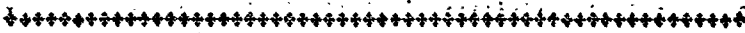
VI. *And be it further enacted*, That the several and respective sums of money, and every part thereof, shall be paid to the several and respective persons who shall actually work and labour in making, completing, and repairing the said several Roads and Bridges, or in furnishing materials therefor, at the most reasonable rates that such labour and materials can be procured; and that the several and respective persons who shall be entrusted with the expenditure of the said several and respective sums, shall keep an exact account of the expenditure thereof, and shall produce receipts in writing from the several and respective persons to whom any part of the said

said money shall be paid as vouchers for such payments, and shall render an account thereof upon Oath (which Oath any Justice of the Peace in the several and respective Counties is hereby authorised to administer) to be transmitted to the Office of the Secretary of the Province for the Inspection and examination of the General Assembly at their next Session; and such Commissioners or persons entrusted with the expenditure of the said several and respective sums of money, shall stand charged and chargeable with all sums of money entrusted to them, and not accounted for as aforesaid, and shall repay the same into the Province Treasury.

VII. *And be it further enacted*, That the said Commissioners or persons entrusted with the expenditure of the said several and respective sums of money shall for their time and trouble respecting the same (in case they shall find it necessary and expedient) render an account thereof at the next Session of the General Assembly, to be then provided for in case the same shall appear just and equitable: Provided always that such of the said persons who shall actually work and labour upon the said Roads and Bridges as aforesaid, shall retain out of the said sums so entrusted to them respectively, a reasonable compensation for such actual work and labour.

Commissioners to render an account for their time and trouble to the General Assembly.

May retain a reasonable compensation for labour actually done.



CAP. XXIV.

An ACT to encourage the erection of a Passage Boat to be worked by Steam for facilitating the communication between the City of Saint John and Fredericton. Passed the 7th March, 1812.

WHEREAS a Petition has been presented to the General Assembly of this Province from John Ward, Robert Smith, George D. Berton, James C. F. Bremner, Esquires, and James Fraser and Lauchlan Donaldson; praying for an exclusive privilege for the term of ten years, to be granted to them by an Act of the General Assembly of this Province as an encouragement to the erection of a Passage Boat to be worked by steam, for the accommodation and conveyance of passengers between the City of Saint John and Fredericton. And whereas a convenient Passage Boat for the accommodation and conveyance of Passengers between the City of Saint John and Fredericton is much wanted, and if worked by Steam will add greatly to the facility of communication.

Preamble.

I. *Be it therefore enacted by the President, Council, and Assembly*, That the said John Ward, Robert Smith, George D. Berton, and James C. F. Bremner, Esquires, and James Fraser and Lauchlan Donaldson, upon good and sufficient security being given to His Majesty, his Heirs and Successors, by Bond from the said John Ward, Robert Smith, George D. Berton, and James C. F. Bremner, Esquires, and James Fraser and Lauchlan Donaldson, in the penal sum of five hundred

The exclusive Privilege of using a Steam Boat granted for ten years upon Bond being given to complete such Boat within two years.

dred

dred pounds, conditioned to be void on the erection of a good sufficient and convenient Boat to be worked by Steam, and competent to the accommodation of sixty passengers, within two years from the passing of this Act, shall so soon as such Boat shall be completed and finished, have, possess and enjoy to themselves, their executors, administrators and assigns, the sole right of carrying Passengers, and transporting freight of different kinds in a Boat so to be worked by Steam upon the River Saint John, between the said City of Saint John and Fredericton, for the term of ten years; and no other person or persons whomsoever, other than the said John Ward, Robert Smith, George D. Berton, and James C. F. Bremner, Esquires, and James Fraser and Lauchlan Donaldson; their executors, administrators or assigns, shall use or employ any Boat or Boats to be worked by Steam upon the said River Saint John, for any purpose whatsoever during the said term of ten years.

Saving the right of every person to use Boats and Vessels of any other description.

II. *And be it further enacted*, That nothing in this Act contained shall extend or be construed to extend to restrain or in any manner affect the right of any person or persons to carry Passengers and transport freight in Boats or Vessels of any description whatsoever not worked by Steam, in like manner as such person or persons might have done if this Act had not been made.

If the Parties neglect to execute a Bond, this Act to cease.

III. *Provided always and be it further enacted*, That if the said John Ward, Robert Smith, George D. Berton, and James C. F. Bremner, Esquires, and James Fraser and Lauchlan Donaldson, shall neglect to enter into and duly execute the said Bond as required by the first Section of this Act, within one month from the passing of this Act, the same shall cease to be of any force or effect.

Lists of the rates to be published in the Royal Gazette for two months before the Boat shall be used, and in case of alteration to be in like manner published before the commencement of every season.

IV. *Provided also and be it further enacted*, That whereas such Steam Boat can be made use of during the summer season only, a list of the rates of Passage Money and freight intended to be received and taken during the then next ensuing season shall, within two months before such Boat shall be actually used for the transportation of Passengers and freight as aforesaid, be published in the Royal Gazette, and in case any alteration of such rates to be taken in any subsequent season shall be thought expedient to be made during the enjoyment of the right herein before granted, such alteration shall be in like manner published three months at the least before

No higher rates to be taken in any one season than such as shall be so published.

the commencement of such season, and that no higher or greater rates shall be taken in any season than such as shall be published to be taken during such season as aforesaid; and that in case such Steam Boat shall be unfit for use, or shall not be ready to be employed for the purposes aforesaid, agreeably to the true intent and meaning of this Act, during the space of three months in any season after such Steam Boat shall be completed and finished as aforesaid, unless in case of any accident by which the necessary repairs of such Boat shall require longer time to complete the same, then and from thenceforth the said right secured as aforesaid by this Act, shall cease determine and become null and void.

If the Boat shall be unfit for service for the space of three months after it shall have been completed, unless from accidents by which the repairs shall require longer time, this Act to cease.

ANNO QUINQUAGESIMO GEORGII III. REGIS.
CAP. XXXVI.

An ACT in addition to an Act, intituled “ An Act for regulating Elections of Representatives in General Assembly, and for limiting the duration of Assemblies in this Province.” Passed the 14th March, 1810.

WHEREAS by an Act of the General Assembly of this Province, made and passed in the thirty-first year of His Majesty's Reign, and afterwards confirmed and ratified ^{Preamble:} by an Order of His Majesty in Council, intituled “ An Act for regulating Elections of Representatives in General Assembly, and for limiting the duration of Assemblies in this Province,” it is among other things enacted that every Elector, before he is admitted to poll, shall if required by the Candidates or any one of them, take the oaths in and by an Act made in the first year of the Reign of His late Majesty King George the First, intituled, “ An Act for the further security of His Majesty's Person and Government, and the succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the hopes of the pretended Prince of Wales, and his open and secret abettors,” appointed to be taken: And whereas in cases where the said oaths have been required to be taken, Freeholders Professing the Religion of the Church of Rome have thereby been prevented from Polling: And whereas it is just and expedient that all His Majesty's faithful subjects should participate in the enjoyment of a right equally interesting to all as far as may be consistent with the safety and security of His Majesty's Person and Government.

Be it therefore enacted by the President, Council, and Assembly, That at any future Election of Representatives to serve in General Assembly, instead of the oaths appointed to be taken by the said Act, made in the first year of the Reign of His late Majesty King George the First as aforesaid, every Elector at the time of Polling, and before he is admitted to Poll at the Election shall, if required by the Candidates, or any one of them take the following oath, that is to say,

I A. B. do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King George the Third, and him will defend to the utmost of my power, against all traitorous conspiracies and attempts whatsoever, which shall be made against His Person, Crown or Dignity. And I will do my utmost endeavour to disclose and make known to His Majesty and His Successors, all treasons and traitorous conspiracies which I shall know to be against him or any of them—So help me God! or being one of the People called Quakers shall, if required as aforesaid, solemnly affirm the effect of the said oath; which oath or affirmation the Sheriff or any sworn Clerk duly appointed for taking the Poll, is hereby authorised to administer: Provided that this Act shall not be in force until His Majesty's Royal approbation be thereunto had and declared.

Oath to be taken instead of the Oaths formerly appointed:

¶ This Act was confirmed, finally enacted, and ratified by an Order of His Royal Highness the Prince Regent in Council, in the name and on the behalf of His Majesty, dated at the Court at Whitehall, the 22d of June, 1811.