

ACTS

OF THE

GENERAL ASSEMBLY,

OF

HIS MAJESTY'S PROVINCE.

OF

NEW-BRUNSWICK;

PASSED IN THE YEAR 1805.



ST. JOHN:

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MDCCGV.

Rec. Aug. 14. 1906.

Anno Regni GEORGII III. Regis
 Quadragesimo Quinto.

AT the General Assembly of the Province of NEW-BRUNSWICK, begun and holden at FREDERICTON, on the Ninth day of FEBRUARY, in the year of our LORD, One thousand Eight hundred and Three, and in the Forty-third year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of GOD, of the UNITED KINGDOM of GREAT-BRITAIN, and IRELAND, King, Defender of the Faith, and so forth; and from thence continued by several prorogations to the Twenty-ninth day of JANUARY, One thousand Eight hundred and Five; being the second Session of the fourth Assembly convened in the said Province.

CAP. I.

An ACT for the better REGULATING the MILITIA in this Province. Passed the 5th of March, 1805.

WHEREAS a well regulated Militia in this Province will at all times tend not only to the security and defence thereof but to the honor and service of His Majesty: AND WHEREAS in times of imminent danger either by Invasion or sudden attack made or threatened to be made by His Majesty's enemies on any of His Majesty's subjects within this Province, it may become expedient and necessary that

Exp. p. 10 ad
 X
 Preamble.

that the Militia of the several and respective Counties or a part thereof, should be drawn out and embodied and ordered into actual service, in which case it will become requisite that due subordination should be observed: AND WHEREAS the Law now in force is inadequate to these important purposes;

I. *Be it enacted by the PRESIDENT, Council and Assembly,* That an Act made and passed in the Forty-second year of His Majesty's reign, intituled, "An Act for regulating the Militia," be, and the same is hereby repealed.

Former Act repealed.

II. *And be it further enacted,* That from and after the passing of this Act, every male white Inhabitant or resident within this Province, from Sixteen to Sixty years of age, shall be enrolled in some Independent Company, or in one of the Regimented Companies of Foot, or Troops of Cavalry, in the district where he dwells or resides, the extent of which district shall be determined by the Colonel or the commanding officer of the Militia of the County, and all Captains or commanding officers of Independent or other Companies or Troops of Cavalry in the several Towns or Parishes within the Province, are hereby required to take due care to enroll in a book or register to be kept by them respectively for that purpose, all male white Inhabitants from Sixteen to Sixty years of age; and that once in every year, and oftener if thereunto required, each Captain or commanding officer of a Company shall give to his Colonel, or in his absence to the next commanding officer of the Regiment, and each Colonel or next commanding officer of the Regiment, and the Captains or commanding officers of Independent Companies, shall give to the Brigadier-General or other officers commanding Militia brigades in the Province, fair written rolls of their respective Companies and Regiments, whose duty it shall be to report the same to the Captain-General or Commander in Chief for the time being.

All male white Inhabitants from sixteen to sixty years of age, to be enrolled in the districts where they reside.

Districts to be determined by the Colonels.

Captains to enroll all white Inhabitants from sixteen to sixty.

Captains to give Rolls of their Companies to the Colonels once a year.

Colonels & Captains of Independent Companies to report to the Brigadier General.

Brigadier General to report to the Commander in Chief.

III. *And be it further enacted,* That the Militia shall

Militia to be formed into Regiments by Counties.

Companies not to exceed Sixty men.

Officers of Companies to appoint Serjeants, &c.

Penalty on non-commissioned officers refusing to serve.

Militia to be called out by Companies twice a year; and by Regts. or detachments, once a year.

Time and place to be appointed by Colonels or the commanding officers of Regts.

Independent Companies to be called out three times a year,

shall be formed into Regiments by Counties, and that no Regimented or Artillery Company, Independent Company or Troop of Horse, shall consist of more than Sixty men, rank and file, and that the Captain and commissioned officers of each Company shall be, and they are hereby fully empowered to nominate and appoint proper persons to serve as Serjeants, Corporals, Drummers and Fifers, in their respective Companies and Troops, and to displace them and appoint others in their room as they shall see occasion. And if any non-commissioned officer so to be appointed shall refuse to accept the office to which he shall be appointed, or after having been appointed shall refuse or neglect to perform such duties as appertain to his office, he shall for such refusal or neglect forfeit and pay the sum of Two Pounds, to be adjudged, levied and disposed of as other Fines and penalties are directed by this Act.

IV. *And be it further enacted*, That every Regiment shall be called out and rendezvous by Companies twice in every year, and that every Regiment shall also be called out and rendezvous once in every year by Regiments, or in such detachments as the commanding officers of the respective Regiments from local and other circumstances shall judge fit, and direct for the purposes of training, disciplining and improving in martial exercises, the time and place of rendezvous for the Companies, Regiments and detachments to be appointed by the Colonel or commanding officer of the Regiment, and arranged on different days, that the Field and Staff officers may have an opportunity of attending the several Companies, Regiments and detachments exercised in detail, in order to introduce uniformity in the manœuvres and discipline of the Regiment, and that every Independent Company or Independent Troop of Horse shall be called out and rendezvous for the like purposes three times in every year, at such time and place as the Captains or commanding officers of such Companies or Troops of Horse shall respectively

tively direct and appoint, of all which several and respective days of rendezvous and training, previous notice shall be given in writing by the Captains or officers commanding Companies, at least Fifteen days, which notice shall be posted up by a non-commissioned officer at three of the most public and conspicuous places within the Parish or district where such Company may reside, which notification shall be deemed a lawful and sufficient warning: *Provided always*, that no Company shall be obliged to go more than Twelve miles from the usual rendezvous of such Company.

V. *And be it further enacted*, That there shall be an Adjutant appointed to each Regiment in the Province, whose duty it shall be to attend at the place of rendezvous of each Company, detachment or Regiment, at least once in every year when called out as aforesaid, then and there to inspect their arms, ammunition and accoutrements; superintend their exercise and manœuvres, and introduce a proper system of Military discipline agreeable to such orders as he shall receive from time to time from the Colonel or commanding officer of the Regiment, and do and perform such other duties and services suitable for an Adjutant, as the Colonel or commanding officer shall from time to time order and direct. And that every such Adjutant shall be allowed as a full compensation for all the services he is required to perform by this Act, the sum of Seven Shillings and Six Pence by the day for every day he shall be actually employed as such, the number of days to be certified by the Colonel or commanding officer of the Regiment: *Provided* that the sum allowed to the Adjutant of the Militia in the County of *Northumberland*, shall not exceed Ten Pounds in any one year; the Adjutant of the County of *Westmorland*, shall not exceed the sum of Eight Pounds in any one year; the Adjutant of the City of *Saint John*, shall not exceed the sum of Five Pounds in any one year; the Adjutant of the County of *Charlotte*,

of which fifteen days notice to be given in writing, and posted up by a non-commissioned officer.

Companies not to go more than 12 miles from their usual rendezvous.

Adjutants to be appointed to the Militia to attend each Company, detachment, or Regiment once a year—
to inspect their arms, &c. and superintend the exercise.

Allowance to the Adjutants, 7/6 per diem.

days to be certified by the Colonel.

Not to exceed the following rates per annum.
Northumberland,
£10.
Westmorland, £8.

St. John, £5.

Charlotte, £10.

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lotte, shall not exceed the sum of Ten Pounds in any one year; the Adjutant of the County of *King's*, shall not exceed the sum of Six Pounds in any one year; the Adjutant of the County of *Queen's*, shall not exceed the sum of Five Pounds in any one year; the Adjutant of the County of *Sunbury*, shall not exceed the sum of Five Pounds in any one year; and the Adjutant of the County of *York*, shall not exceed the sum of Ten Pounds in any one year.

Captains of Independent Companies to report to the Colonels once a year,

and in case of Invasion, &c. to be under the command of the Colonels during the absence of the Commander in Chief.

Persons called out to appear armed and accoutred,

under penalty of 20s.

to be levied by Captain's warrant.

VI. *And be it further enacted*, That every Captain or officer commanding any Independent Company or Troop of Horse, shall deliver in each and every year, and oftener if so required, a copy of his Muster-Roll to the Colonel or commanding officer of the Regiment or Battalion of the County where such Independent Company or Troop of Horse may be, and in case of the Militia of such County or any part thereof being called out into actual service on account of any Invasion or sudden attack made or threatened to be made by His Majesty's enemies, every such Independent Company or Troop of Horse shall in the absence of the Captain-General or Commander in Chief of the Province, be under the immediate command and direction of the Colonel, and in his absence of the next commanding officer of such Regiment or Battalion.

VII. *And be it further enacted*, That every person enrolled as aforesaid shall at all times when called out under and by virtue of this Act, appear with a good Musket, Bayonet and Belt, Cartridge-Box, containing Eighteen rounds of suitable Ball-cartridge, and two spare Flints, in complete order, and for not appearing with such arms, accoutrements, and ammunition as aforesaid, shall for each and every wilful neglect forfeit and pay the sum of Twenty Shillings, to be levied by distress and sale of the offender's goods by the Captain or commanding officer's warrant directed to a Serjeant or Corporal of the Company to which such offender belongs, who are respectively empowered to serve and execute

cute the same, rendering the overplus, if any, after deducting the costs and charges of such distress and sale to the offender, and if no effects shall be found whereon to levy the said Fine, such offender shall be sentenced to hard labour or imprisonment not exceeding Ten days, all which Fines shall be applied to defray the contingent expences of the Regiment or Independent Company to which such offender may respectively belong. . And every commissioned officer when called out as aforesaid, shall appear with a Sword or Hanger, and for not so appearing shall forfeit and pay for each and every neglect the sum of Forty Shillings, to be recovered as aforesaid.

For want of effects whereon to levy the Fine, offender to be sentenced to hard labour or imprisonment not exceeding Ten days.

Fines applied to defray contingencies.

Officers to appear with swords under penalty of 40s.

VIII. *And be it further enacted*, That every person enrolled as aforesaid, who shall refuse or neglect to appear agreeable to the provisions of this Act when called upon, shall forfeit the sum of Ten Shillings, or appearing under arms shall refuse or neglect to perform such Military duty as shall be required of him, or shall on the day of muster or training depart from the Company when under arms, without leave from the commanding officer, shall forfeit and pay for each and every offence the sum of Twenty Shillings, to be recovered and applied as aforesaid. *Provided always*, That the Members of His Majesty's Council, Members of the Assembly, Justices of the Peace, High Sheriffs, Coroners, licensed Clergymen, all persons who have held any commission, civil or military, under His Majesty, the Surveyor-General, and the Treasurer of the Province, Officers of His Majesty's Customs, Revenue and Naval officers, Gentlemen of the learned professions, and one Miller to each Grist-Mill, and one Ferryman to each established Ferry, shall be free and exempted from being enrolled in the Militia in manner herein after mentioned, all which Fines shall be paid into the hands of the Colonel or commanding officer, to defray the contingent expences of the Regiment.

Persons not appearing, to forfeit 10s.

or appearing & refusing to do duty, to forfeit 20s.

Persons exempted from being enrolled,

Fines how applied.

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

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That

Quakers exempted from the ordinary duties of training, &c. on producing certificate.

That every person professing himself to be of the people called Quakers, and producing to the Captain or commanding officer of the Company in whose district he resides, a certificate signed by two or more of the principal people of that profession, that such person has been deemed and allowed to be one of the people called Quakers for the space of one whole year or more, before the date of the certificate, such person so producing such certificate shall be and hereby is exempted from the ordinary duties of training and mustering, unless upon an Invasion or sudden attack made or threatened by the Enemy, as herein after mentioned.

In case of Invasion, Commanding Officers of Counties may call out the Militia,

X. *And be it further enacted*, That in case of any Invasion or sudden attack made or threatened to be made by the Enemy in any County where the Commander in Chief cannot be immediately consulted, the commanding officer of the Militia in such County shall have power if he in his discretion shall think it absolutely necessary or expedient to call out the Militia of such County or any part thereof into real service, and also the whole or a proportion of those described as exempts in the eighth clause of this Act (licensed Clergymen, Millers and Ferrymen excepted) which exempts shall appear armed and accoutred as is required of persons serving in the Militia, excepting Physicians and Surgeons, who may appear without arms; and in case of any such Invasion or sudden attack being made or threatened to be made in any Town, Parish or district in any County where the Colonel or commanding officer of the Militia of such County cannot be immediately consulted, the officer commanding the Militia in such Town, Parish or district, shall have power, if he in his discretion shall think it absolutely necessary or expedient to call out the Militia under his command, and also the exempts as aforesaid, or any part thereof into real service; and such officer last mentioned shall forthwith report his proceedings and the reasons and grounds thereof to the Colonel or commanding

and the exempts.

Exempts to be armed, &c.

Where the Colonel cannot be consulted, Officer commanding a district, may call out the Militia.

and report to the Colonel, who is to send an ex-

manding officer of the Militia of the County, who is hereby required in case he shall call out or continue in real service any part of the Militia under his command, forthwith to dispatch an express to the Captain-General or commander in chief for the time being, notifying the danger and the strength and motions of the Enemy, and the said Colonel or commanding officer is hereby empowered to impress boats, men and horses as the Service may require.

press to the commander in chief.

Colonel may impress boats, men and horses.

XI. *And be it further enacted*, That the Captain-General or Commander in Chief shall be and he is hereby authorized and empowered in case of any Invasion or sudden attack made or threatened as aforesaid, to call out the Militia of the several Counties or any part thereof into real service, as he in his discretion shall think fit and the exempts as aforesaid.

Commander in Chief may, in case of Invasion call out the Militia of the several Counties.

XII. *And be it further enacted*, That the Militia or any part thereof, and the exempts as aforesaid so called into real service by virtue of the provisions in this Act shall and may be ordered to march from one County or part of the Province to another, on any necessary service occasioned by such Invasion or sudden attack made or threatened as aforesaid.

Militia may be ordered to march from one county to another.

XIII. *And be it further enacted*, That when the Captain-General or Commander in Chief shall direct any part of the Militia or the exempts as aforesaid, of any or either of the Counties to be called out as aforesaid into real service, the part so called out shall be drafted by ballot from each Company or Troop in exact proportion according to the numbers then fit for duty, which shall be on the Oath of the Captain or commanding officer to the best of his knowledge if required, and on such occasions all the persons within the County in which any part of the Militia shall be called out as aforesaid, who are herein before declared to be exempted from being enrolled in the Militia in the manner herein before mentioned, except licensed Clergymen, one Miller and one Ferryman to each Mill and Ferry, who shall not have joined or formed themselves into any
Company

Militia ordered for actual service to be drafted by ballot.

Exempts to be formed into a company under the direction of the Colonel.

except Clergymen, Millers, & Ferryman,

and liable to be drafted.

each person drafted to go himself or find a man in his room, under penalty of 10*l*.

or 3 months imprisonment.

In case of refusal another to be drafted, who shall have half the fine & be subject to the same penalty for refusal.

No person to be twice drafted till all the company have been drafted.

Any person under arms, &c. on actual service guilty of disobedience of orders, or contemptuous behaviour,

if an officer, to be tried by a General court-martial & broke,

non commissioned officer or private to be confined & tried by a regimental

Company as aforesaid, shall be formed into a Company under the direction of the Colonel or commanding officer of the Militia in such County, and shall be liable to the same draft by ballot as any other Company in such County, in proportion to their numbers then fit for duty as aforesaid, and each and every person so drafted shall go in his own proper person or find a good man in his room, and for his neglect or disobedience herein he shall be confined by the commanding officer, and shall pay a fine of Ten Pounds or remain in Gaol three months, and another man shall be drafted as aforesaid to march in his place, who shall have half of the said fine if he shall not refuse or neglect to go or find a good man in his room as aforesaid, but if he shall so neglect or refuse then he shall be subject to the like fine and a further draft shall be made of another man who shall have half of the fine last mentioned, if he shall not neglect or refuse to go or find a good man in his room as aforesaid, and so as often as such case shall happen. *Provided always*, That in case any part of the Militia or exempts as aforesaid in any County shall be called out more than once, no person who has been once drafted as aforesaid shall be again drafted until all the others belonging to the same Company shall have been drafted.

XIV. *And be it further enacted*, That if any officer, non-commissioned officer or private of the Militia or exempts as aforesaid under arms for real service on a march or on guard, or that shall be ordered for any of the duties or services herein before mentioned, shall disobey orders or neglect doing his duty, or shall shew any contemptuous behaviour towards his superior officer, if an officer he shall on conviction thereof before a general court-martial to be constituted and appointed as herein after directed, be cashiered by the sentence of such court-martial, if a non-commissioned officer or private, he shall be confined by the commanding officer of the party or guard, and it shall be lawful for the commanding officer

officer of the Regiment or of any party or command, not under the degree of a Captain, to order a Regimental court-martial to be forthwith held for the trial of such offender, the said court-martial to consist of three commissioned officers at least, but where they can be had of five, who may give judgment by laying a fine on such offender in any sum not exceeding Forty Shillings, which fine so ordered by the court-martial if he neglect or refuse to pay, the said offender shall be sentenced to imprisonment or hard labour for any term not exceeding Ten days. *Provided always, nevertheless,* that no sentence of a Regimental court-martial shall be put in execution until approved of by the officer ordering such court-martial, and no officer being the accuser shall sit as a member.

XV. *And be it further enacted,* That if any officer, non-commissioned officer or private of the Militia or exempts as aforesaid, shall in the Field or upon a march or in quarters on actual service, desert the Troop, Company or command to which he belongs, or shall disobey orders, if a commissioned officer, he shall be put under arrest by the commanding officer, if a non-commissioned officer or private he shall be sent to the next county Gaol or other Gaol as soon as convenient, and it shall and may be lawful for the Captain-General or Commander in Chief of the Province to order a general court-martial by a warrant under his hand and seal, for the trial of such offender as speedily as the service will admit, which court-martial shall not consist of a less number than Thirteen commissioned officers of the Militia, and the President of such court-martial shall not be under the degree of a Field-officer, and there shall be as many Captains as conveniently can be had, the eldest Subalterns to make up the number. And that such court-martial shall have power to administer an Oath to any witnesses in order to the examination or trial of such of the above offences as shall come before them, and shall also have power to punish by fine

court-martial, (which must consist of at least three officers) & fined 40s.

which, if he neglect or refuse to pay he shall be sentenced to hard labor or imprisonment not exceeding 10 days.

No sentence to be put in execution till approved of by the officer ordering Court.

Deserters to be confined & tried by a general court-martial,

to be appointed by warrant under hand and seal of the commander in chief,

to consist of 13 officers,

the President to be a Field-officer

Court may administer Oaths,

and may punish by fine, not exceeding

fine

ceeding sol. and imprisonment not exceeding 6 months.

fine and imprisonment, the fine not to exceed Twenty Pounds, nor the imprisonment to be more than Six Months; all which fines not herein before otherwise disposed of shall be appropriated to such Military uses as the Captain-General or Commander in Chief of the Province for the time being shall think fit.

Members of the Court to be sworn.

XVI. *Provided always, and be it further enacted,* That in all trials by general courts-martial every officer before any proceeding be had shall take the following Oath, and the Judge Advocate is hereby authorized to administer the same.—

“ You shall well and truly try and determine, according to your evidence in the matter now before you, between our Sovereign Lord the King’s Majesty and the prisoner to be tried.

Commander in Chief to appoint a Judge Advocate, who shall receive 10s. per diem.

And the Captain-General or Commander in Chief of the Province shall have power to appoint any fit person to act as Judge Advocate at any such general court-martial, who shall be allowed for his services Ten Shillings per day during the time he shall be actually employed in such service.

No sentence to be put in execution till approved of by the commander in chief.

XVII. *And be it further enacted,* That no sentence of any such general court-martial shall be put in execution before the same be approved by the Captain-General or Commander in Chief for the time being.

Militia called out on actual service to be paid.

XVIII. *And be it further enacted,* That when any part of the Militia shall be ordered to march from one part of the Province to another on real service as aforesaid, or shall be called out as aforesaid to do actual duty on real service within any Town or County in this Province, there shall be allowed and paid to the commissioned and non-commissioned Officers, Drummers and Private Men for so long time as they shall remain on such service, at and after the rates following, that is to say—to the commissioned officers after the same rate as officers of the like rank in His Majesty’s troops; to every Sergeant, One Shilling and Six Pence per day; to every Corporal, One Shilling and Three Pence per day;

to every Drummer and Fifer, One Shilling and Three Pence per day; and to every Private, One Shilling per day.

XIX. *And be it further enacted*, That in any County of the Province exposed and subject to the attacks of an Enemy by water, where the same shall be found absolutely necessary, it shall and may be lawful for the Colonel or commanding officer of the Militia in such County to provide and furnish at the expence of the Province such and so many armed Boats not exceeding Two, without the consent and approbation of the Captain-General or Commander in Chief of the Province, as shall be necessary for the protection and defence of the places so exposed, which Boats shall be under the conduct and direction of such Colonel or commanding officer of the Militia in such County.

In Counties exposed to attacks by water, the Colonel may provide armed boats,

not more than two without consent of the commander in chief.

XX. *And be it further enacted*, That whenever the Colonel or commanding officer of the Militia in any County where such Boats are provided, shall find it necessary to order the Boats so provided to proceed in repelling the Enemy, or to the assistance of any neighbouring district or place, the Militia of such County shall on the orders of such commanding officer proceed in such Boats accordingly.

Militia when necessary to go in the boats.

XXI. *And be it further enacted*, That in all cases where it shall be found necessary on account of any Invasion or sudden attack of the Enemy made or threatened as aforesaid, to call into real service any part of the Militia in any County, it shall and may be lawful for the Colonel or commanding officer of the Militia in such County to cause all the free male Blacks or people of colour between Sixteen and Sixty years of age to be formed into Companies as nearly as may be of the same strength with the Regimented Companies in the County, and to appoint non-commissioned officers thereto, from which Company or Companies shall be drafted by ballot as aforesaid, a proportion exactly according to their numbers then fit for duty, and that the persons so drafted

In case of Invasion on the Freeblacks to be formed into companies, and drafted to serve as Pioneers to the Militia, and be intitled to the like pay.

drafted shall serve as Pioneers with the Militia so called out, and shall be intitled to the like pay.

Arms lent by government, being sold, disposed of, or conveyed away, offender to forfeit 20*l*.

XXII. *And be it further enacted*, That in case of any emergency any Arms or Accoutrements that have or may hereafter be furnished to any person belonging to the Militia in this Province by Government, by reason that such person shall not have had it in his power to have provided the same for himself, if in any such case any person so furnished with Arms or Accoutrements by Government shall sell or dispose of the same or any part thereof or shall convey or cause the same or any part thereof to be conveyed out of the Province, or shall convey or cause the same or any part thereof to be conveyed on board of any boat, ship or vessel, with intent to have the same carried out of the Province, every person so offending shall for each and every offence forfeit and pay the sum of Ten Pounds, to be recovered upon conviction before any one Justice of the Peace upon the Oath of one or more credible witnesses or witnesses, and levied by warrant of distress and sale of the offenders goods, rendering the overplus, if any, after deducting the costs and charges of such distress and sale to the offender, one half of which penalties shall be paid into the Province Treasury and the other half to the person who shall prosecute for the same, and for want of effects whereon to levy such Fine, such offender shall be imprisoned not exceeding Six Months nor less than Three Months.

on conviction before a Justice of the Peace.

For want of effects whereon to levy the Fine, offender to be imprisoned not more than 6 nor less than three months.

Wounded persons provided for.

XXIII. *And be it further enacted*, That if any person be wounded or disabled upon any Invasion or attack of the Enemy he shall be taken care of and provided for at the expence of the Province during the time of such disability.

Limitation.

XXIV. *And be it further enacted*, That this Act shall continue and be in force during the present War and no longer.

CAP. II.

AN ACT TO ALTER ONE OF THE TERMS OF HOLDING the INFERIOR COURT OF COMMON PLEAS for the County of YORK. Passed the 5th of March, 1805.

WHEREAS the SECOND Tuesdays in April appointed by Law as an additional Term for the Sittings of the Inferior Court of Common Pleas in the County of York, have been found inconvenient, owing to the dangerous state of the River Saint John at that period.

Preamble.

I. Be it therefore enacted by the PRESIDENT, Council and Assembly, That the said Court shall hereafter be holden on the THIRD Tuesdays of March instead of the said SECOND Tuesdays in April, in each and every year.

Court to be held on 3d Tuesday in March.

II. And be it further enacted, That no process shall abate, or other business of what nature or kind forever, be discontinued by reason of the alteration of the said Term, but shall and may be proceeded upon, heard and determined, at the time herein appointed, in the same manner as they might have been proceeded upon, had no alteration been made.

No process to abate by reason of alteration.

CAP. III.

AN ACT TO PREVENT the IMPORTATION and SALE of GOODS by Persons not His MAJESTY'S Subjects. Passed the 5th of March, 1805.

Expired X

WHEREAS it frequently happens that Persons not His Majesty's subjects come into different parts of this Province with dutiable Goods and other Merchandise, and dispose of the same to the manifest injury of the Revenue and discouragement to the importation and sale of British Merchandise.

Preamble.

I. Be it therefore enacted by the PRESIDENT, Council and Assembly, That from and after the passing of this Act, it shall not be lawful for any Person or Persons, not His Majesty's subjects, to bring into this Province

No persons not His Majesty's subjects to bring or sell mercan-

Province.

vince or dispose of within the same, any articles of Merchandise whatever.

Offenders on conviction to forfeit 10*l*. or be committed to Gaol.

II. *And be it further enacted*, That for each and every such offence, the offender shall on conviction forfeit and pay a fine of Ten Pounds, to be recovered before any one of His Majesty's Justices of the Peace for the County, Town or Parish, where the offence is committed, to be levied of his goods and chattels, and for want thereof such offender to be committed to the common Gaol for a time not less than One Month nor exceeding Three Months; one half of such forfeiture to be to the Person or Persons complaining of and suing for the same, and the other half to the benefit of the Poor of the Town or Parish where such offence has been committed.

Penalty—half to the Informer—half to the Poor.

III. *And be it further enacted*, That it shall be the duty of the Treasurer in the City and County of *Saint John*, and of his Deputies in the respective Counties to enforce this Act.

Treasurer to enforce the Act.

IV. *And be it further enacted*, That this Act shall continue and be in force for Three Years and no longer.

Limitation.

CAP. IV.

An ACT for the better REGULATING the WEIGHT and RATES at which GOLD COIN shall pass current in this Province. Passed the 5th of March, 1805.

WHEREAS it will tend to prevent the diminution of Gold specie circulating in this Province that the same be regulated according to a standard that shall not present an advantage by carrying it into the neighbouring Countries: AND WHEREAS an advantage does arise by carrying Gold Coin out of the same.

Gold Coin to be a legal tender at the weight and rates following,

I. *Be it therefore enacted by the PRESIDENT, Council and Assembly*, That the Gold Coin hereafter mentioned, shall pass current and be a legal tender in payment

Disallowed by the King

Preamble.

X

payment of all Debts and demands whatever in this Province, at the weight and rates following, that is to say—the British Guinea weighing five penny-weight and six grains Troy, at one pound, three shillings and four pence; the Johannes of Portugal, weighing eighteen penny-weight Troy, at four pounds; the Moidore, of Portugal, weighing six penny-weight and eighteen grains Troy, at one pound, ten shillings; the milled Doubloon or four pistole piece of Spain, weighing seventeen penny-weight Troy, at three pounds, fourteen shillings; the French Louis d'or coined before the year one Thousand seven Hundred and ninety-Three, weighing five penny-weight and four grains Troy, at one pound, two shillings and six pence; the French Pistole piece, coined before the same period, weighing four penny-weight and four grains Troy, at eighteen shillings; the American Eagle piece, weighing eleven penny-weight and six grains Troy, at two pounds and ten shillings. And all the higher and lower denominations of Gold Coin shall also pass current and be a legal tender in payment of all Debts and demands whatsoever in this Province, in the same proportion respectively.

British Guinea at
5d. 6gr. 1℥ 3s 4d

Johannes of Portugal 18d. 4℥.

Moidore of Portugal 6d. 18gr.

1℥ 1cs.
Doubloon of Spain 17d. 3℥ 14s.

French Louis d' or 5d. 4gr. 1℥ 2s 6d.

French Pistole 4d. 4gr. 18s.

American Eagle 11d. 6gr. 2℥ 10s

and all higher & lower denominations of Gold Coin in the same proportion.

For every Grain which any piece weighs more or less than the standard, 2d ½ to be added or deducted.

In all payments exceeding 50℥. Gold may be weighed in bulk.

II. *And be it further enacted*, That for every Grain which any piece of the aforesaid Gold Coins shall respectively weigh more than the standard aforesaid, there shall be allowed and added in all payments made in pieces of Gold Coin by detail, two pence and one farthing Currency; and for every Grain which any piece of the same shall respectively weigh less than the standard aforesaid, there shall be deducted in all such payments two pence and one farthing Currency.

III. **AND** WHEREAS it would be a great facility in making payments if Gold Coin was weighed in bulk and not in single pieces; *Be it therefore enacted*, That in every payment exceeding the sum of Fifty Pounds, which shall be made in Gold Coin after the first day of *May* next, when one of the parties making

Gold of Great-Britain, Portugal and America together, & that of Spain and France together. A deduction to be made of two-thirds of a grain for each piece weighed. Gold of Great-Britain, Portugal & America to be computed at 89s. per ounce, & that of Spain & France at 87s. after deduction made.

No plugged gold to be a lawful tender.

king or receiving the same shall require it, such Gold shall be weighed in bulk and not in single pieces, that is to say—the Gold of *Great-Britain*, *Portugal* and *America* together, and that of *Spain* and *France* together, from the weight of which a deduction shall be made of two thirds of a grain Troy, for each piece of Gold Coin so weighed, as a compensation for the loss that may accrue by paying away the same in detail; and in all payments so made the Gold Coin of *Great-Britain*, *Portugal* and *America*, shall be computed at the rate of eighty-nine shillings Currency for each ounce Troy, and that of *Spain* and *France* at the rate of eighty-seven shillings Currency for each ounce Troy therein contained, after such deduction made, and so in proportion for a greater or lesser quantity.

IV. *And be it further enacted*, That no plugged Gold of any kind, shall from and after the passing of this Act, be a lawful tender in this Province.

CAP: V.

AN ACT TO CONTINUE an Act, intituled, "An Act for the better SECURING the NAVIGATION of "PASSAMAQUODDY BAY, within DEER ISLAND." Passed the 5th of March, 1805.

Preamble.

WHEREAS an Act made and passed in the Forty-first year of His Majesty's reign, intituled, "An Act for the better securing the Navigation of "Passamaquoddy Bay within Deer-Island," will expire on the Fourteenth day of *February*, One Thousand Eight Hundred and Six. AND WHEREAS it is found necessary to continue the same on account of the expence which was formerly incurred in erecting Beacons, not being yet defrayed; and likewise the further expence arising from replacing by Buoys those Beacons which have been at different times carried away in consequence of gales of Wind and other accidents.

Be

Be it therefore enacted by the PRESIDENT, Council and Assembly, That the said herein before recited Act continue and be in force from the said Fourteenth day of *February*, One Thousand Eight Hundred and Six, and that it shall be lawful for such Commissioners as his Honor the PRESIDENT, or the Commander in Chief for the time being shall appoint, to demand, sue for, recover, and receive from any Person or Persons whatever, indebted for Monies received, or which they are otherways indebted for by virtue of the said Act, and also to keep in repair or replace such Buoys or Beacons as are required to be placed or erected on the respective places mentioned in the said Act.

Former Act continued.

Commissioners empowered to sue for and recover monies.

CAP. VI.

An ACT for the more effectual PREVENTION OF DESERTION from His MAJESTY'S FORCES. Passed the 5th of March, 1805.

WHEREAS the provisions and penalties in an Act made and passed in the Thirty-third year of the reign of His present MAJESTY, intituled, "An Act for apprehending Deserters from His MAJESTY'S service, and for punishing unlawful dealings with Soldiers" have been found ineffectual—

Preamble.

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

Former Act repealed.

II. *And be it further enacted,* That if any person or persons after the passing of this Act, shall harbour, conceal or assist any Deserter from His MAJESTY'S service, knowing him to be such, every such person so offending shall for every offence on conviction forfeit the sum of Twenty Pounds.

Persons harboring, concealing, or assisting Deserters to forfeit 20*l*.

III. *And be it further enacted,* That if any person shall knowingly buy, exchange or detain, or otherwise receive from any Soldier or Deserter upon any account whatsoever, any Arms, Clothing, Caps, or other furniture belonging to the KING, or any such articles

Persons buying, exchanging, or detaining from any soldier or deserter, any cloa-

thing or necessaries, or any provisions without consent of Officer commanding the Company, to forfeit 5*l*.

First mentioned penalty to be recovered before two Justices, & the last before one Justice of the Peace,

and levied by warrant of distress.

Penalties to be paid, half to the Province Treasurer, and half to the Prosecutor.

For want of goods offender to suffer imprisonment not more than three months.

Persons apprehending Deserters & delivering them up to a military Post to receive 10*l*. on producing a certificate specifying the apprehension and the name of such Deserter, and to what regiment he belongs.

articles belonging to any Soldier or Defenter as are generally deemed Regimental necessaries according to the custom of the Army, or shall exchange, buy or receive from any Soldier any provisions unless by consent of the Officer commanding the Company to which such Soldier shall belong, every person so offending shall incur the penalty of Five Pounds.

IV. *And be it further enacted*, That the first mentioned penalty shall and may be recovered before any two Justices of the Peace, and the last mentioned penalty before any one Justice in the County where such offences may be committed, upon conviction on the Oath of one or more credible witness or witnesses, to be levied by warrant of distress under the hand of such Justice, by distress and sale of the goods and chattels of the offender, one moiety of which penalties shall be paid into the Province Treasury for the purpose of encouraging the apprehension of Deserters, the other moiety to such persons as shall prosecute the same offences to conviction; and in case no sufficient goods or chattels can be found whereon to levy such distress every offender shall by such Justice be committed to the common Gaol in such County, there to remain without bail or main prize for a term not exceeding Three Months.

V. *AND* for the better encouragement for apprehending Deserters, *Be it further enacted*, That any person or persons who shall apprehend any Deserter or Deserters from His MAJESTY'S forces and deliver up such Deserter to any Officer commanding any Military Post in this Province, shall for each and every Deserter so apprehended and delivered up receive a reward of Ten Pounds on producing a certificate of such apprehension and delivery, specifying the name or names of such Deserter and to what Regiment or Corps he or they belong, signed by such commanding Officer and one Justice of the Peace for the County or District before whom such Deserter

Deferter or Deserters shall be brought. *Provided* the rewards so to be given out of the Province Treasury shall not in any one Year exceed One Hundred Pounds.

Rewards not to exceed 100*l.* in any one year.

VI. *And be it further enacted*, That it shall be the duty of all keepers of His MAJESTY'S Gaols on the Road between the place or places where such Deferter may be apprehended and the place of his or their final destination, to receive such Deferter into their custody without any fee or reward, whether such Deferter be conveyed by virtue of a warrant from any Justice of the Peace or under Military escort by an order of the commanding Officer of His MAJESTY'S forces or of the War office.

Gaolers on the road to receive Deserters without Fee.

VII. *And be it further enacted*, That the Treasurer of the Province be, and he is hereby authorized and required on producing such certificate signed as aforesaid, to pay such reward above mentioned to the person or persons producing the same, provided the same do not exceed the sum of One Hundred Pounds limited as aforesaid.

Treasurer authorized to pay rewards on producing the certificate.

VIII. *And be it further enacted*, That this Act shall continue in force during the present War and no longer.

Limitation.

CAP. VII.

AN ACT TO ALTER and AMEND an Act, intituled, "An Act for SECURING the NAVIGATION of the "River MAGAGUADAVIC." Passed the 5th of March, 1805.

WHEREAS the erection of Saw-Mills, and other improvements on the River *Magaguadavic*, are found to be of great Public advantage; and that for the securing and further promoting thereof some alterations and amendments are required to the Act, intituled, "An Act for securing the Navigation of "the River *Magaguadavic*."

Preamble.

I. *Be it therefore enacted by the PRESIDENT, Council and*

Dams or Booms may be placed across the River *Magagaudavic*,

provided a sufficient sluice way be left for boats and rafts.

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

A large single evergreen bush to be erected every 60 rods, to mark a place where travellers may pass.

Travellers to keep the large

and Assembly, That for erecting of Mills, and securing of Logs and other purposes, it shall and may be lawful to throw a Dam or Dams, a Boom or Booms, across the said River *Magagaudavic*, where the same may be found convenient, at or near the second Falls or other parts of the said River. *Provided always*, That such Dam or Dams, Boom or Booms, be so constructed as to secure a sufficient Sluice way or passage for conveying Boats, rafts of Boards or other Lumber through the same.

CAP. VIII.

An ACT to REGULATE the WINTER ROADS in the Counties of YORK and SUNBURY. Passed the 5th of March, 1805.

i. **B**E it enacted by the PRESIDENT, Council and Assembly, That from and after the passing of this Act, the Commissioners of Highways or the major part of them for the time being, in the several Towns and Parishes in the Counties of *York* and *Sunbury*, along which it may be necessary to break Winter Roads on the River *Saint John*, in the said Counties, shall 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 labor on the said Winter Roads, by marking the same in lines as straight as may be, with One Row of Evergreen or other Bushes, erected at distances not exceeding Four Rods from each other: And there shall be erected on the said Roads, not exceeding Sixty Rods from each other, nor nearer than One Rod to the said row of Evergreen or other Bushes, one large single Evergreen bush, to designate a place where Travellers may pass each other.

II. *And be it further enacted*, That all persons travelling on the said Winter Roads with their Horses, Cattle, Sleds, and Carriages of every denomination

tion, shall, and they are hereby obliged to travel on that Road, so as to leave the said large single Evergreen bush always on the Left hand, and in all cases when Travellers meet each other, below *Frederickton*, those who are going down the River, shall be obliged to stop at the first and nearest single Evergreen bush; and whenever it shall happen that Travellers meet each other above *Frederickton*, those going up the River shall in like manner be obliged to stop at the said first and nearest single Evergreen bush: And in all cases where it shall happen that any person or persons travelling on the said Winter Road, shall overtake slow moving Sleds or Cattle, the person or persons driving or owning the same, shall be obliged to stop at the said first and nearest single Evergreen bush to enable any Traveller or Travellers to pass on forwards, so that all Travellers with their Horses, Cattle, Sleds and Carriages of every denomination, may be enabled to pass each other, under the penalty of Ten Shillings for each and every offence committed contrary to the true intent and meaning of this Act, to be recovered with costs upon complaint to any one of His Majesty's Justices of the Peace for the said Counties where the offence shall be committed, to and for the use of the Informer.

III. *And be it further enacted*, That the said Commissioners or the major part of them, shall proceed to lay out the said Winter Road or Roads on the same side of the Bushes on which shall be erected the said large single Evergreen bush. *Provided always*, that from the lower landing place to the upper and usual landing place above *Frederickton*, and along the front Street of the same the said Commissioners or the major part of them are hereby required to lay out the said Winter Road on each side, and within Six feet of the said One row of Bushes erected as aforesaid, and all persons travelling with their Horses, Cattle, Sleds and Carriages of every denomination, are hereby obliged to travel on that

single bush on the left hand,

Travellers going from *Frederickton* to stop at the nearest single bush.

Slow moving sleds when overtaken by Travellers to stop at the nearest single bush,

under penalty of 10s. to be recovered before a Justice of Peace,

to the use of the Informer.

Commissioners to lay out roads on the same side of the row of bushes on which the single bushes are erected, excepting that thro' the Town of *Frederickton*, the road shall be laid out on both sides of the bushes—and persons travelling there to keep the bushes on the left hand,

Road within the aforesaid limits, so as to leave the said One row of Bushes always on the Left hand, under the penalty of Ten Shillings for each and every offence, to be recovered and applied as aforesaid.

Commissioners to determine the distances to be worked by their respective Parishes.

IV. *And be it further enacted*, That the said Commissioners or the major part of them, shall and they are hereby required to agree and determine the distance upon the said River, which is to be worked by their respective Towns or Parishes, and the Surveyors of Highways shall proceed to break the said Winter Roads agreeably to Law.

Roads to be laid out from the lower boundary of Sunbury, to Savage Island.

V. *And be it further enacted*, That the Winter Roads so to be marked on the River *Saint John*, shall be laid out from the lower Boundary of the County of *Sunbury* to the lower Boundary of the County of *York*, from thence to the landing place at *Frederickton*, and from thence through the front Street of the Town Plat until the same descends upon the River *Saint John* at the usual landing place, and from thence to the lower end of *Savage Island*.

Persons cutting or destroying bushes to forfeit 30s.

VI. *And be it further enacted*, That if any person shall wilfully cut or take down, or destroy, any of the Bushes so to be erected, shall forfeit and pay the sum of Thirty Shillings upon conviction before any one of His MAJESTY'S Justices of the Peace, upon the Oath of one or more credible witnesses or witnesses, to be levied by warrant of distress and sale of the offender's goods, rendering the overplus, if any, after deducting the costs and charges to the offender, to and for the use of the Informer; and for want of such effects to levy on, the said offender or offenders, shall be imprisoned for a time not less than Six nor exceeding Ten days.

to the use of the Informer.

Inhabitants keeping Teams, to send the same on being summoned, with a good driver to work as the Surveyors

VII. *And be it further enacted*, That every Inhabitant in the said Counties keeping a Team or any Carriage whatever drawn by one or more Horses, Ox or Oxen, shall be obliged, on being duly summoned, to send his Team or Carriage with a competent driver, to work in such manner as the said Surveyors

veyors shall direct. And on such person or persons neglecting or refusing to send his Team or Carriage and a good driver, or not performing such reasonable work as the said Surveyors shall direct, the owner of such Team or Carriage shall forfeit the sum of Ten Shillings. And every Commissioner or Surveyor who shall refuse or neglect to perform the duty enjoined and required by this Act, shall forfeit and pay for every such refusal or neglect the sum of Three Pounds, the fines aforesaid to be recovered on complaint, with costs of suit, before any one of His MAJESTY'S Justices of the Peace, and the forfeiture applied for repairing the Highways, under the direction of the Commissioners or the major part of them, of the Towns or Parishes where the said forfeiture shall accrue. *Provided always*, That such person or persons keeping a Pleasure Sleigh or Sleighs only, shall not be obliged by this Act to perform any other labour on the said Winter Roads, except to break the same when duly summoned so to do.

shall direct, under the penalty of 10s.

Commissioners or Surveyors for neglect of duty, to forfeit 3*l*.

Forfeitures applied for repairing the highways

Persons keeping Pleasure sleighs only, to do no labor but breaking roads.

VIII. *And be it further enacted*, That no person or persons summoned as aforesaid, shall be obliged to go further from their respective homes than three Miles, or to work on the said Winter Roads more than Four days in any one Winter.

No person to go more than three miles from home.

IX. *And be it further enacted*, That whenever the Surveyors of Highways on the Rivers *Nashwack* and *Penniack*, in the Parish of *Saint Mary's* and County of *York*, shall during the Winter season deem the labour of Men necessary, it shall and may be lawful for such Surveyors forthwith to summon such and so many of the Inhabitants with their Shovels or such other proper implements as the said Surveyors or Surveyor shall direct, not exceeding Four times in any one Year, nor a greater distance than Three miles from their own houses, and in case of refusal or neglect shall forfeit and pay for each and every offence the sum of Three Shillings, to be recovered with costs of suit in manner described in the seventh section of this Act.

Surveyors on the *Nashwack* & *Penniack* when necessary to summon Inhabitants to work with shovels, not more than 4 times in 1 year, nor more than three miles from home,

under penalty of 3*s*.

Single Horfe or Ox sleds used on the *Nashwack* & *Penniack* to be 3 feet 8 inches wide, under penalty of 5s.

Nor to extend to sleds a Man may use on his own Farm only, or to Pleasure sleighs.

Persons travelling with single Horfe or Ox sleds to the settlements on the *Nashwack* or *Penniack* to go on the highway on the westerly side of the *Nashwack*, under penalty of 10s. Forfeitures to be paid to the Prosecutor.

X. *And be it further enacted*, That all Sleds made use of for the purpose of transporting Wood, Hay, or other heavy materials to or from or in the Settlements on the Rivers *Nashwack* and *Penniack* aforesaid, and drawn by one Horfe or one Ox, shall not be less or more than Three feet Eight inches from outside to outside of the runners thereof: And if any person or persons whatever shall make use of any single Horfe or Ox Sled as aforesaid of less dimensions, and be thereof convicted by the Oath of one or more credible witness or witnesses, before any one of His Majesty's Justices of the Peace or on view of such Justice, shall forfeit and pay the sum of Five Shillings, the same to be recovered and applied in manner directed in the seventh section of this Act. *Provided always*, That nothing herein contained shall be construed to extend to any Sled a Man may use upon his own Farm only, or to any Pleasure Sleigh whatever.

XI. *And be it further enacted*, That all persons travelling to the Settlements on the Rivers *Nashwack* or *Penniack* above the great Rapids so called, with Sleds or Sleighs drawn by one Horfe or one Ox, shall at all times be obliged to travel on the Highway as now laid out, on the westerly side of the said River *Nashwack*, leading from the *Moncton* Ferry to the said Settlements, under the penalty of Ten Shillings, to be recovered as aforesaid, all which forfeitures shall be paid to the person or persons prosecuting the same to conviction.

CAP. IX.

An ACT in ADDITION to an Act, intituled, "An Act for REGULATING JURIES and DECLARING the QUALIFICATION of JURORS." Passed the 5th of March, 1805.

Preamble.

WHEREAS in and by an Act made and passed in the Twenty-sixth year of His Majesty's reign, intituled, "An Act for regulating Juries and declaring

declaring the qualifications of Jurors," no provision is made respecting the Fees to be paid to Jurymen returned to serve on special Juries under the authority of the said Act.

Be it therefore enacted by the PRESIDENT, Council and Assembly, That any person who shall after the first day of *May* next serve upon any special Jury appointed or returned by authority of the said Act, shall be allowed to take for serving on such Jury no more than the sum of money which the Judge who tries the issue or issues shall think just and reasonable, not exceeding the sum of Five Shillings per day, and that the Sheriff for summoning and returning such Jury shall be intitled to receive a sum not exceeding Thirty Shillings, to be taxed at the discretion of the Judge.

Special Jurors to be allowed at discretion of the Judge, not exceeding 5s. per day.

Sheriff to receive no exceeding 30s.

CAP. X.

An ACT for ALTERING ONE of the TERMS of HOLDING the INFERIOR COURT of COMMON PLEAS in the County of SUNBURY. Passed the 5th of March, 1805.

WHEREAS the THIRD Tuesdays in *April* appointed by Law as an additional Term for the sitting of the Inferior Court of Common Pleas in the County of *Sunbury*, have been found inconvenient, owing to the dangerous state of travelling.

Preamble.

I. *Be it therefore enacted by the PRESIDENT, Council and Assembly,* That the said Court shall be holden on the FOURTH Tuesdays in *March*, instead of the THIRD Tuesdays in *April*.

Court to be holden on the fourth Tuesday in *March*.

II. *And be it further enacted,* That no Procefs shall abate, or other business of what nature or kind soever be discontinued by reason of the alteration of the said Term, but shall or may be proceeded upon, heard and determined at the time herein appointed in the same manner, as they might have been proceeded upon had no alteration been made.

No process to abate by reason of alteration.

CAP.

CAP. XI

AN ACT TO PROVIDE FOR PUNCTUALITY OF PAYMENT at the TREASURY, by issuing NOTES to the amount of the PUBLIC APPROPRIATIONS. Passed the 5th of March, 1805.

WHEREAS from the capture of Vessels belonging to this Province and the uncertainty of the terms at which the Duties imposed by the Legislature may become payable, a want of punctuality has been experienced at the Treasury, and thereby payment of some of the public Creditors and the contemplated improvements on the Roads unavoidably deferred.

Preamble.

Notes to the amount of 5000*l.* to be issued—
to wit:—
200 of 20 dollars each;
400 of 10 dolls.
600 of 8 dollars;
600 of 6 dollars;
900 of 4 dollars;

to bear an interest of five per cent.

I. *Be it therefore enacted by the PRESIDENT, Council and Assembly,* That Notes to the amount of Five Thousand Pounds be issued forthwith after the passing of this Act, as follows, to wit: Two hundred Notes of Twenty dollars each, Four hundred Notes of Ten dollars each, Six hundred Notes of Eight dollars each, Six hundred Notes of Six dollars each, and Nine hundred Notes of Four dollars each; making in all Twenty Thousand dollars, equal to Five Thousand Pounds, which Notes shall bear an Interest of Five per cent. per annum from their dates, and shall be indented and impressed with the words *New-Brunswick*, and signed by the Treasurer, and also countersigned by His Majesty's Attorney and Solicitor General and by William Pagan, Esquire, or any two of them, and containing the following figures and words, to wit.

TREASURER'S-OFFICE, NEW-BRUNSWICK.

Form of the Note.

Number ———

———— Dollars.

This Note shall be estimated at the Treasurer's-Office of equal value as Gold or Silver, to the amount of ——— Dollars, with Interest at Five

Five per cent. from its date, and be received as such in all payments at the Treasury.

All which Notes shall be of the same date, and shall when so completed and signed be delivered to the Treasurer, by the persons appointed to countersign the same, which Treasurer shall be accountable for such Notes so delivered to him.

II. *And be it further enacted*, That when and as often as money shall become due or payable by virtue of any Act or Acts already passed, or that may be passed during the present session of the Legislature of this Province, and warrants for the same are produced for payment at the Treasurer's-office; the Treasurer shall pay the amount of such warrants on demand in Gold or Silver, or in the said Notes, estimating and adding such Interest from their date as may be then due to the person or persons intitled to receive the same on their voluntary acceptance thereof, which Notes shall be again received at the Treasury at their specified value, equal to the like value of Gold or Silver, when and as often as the same are presented and offered in payment of duties, and the like Interest from their dates, estimated and allowed in such payment. And the Treasurer and his Deputies are hereby required and directed to keep a regular account of all Interest so received or allowed by them.

III. *And be it further enacted*, That if any person or persons whatsoever, shall presume to counterfeit any of the Notes aforesaid, issued by virtue of this Act, or alter any of the same so that they shall appear to be of greater value than when originally filled up, numbered and signed, or shall knowingly pass or give in payment any of the Notes aforesaid so counterfeited or altered, every person guilty of so counterfeiting or altering any such Note, or knowingly

Notes to be the same date & delivered to the Treasurer who is to account for them.

Treasurer to pay the amount of warrants to the persons intitled in Cash, or in Notes on their voluntary acceptance thereof, estimating and adding the interest.

Notes to be received at the Treasury at their specified value, & interest from the date, allowed in payment.

Persons counterfeiting Notes guilty of Felony without benefit of Clergy.

ingly passing or giving in payment any such altered or counterfeited Note, shall be deemed guilty of Felony, without benefit of Clergy.

No paper of any Foreign Kingdom to have currency in this Province.

IV. *And be it further enacted*, That no Bank Bill, Note or other paper currency of any Foreign Kingdom or State, shall be received in payment or have currency in this Province.

When the Treasury will admit the calling in of 200l. Treasurer to give 30 days Notice by Advertisement,

V. *And be it further enacted*, That when and as often as the state of the Treasury will admit the calling in to the value of Two hundred Pounds and upwards of the Notes so issued and paid out; the Treasurer shall by Advertisement in the ROYAL GAZETTE, appoint the time at which he will receive such Notes, and pay the amount of the same, together with the Interest due thereon in Gold and Silver, giving Thirty days notice of such redemption, and mentioning the numbers of the Notes so required to be produced for payment, calling in first those of the largest amount then in circulation, and on failure of producing such Notes at the time limited, all future Interest on the same shall cease, and no other or greater amount of Interest shall be recovered on such Notes so called in than was due and payable at the date the same were required to be presented for payment at the Treasury.

and mentioning the numbers of the Notes to be produced for payment beginning with those of the largest amount, from which time the interest on such Notes to cease.

Persons appointed to complete the Notes.

VI. *And be it further enacted*, That the Province Treasurer, together with the persons appointed to countersign the same, be and hereby are appointed to contract for and superintend the completing of the Notes to be issued by virtue of this Act.

CAP. XII.

AN ACT FOR ENCOURAGING and EXTENDING LITERATURE in this Province. Passed the 5th of March, 1805.

Preamble.

WHEREAS the Education of Youth is of the utmost importance in Society, and Public attention to that object has by experience been found to be attended with the most beneficial effects.

I. *Be*

I. *Be it therefore enacted by the PRESIDENT, Council and Assembly,* That a Public Grammar School be and the same is hereby established in the City of *Saint John*.

Grammar school established at *St. John*.

II. *And be it further enacted,* That the Rector of Trinity Church in the said City for the time being, the Mayor of the said City for the time being, and the Recorder of the said City for the time being, together with the Honorable *George Leonard*, Esquire, *Jonathan Blifs*, *William Pagan*, *John Robinson*, *John Black*, and *Thomas Wetmore*, Esquires, Inhabitants of the said City be, and they are hereby appointed Trustees and Directors of the said School, and the said Rector of Trinity Church always to be President of the Board: And that the said President and Directors shall be and they are hereby incorporated by the name of the PRESIDENT and DIRECTORS of the PUBLIC GRAMMAR SCHOOL in the City of *Saint John*, and shall by that name have perpetual succession and be enabled to sue and be sued, implead and be impleaded, answer and be answered unto, and to receive, take and hold gifts and grants of Lands and real Estate (the annual income of which shall not exceed One thousand Pounds) and to accept and receive donations for the erection of a Building for and the endowment of the said School.

Corporation appointed,

of which the Rector of Trinity Church to be President,

to have perpetual succession, & sue and be sued, &c.

and hold real estate not exceeding £1000 per annum.

III. *And be it further enacted,* That the President and Directors of the said Grammar School and their successors, or the major part of them, when duly summoned and assembled, shall form a Board for dispatch of business, and such Board of Directors or the major part of them so assembled, are hereby empowered to point out and procure a proper place whereon to erect the Building for the said School; to contract for and superintend the Building thereof; to provide a Master and one or more Ushers or Tutors, as they shall judge expedient, and from time to time to make and establish Bye Laws, Ordinances, and Regulations, for the government of the said School, and to enforce obedience to the same by

President & Directors when duly summoned, to form a Board, and such Board or the major part to procure a place for erecting a building, & contract for the same, & provide a master and ushers, and make bye Laws for the regulation of the School.

finer and expulsions, or other public censures, as they may judge proper.

In the absence of the Rector, Mayor or of the City to act as President,

or the Recorder in the absence of both the Rector and Mayor.

IV. *And be it further enacted*, That during any vacancy or absence of the Rector of the said Church, the Mayor of the said City shall act as President, and it shall be the duty of the President at all times to summon a Board of Directors whenever the same shall be requested by three or more of the said Directors, and in case of sickness or absence of the said Rector, the Board may be summoned by the said Mayor, and in case of the inability or absence of both the said Board may be summoned by the said Recorder.

In case of death or removal of any who are not ex officio Members,

Board within 3 months to elect others, to be approved of by the Commander in Chief of the Province.

V. *And be it further enacted*, That in case of death or removal from the said City of any of the said Directors not being permanent by office, the remaining Directors at a Board for that purpose, to be summoned within Three Months after, shall elect another fit person being an Inhabitant of the said City for his successor, who being approved of by the Commander in Chief of the said Province for the time being, shall be one of the Directors of the said School, and every other vacancy shall be filled from time to time in like manner.

President & Directors to hold public visitations twice a year.

VI. *And be it further enacted*, That the said President and Directors shall hold public Visitations and Examinations of the said School twice in every Year, to wit, on the first Monday in *April* and first Monday in *September*.

Free Scholars may be admitted not exceeding eight.

VII. *And be it further enacted*, That whenever the said President and Directors shall think proper they may admit any number not exceeding Eight to be free Scholars of the said Grammar School, without any charge for their tuition.

£100 per annum granted for the support of a master,

VIII. *And be it further enacted*, That One hundred Pounds annually be included in the Estimate for the ordinary expences of the Province, and granted to the said President and Directors of the said Public Grammar School, to be applied by them for or towards the support of the Master thereof, and that the

the sum of One hundred Pounds be granted to the said President and Directors, for the purpose of assisting them to purchase or erect a Building for the said School; and that they the said President and Directors shall be accountable from time to time to the Legislature of the Province for their conduct and management of the property so vested and to be vested in them by virtue and in pursuance of this Act. *Provided always*, That as soon as the annual sum of said Grammar School, in whatever manner the same may arise, shall amount to Six hundred Pounds, then and in such case the annual sum of One hundred Pounds hereby granted shall cease.

IX. *And be it further enacted*, That there be and are hereby established in each and every of the Counties in this Province for Six years (except the County of *Saint John*) two Schools, and in the said County of *Saint John* one School for instructing the Youth of both sexes in the English language, and Writing and Arithmetic, which Schools shall be under the regulation, direction, controul and management of the Justices in the General Sessions of the Peace for the said Counties respectively, who are hereby authorized and empowered in such General Sessions respectively, to appoint the Masters for the said Schools from time to time and to displace them at their pleasure: And to direct and appoint the places where such Schools shall be kept or holden from time to time, so that only one of the said Schools shall be kept or holden in any one Parish at one and the same time, and when appointed for such Parish shall be kept or holden in the same for one continued Year and no longer, and shall then be removed to another Parish and shall there continue in like manner, and so toties quoties, until each and every Parish shall have received the benefit of having such School held within the same for one Year, before the same School shall return to the Parish where it has been once holden. *Provided always*, That the said School for the County of *Saint*

and the sum of £100 towards procuring a building—

Board to be accountable to the Legislature,

£100 per annum to cease when the Funds of the School amount to £600 per annum.

Schools established for 6 years in each of the Counties,

under the direction of the Justices in Sessions,

who are to appoint masters, & direct where the Schools to be held,

only one School to be held in one Parish at a time.

Schools to be moved once a year, to another Parish

County School for *St. John*, not

Continued
by Act
50 G. 3. -
cap. 33.

John,

to be held in the City—and those for York County not to be held in *Frederickton*.

£375 annually, being 25*l.* for each school, granted to the Justices in the Counties.

Schools to be visited twice a-year by the Rectors of the Parishes wheretheschools are held, and by Committees appointed by the Sessions,

In case there shall be no Rector, then by the said Committees,

who are to report to the Sessions.

Free Scholars may be admitted

John, shall never be held in the City or Parish of *Saint John*, and provided further that neither of the said Schools for the said County of *York*, shall be held in the Town or Parish of *Frederickton*, any thing herein contained to the contrary notwithstanding.

X. *And be it further enacted*, That there shall be included in the estimate for the ordinary Expenses of the Province the sum of Three hundred and Seventy-five pounds annually, and granted to the Justices of the Peace for the said several and respective Counties towards the support of the Masters of such English Schools respectively, that is to say, to the Justices of the Peace of the Counties of *Westmorland*, *Charlotte*, *Northumberland*, *King's County*, *Queen's County*, *York* and *Sunbury*, each Fifty Pounds, and to the Justices of the Peace of the City and County of *Saint John*, Twenty-five Pounds, so that each Master shall receive at the rate of Twenty-five Pounds per annum for his services.

XI. *And be it further enacted*, That the said English Schools respectively, shall be visited and examined twice in each and every Year, at such times as the said several Courts of General Sessions of the Peace shall appoint, by the Rectors or Missionaries of the several and respective Parishes or places in each County where such School may happen to be kept or held, together with Committees to be for the purpose annually appointed by the said Courts of General Sessions in each Year, or in case there shall be no Rector or Missionary in any of the said Parishes or places at the time, then such visitation and examination to be had by such Committees respectively: And it shall be the duty of such persons after due examination to report from time to time to the said Courts of General Sessions of the Peace respectively, the state and condition of the said Schools.

XII. *And be it further enacted*, That whenever the said Courts of General Sessions of the Peace respectively shall think proper they may admit any number,

ber not exceeding Four, to be free Scholars of such English Schools respectively, without any charge for their tuition.

not exceeding four.

XIII. *And be it further enacted*, That the said several and respective Courts of General Sessions shall from time to time be accountable to the Legislature of the Province for their conduct and management of the Monies granted to them by this Act.

Sessions to account to the Legislature.

CAP. XIII.

AN ACT TO ENABLE the COMMISSIONERS OF HIGHWAYS in the Parishes of MAGERVILLE, SHEFFIELD, and WATERBOROUGH, to lay out Highways, and to appropriate part of the Statute labor for securing the Bank of the River in front of those Parishes. Passed the 5th of March, 1805.

WHEREAS great damage frequently happens to the Bank of the River *Saint John* in front of the Parishes of *Magerville*, *Sheffield*, and *Waterborough*, and to the Highways laid out thereon.

Preamble.

I. *Be it therefore enacted by the PRESIDENT, Council and Assembly*, That the Commissioners of the Highways for the time being, in such Parishes shall and they are hereby empowered to alter the said Highways in the Parishes aforesaid that have been or hereafter may be washed away, or otherwise damaged by the freshes, as may appear to them convenient and necessary.

Commissioners may alter Highways damaged by the Freshes.

II. *And be it further enacted*, That the Surveyors of Highways in the Parishes aforesaid, shall, after the first day of *April* in every year, when required by the said Commissioners so to do, summon every male Inhabitant in their districts, with their Teams and such Implements as may be necessary, who are liable to work on the Highways, giving them at least Six days notice, to labor thereon by planting the said Bank with Willows or Alders, or otherwise bushing the same, as the said Commissioners may deem

Surveyors, when required, to summon Inhabitants to work

with teams, &c. in planting the bank with bushes to be allowed as part of the labor they are by Law to perform,

under penalty of five shillings—

and 10s. for neglecting to send teams—

to be recovered on complaint of a Commissioner to a Justice of Peace,

to be laid out on the Highways.

deem most effectual for the preservation thereof. And such labor so done, shall be allowed by the said Commissioners in part of the labor which the said Inhabitants by Law are liable to perform, under the penalty of Five Shillings, and for every neglect of Teams turning out with a competent driver, Ten Shillings for each and every offence or neglect, to be recovered on complaint of any one of the said Commissioners to any one of His Majesty's Justices, to be levied by warrant of distress and sale of the offender's goods and chattels, rendering the overplus, if any, to the owner or owners, to be laid out under the direction of the said Commissioners in the districts where the same shall be recovered.

CAP. XIV.

An ACT for the REGULATION of BOOMS for securing MASTS, LOGS, and LUMBER, in the County of CHARLOTTE. Passed the 5th of March, 1805.

Preamble.

WHEREAS it has been found necessary to erect Booms on several of the Rivers and Streams in the County of *Charlotte*, for the purpose of securing such Timber as may be hauled out and thrown into the same in a general deposit, until it can be conveniently conveyed by the respective owners to the different places of destination: AND WHEREAS it is necessary that proper regulations should be established to secure the safe delivery of the same to the owners.

Justices in Sessions to make regulations respecting Booms,

& appoint boom masters and fix their Fees.

Be it therefore enacted by the PRESIDENT, Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the County of *Charlotte*, in their General Sessions, to make and establish such regulations as to them may appear necessary respecting such Booms as have been erected or may be hereafter erected in said County, and to appoint Boom-Masters from time to time, and fix their Fees for attending such Booms and superintending the safe

safe delivery of the Lumber passed through the same. *Provided always*, That it shall not be lawful for said Justices to grant permission for erecting any Boom or Booms which may impede the Navigation of any River or Stream in said County.

No Booms to be erected so as to impede the Navigation.

CAP. XV.

An ACT for granting AID in SUPPORT of the COLLEGE of NEW-BRUNSWICK, incorporated by CHARTER and established at FREDERICTON. Passed the 5th of March, 1805.

BE it enacted by the PRESIDENT, Council and Assembly, That there be included from time to time and at all times in the estimate of the Ordinary Expense of this Province, the annual sum of One Hundred Pounds, and that the same be granted to the Governor and Trustees of the College in Fredericton, to be applied by them towards the Tuition of the Pupils of the said College. *Provided always*, that when the Funds of the said College shall amount to One Thousand Pounds annually, then and in that case the said Grant of One Hundred Pounds shall cease and determine.

£100 per annum granted to the Trustees of the College,

to cease when the Funds of the College amount to £1000 per an.

CAP. XVI.

An ACT to CONTINUE an Act made and passed in the Thirty-sixth Year of His MAJESTY'S reign, intituled, "An Act for regulating, laying out and repairing HIGHWAYS and ROADS." Passed the 5th of March, 1805.

Expired -

BE it enacted by the PRESIDENT, Council and Assembly, That an Act made and passed in the Thirty-sixth 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

Former act continued till 11th February, 1810.

“several Towns or Parishes in this Province, and for suspending for a limited time all the Laws now in force relating to the same,” be continued, and the same is hereby continued and declared to be in force until the Eleventh day of *February*, in the year One thousand Eight hundred and Ten, and no longer.

CAP. XVII.

An ACT to CONTINUE an Act made and passed in the Forty-third Year of His MAJESTY'S reign, intituled, “An Act for raising a REVENUE in this Province. Passed the 5th of March, 1805.

BE it enacted by the PRESIDENT, Council and Assembly, That an Act made and passed in the Forty-third year of His MAJESTY'S reign, intituled, “An Act for raising a REVENUE in this Province,” be further continued, and the said Act and every clause, matter and thing therein contained, is hereby continued 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 Seven.

*Further continued
expired*

Continued till
1st April, 1807.

CAP. XVIII.

An ACT for ERECTING the EASTERN part of the County of WESTMORLAND into a distinct Town or Parish.

Parish of Botsford created.

BE it enacted by the PRESIDENT, Council and Assembly, That all that Tract of Land in the County of *Westmorland*, lying East of the prolongation of the North line, between the Parishes of *Westmorland* and *Sackville*, to *Northumberland* freights, from thence Eastward to *Chemogue*, and round the Capes *Tormentin* and *Saint Lawrence*, along the *Bay Verte*, until it meets the Boundary of the Parish of *Westmorland*, and extending Westerly to the first Boundary, be one distinct Town or Parish, distinguished by the name of the Town or Parish of *Botsford*;

ford; and that the Justices of any special Sessions may appoint such Town or Parish officers for the current year, as they may deem necessary to continue in office, until further appointments in the General Sessions.

Justices in Special Sessions to appoint Parish Officers.

CAP. XIX.

AN ACT TO CONTINUE sundry Acts of the GENERAL ASSEMBLY that are near expiring. Passed the 5th of March, 1805.

BE it enacted by the PRESIDENT, Council and Assembly, That an Act passed in the Thirty-ninth year of His MAJESTY'S reign, intituled, "An Act for regulating the Fisheries in the County of Northumberland;" also an Act made and passed in the Forty-first year of His MAJESTY'S reign, intituled, "An Act for the support and relief of Confined Debtors;" also an Act made and passed in the Forty-first year of His MAJESTY'S reign, intituled, "An Act for the further and better support of the Poor in the City of Saint John;" also an Act made and passed in the Forty-first year of His MAJESTY'S reign, intituled, "An Act for preserving the Bank of the River Saint John, in front of the Parish of Lincoln, in the County of Sunbury;" also an Act made and passed in the Forty-first year of His MAJESTY'S reign, intituled, "An Act to continue an Act," intituled, "An Act for preserving the Bank of the River Saint John, in front of the Parishes of Margerville, Sheffield, and Waterborough;" and an Act made and passed in the Forty-second year of His MAJESTY'S reign, intituled, "An Act for the easy and speedy recovery of Small Debts, and for regulating the proceedings thereon," be further continued, and the said Acts and every clause, matter and thing therein contained, are hereby continued and declared to be in full force, until the first day of March, which will be in the year of our LORD, One thousand Eight hundred and Ten.

Act for regulating the Fisheries in Northumberland.

Act for support of confined Debtors.

Act for the better support of the Poor in St. John.

Act for preserving the Bank of the river in front of the Parish of Lincoln.

Act to continue the Act for preserving the bank of the River, in front of Margerville, Sheffield, & Waterborough.

Act for the speedy recovery of Small Debts.

Continued till 1st of March, 1810.

CAP. XX.

AN ACT to AMEND an Act for regulating the EXPORTATION of BUTTER. Passed the 5th of March, 1805.

Preamble.

WHEREAS the restriction in the Act for regulating the Exportation of Butter, that the "same should be packed in Firkins of hard seasoned wood," has been found inconvenient, for remedy whereof—

Butter may be packed in seasoned Wood of any kind, except Pine and Cedar.

I. *Be it enacted by the PRESIDENT, Council and Assembly,* That all Butter hereafter to be shipped for Exportation, may be packed in any Firkins of seasoned Wood other than Pine or Cedar, so as the same be free of sap, tight and well hooped.

Recited Act to remain in force, except as hereby altered.

II. *And be it further enacted,* That the said in part recited Act and every clause thereof, except wherein the same is hereby altered, shall continue and be in full force, any thing to the contrary herein contained notwithstanding.

CAP. XXI.

AN ACT TO APPROPRIATE the PUBLIC REVENUE. Passed the 5th of March, 1805.

Sums to be paid out of the Treasury :

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, to wit :—

Speaker,

To the *Speaker* of the House of Assembly, the sum of Fifty Pounds.

Members of the Assembly.

To the *Members* of the House of Assembly, for defraying their Expences of travelling and actual attendance, reckoning Twenty miles to each day's travel, to be certified by the *Speaker*, the sum of Ten Shillings per diem.

Chaplain to the Council.

To the *Chaplain* of the Council in General Assembly, for his services, the sum of Twenty Pounds.

Chaplain of the Assembly.

To the *Chaplain* of the House of Assembly, for his services, the sum of Twenty Pounds.

To

To the *Clerk* of the Council in General Assembly, for his services during the present Session, Ten Shillings per diem, and for other services the sum of Fifty Pounds; and the further sum of Twenty-five Pounds for services during the year Eighteen hundred and Four.

Clerk of the Council.

To the *Clerk* of the House of Assembly, for his services during the present Session, Ten Shillings per diem, and for other services the sum of Fifty Pounds; and the further sum of Twenty-five Pounds for his services during the year Eighteen hundred and Four.

Clerk of the Assembly.

To the *Serjeant at Arms* attending the Council in General Assembly, the sum of Ten Shillings per diem.

Serjeant at Arms to the Council.

To the *Serjeant at Arms* attending the House of Assembly, Ten Shillings per diem.

Serjeant at Arms to the Assembly.

To the *Door-keeper* of the Council in General Assembly, Five Shillings per diem.

Doorkeeper of the Council.

To the *Door-keeper* of the House of Assembly, Five Shillings per diem.

Doorkeeper of the Assembly.

To the *Messenger* of the Council in General Assembly, Five Shillings per diem.

Messenger of the Council.

To the *Messenger* of the House of Assembly, Five Shillings per diem.

Messenger of the Assembly.

To the *Clerk* of the House of Assembly, for Fuel, Stationary, and other expences of the present Session, the sum of Forty-two Pounds, Fifteen Shillings and Six Pence.

Clerk of the Assembly for Fuel, &c.

To the *Treasurer* of the Province, for his services from the first day of *March*, One thousand Eight hundred and Three, to the first day of *March*, One thousand Eight hundred and Four, the sum of One Hundred and Eighty Pounds; and the like sum of One Hundred and Eighty Pounds, for his services, ending the first day of *March*, One thousand Eight hundred and Five.

Treasurer of the Province.

To the *Tide Surveyor* in the City of *Saint John*, from the first day of *March*, One thousand Eight hundred and Three, to the first day of *March*, One thousand Eight hundred and Four, for his services

Tide-Surveyor of *St. John*.

and

and for expences incurred in performing the same, the sum of Forty Pounds; for the like services and expences incurred for the year ending the first day of *March*, One thousand Eight hundred and Five, the like sum of Forty Pounds.

William & Thos. Knox, Esqrs. for their services as Agents.

To *William Knox*, Esquire, for his services as Agent to the Province, previous to the year One thousand Eight hundred and Three, the sum of One Hundred Pounds, sterling.

To *William and Thomas Knox*, Esquires, for their services as Joint-Agents for the Province in the year One thousand Eight hundred and Four, the sum of One Hundred Pounds; and the like sum of One Hundred Pounds, for their services for the year One thousand Eight hundred and Five.

To the President for contingencies,

To His Honor the PRESIDENT, or Commander in Chief for the time being, for defraying the contingent expences of the Province, the sum of One Hundred Pounds, for the year One thousand Eight hundred and Five; and the like sum of One Hundred Pounds, for the year One thousand Eight hundred and Six.

For repairing the Province Hall & seating the House of Assembly.

To His Honor the PRESIDENT, or Commander in Chief for the time being, for painting the outside and repairing the Roof of the Province-Hall, the sum of One Hundred and Twenty-five Pounds; and a further sum not exceeding Seventy-five Pounds, to compleat a Seating for the Members of the House of Assembly, according to a plan exhibited, under the superintendance of the Clerk of this House.

Clerk of the Assembly for a book case.

To the Clerk of the House of Assembly, Seventeen Pounds, for compleating a Book Case, for the use of the House of Assembly.

For repairing the Light House.

To His Honor the PRESIDENT, or Commander in Chief for the time being, a sum not exceeding One Hundred Pounds, for the purpose of repairing and altering the Light-House on *Partridge-Island*, to be laid out under the care and management of *William Pagan, Munson Jarvis, Hugh Johnston*, and *William Donald*, Esquires.

To

To His Honor the PRESIDENT, or Commander in Chief for the time being, the sum of Thirty Pounds, to defray the expence of Printing the Votes and Journals of the House of Assembly, during the present Session.

For printing the Journals of the present Session.

To the Clerk of the House of Assembly, a sum not exceeding Five Pounds, for the purpose of collecting and having bound in One or more Volumes, Three sets of the Journals, for the use of the House of Assembly.

To the Clerk of the Assembly for binding the Journals.

To *Jacob S. Mott*, the sum of Eleven Pounds, One Shilling and Three Pence, being the balance of his account for printing the Votes and Journals of the House of Assembly during the last Session.

To *J. S. Mott*, the balance of his account for printing Journals.

To *John Ryan*, the sum of Forty-two Pounds and Ten Pence, in full of all accounts exhibited by him to this time, as appears by his account up to the Twenty-eighth of *November*, Eighteen hundred and Four.

To *John Ryan*.

To the Sheriff of the County of *Westmorland*, for returning a Member from that County to serve in General Assembly, the sum of Five Pounds, Fifteen Shillings.

Sheriff of *Westmorland*, for returning a Member.

To the Sheriff of the County of *Saint John*, for returning a Member to serve in General Assembly, the sum of Sixteen Pounds, Five Shillings.

Sheriff of *Saint John*.

To such person as His Honor the PRESIDENT, or Commander in Chief for the time being may appoint, for the purpose of aiding in establishing for the term of Two years, by a Packet, the communication between *Saint John* and *Saint Andrews*, a sum not exceeding One Hundred Pounds.

For a Packet from *St. John* to *St. Andrews*.

To *Hugh M'Kay*, Esquire, the sum of Fourteen Pounds, Seventeen Shillings and Nine Pence, to complete certain works commenced to facilitate the crossing of the River *Magaguadavic* at the public landing thereof, and purchasing Ropes for that purpose.

For crossing the River *Magaguadavic*.

To the Commissioners for building a Bridge over *Salmon River*, in *King's County*, below Mr. *Hallett's*,

For a Bridge over *Salmon river*,

the

the further sum of Eighteen Pounds, Five Shillings, in addition to the sum of Eighty-one Pounds, Fourteen Shillings and Four Pence, granted during the last Session of the General Assembly.

To be paid by warrant with advice of Council, giving a preference to the ordinary services of this Session.

II. *And be it further enacted,* That all the before mentioned several sums of Money shall be paid by the Treasurer by Warrant of His Honor the PRESIDENT, or Commander in Chief for the time being, by and with the advice of His MAJESTY'S Council, out of the Monies now in the Treasury, or as payments may be made at the same, the Officers and Servants of the General Assembly, together with the Ordinary services of the present Session, having a preference in payment to any other sums granted by any Act or Acts previous to or during the present Session, where the services contemplated by such Act or Acts have not been performed.