

ACTS

OF

THE GENERAL ASSEMBLY

OF

HER MAJESTY'S PROVINCE

OF

NEW BRUNSWICK,

PASSED IN THE YEAR

1838.



FREDERICTON:

PRINTED BY JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

MDCCCXXXVIII.

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Anno Regni VICTORIÆ Britanniarum Reginae Primo.

AT the General Assembly of the Province of New Brunswick begun and holden at Fredericton, on the Twenty eighth day of December, *Anno Domini* One thousand eight hundred and thirty seven, in the First Year of the Reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith; being the First Session of the Twelfth General Assembly convened in the said Province.

THE
ACTS
 OF
THE GENERAL ASSEMBLY, &c.

Can. 3^d Div.
 C. 21
 1865

CAP. I.

An Act in addition to an Act, intituled *An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same.*

Passed 22d January 1838.

WHEREAS during the existence of the disturbances or the reasonable apprehension of the repetition thereof in the Canadian Provinces, it is expedient that Legislative aid should be immediately afforded, to enable His Excellency the Lieutenant Governor or Commander in Chief for the time being, to organize one or more battalions of Provincial Troops for the support of the Queen's Government in the Canadas, and for the performance of garrison or other duties in this Province;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, His Excellency the Lieutenant Governor or Commander in Chief of this Province for the time being, by and with the advice and consent of Her Majesty's Executive Council, be and he is hereby authorized and empowered to enrol and organize in such manner as to the said Commander in Chief for the time being may seem meet and proper, from the several regiments of Militia in this Province, as many men who may voluntarily enlist as hereinafter mentioned, not exceeding in the whole one thousand two hundred rank and file.

Authority given to enrol 1200 rank and file.

II. And be it enacted, That there be paid to each and every man, on enlistment, the sum or bounty of five pounds, in manner following, (that is to say,) the sum of two pounds ten shillings on enrolling his name with and putting himself under the command of such person or persons as may be for that purpose appointed by the said Commander in Chief for the time being, and the residue or further sum of two pounds ten shillings, whenever it shall be made to appear to the satisfaction of the Commanding Officer that the requisite Regimental necessaries have been provided; and that on receipt of the first sum and enrolment as aforesaid, each and every man shall be thenceforth subject to all the provisions and regulations of the Act of the Imperial Parliament made and passed in the seventh year of the Reign of his late Majesty King William the Fourth, intituled *An Act for punishing Mutiny and Desertion, and for the better payment of the Army and their quarters, and of the Rules and Articles for the better government of Her Majesty's Forces, founded upon and in accordance with the above recited Act.*

Bounty of £5 granted for each man, payable as specified.

On receipt of Bounty the men to be subject to the provisions of the Mutiny Act and Articles founded thereon.

III.

Bounty to be paid by Warrant on the Treasury.

III. And be it enacted, That the said bounty money shall be paid out of the Province Treasury by warrant under the hand and seal of His Excellency the Lieutenant Governor, by and with the advice and consent of the Executive Council: Provided that no further sum be granted out of the Province Funds towards the payment of the Officers and Men contemplated to volunteer and be enrolled by the provisions of this Act, than the bounties hereinbefore stated.

Corps may be marched to any part of the British North American Colonies.

IV. And be it enacted, That from and after the enrolment and organization of the said Corps, or so soon after the commencement thereof as may be thought proper, the said Corps or any part thereof may be marched as occasion may require, to any part of the British North American Colonies.

Militia may be called out for garrison duty in certain cases.

V. And be it enacted, That in case it shall be deemed necessary to order the aforesaid Corps to march beyond the limits of this Province, or in case the said Corps should not be raised, and it should be thought advisable, from the absence of the Queen's Troops, to call out any portion of the Militia for Garrison Duty, it shall and may be lawful for the Commander in Chief for the time being, to call out such portion of the Militia of this Province as he may deem necessary for the performance of Garrison or other Military duty within this Province, the same to be drafted by ballot according to the mode prescribed in and by the thirteenth section of the aforesaid Act to which this is an amendment: Provided always, that the number of Militia to be called out as aforesaid shall not exceed three hundred Rank and File.

Volunteers may be accepted.

VI. And be it enacted, That whenever the said Commander in Chief shall think it expedient to order a draft by ballot as aforesaid, volunteers who offer themselves for service may be accepted, and being so accepted shall be subject to the same provisions and regulations as though they had been drafted by ballot.

Pay and allowances of officers and men called out for Provincial duty.

VII. And be it enacted, That the Officers, Non-commissioned Officers, Drummers, Fifers, Buglers and Privates, so called out for Provincial Duty as last aforesaid, shall be entitled to the same pay and allowances as the Officers, Non-commissioned Officers, Drummers, Fifers, Buglers and Privates of Her Majesty's Regular Troops respectively receive, to be reckoned from the day of their being enrolled until their discharge respectively; and at the time of their discharge they shall be allowed respectively a number of days pay to defray their expenses to their usual place of residence within the Province, at the rate of fifteen miles per day, together with an additional bounty to each man of the Non-commissioned Officers, Drummers, Fifers, Buglers and Privates, who shall have served faithfully during their term of service, of two pounds ten shillings; which pay and bounty for the said last mentioned Corps so to be called out as last aforesaid, shall be paid out of the Province Treasury by warrant under the hand and seal of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of the Executive Council.

Act limited to two years but the corps may be previously discharged.

VIII. And be it enacted, That this Act shall continue and be in full force and effect for the space of two years, from and after the passing thereof, and if the said Commander in Chief shall think proper to discharge the said Corps or either of them, before the expiration of the said term of two years, it shall and may be lawful for him so to do by general order to that effect; provided always that the said first mentioned Corps be not discharged without the limits of this Province.

Act may be amended.

IX. And be it enacted, That this Act may be altered or amended by any Act or Acts to be passed in this Session of the Legislature.

CAP. II.

An Act imposing duties upon certain articles imported into this Province.

Passed 9th March 1838.

WE Her Majesty's dutiful and loyal subjects, the Assembly of New Brunswick, in General Assembly convened, for raising the necessary supplies to defray the expenses of Her Majesty's Government within this Province, have freely and voluntarily resolved to give and grant to the Queen's Most Excellent Majesty, the several rates and duties hereinafter mentioned, and do therefore pray Your Excellency that it may be enacted;

I. And be it enacted by His Excellency the Lieutenant Governor, by and with the advice and consent of the Legislative Council and Assembly, and by the authority of the same, That on and after the first day of April which will be in the present year of our Lord one thousand eight hundred and thirty eight, there be and are hereby granted to the Queen's Most Excellent Majesty, her heirs and successors, for the use of this Province and for the support of the Government thereof, the several rates and duties hereinafter mentioned, on the following articles which may be imported or brought into this Province, either by sea, by inland navigation or by land, from any part of the British Empire, or from any foreign port or place, or which may be saved from any wrecked or stranded ship or vessel, viz:—

For and upon all rum, spirits, gin, hollands, geneva, whiskey and cordials, one shilling and sixpence per gallon ;

Duties granted on imported articles for the use of the Province and support of the Government.

For and upon all brandy, two shillings per gallon ;

Brandy.

For and upon all wines, two shillings per gallon ;

Wines.

Provided always, That all wines imported direct from the place of their growth and manufacture, in vessels owned within the Province, shall be subject to the duty of one shilling and sixpence per gallon and no more ;

For and upon all molasses, one penny per gallon ;

Molasses.

For and upon all shrub, santa or lime juice, sixpence per gallon ;

Shrub, &c.

For and upon every hundred weight of dried fruits, five shillings ;

Dried Fruits.

For and upon all coffee, loaf or refined sugar, one penny per pound ;

Coffee, Sugars.

For and upon all brown or muscovado sugar, two shillings and sixpence per hundred weight ;

For and upon every foreign horse, three pounds ten shillings ;

Horses.

For and upon every foreign ox, one pound ;

Oxen.

For and upon all other horned cattle, (cows excepted,) three pounds ten shillings ;

Horned Cattle.

For and upon all foreign manufactured tobacco, one half penny per pound ;

Tobacco.

For and upon the following foreign manufactured articles when not imported from the United Kingdom, upon every one hundred pounds of the real value thereof, the rates and duties following, that is to say ;

Foreign manufactured articles.

For and upon all chairs, clocks, clock cases, clock movements or machinery, watches, and upon every description of household furniture, pictures, mirrors or looking glasses, twenty five pounds ;

For and upon all soap and candles, ten pounds ;

And for and upon all other foreign articles, manufactured or not manufactured, not herein before enumerated or described, when not imported from the United Kingdom, upon every hundred pounds of the real value thereof, ten pounds ; and further the amount of any duty for the time being, payable under any Act or Acts of

Non-enumerated articles.

of the Imperial Parliament, unless such duties shall have been collected and paid at any Custom House within the Province, excepting nevertheless :

Exceptions.

Agricultural implements (axes excepted); bricks and tiles; bees' wax; bristles; books (printed) and pamphlets; beans; barley; bread; cotton wool; cordage; canvass; dye woods; felt; flour and meal of all kinds (buckwheat excepted); grass seeds, and all other kind of seeds and plants; hay; hides; horse hair; horns; hemp; hops; indigo; iron; india rubber; indian corn; liquors otherwise charged with duty; lumber of all kinds; leaf tobacco; lignumvitæ; mahogany logs, boards or veneers; meats (dried and salted); mill saws; oats; pitch; peas; rosin; rice; rye; salt; tar; turpentine; tallow; tea; vinegar; wheat;

British manufac-
tures.

For and upon all articles, the manufacture of the United Kingdom, imported or brought into this Province, whether by sea or inland carriage or navigation, or which may be saved from any wrecked or stranded ship or vessel, for every hundred pounds of the real value thereof, the sum of two pounds ten shillings, excepting nevertheless:

Exceptions.

Agricultural implements; anchors; barley (pot or pearl); beef; bacon; books (printed) and pamphlets; bread, bunting; bricks and tiles; coals; copper (bolt and sheet); copper spikes or nails; canvass; coal tar; cordage; duck; felt (patent); fishing nets, hooks, lines and twines; flour and meals of all kinds; globes; iron (bolt, bar, square, pig or sheet); iron block bushes; loaf or refined sugar (otherwise charged with duty); lead (bar and sheet); mineral salt, and salt of all kind; malt; machinery for mills or steam boats; mathematical and musical instruments of all kinds, and philosophical and chemical apparatus; maps; oakum; pork; printing paper; steel; spikes and sheathing nails; ship's tackle and apparel; sheathing paper; tin in sheets or block; zinc;

Colonial Leather
and malt liquor.

For and upon all leather or any article made of leather, and on malt liquor, not being of foreign manufacture or the manufacture of the United Kingdom, imported or brought into this Province, five pounds for and upon every one hundred pounds of the value of the said articles at the place of the last shipment:

British East India
silk or cotton ma-
nufactures, pepper
and spices.

And for and upon all articles manufactured of silk or cotton in the British East India Possessions, upon pepper and all description of spices from whatever place imported, two pounds ten shillings upon every one hundred pounds of the value of the said articles, at the place of the last shipment:

Duties to be paid,
notwithstanding
duties imposed
under Acts of Par-
liament.

All which duties shall be paid by the importer or importers of such articles respectively, notwithstanding any duties which are or may be imposed and collected under any Act or Acts of the Imperial Parliament, and shall be collected and secured by means and under the regulations and penalties, and shall be drawn back on exportation, or warehoused, in the way and manner provided by any Act or Acts of the General Assembly for collecting the Revenue of the Province.

Goods in ware-
house and on
which duties have
not been secured,
to be liable to du-
ties imposed by
this Act.

II. And be it further enacted, That all goods which have been warehoused in this Province before this Act comes into operation, and which shall remain so warehoused after the operation thereof commences, and on which the Provincial duties heretofore imposed have not been paid or secured by a subsisting or continuing security, shall in lieu of all former duties become liable to and be charged with Provincial duties hereby imposed on the like goods and merchandize.

Duties to be repaid
or warehouse
bonds cancelled as
to goods exported
for the deep sea or
whale fishery.

III. And be it further enacted, That when any articles that shall have been warehoused, or on which duties shall have been paid under this or any other or previous Act, shall be exported for the use of the deep sea or whale fisheries, the amount of such duties shall be repaid to the exporter by the Treasurer or Deputy Treasurer, or the warehouse bond cancelled, on affidavit (of the exporter) of the same having been so exported for the use aforesaid.

IV.

IV. And be it further enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and thirty nine. imitation.

CAP. III.

An Act to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Passed 9th March 1838.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, for the services hereinafter mentioned, the following sums, to wit:—

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

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

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

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

To the Clerk of the Legislative Council in General Assembly, the sum of two hundred pounds for his services during the present Session. Clerks.

To the Clerk of the House of Assembly, the sum of two hundred pounds for his services during the present Session.

To the Clerk Assistant of the Legislative Council, the sum of one hundred pounds for his services during the present Session. Clerks' assistants.

To the Clerk Assistant of the House of Assembly, the sum of one hundred pounds for his services during the present Session.

To the Doorkeepers attending the Legislative Council and Assembly, the sum of twelve shillings and sixpence each *per diem*, during the present Session. Doorkeepers.

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

To Beverley Robinson, Esquire, Province Treasurer, the sum of six hundred pounds for his services for the year one thousand eight hundred and thirty seven. Province Treasurer.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding seven thousand pounds, for the encouragement of Parish Schools, agreeably to a Law of this Province. Parish Schools.

To the Commissioners of Light Houses in the Bay of Fundy, the following sums to pay for services in the year one thousand eight hundred and thirty eight: Light Houses.

To the Keeper of the Light House on Gannet Rock and his Assistant, the sum of one hundred and sixty five pounds;

To the Keeper of the Light House on Point Le Proe, the sum of one hundred pounds;

To the Keeper of the Light House on Thrum Cap, Quaco, the sum of one hundred pounds;

The sum of six hundred pounds to defray the contingent expenses of the Gannet Rock, Point Le Proe and Quaco Light Houses, for the year one thousand eight hundred and thirty eight.

To the same Commissioners the following sums to pay for the services in the year one thousand eight hundred and thirty eight:

For the Keeper on Partridge Island, the sum of one hundred pounds;

For the Keeper of the Beacon Light House, the sum of one hundred pounds;

- Light Houses.** The sum of two hundred and fifty pounds for contingent expenses of Light Houses at the entrance of the Harbour of Saint John for the year one thousand eight hundred and thirty eight;
 For the Keeper of the Light House on Campobello, the sum of one hundred and twenty pounds;
 For the Keeper of the Light House on Machias Seal Island, the sum of one hundred and thirty pounds;
 For the Keeper of the Light House in the Harbour of Saint Andrews, the sum of thirty pounds;
 The sum of five hundred and fifty pounds to defray the contingent expenses of the said Light Houses, for the year one thousand eight hundred and thirty eight.
- Adjutant General.** To the Adjutant General of the Militia Forces, the sum of seventy five pounds for his services for the year one thousand eight hundred and thirty eight.
- Quarter Master General.** To the Quarter Master General of the Militia Forces, the sum of fifty pounds for taking care of the arms for the present year.
- Apprehension of deserters.** To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one hundred pounds, to be applied in rewarding persons for apprehending Deserters from Her Majesty's Land Forces within this Province: Provided always, that no greater sum than five pounds be paid for the apprehension of any one deserter.
- Master in Chancery.** To the Master in Chancery, appointed to carry Messages from the Legislative Council to the House of Assembly, the sum of forty pounds.
- Tide Surveyor at Saint Andrews.** To David W. Jack, Tide Surveyor at Saint Andrews, the sum of one hundred and fifty pounds for his services from the first of April one thousand eight hundred and thirty seven to the same period one thousand eight hundred and thirty eight.
- Tide Waiter at Saint John.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of ninety one pounds five shillings to enable the Province Treasurer to pay John Abrams, for his services as Tide Waiter at Saint John for the year one thousand eight hundred and thirty eight.
- Tide Surveyor at Miramichi.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of seventy five pounds for the services of a Tide Surveyor at Miramichi, for the year one thousand eight hundred and thirty eight.
- Tide Surveyor at Saint John.** To B. C. Chaloner, Tide Surveyor at Saint John, for his services from the first of May one thousand eight hundred and thirty seven to the same period one thousand eight hundred and thirty eight, the sum of fifty pounds.
- Courier between Bathurst and Shippegan.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds in aid of individual subscription to pay a Courier passing between Bathurst and Shippegan, in the County of Gloucester.
- Courier between Gagetown and the Nerepis.** To the Justices of the Peace for the County of Queen's, the sum of thirty pounds, to enable them to pay a Courier passing between Gagetown and the Nerepis for the year one thousand eight hundred and thirty eight.
- Courier between Saint Martin's and Saint John.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of thirty pounds in aid of individual subscription, to enable the Justices of the Peace for the City and County of Saint John to pay a Courier between Saint Martin's and Saint John.
- Tide Waiter or Messenger to the Treasury.** To Beverley Robinson, Province Treasurer, the sum of one hundred and fifty pounds, being for the services of a Tide Waiter or Messenger to the Treasurer for the year one thousand eight hundred and thirty eight.
- Fire Insurance Company, Saint John.** To the President and Directors of the Fire Insurance Company at Saint John, the sum of six hundred pounds, being one year's interest on the Provincial loan, ending

ending the first day of March one thousand eight hundred and thirty eight.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding five hundred pounds, to defray any expenses that may be incurred in the protection of the Provincial Revenue, for the year one thousand eight hundred and thirty eight. Protection of the Revenue.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds, to enable the Justices of the General Sessions in the County of Westmorland to pay a Courier passing between Hopewell and the Great Road of communication leading through said County. Courier between Hopewell and the Great Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds to defray the expenses of a Missionary to the Milicete Tribe of Indians; for the year one thousand eight hundred and thirty eight. Missionary to the Indians.

To William Watts, the sum of ten pounds for airing and taking care of the Province Hall. William Watts.

To the Commissioners of Light Houses in the Bay of Fundy, the sum of two hundred pounds, to be applied by them towards the support of Cape Sable Seal Island Light House; and also one hundred pounds towards the support of the Light House on Brier Island, in the Province of Nova Scotia, for the year one thousand eight hundred and thirty eight. Light Houses on Cape Sable Seal Island and Brier Island.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds in aid of individual subscription, to pay a Courier passing between Miramichi and Pokemouche, in the Counties of Northumberland and Gloucester. Courier between Miramichi and Pokemouche.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding three hundred pounds to encourage the destruction of Bears, agreeably to a law of this Province. Destruction of Bears.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds for a Tide Waiter at Bathurst, and the further sum of twenty pounds for a Tide Waiter at Restigouche, in the County of Gloucester, for the year one thousand eight hundred and thirty eight. Tide Waiters at Bathurst and Restigouche.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums for Grammar Schools in the year one thousand eight hundred and thirty eight: Grammar Schools.

For the Grammar School in the County of Westmorland, the sum of one hundred pounds;

For the Grammar School in Saint John, the sum of one hundred and fifty pounds;

For the Grammar School in King's County, the sum of one hundred pounds;

For the Grammar School in the County of Kent, the sum of one hundred pounds;

For the Grammar School in Queen's County, one hundred pounds;

For the County of Charlotte, one hundred pounds;

For the County of Sunbury, one hundred pounds;

For the County of Northumberland, one hundred pounds;

For the County of Gloucester, one hundred pounds;

For the County of Carleton, one hundred pounds;

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds to enable His Excellency to pay a Messenger for the Executive Council. Messenger to the Executive Council.

To His Excellency the Lieutenant Governor or Commander in Chief a sum not exceeding six hundred pounds to be applied towards building a Light House and keeper's Light House on Cape Enrage.

keeper's House on Cape Enrage, Parish of Hopewell, County of Westmorland, and for maintaining the same; to be taken out of the Light House fund.

Money to be paid
by warrant.

II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of the Province by Warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury, or as payment may be made at the same.

CAP. IV.

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

Passed 9th March 1838.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of this Province the following sums, to wit:

Relief of the Wives
and Children of
H. M. Troops, or-
dered to Canada.

To His Excellency the Lieutenant Governor or Commander in Chief a sum not exceeding three hundred pounds, to be applied towards the relief of the wives and children (now at Fredericton and Saint John) of such of Her Majesty's Troops, recently ordered through this Province to quell the insurrection in Canada, as were precluded from taking their families with them, owing to the fatiguing march and the inclemency of the weather.

Sheriffs.

To the Sheriff of York the sum of twenty five pounds.

To the Sheriff of Carleton, the sum of twenty five pounds.

To the Sheriff of Sunbury, the sum of twenty five pounds.

To the Sheriff of Queen's, the sum of twenty five pounds.

To the Sheriff of King's, the sum of twenty five pounds.

To the Sheriff of the City and County of Saint John, the sum of fifty pounds.

To the Sheriff of Charlotte, the sum of twenty five pounds.

To the Sheriff of Westmorland, the sum of twenty five pounds.

To the Sheriff of Northumberland, the sum of twenty five pounds.

To the Sheriff of Kent, the sum of twenty five pounds.

To the Sheriff of Gloucester, the sum of ten pounds.

Hon. Judge Car-
ter.

To the Honorable Judge Carter, one of the Commissioners appointed to administer the oaths to Members returned to serve in General Assembly, the sum of thirty pounds.

Dr. J. Boyd.

To Doctor John Boyd, Surgeon to the Vaccine Institution, Central Board, Saint John, the sum of twenty pounds for one thousand eight hundred and thirty seven, and the further sum of twenty pounds, in consideration of extra services during the past year.

Madras Corpora-
tion.

To the Governor and Trustees of the Madras School, five hundred pounds for the year one thousand eight hundred and thirty eight towards the support of that Institution.

E. Briscoe.

To Elizabeth Briscoe, twenty pounds for teaching a School in Saint Andrews for one thousand eight hundred and thirty seven, in lieu of any further sum from the Province Treasury for that year.

Infant School, St.
John.

To William H. Robinson, and the Committee of Management of the Infant School at Saint John, twenty five pounds, in aid of individual subscription towards that Institution.

J. Whitehead.

To James Whitehead, a meritorious old Soldier of the Revolutionary War, the sum of twenty pounds, to assist him in his present distressed circumstances.

To

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To Matthew Brannen, of the Secretary's office, fifteen pounds as a mark of M. Brannen. approbation of his attentive and courteous demeanour in the said office.

To Jane Danforth, a licenced Teacher in Carleton, City of Saint John, ten J. Danforth. pounds for her services in that capacity in one thousand eight hundred and thirty seven.

To William Watts, ten pounds for his services as crier or usher in the Supreme W. Watts. Court for the ensuing year.

To Mrs. Kennedy, widow of the late William Kennedy, of Saint Stephen's, who Mrs. Kennedy. faithfully served His Majesty as a non-commissioned officer during the Revolutionary War, ten pounds.

To John Gregory, ten pounds to prepare an Index to the Laws of the present J. Gregory. Session.

To Mrs. Isabella Hailes, and the Committee of Management for the free School Free Female at Fredericton for the instruction of poor female children, the sum of twenty pounds School in Fredericton. in aid of individual subscription towards the support of that Institution.

To Charity Ricketts, resident in the Parish of Portland, City of Saint John, the C. Ricketts. widow of an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present distressed circumstances.

To Elizabeth Fairchild, of the City of Saint John, the sum of twenty pounds for E. Fairchild. her services as a Schoolmistress in the City of Saint John.

To the Committee of Correspondence, such sum as will procure Bills of Ex- Province Agent. change on London for two hundred pounds, sterling, to be remitted Henry Bliss, Esquire, Province Agent, for his services in that capacity during the year one thousand eight hundred and thirty seven.

To the Justices of the Peace for the City and County of Saint John, one hun- Free School in St. dred pounds towards the support of the free School established in the said City, John. unconnected with the Madras Board.

To John Simpson, Queen's Printer, the sum of two hundred and seventy five J. Simpson. pounds for printing the Daily Journals of the House and Legislative Council the present Session.

To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Journals of the Legislative Council and Assembly during the present Session.

To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Laws of the present Session.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred Treasury Contingencies. and twenty seven pounds twelve shillings, being amount of office contingencies for one thousand eight hundred and thirty seven.

To Beverley Robinson, Esquire, Province Treasurer, the sum of ninety six Over expenditure for the protection of the Revenue. pounds fourteen shillings and tenpence, being amount over expended by him in one thousand eight hundred and thirty seven, for the protection of the Revenue.

To Beverley Robinson, Esquire, Province Treasurer, the sum of one hundred Clerk of the Treasury. and sixty one pounds three shillings and eightpence, being for the services of a Clerk in the Treasury from the ninth day of May one thousand eight hundred and thirty seven to the thirty first day of December, at two hundred and fifty pounds per annum.

To Beverley Robinson, Esquire, Province Treasurer, the sum of four hundred and ninety eight pounds eleven shillings and twopence, being amount over advanced B. Robinson, Esq. over advance to Commissioners of Light Houses. to the Commissioners of Light Houses in the Bay of Fundy in one thousand eight hundred and thirty seven.

To B. C. Chaloner, Gauger and Weigher at Saint John, the sum of two hundred B. C. Chaloner. pounds

pounds, being in full for his services for the year one thousand eight hundred and thirty seven.

D. W. Jack. To D. W. Jack, Gauger and Weigher, Saint Andrews, the sum of twenty four pounds two shillings, being amount of his account for one thousand eight hundred and thirty seven.

R. Watson. To Robert Watson, the sum of one pound nineteen shillings, being amount of his account for gauging and weighing in Saint Stephen's in one thousand eight hundred and thirty seven.

C. H. Jouett. To C. H. Jouett, the sum of one pound eighteen shillings, being for his services for gauging and weighing at West Isles in one thousand eight hundred and thirty seven.

Mackay, Brothers & Co. To Mackay, Brothers and Company, of Saint John, the sum of fifty two pounds twelve shillings and sixpence, to refund them an excess of head money paid on passengers at Saint John, at the Treasurer's office, per ship *Campion*; to be taken from the Emigrant Fund.

J. Simkin. To John Simkin, Master of the barque *Recovery*, the sum of twenty nine pounds ten shillings, to refund him an excess of head money paid on passengers at the Treasurer's office, per barque *Recovery*; to be taken from the same fund.

R. Rankin & Co. To Robert Rankin and Company, the sum of nineteen pounds ten shillings, being an excess of head money paid at the Treasury, on passengers per brig *Ann and Mary*; to be taken from the same fund.

To Robert Rankin and Company, the sum of sixteen pounds twelve shillings and sixpence, being an excess of head money paid at the Treasury on passengers per the brig *Isadore*; to be taken from the same fund.

To Robert Rankin and Company, the sum of eleven pounds six shillings and eightpence, being an excess of head money paid at the Treasury on passengers per brig *Susan and Jane*; to be taken from the same fund.

To Robert Rankin and Company, the sum of thirty six pounds twelve shillings and sixpence, being an excess of head money paid at the Treasury on passengers per ship *Leslie Gault*; to be taken from the same fund.

J. Rait. To James Rait, the sum of sixty six pounds, being an excess of head money paid on passengers per ship *Robert Watt*, at the Deputy Treasurer's office Saint Andrew's; to be taken from the same fund.

J. Kerr & Co. To John Kerr and Company, the sum of thirty eight pounds fifteen shillings and tenpence, being an excess of head money paid on passengers per barque *James Lemon*; to be taken from the same fund.

Messenger to the Executive Council. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds, to enable His Excellency to pay a Messenger for the Executive Council.

Light House on Cape Enrage. To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding six hundred pounds, to be applied towards building a Light House and Keeper's House on Cape Enrage, Parish of Hopewell, County of Westmorland, and for maintaining the same; to be taken from the Light House fund.

Geological Survey. To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding two hundred pounds, to enable His Excellency to employ a competent person to make a partial Geological survey or exploration of certain sections or districts of the Province.

St. Andrews and St. John Stage Coach Company. To the Saint Andrews and Saint John Stage Coach Company, the sum of sixty five pounds seven shillings and sixpence, being a return of Provincial duties paid on twenty Horses, a Coach, Waggon, &c. imported from the United States in November last, to establish a daily communication for Travellers, and the Mail between Saint Andrews and Saint John,

To

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds, to be paid over to Charles Doucett, Senior, in aid of the Acadians at Nepisiquid, agreeably to the prayer of their petition.

Acadians at Nepisiquid.

To I. and J. G. Woodward, the sum of sixteen pounds eleven shillings and sixpence, being a return of duties on two Puncheons of Rum exported to Yarmouth, Nova Scotia, in January one thousand eight hundred and thirty six.

I. and J. G. Woodward.

To Lieutenant Colonel Booth, of Her Majesty's 43d Regiment, the sum of fifty nine pounds five shillings, being the return of the Provincial duties paid on Wine imported in one thousand eight hundred and thirty seven by the Officers of the said Regiment, for the use of the Mess.

Lieutenant Col. Booth.

To Peter Duff, of Saint John, the sum of forty five pounds fifteen shillings and twopence, being a return of Provincial duties paid at the Treasury on British Merchandize consumed at the great fire at Saint John, on the night of the fourteenth of January one thousand eight hundred and thirty seven.

P. Duff.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds for the purpose of fitting up temporary accommodations for the Judges of the Supreme Court, and Law Library, until a building is erected for the sittings of the Supreme Court.

Accommodation for Judges, and Law Library.

To Deborah Ann Lugin, widow of the late George K. Lugin, many years King's Printer in this Province, the sum of twenty five pounds to assist her in her present destitute condition.

D. A. Lugin.

To the Woodstock and Fredericton Stage Coach Company, the sum of one hundred pounds towards the support of that establishment, and in lieu of any annual grant that they may be entitled to by virtue of any previous grant of the Legislature.

Woodstock and Fredericton Stage Coach Company.

To Arthur Ritchie and Company, of Dalhousie, the sum of sixteen pounds sixteen shillings, being a return of duties on two hundred and twenty four gallons of Rum exported to Lower Canada.

A. Ritchie & Co.

To Robert Watson, Deputy Treasurer at Saint Stephen, the sum of seven pounds three shillings and one penny, to reimburse him for expenses incurred in defending an action brought against him in his public capacity, as set forth in his Petition.

R. Watson.

To James T. Hanford, of Saint John, the sum of sixteen pounds eight shillings and sixpence, being a return of duties paid on two Puncheons of Rum exported to Nova Scotia.

James T. Hanford.

To the Commissioners of the Poor for the Town of Saint Andrews, the sum of nine hundred and ninety pounds twelve shillings and five pence, being the balance due them in their expenditure of last year, towards the support and relief of sick and distressed emigrants; to be taken from the emigrant fund.

Distressed Emigrants, St. Andrews.

To the Justices of the Peace of the City and County of Saint John, the sum of ninety seven pounds seven shillings and eleven pence, to reimburse the overseers of the Poor for the Parish of Portland, expenses incurred by them in one thousand eight hundred and thirty seven, in the support and relief of sick, indigent and destitute black Refugees.

Black Refugees, Portland.

To the Overseers of the Poor for the Parish of Saint George, County of Charlotte, the sum of thirty nine pounds nine shillings and twopence, to reimburse them for expenses incurred in one thousand eight hundred and thirty seven, in the support and relief of indigent and distressed emigrants; to be taken from the emigrant fund.

Distressed Emigrants, St. George.

To the Justices of the Peace for the City and County of Saint John, the sum of one thousand seven hundred and thirty one pounds eleven shillings and three pence,

Distressed Emigrants, St. John.

pençe, to reimburse the Overseers of the Poor for the City of Saint John, the balance due them for their expenditure in one thousand eight hundred and thirty seven, in the support and relief of sick, indigent and distressed emigrants; to be taken from the emigrant fund.

Distressed Emigrants, Portland.

To the Justices of the Peace for the City and County of Saint John, the sum of one hundred and sixty five pounds eight shillings and sevenpence, to reimburse the Overseers of the Poor for the Parish of Portland the expenses incurred by them in one thousand eight hundred and thirty seven, in the support and relief of sick and distressed emigrants; to be taken from the emigrant fund.

Transient Poor, Parish of Wellington, Kent.

To the Overseers of the Poor for the Parish of Wellington, in the County of Kent, the sum of sixty seven pounds to reimburse them for expenses incurred in the support and relief of transient Poor in that Parish in one thousand eight hundred and thirty six; to be taken from the emigrant fund.

James T. Hanford.

To James T. Hanford, of Saint John, the sum of sixteen pounds ten shillings, being drawback on a puncheon of Rum and a hogshead of Sugar exported to Annapolis, Nova Scotia, in January one thousand eight hundred and thirty seven.

Saint Andrews and Saint John Stage Coach Company.

To the Saint Andrews and Saint John Stage Coach Company, the sum of one hundred and fifty pounds in aid of that establishment, provided that three Mails per week be carried and brought by the said Company respectively to Saint Andrews and Saint John.

C. Coughlan and D. Hay.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty five pounds to defray the expenses of Charles Coughlan and Duncan Hay, of Carraquet, incurred by them in attending before a Committee of the House to give information concerning the invasion of Foreigners upon the Fisheries of the Province.

John V. Thurgar.

To John V. Thurgar, of Saint John, the sum of eight pounds two shillings, being drawback on a puncheon of Rum exported to Nova Scotia in November one thousand eight hundred and thirty six.

J. Hamilton.

To John Hamilton, a licenced Teacher at Newcastle, Northumberland, the sum of five pounds, being for his services in teaching a School at that place for three months, agreeably to the prayer of his Petition.

Justices of Gloucester, for Overseers of Poor, Addington.

To Her Majesty's Justices of the Peace for the County of Gloucester, the sum of fifteen pounds three shillings and ninepence to remunerate the Overseers of the Poor of the Parish of Addington, for expenses incurred in the care and cure of William Gilmour, a destitute and sick emigrant; to be taken from the emigrant fund.

Distressed Emigrants, York County.

To the Commissioners of the Alms House for the County of York, the sum of eighty six pounds four shillings and eightpence to reimburse them for expenses incurred in the year one thousand eight hundred and thirty seven, in the support and relief of sick and distressed emigrants; to be taken from the emigrant fund.

H. G. Clopper.

To H. G. Clopper, the sum of six pounds five shillings and eightpence, to refund him expenses incurred in relieving shipwrecked seamen of the brig Caroline, and in forwarding them to Saint John.

Wm. Woodford, M. D.

To William Woodford, M. D., of Fredericton, the sum of twenty pounds to remunerate him for services performed during the past year in vaccinating the Poor.

J. M. Connell.

To Jeremiah M. Connell, the sum of one hundred pounds, being the amount advanced by him for the relief of poor settlers in the Parish of Madawaska, agreeably to a resolution of last Session.

L. A. Wilmot and James Taylor.

To L. A. Wilmot and James Taylor, Esquires, twenty five pounds for the amount advanced by them for the relief of poor settlers at Beguaguimick.

To

To the Justices of the Peace for the City and County of Saint John, the sum of one thousand one hundred and eighty one pounds two shillings and threepence, to remunerate them for money advanced and actual expenses incurred in the support of a temporary Lunatic Provincial Asylum established at that place. Lunatic Asylum,
St. John.

To the Overseers of Poor for the Parish of Saint Stephen, County of Charlotte, the sum of seventy four pounds twelve shillings, to refund them expenses incurred in the support and relief of sick and indigent emigrants; to be taken from the emigrant fund. Distressed Emi-
grants at St. Ste-
phens.

To Elizabeth Williams, a licenced Schoolmistress in the Parish of Chatham, County of Northumberland, the sum of ten pounds, being for her services in teaching a School in Chatham from September one thousand eight hundred and thirty three to September one thousand eight hundred and thirty four. E. Williams.

To Adam Dobbin, a licenced Schoolmaster, the sum of twenty pounds, being for one year's services in teaching a School in the Parish of Portland, County of Saint John. A. Dobbin.

To James M'Kenzie and Thomas Fraser, Trustees of Schools for the Parish of Saint James, County of Charlotte, the sum of ten pounds to enable them to pay Flora M'Kenzie and Mary Ann Buchanan, five pounds each, licenced Schoolmistresses, for teaching Schools for six months in the year one thousand eight hundred and thirty six. J. M'Kenzie,
Thomas Fraser to
pay F. M'Kenzie
and M. A. Buc-
hanan.

To Thomas Burnett, a licenced Teacher, the sum of twenty pounds for teaching a School in the Parish of Sussex, King's County, for one year ending the first of September one thousand eight hundred and thirty five. T. Burnett.

To Elizabeth Wilson, the sum of twenty pounds, being for her services for one year ending the fourteenth of February one thousand eight hundred and thirty eight, in teaching a School in the Parish of Saint Martin's, County of St. John. E. Wilson.

To Charles Finniss, a licenced Teacher, the sum of twenty pounds for teaching a School in the Parish of Norton, King's County, for one year ending the seventeenth of July one thousand eight hundred and thirty six. C. Finniss.

To Thomas Crawford, a licenced Schoolmaster, the sum of fifteen pounds, being for nine months services in teaching a School in the Parish of Portland commencing in August one thousand eight hundred and thirty four. T. Crawford.

To James Gilchrist, the sum of five pounds as an allowance for teaching a free school to coloured children in the Parish of Prince William, County of York, for six months. J. Gilchrist.

To the Trustees of Schools for the Parish of Kent, County of Carleton, the sum of ten pounds to enable them to pay Richard Pointer for teaching a School for six months in that Parish. R. Pointer.

To John Cook, a licenced Teacher, the sum of ten pounds, being an allowance for six months service in teaching a School in the Parish of Westfield, in King's County. J. Cook.

To Edward T. Whitman, a licenced Teacher, the sum of ten pounds, being for services for teaching a School in the Parish of Kingston, in King's County, for six months ending in July one thousand eight hundred and thirty six. E.T. Whitman.

To Mary Dingee, widow of the late James Dingee, of the County of Carleton, the sum of fifteen pounds to compensate her for accommodation afforded Her Majesty's Troops on their route to Canada, and in consideration of her not keeping a Tavern while affording such accommodation. M. Dingee.

To Matthew Carruthers, a licenced Schoolmaster in Newcastle, County of Northumberland, the sum of sixteen pounds thirteen shillings and fourpence, being an allowance for teaching a School for ten months ending first of June one thousand eight hundred and thirty three. M. Carruthers.

To

- D. Creighton.* To David Creighton, a licenced Teacher, the sum of ten pounds, being for six months services in teaching a School in Newcastle, County of Northumberland, ending the first of June one thousand eight hundred and thirty three.
- J. M'Pherson.* To James M'Pherson, the sum of twenty pounds, being for one year's services in teaching a School at Tay Creek, Parish of Douglas, County of York, in one thousand eight hundred and thirty six and one thousand eight hundred and thirty seven.
- W. Brannen.* To William Brannen, a licenced Schoolmaster, the sum of twenty pounds, being for one year's allowance for teaching a School in the Parish of Portland, in the year one thousand eight hundred and thirty seven.
- T. H. Black.* To Thomas H. Black, a licenced Teacher, the sum of twenty pounds, being for one year's services in teaching a School in the Parish of Saint George, County of Charlotte, ending the first of November one thousand eight hundred and thirty seven.
- Trustees of Schools King's County.* To George Harding, Junior, and Philip Nase, Trustees of Schools for the Parish of Westfield, King's County, the sum of ten pounds to enable them to pay James Miller for teaching a School six months ending the thirteenth of January one thousand eight hundred and thirty seven.
- Wrecked Mariners, St. Paul's Island.* To the Commissioners for the relief of shipwrecked Mariners at Saint Paul's Island, the sum of one hundred and fifty four pounds one shilling and ninepence, to remunerate them for expenses incurred in the support of that establishment in one thousand eight hundred and thirty seven, and to enable them to pay for the services of two residents on the said Island until July next, as reported by the Committee on public and private accounts.
- Courier between Fredericton and the Finger Board.* To His Excellency the Lieutenant Governor, the sum of twenty five pounds to remunerate David Caldwell, the Courier between Fredericton and the Finger Board, for expenses incurred by him in crossing the Jemseg and Washademoak Ferries in the years one thousand eight hundred and thirty six and one thousand eight hundred and thirty seven.
- John Sevewright.* To His Excellency the Lieutenant Governor, the sum of fifty pounds, in aid of the Grammar School presently taught at Newcastle, in the County of Northumberland, by John Sevewright, to whom the same shall be paid in part of his salary for teaching said School the present year, on its being certified to His Excellency the Lieutenant Governor by William Abrams, Esquire, and the Reverend James Souter, that the same is due to the said John Sevewright for such service.
- Supreme Court.* To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand five hundred pounds for the purpose of being applied towards the erection of a suitable building for the Supreme Court of Judicature of this Province, and a fire proof office connected therewith, for the Clerk of the Pleas.
- Distressed Scotch Emigrants.* To His Excellency the Lieutenant Governor, the sum of one hundred and fifty pounds, to be applied by such Commissioners as may be appointed, in aid of the sick and distressed Scotch emigrants, agreeably to the prayer of their Petition.
- Government House.* To the Commissioners of Government House, the sum of three thousand pounds towards the expenses incurred in one thousand eight hundred and thirty seven, for new roofing and repairing the same, as well for out buildings and furnishing the House.
- St. Andrews to St. Stephen.* To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds for the exploration of a new line of Road between Saint Andrews and Saint Stephen, by Commissioners to be appointed for that purpose, pursuant to the recommendation of the Report of the Committee of the third February.
- To

To His Excellency the Lieutenant Governor, the sum of one hundred and fifty pounds, in aid of individual subscription, towards erecting a wharf on the public landing at Dorchester Island; and further resolved, that the Committee are of opinion that no additional sum will be given for this service.

Wharf, Dorchester.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand pounds for the purpose of encouraging the erection of Mills and Kilns in proper situations throughout the Province; no greater sum than twenty five pounds to be apportioned to the owner of any one Mill and Kiln; the said bounty not to be paid until it shall be certified to His Excellency the Lieutenant Governor or Commander in Chief, by the Court of General Session of the Peace of the County within which such Mill and Kiln may be situate for which such bounty is claimed, that the same has been established at a convenient place for the accommodation of the inhabitants of the County, and are actually in operation, and in every respect properly fitted for the manufacture of Oat Meal; provided that no Mill or Kiln which may have received any previous bounty by virtue of any Law or Resolution heretofore made, shall be entitled to the bounty given by this Resolution.

Mills and Kilns.

To Henry Whiteside, Clerk in the Treasurer's Office, Saint John, the sum of twenty five pounds as a compensation for his services in preparing and making up the accounts of the late Treasurer in so satisfactory a manner.

H. Whiteside.

To His Excellency the Lieutenant Governor, the sum of twenty five pounds to remunerate John Nelson, Junior, for losses by him sustained when conveying Her Majesty's Troops to Canada on the thirteenth of January last.

John Nelson, Jun.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds towards defraying the expense of surveying and marking out a certain division line between the Counties of King's and Queen's Counties, in conformity with the Resolution of this House of the ninth day of February instant.

Division Line between King's and Queen's.

To Lieutenant Colonel Allen, late inspecting Field Officer, the sum of one hundred pounds, as a retired allowance for his long services in that capacity.

Lieut. Col. Allen.

To the Saint John Water Company, the sum of ninety two pounds fourteen shillings, to refund them Provincial duties paid on iron pipes imported for the operations of the said Company, agreeably to the Report of the Committee of Trade.

Saint John Water Company.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of two hundred and fifty pounds, for the purpose of completing the exploration and marking out a line of road from Woodstock to the head of Oak Bay, in the County of Charlotte; the surplus, after accomplishing the above object, to be expended in opening that part of the said road which lies within twenty miles of Oak Bay.

Road from Woodstock to the head of Oak Bay.

To the Commissioners appointed to mark out and ascertain the line of division between this Province and the Province of Nova Scotia, the sum of two hundred pounds to remunerate them for expenses actually incurred in the said service, and to defray expenses that may hereafter be incurred in determining the same.

Division Line between this Province and Nova Scotia.

To the Honorable Judge Parker, Chairman of the Committee of the Law Society, the sum of twenty five pounds to provide cases for the Law Library, and for return of duties upon books imported for the Law Society in one thousand eight hundred and thirty five.

Hon. Judge Parker. Law Society.

To David Turner, of Saint Patrick, the sum of thirty pounds to remunerate him for losses sustained by the carrying away of a Bridge in an unfinished state on the Le Proe River, by a freshet; the same to be taken out of the grant for the Great Road from Saint John to Saint Andrews for the present year.

D. Turner.

To

- Chairman of Committee on public and private accounts. To the Chairman of the Committee on public and private accounts, the sum of one hundred and fifty pounds for the various services performed by him during the recess, and also for extra services during the Session in auditing and reporting the said accounts.
- Ferryman at Aroostook. To His Excellency the Lieutenant Governor, the sum of thirty pounds to enable His Excellency to remunerate a licenced Ferryman at the Aroostook, for his services in facilitating the passage of the Mails across the said river during the year one thousand eight hundred and thirty eight.
- Ferryman at the Jemseg and Washademoak. To His Excellency the Lieutenant Governor, the sum of twenty pounds to enable His Excellency to remunerate a licenced Ferryman at the Jemseg and Washademoak for his services in facilitating the passage of the Mails across the said places during the year one thousand eight hundred and thirty eight.
- Emigrant Agent, St. John. To His Excellency the Lieutenant Governor, the sum of fifty pounds to remunerate the Emigrant Agent at Saint John for extra services.
- Judges' expenses on the Circuits. To His Excellency the Lieutenant Governor, the sum of two hundred and fifty pounds to defray the expenses of the Judges travelling the Circuits in one thousand eight hundred and thirty five.
- B. M'Donald. To Bridget M'Donald, widow of the late James M'Donald, who was frozen to death on Lake Tamisquata, while returning from conveying Her Majesty's Troops on their route to Quebec, to aid her in her distressed circumstances, the sum of twenty five pounds.
- Tide Waiter at Richibucto. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of twenty pounds for the purpose of paying a Tide Waiter at Richibucto for the year one thousand eight hundred and thirty eight.
- E. C. Howland. To Ester C. Howland, the sum of ten pounds, being for six months services in teaching a School in the Parish of Portland, in the year one thousand eight hundred and thirty eight.
- Public Service Contingencies. To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds, being for contingencies for the public service.
- J. Whitney, for carrying Mails. To James Whitney, of Saint John, the sum of one hundred pounds for carrying the Mails to and from Saint John to Digby and Annapolis, Eastport, Saint Andrews and Campo Bello, for one year from the first of April one thousand eight hundred and thirty eight to the first of April one thousand eight hundred and thirty nine, to be paid quarterly by Warrant of His Excellency the Lieutenant Governor or Commander in Chief, on a certificate being produced that the same has been properly performed.
- Clerks of the Peace, for repaying Quit Rents. To His Excellency the Lieutenant Governor or Commander in Chief for the time being, a sum not exceeding one hundred and fifty pounds to enable His Excellency to remunerate the Clerks of the Peace for collecting receipts and refunding the Quit Rents at the rate of ten per cent. on the amount repaid by them respectively.
- Crookshank & Walker. To Crookshank and Walker, of Saint John, the sum of eight pounds fifteen shillings and sixpence, being for drawback on a puncheon of Rum exported to Digby, Nova Scotia, on the fourteenth of July last.
- Wharf at the Ferry Slip, Newcastle. To His Excellency the Lieutenant Governor, the sum of twenty five pounds to assist in building a Wharf or Slip at the Ferry Landing in Newcastle, opposite the town of Chatham.
- Alms House, Work House and Infirmary, Saint John. To the Justices of the Peace for the City and County of Saint John, the sum of one thousand pounds, towards the erection of an Alms House, a Work House, and a Public Infirmary in that City or County, the same not to be drawn from the Treasury until one thousand eight hundred and thirty nine.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of twenty five pounds in aid of private subscriptions to build a Wharf at Salt Water, Saint Stephen.

To His Excellency the Lieutenant Governor, the sum of five hundred pounds for the purpose of making further improvement on the new Road leading from Fredericton to Westmorland by the head of the Grand Lake.

To Susan Peabody, widow of the late George Peabody, who came to his death in consequence of exertions in transporting Her Majesty's Troops to Quebec, the sum of twenty five pounds to relieve her in her present distressed situation.

To His Excellency the Lieutenant Governor, the sum of two hundred and eighty pounds to be appropriated towards the support and relief of the following persons who received like support at the last annual Session of the Legislature, to be distributed and apportioned as follows:—

- To Mary Banks, twenty pounds ;
- To Angus M'Phee, ten pounds ;
- To Hezekiah Lyons, ten pounds ;
- To John Underwood, ten pounds ;
- To James Flint, ten pounds ;
- To Joseph Madgett, ten pounds ;
- To Isaac Adams, ten pounds ;
- To Enoch Groom, ten pounds ;
- To Dugald Clark, ten pounds ;
- To Patrick Van, ten pounds ;
- To William Henley, ten pounds ;
- To Donald M'Donald, ten pounds ;
- To David Bruce, ten pounds ;
- To Gershom Bonnell, ten pounds ;
- To Thomas Ferguson, ten pounds ;
- To Michael Dennison, ten pounds ;
- To Holden Turner, ten pounds ;
- To John Baldwin, ten pounds ;
- To Widow M'Cardy, ten pounds ;
- To Ruth Baird, ten pounds ;
- To John Dunlap, ten pounds ;
- To Cornelius Ackerman, ten pounds ;
- To William M'Pherson, ten pounds ;
- To Alexander M'Kenzie, ten pounds ;
- To James Ross, ten pounds ;
- To John Kennedy, ten pounds ;
- To George Sinnett, ten pounds.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred and ninety nine pounds seventeen shillings and sixpence, to pay John Simpson, Queen's Printer, balance due him for printing the Laws, Journals, &c., of two Sessions of the Legislature, agreeably to the report of the Committee of public and private accounts.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and seventeen pounds nineteen shillings and sixpence, to be paid to John Simpson, Queen's Printer, for sundry publications in the Royal Gazette, agreeably to the Report of the Committee of public and private accounts.

To John Simpson, Queen's Printer, the sum of six hundred pounds towards printing the revised edition of the Laws.

- Clerk of Assembly for Index to Journals.** To the Clerk of the House of Assembly, the sum of two hundred and twenty five pounds, for compiling and preparing an Index to the Journals of the House of Assembly, from the year one thousand seven hundred and ninety seven to the year one thousand eight hundred and eight, both inclusive.
- Removal of a Rock in the Falls of the Saint John River.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of forty pounds, to be applied in removing a large rock which has recently fallen into the Falls at the entrance of the River Saint John, and which materially obstructs the navigation.
- G. Hayward.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and thirty five pounds twelve shillings and ninepence, to be paid to George Hayward, amount advanced by him for expenses of Commissioners appointed by His Excellency for exploring three lines of road.
- Dredging Machine.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds to be applied in completing the Dredging Machine for removing obstructions in the Jemseg and other parts of the River Saint John.
- Speaker and Members of Assembly.** To the Speaker of the House of Assembly, the sum of one hundred and fifty pounds for the present Session; and to each and every Member of the House of Assembly, for defraying the expenses of attendance in General Assembly the present Session, the sum of twenty shillings per diem, provided that no greater amount than fifty pounds be drawn by any one Member for the expenses of such attendance; also to each and every Member, for travelling charges, the sum of twenty shillings per diem, allowing twenty miles for each and every day's travel, to be certified by the Speaker agreeably to a Law of this Province.
- J. Wilkinson.** To John Wilkinson, Commissioner appointed to explore a line of road from Woodstock to Oak Bay, the sum of one hundred and ten pounds nine shillings and tenpence, being the balance over expended by him, as reported by the Committee of public and private accounts.
- Adjutants and Serjeant Majors of Militia.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred and fifty two pounds ten shillings, to pay such Adjutants and Serjeant Majors of Her Majesty's Militia Forces as shall appear to have performed their duty respectively, agreeably to a Law of the Province.
- Commissioners for Indian affairs.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds to enable the Commissioners for Indian affairs to afford relief to the indigent and distressed Indians in this Province.
- Henry Chubb, for printing.** To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred and seventy seven pounds five shillings, to be paid to Henry Chubb for sundry printing, agreeably to the report of the Committee of public and private accounts.
- M. A. Smith.** To Mary Ann Smith, for upwards of forty years a Schoolmistress in Saint John, the sum of twenty pounds in consideration of her services in that capacity.
- Expenses of Garrison duty in the absence of Her Majesty's Troops.** To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding one hundred pounds, to be applied towards reimbursing such necessary expenses as were incurred in performing garrison duty in the absence of the Queen's Troops from the Province.
- L. A. Wilmot and J. Taylor.** To L. A. Wilmot and James Taylor, Esquires, the sum of one hundred and one pounds ten shillings, advanced by them to the Supervisor of the Great Road from Fredericton to Saint Andrews, the same to be taken out of the money granted for the said road.
- J. Gregory.** To John Gregory, Clerk Assistant of the Legislative Council, the sum of ten pounds for extra copies of the Province Laws for the use of Magistrates in one thousand eight hundred and thirty eight, and the further sum of five pounds for the same during the past short Session.

To the Board of Health of the City and County of Saint John, the sum of two hundred and fifty pounds to enable them to discharge the balance due on their expenditure of last year, occasioned by the great prevalence of small pox during that period.

Board of Health,
Saint John.

To H. G. Clopper, the sum of seven hundred and thirty two pounds twelve shillings and sixpence, being amount advanced by him including premium, interest, &c., to the late Delegation to England, on their departure from Fredericton in one thousand eight hundred and thirty seven.

H. G. Clopper.
Delegation to
England.

To the President, Directors and Company of the Central Bank, the sum of two hundred pounds, being amount advanced by them under the authority of an Address from the House of the nineteenth of July last, towards locating upon wilderness land in this Province the emigrants recently arrived in this country from the north of England.

Central Bank.
Emigrants from
North of England.

To the President, Directors and Company of the Central Bank, the sum of five hundred and twenty pounds nine shillings, to reimburse them for advances made for the contingent expenses of the last Session of the Legislature, and the further sum of thirty five pounds ten shillings and elevenpence, for interest which has accrued on this and other advances provided for.

Central Bank.
Contingencies of
last Session.

To His Excellency the Lieutenant Governor, the sum of two hundred pounds for the purpose of procuring from England suitable Books for elementary instruction in the Parish Schools in this Province.

Parish School
Books.

To Patrick M'Laughlan, the sum of twenty pounds to reimburse him in the amount of a penalty for the non-performance of a certain contract with Benjamin L. Peters, Esquire, Supervisor, it appearing that circumstances of a very peculiar nature prevented the said M'Laughlan from the performance of the said contract, and the said B. L. Peters having credited the Province with the above sum.

P. M'Laughlan.

To His Excellency the Lieutenant Governor, the sum of one hundred pounds to enable His Excellency to pay a Sub-Collector and Deputy Treasurer at Woodstock, in the County of Carleton, the duties of both offices to be performed by one person; this sum to be in addition to the existing allowance to Deputy Treasurers by the Law of the Province.

Sub-Collector and
Deputy Treasurer
at Woodstock.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of sixty pounds towards building Ferry Slips or Wharves on each side of the north west branch of the Miramichi, where the Great Road between Fredericton and Newcastle crosses that River.

Ferry Slips, North
West Branch of
the Miramichi.

To C. H. Jouett, Deputy Treasurer, West Isles, the sum of one hundred pounds as a compensation for his services in that capacity for the year one thousand eight hundred and thirty seven, the emoluments arising from the said office having materially decreased in consequence of the great falling off of the revenue in that quarter.

C. H. Jouett.

To Jacob Allen, Esquire, one of the Commissioners appointed to explore a site for a Bridge and Road at Musquash, the sum of six pounds for that service.

J. Allen.

To the Commissioners for auditing the accounts of the Casual Revenue, the sum of two hundred pounds towards defraying expenses actually incurred by them in proceeding with the investigation.

Auditing accounts
of the Casual Re-
venue.

To the Master in Chancery, appointed to bring Messages from the Legislative Council, the sum of ten pounds in addition to the former grant of this Session.

Master in Chan-
cery.

To John Simpson, Esquire, Queen's Printer, the sum of one hundred and forty pounds towards the expenses of printing the Journals, &c. of the Legislative Council.

J. Simpson.

To His Excellency the Lieutenant Governor or Commander in Chief for the time

Boat Landing at
Ketchum's, in
Fredericton.

being, the sum of fifty pounds towards improving a public boat landing at Ketchum's, in Fredericton, in aid of individual subscription.

H. E. Dibblee.

To Henry Dibblee, the sum of eleven pounds and ninepence, being ten per cent. on amount collected by him as Sub-Collector at Woodstock, for the year one thousand eight hundred and thirty seven.

Parish Schools in Portland.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, a sum not exceeding one hundred and forty pounds, to enable His Excellency to make the usual provision for such Parish Schools in the large and populous Parish of Portland, as the Trustees for Schools in that Parish may deem necessary to establish, agreeably to the intention of the Legislature in passing the Acts relating to the Parish Schools, the above grant being rendered necessary by reason of the great extent of the Parish.

Stage between St. John and the Nova Scotia Line.

To John C. Vail, Xenophon Cogle, and John Lockhart, the sum of one hundred pounds, to compensate them in full for running a Stage between Saint John and the Nova Scotia Line, to this time.

C. Williams.

To Charity Williams, the sum of ten pounds, in consideration of her long and faithful services as a female teacher of youth in the Parish of Fredericton.

J. Bradley, and others.

To James Bradley and others, the sum of fifty pounds, for running a Stage three times a week between Saint John and Fredericton, and as an encouragement for them to keep up so regular and important a communication as prayed for in their petition.

Public Seminary in Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of fifty pounds to encourage a public Seminary in Saint John for diffusing instruction in the rudiments of Mechanical Philosophy, Chemistry, &c., as prayed for in the petition of Robert Foulis.

Committee of Correspondence.

To the Committee of Correspondence, the sum of ten pounds for expense of postages.

Legislative Contingencies.

To the Clerk of the House, the sum of two thousand one hundred and forty eight pounds five shillings and twopence, for the contingent expenses of the present Session.

Money to be paid by Warrant.

II. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer of the Province, by warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies now in the Treasury, or as payment may be made at the same.

CAP. V.

An Act to provide for opening and repairing Roads and erecting Bridges throughout this Province.

Passed 9th March 1838.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province to such persons as His Excellency the Lieutenant Governor or Commander in Chief for the time being shall appoint, in addition to the sums already granted, the following sums for the purposes hereinafter mentioned:

Great Road, Saint John to Saint Andrews.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand pounds, for the improvement of the Great Road from Saint John to Saint Andrew's and the approaches thereto; one thousand two hundred and fifty pounds of the above sum to be paid to the Mayor, Aldermen and Commonalty of

of the City of Saint John, to assist them in building piers and landing places on the eastern and western sides of the harbour of Saint John, in connexion with the Steam Ferry Boat about being established for the conveyance of passengers across the said harbour.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds for the improvement of the Great Road from Saint John *via* Nerepis; one hundred pounds of this sum to be expended between Oromocto and Fredericton; and a sum not exceeding twenty pounds, other part thereof, to be appropriated towards ascertaining the best site for and procuring a plan, specifications and estimate of a Bridge to be erected on the Oromocto River. Fredericton to St. John, *via* Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the improvement of the Great Road leading from Gagetown to the Nerepis Road. Gagetown to the Nerepis.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and seventy five pounds for the improvement of the Great Road from Dorchester to Shediac. Dorchester to Shediac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the improvement of the Great Road from Shediac to the Bend of Peticodiac. Shediac to Bend of Peticodiac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of nine hundred pounds towards building a Bridge across the River Cocagne. Cocagne Bridge.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four hundred and fifty pounds for the improvement of the Great Road from Richibucto to Chatham; seventy five pounds fourteen shillings and ninepence of which to be paid to A. Goodfellow, late Supervisor, the same being a balance due him. Richibucto to Chatham.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one thousand four hundred pounds for the improvement of the Great Road from Newcastle to Restigouche; of which the sum of one hundred pounds to be expended between Miramichi River and James Forein's; the sum of four hundred pounds, other part thereof, to be expended between James Forein's and the Great Nepisiquid River; the sum of seventy pounds, other part thereof, to be paid over to the Commissioners of Roads of the Parish of Bathurst for the cut through DeBlois' Hill and Landing on the west side of the Great Nepisiquid; the sum of one hundred and eighty pounds, other part thereof, for exploring and improving the road between Tettagouche River and Little Rock settlement; the sum of four hundred and fifty pounds, other part thereof, for erecting a Bridge over Eel River and the approaches thereunto; and the residue to be expended on that part of the Great Road which lies between Campbelltown and Dalhousie. Newcastle to Restigouche.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred and fifty pounds towards the erecting of Bathurst Bridge. Bathurst Bridge.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of six hundred pounds for the improvement of the Great Road leading from Fredericton to the Finger Board; fifty pounds of which to be appropriated between the Nashwaak and the County Line. Fredericton to the Finger Board.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds for the improvement of the Great Road leading from Bellisle to Saint John. Bellisle to Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three thousand pounds for the improvement of the Great Road from Fredericton to Saint Andrews; not less than one thousand two hundred pounds of which sum to be expended on the western side of the River Magaguadavic. To Fredericton to Saint Andrews.

Woodstock to
Houlton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred pounds for the improvement of the Great Road from Woodstock to Houlton.

Salisbury to Hope-
well.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of four hundred pounds to be applied in building a Bridge over the Peticodiac River at the fording place, and for exploring the best line of road between Salisbury and Hopewell.

Hammond River
to Hopewell.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two hundred pounds for the improvement of the road from Hammond River to Hopewell.

Loch Lomond to
Sussex Vale.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds to improve the road from Loch Lomond to Sussex Vale.

Oromocto to
Gagetown.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of one hundred and fifty pounds to improve the road from Oromocto to Gagetown, on the old military road in the rear of the present road at Swan Creek; so much of the above sum as will be required to be applied in repairing the bridge over Dingee's Creek.

Bridge over Eel
River.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of three hundred pounds, to be applied in aid of individual subscription, towards building a bridge over Eel River in the County of York.

Widening the
Mill Bridge, Port-
land.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of five hundred pounds to be paid to the Mayor, Aldermen and Commonalty of the City of Saint John, and to be applied by them towards widening the Mill Bridge, leading from the City of Saint John to the Parish of Portland.

Saint John to the
Nova Scotia Line.

To His Excellency the Lieutenant Governor or Commander in Chief, towards improving the Great Road leading from Saint John to the Nova Scotia line, nine hundred pounds to be laid out between Hayward's Mills and the Nova Scotia line, deducting one hundred and seventy six pounds three shillings and fivepence due to the Honorable E. Botsford, late Supervisor, and twenty one pounds due Sylvan Babino, for a bridge over Hall's Creek; two hundred and fifty pounds towards the bridge in the course of erection over Hampton Ferry; three hundred and seventy seven pounds, to be applied in payment of the bridge over Trout Creek already contracted for and in course of erection; two hundred and twenty three pounds for the road leading from Saint John towards Hayward's Mills; and also two hundred and fifty pounds for that part of the Great Marsh in the County of Saint John, leading from the forks at Creighton's to Cruikshank's hill.

Fredericton to
Newcastle.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of two thousand five hundred pounds for the improvement of the Great Road leading from Fredericton to Newcastle, one thousand five hundred pounds of which sum, or so much thereof as may be necessary, to be laid out on that part of the road leading from Everitt's Ferry, opposite Fredericton, to Bubar's Mill Stream on the Nashwaak; three hundred pounds, other part thereof, to repair and complete that part of the said road from the Nashwaak Bridge to John M'Dermott's hill; four hundred and fifteen pounds, other part thereof, for that part of the said road lying between M'Dermott's hill and Renous River, and to improve the said road thence to the North West Ferry; twenty five pounds, a further part thereof, to be paid to Francis Hunter, for damages in carrying the road through his property; ten pounds, other part thereof, to be paid — Johnson, on the portage, for damages in carrying the road through his property, and the remaining two hundred and fifty pounds towards the erection of a bridge across Bartibog River, in pursuance of a resolution of the House of Assembly in the year one thousand eight

eight hundred and thirty seven, being in return for so much of the Bye Road appropriations taken from the grant of the year one thousand eight hundred and thirty six towards the improvement of the Great Road.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of two thousand pounds for the improvement of the Great Road from Fredericton to the Canada Line, seventy five pounds of which to be expended in improving the Road between Fredericton and the Parish of Kingsclear. Fredericton to the Canada Line.

KENT BYE ROADS.

The sum of forty pounds for the road from Point Sapine to Kishebouguac. Bye Roads in Kent.

The sum of thirty pounds for the road from Point Edward to the post road on the north side of the Kishebouguac River.

The sum of ten pounds from the mill on the north side of the Kishebouguac, up stream.

The sum of thirty pounds for the road on the south side of Kishebouguac River.

The sum of thirty pounds for the road from the Little River to the Bridge over the Kishebouguacis.

The sum of fifteen pounds on the Kishebouguacis, from the head of the tide, up stream.

The sum of thirty pounds for the road on the south side of the Kishebouguacis River above the post road.

The sum of ten pounds for the road below the post road on the south side of Kishebouguacis.

The sum of twenty five pounds for the road on the south side of the Aldoune River.

The sum of fifty pounds for the repairs of the bridge over Daigle's creek.

The sum of forty pounds for the road from Richibucto to Mill Creek.

The sum of ninety pounds for the road between Mill Creek and Molus River.

The sum of ten pounds for the road from Molus River to Bass River.

The sum of ten pounds for the road from Bass River to the mill on the main river.

The sum of twenty five pounds for the road from Mill Creek to the Indian Line.

The sum of fifty pounds from Richibucto to the lower Village.

The sum of twenty five pounds for the road on the south side of the Richibucto River to the east branch bridge.

The sum of one hundred pounds for the roads and bridges from the east branch bridge to the Coal branch.

The sum of fifteen pounds for the road from the Coal Branch Bridge to the Church.

The sum of thirty pounds for the road from the Coal Branch Bridge to James Pine's on the main river; one half to be expended between Trout Brook and Pine's.

The sum of twelve pounds for the road on the south branch Saint Nicholas River.

The sum of ten pounds for the road on the west branch of Saint Nicholas River to Town plot.

The sum of ten pounds for the road from Gaspereau bridge to the post road.

The sum of twenty five pounds to pay the balance due to Thomas Johnson and William Fitzgerald, for erecting the bridge over the east branch of Saint Nicholas River.

Kent County
Bye Roads,
Continued.

The sum of twenty pounds to pay the balance due to John Mooney and Charles Arceneaux for building Blanchard's Creek bridge.

The sum of twelve pounds for the road on the south side of Chockpish River; one half to be expended on the upper side of the post road.

The sum of twenty pounds to open the road from the beach to the Chockpish River near Samuel Burk's line.

The sum of twenty pounds for the road on the north side of Bucktouche River.

The sum of thirty pounds for the road on the south side of Bucktouche River.

The sum of thirty pounds towards the erection of a bridge over Little Bucktouche River, near the head of the tide.

The sum of ten pounds for the road on the south side of the Little Bucktouche River.

The sum of twenty pounds for the road from Bucktouche to Cocagne, by the shore.

The sum of thirty pounds for the road from the post road to the Thibedo settlement in the second tier of lots.

The sum of forty pounds for the road on the south side of the Cocagne river.

The sum of fifteen pounds for the road on the north side of the Shediac River.

The sum of twelve pounds for the road through the Cocagne Cape.

The sum of twelve pounds for the road leading from the bridge to the Cocagne Cape.

The sum of ten pounds for the road from John Savoy's to the post road.

The sum of seven pounds towards opening a road from the Galloway settlement near to Scott's to the bridge over the east branch of Saint Nicholas River.

SUNBURY BYE ROADS.

Bye Roads in Sun-
bury.

The sum of seventy five pounds for the road from the French Lake road to the Little River Mills in the Parish of Sheffield.

The sum of forty pounds for the road from Oak Point to Sand Point.

The sum of fifty pounds for the road from George Boon's to the south branch bridge.

The sum of ten pounds for the road from Isaac Cogswell's to the Garey road.

The sum of fifteen pounds for the road from Daniel Wood's to the south branch road.

The sum of ten pounds for the road from William Armstrong's to James Mills'.

The sum of ten pounds for the road from Jeremiah Smith's to the Garey road.

The sum of thirty pounds for the road from Richard Kimball's farm to John Bell's.

The sum of ten pounds for the road from south branch road to Scoullar's Mills.

The sum of ten pounds for the road to a new settlement near Walter Patterson's.

The sum of twenty five pounds for the road from south branch bridge to Thomas Hartt's.

The sum of twenty five pounds for the road from Thomas Hartt's to Solomon Tracey's.

The sum of seventy five pounds for the road from Rushagonis to Hartt's Mills.

The sum of ten pounds for the road from Hartt's Mills to Diamond square.

The sum of fifteen pounds for the road from Andrew Smith's to James Johnston's.

The sum of fifteen pounds for the road from Burpe's Mill through the Gordon settlement.

The sum of fifty pounds for the road from Rushagonis to William Dow's.

The

Snabury
Bye Roads,
Continued.

The sum of twenty pounds for the road from William Dow's to J. M. Wil-
mot's farm.

The sum of twenty pounds for the road from John Bell's to Burpe's Mill.

The sum of fifteen pounds for the road from the road near Jones' at Rushagonis
to the Oromocto river opposite John Wood's.

The sum of fifty pounds for the road from the widow Kirkpatrick's to the Falls
of a stream emptying into Back Creek Lake in Blissville.

The sum of five pounds for the road from John Baillie's to the Block House.

The sum of twenty five pounds to repair the bridge across the Back Creek at or
near Charles Dewitt's.

The sum of fifteen pounds for the road leading from Thomas Hartt's to Thomas
Mersereau's.

The sum of fifteen pounds for the road leading from the south branch road to
John M'Laughlin's.

The sum of fifty pounds in aid of individual subscription, to erect a bridge
across the north branch of the Oromocto River at or near Tracey's Mills.

The sum of five pounds for the road leading from Daniel Dow's to Charles
Johnston's.

The sum of ten pounds to explore a new line of road from the highway in Bur-
ton at or near Jacob Smith's to the Nerepis Road.

The sum of ten pounds to widen the road at Burpe's mill dam.

The sum of ten pounds to repair the bridge at Thomas Smith's at the Rusa-
gonis.

The sum of five pounds for the blind thoroughfare to the Little River Road.

The sum of five pounds to ballast a bridge at said thoroughfare.

The sum of fifteen pounds to build a bridge over the mill stream at French Lake,
Sheffield.

The sum of fifteen pounds for the road from Hamilton's road to the Little River
road.

The sum of ten pounds to improve the road from Jacob B. Smith's in Burton,
to S. Burpe's upper line, in aid of individual subscription.

The sum of twenty five pounds for the road from Thomas Hartt's to the public
landing, and to build a public wharf or landing at the Oromocto or what is called
Hartt's landing.

The sum of twelve pounds ten shillings for the road from William Boon's to
Thomas Stennix.

The sum of twelve pounds ten shillings for Kinney's causeway, in the Parish of
Burton; four pounds twelve shillings and threepence of which to be paid to John
Bailey, being balance due him as per report of Committee on public and private
accounts the twentieth day of February in the year one thousand eight hundred
and thirty five.

GLOUCESTER BYE ROADS.

Bye Roads
Gloucester.

The sum of one hundred pounds for the road between Pokemouche and the
Northumberland line at Tracadu.

The sum of sixty pounds for the Carraquet lower portage and bridges thereon.

The sum of twenty five pounds for Saint Mary's bridge on Almac's Island.

The sum of fifty pounds for the road from Grand Aunce to End's bridge.

The sum of ten pounds for the road through the Waterloo settlement.

The sum of twenty pounds for a bridge over Landry's brook at Grand Aunce.

The sum of fifteen pounds for the road from Grand Aunce to the Wellington
settlement in the rear. The

Gloucester Bye
Roads, *Continued.*

The sum of thirty pounds for the road from Pokeshaw to Grand Aunce including Pokeshaw Hill.

The sum of ten pounds for repairing the bridge at Parrot's brook.

The sum of ten pounds for the road from Janeville to Innishannon.

The sum of thirty pounds for the road from Janeville eastwards.

The sum of twenty pounds for the bridge over Teague's brook.

The sum of thirty pounds for the bridge over Francis Ellis' western brook and approaches.

The sum of forty pounds for the road from Bass River towards Teague's brook through the Salmon beach settlement.

The sum of sixty pounds for the road from the Great Road towards Bass River, on the line towards the Capes.

The sum of twenty pounds for the road on the south side of the Great Nepisiquid River, between Doonas Falls and the Great Road.

The sum of forty pounds for the road from Bathurst towards the Babino River.

The sum of twenty pounds from the Little River Mills towards the Town of Bathurst.

The sum of twenty pounds for the road from William Molloy's to the Saint Peters settlement.

The sum of fifty pounds for the approaches of Tettagouche bridge.

The sum of thirty pounds for the road from Tettagouche bridge towards Alstone Point.

The sum of thirty five pounds for the road between Nigadow and Little Nepisiquid Rivers.

The sum of twenty pounds for widening and draining the road from Hugh Napier's upwards in the Tettagouche settlement.

The sum of five pounds for the road from Hugh Napier's downwards.

The sum of fifteen pounds for the road through the Kinsale settlement.

The sum of twenty pounds for the road from Middle River bridge to the upper line of lot number seven.

The sum of fifteen pounds for the line between Kinsale and the mill stream, for exploration or otherwise.

The sum of one hundred and thirty five pounds for the road from Christopher's bridge to the Flat Lands.

The sum of thirty pounds for the road from the Glebe Lot to Christopher's.

The sum of thirty pounds for the road to the Sugar Loaf Mountain settlement.

The sum of thirty pounds for the road to the settlement in the rear of Maple Green.

The sum of sixty pounds for the road from the Eel River settlement to the Great Road.

The sum of thirty pounds for the road from the River Charlo to the rear settlement.

The sum of fifty pounds for the road to the settlement on Nash's Creek in the rear of Robert Harvey's.

The sum of twenty pounds to open and improve the road north and south of the market place in Dalhousie.

The sum of fifteen pounds for the road in rear of David Mackintosh's to Robert Reed's Mills.

NORTHUMBERLAND BYE ROADS.

Bye Roads in
Northumberland.

The sum of two hundred and ten pounds towards building a bridge across the Bartibog River, on the line of communication between Newcastle and Tracadie.

The

The sum of eighty five pounds to pay John Williston the balance due him for building a bridge across the little branch of Black River. Northumberland Bye Roads, Continued.

The sum of one hundred and eighty pounds for the road from Bartibog to Tabi-sintac; the same to be expended from Oak Point downwards.

The sum of ten pounds towards building a bridge across the outlet of Davidson's marsh, and improving the road through the Oak Point settlement.

The sum of twenty pounds for the road on the east side of the Big Bartibog River, from Moody's Point to the head of the tide.

The sum of ninety pounds towards opening and making the road from George Williston's farm to Eel River.

The sum of twenty pounds towards improving the road from Horton's Creek to Kingston's farm on the Bay du Vin River.

The sum of twenty five pounds towards opening and improving the road on the north side of Bay du Vin River, from the Richibucto Road down towards the Mills.

The sum of twenty pounds to improve and straighten the road from the Richibucto Road, on the north side of Black River, to the site of the new bridge on said Black River.

The sum of twenty pounds towards opening and improving the road from the site of the new bridge across Black River to Napan River, near Mr. M'Knight's Grist Mill.

The sum of ten pounds to assist in making the road from the Little Black River to Fowlie's Grist Mill, and from thence to the upper settler on that river.

The sum of fifteen pounds for the road from M'Innes' Creek to Point Aux Car.

The sum of five pounds from Thomas Hanney's farm to M'Caully's farm on the Napan River.

The sum of ten pounds for the road from M'Innes' Creek to the Richibucto Road, on the south side of Napan River.

The sum of thirty five pounds towards building a slip at the ferry landing in the Parish of Chatham, opposite the Town of Newcastle.

The sum of fifteen pounds to continue and connect the rear road in the Parish of Chatham to the road leading to the back lots in rear of John Henderson's farm.

The sum of five pounds to open and make the road to John Creighton's farm on the north side of Napan River, from the road leading from Saint John's Church, Chatham.

The sum of ten pounds for the road in front of the second tier of lots to the third tier of lots in rear of Saint Paul's Church, Chatham.

The sum of ten pounds towards improving the road to the rear lots, next below the Parsonage, Chatham.

The sum of thirty pounds for the road from the west end of the new bridge across Bartibog to the main road.

The sum of ten pounds for the road on the west side of Bartibog, from Collector Wright's farm up.

The sum of ten pounds for the road from Corry's on the Big Bartibog to Green Brook.

The sum of ten pounds for the road between lots number fifty four and fifty five in the Parish of Newcastle to the second and third tier of lots.

The sum of ten pounds to improve the road from Moorfield to Stothart's meadows.

The sum of ten pounds for the road from Douglstown to Moorfield's.

The sum of twenty pounds to complete the road in rear of the front lots from Henderson's Mill Cove to Douglstown. The

Northumberland
Bye Roads,
Continued.

The sum of sixty pounds for the road from Newcastle to Chaplain's Island.

The sum of thirty five pounds to open the road from Charles Stewart's farm to Fraser's Mill stream.

The sum of twenty pounds to open the road from James Hutchinson's ferry to the main road below Fraser's Mill stream.

The sum of ninety pounds towards opening and completing the road from John Menzie's farm to Ledden's farm at the head of the tide on the north side of the northwest; seventeen pounds fifteen shillings of this sum to be paid Alexander Goodfellow, to reimburse him for money paid by him to Nathaniel Spaulding for making a road across a swamp at the west end of the Mill stream bridge, and the further sum of seven pounds fifteen shillings and eightpence of the said amount to the said A. Goodfellow, being balance due him on last year's account.

The sum of twenty pounds towards exploring and opening a road from Chaplain's Island on the southwest side of the northwest up to William Allison's farm.

The sum of thirty pounds for the road from Wild Cat brook through the Indian reserve up to Peabody's New Richmond farm.

The sum of twenty five pounds for the road from Cuppage and White's farm to James Holmes' on the little southwest, to commence at James Holmes'.

The sum of forty pounds for the road from Beaubair Point to Cuppage and White's on the south side of the northwest.

The sum of twenty pounds from John Goodfellow's through the Williamstown settlement to the southwest.

The sum of ten pounds for the road from the lower Williamstown settlement to the main northwest near Jared Tozer's.

The sum of fifty pounds for the road from George Flit's farm to Barnaby's River, through the Nowland settlement.

The sum of twenty five pounds for the road between Nelson Village and Barnaby's River.

The sum of fifteen pounds for the road from Sutton's barn to the third tier of lots.

The sum of ten pounds for the road from Barnaby's River to Robert Leslie's farm on the south side of the southwest.

The sum of twenty five pounds for the road from Robert Leslie's farm towards Indian Town on the south side of the river.

The sum of fifteen pounds for the road on the south side of Barnaby's River to the Semiwagan ridge.

The sum of twenty pounds towards opening and making the road on the north side of Renous River between Patrick Wheeler's and Indian Town, lately explored and laid out by Thomas Underhill.

The sum of thirty five pounds towards opening and making the new line of road from John Lee's farm to James Donaldson's on Renous River.

The sum of twenty pounds from Doak and M'Laggan's Mills to the mouth of the Dungarvia, on the Renous River.

The sum of fifteen pounds towards making the road from Doak and M'Laggan's Mills to the upper settlement on Bartholomew's River.

The sum of thirty pounds towards opening the new line of road on Cain's River lately laid out by Thomas Underhill; twelve pounds seventeen shillings and sixpence of this sum to be paid to Thomas Underhill for balance due him on last year's account.

The sum of twenty pounds for the road from William Hogan's to Robert Doak's in the Parish of Blissfield.

The sum of ten pounds towards improving the road from the new bridge across Big Black River to the bridge across Little Black River.

The

The sum of ten pounds for the road from the east Scotch settlement road to the County line towards Thomas Shearer's. Gloucester Bye Roads, Continued

The sum of twenty pounds from Sutter's Hill to Wilson's on the old road on the south side of the Southwest.

KING'S COUNTY BYE ROADS.

The sum of ten pounds for the road from Captain Perry's to John Dickson's. Bye Roads in King's County.

The sum of ten pounds from Elias Flewelling's to Captain Perry's, by way of Harvey's.

The sum of twenty five pounds for the road from Shaw's to the solid bridge at the point of the mountain.

The sum of ten pounds for the road from Justus Wetmore's, Kennebeccasis, to the Long Reach.

The sum of fifteen pounds for the new road between Justus Wetmore's and Roulston's; one half of which to be expended between the Mill Bridge and Bates'; the remainder between M'Intire's upper line and Hornbrook's.

The sum of fifteen pounds for the road from White's Mill to the Long Reach near Williams'; one half of said sum to be expended between the Midland settlement and Long Reach.

The sum of twenty pounds for the Neck Road from near Seely's Point to James White's, and thence to the Church.

The sum of ten pounds for the road from Riley's on the Neck Road to M'Cann's, Kennebeccasis.

The sum of fifteen pounds for the road from Bates' Mills, through the Midland settlement, to the Neck Road near M'William's place.

The sum of twenty pounds for the road from the Reach Road near Suggett's to Kierstead's, towards Kingston Church.

The sum of ten pounds for the road from Isaac Perry's to near George Raymond's.

The sum of twenty pounds for the road from Pickett's Mills in the Midland, by Ketchum's Brook, to the shore road, Kennebeccasis.

The sum of fifteen pounds for the road from the public landing near John Nutter's, on Bellisle, to Kingston Church, by the shore road.

The sum of ten pounds for the road from the public landing at James Ganong's, Bellisle Bay, to the junction of the Pickwacket Road with the Midland Road.

The sum of ten pounds for the road from James Peters' Mill to the road leading from Henry Piers' to Bellisle Bay.

The sum of ten pounds for the road from the Midland Road near Mabee's to the Pickwacket, near Jerome Seely's.

The sum of ten pounds for the road from Henry Piers' to Bellisle Bay.

The sum of ten pounds from the Kingston Parish line to the chops of the Milkish in Westfield.

The sum of ten pounds for the road across Kennebeccasis Island from Wills' to Johnston's.

The sum of fourteen pounds for the road from John Whitman's, Esquire, to Dowling's.

The sum of six pounds to be paid to Caleb Wetmore, Commissioner, to remunerate him for the like sum over expended in the year one thousand eight hundred and thirty six on the road from the Reach Road to the northwest side of the Milkish.

The sum of ten pounds for the road from Logan's Cove settlement to Land's End, by Hare's farm.

The sum of fifteen pounds for the road from James B. Lyon's Long Reach to the Milkish. The

King's County
Bye Roads,
Continued.

The sum of ten pounds for the road from William Armstrong's lower line to Anderson Worden's bridge on the Midland Road.

The sum of twenty five pounds for the Reach Road, from Benjamin White's upper line towards William Harding's; out of which sum five pounds to be paid to John T. Coffin and John Smith, Esquires, the Commissioners for building a bridge over M'Coll's Creek, to enable them to complete the contract for the same.

The sum of ten pounds for the road from John Fowler's, in the rear of Grand Bay, to the settlement of Mitchell and others.

The sum of ten pounds for the road from the post road at O'Donnell's to the Finlay settlement, Westfield.

The sum of twenty pounds for the eastern Nerepis Road from Westfield Church to Salmon Rock; one half of that sum to be expended between the Church and Goose Creek.

The sum of twenty pounds to aid in making an alteration in the Road between Jacob Belyea's and the Church.

The sum of ten pounds for the road from Cheyne's to the Salmon Rock on the Nerepis.

The sum of ten pounds for the road from Stephen Cronk's to the Moses Kemball Road.

The sum of ten pounds for the road from Tenant's Cove to the back lands in Greenwich, and thence to the County line towards the London settlement.

The sum of ten pounds for the road from the Widow Merritt's to the Main Road leading up to Bellisle Bay.

The sum of ten pounds to improve the road between Thomas Connor's and Vanwart's.

The sum of ten pounds for the road and bridge between Charles Richard's upper line and the Widow Flewelling's.

The sum of twenty five pounds to aid in altering the road between the bridge at Zebulon Jones' and James Bulyea's.

The sum of ten pounds for the road from the County line near Moore's to Andrew Hamilton's, and thence to Sterritt's; one half of said sum to be expended between Hamilton's and Sterritt's.

The sum of fifteen pounds for the road from the Widow Lynch's to Hickey's; one half of said sum to be expended between the Lake Brook and the Cross Roads.

The sum of ten pounds for the road from the Cross Roads, by way of the School House, to John Hamilton's.

The sum of ten pounds for the road from the Yorkshire Road, near Daniel Johnston's, to John Cotton's.

The sum of ten pounds for the road from James M'Keel's to the front road near the river.

The sum of ten pounds for the road from Thomas Wallis' to the M'Keel Road towards the front.

The sum of ten pounds for the road from Thomas Burk's back to the County line.

The sum of ten pounds for the bridge near Harrington's Mill on the road from John Crabb's, Junior, to the shore.

The sum of ten pounds for the road from Jacob Pigeon's towards Emery Davis' in Springfield.

The sum of thirty pounds to build a bridge over the Big Brook, so called, on the road from Hatfield's Point to the Henderson settlement.

The

King's County
Bye Roads,
Continued.

The sum of ten pounds for the road from Shearer's, by Henderson's, to Broad's in the English settlement.

The sum of ten pounds for the road from Eli Northrup's to Peter Gow's in the Scotch settlement.

The sum of ten pounds to build a bridge over the Main Creek on the road leading from the School House, near Edward G. N. Scovil's, to the Finger Board Road.

The sum of ten pounds for the road from Charles Grey's to James Ganong's.

The sum of ten pounds for the road from Jessie Gillies' to Charles Grey's.

The sum of ten pounds for the road from William Case's to Henry Sharpe's.

The sum of ten pounds for the Guthrie Road, so called.

The sum of ten pounds to improve a hill on the road from Elijah Sprague's, on the Bellisle, to the Finger Board Road near James Sherwood's.

The sum of twenty pounds for the road from Ezekiel Foster's to Bellisle Church.

The sum of ten pounds for the road from Redstone's Mill to Matthew Smith's.

The sum of ten pounds for the road from Redstone's Mill to the Front Road.

The sum of ten pounds for the road from Andrew Shanklin's to the road leading to the Irish settlement.

The sum of ten pounds for the road from Thomas Robertson's to Shaw's Mill.

The sum of ten pounds to build a bridge between Henry Williger's and Andrew Downey's.

The sum of ten pounds for the road from the Scotch Kirk to the Waterloo settlement.

The sum of twenty five pounds from the Toll Bridge, Norton, to Groom's in Hampton.

The sum of fifteen pounds for the road from Mitchell's corner, by Moses Hodge's and Thomas Livingston's, to William Ross' on Moosehorn brook.

The sum of fifteen pounds for the road from Moses Hodges, by Moses Innis' and Motley's to William H. Baxter's.

The sum of ten pounds for the road from William H. Baxter's to Sussex line.

The sum of ten pounds for the road from Mitchell's corner, by Joseph Moody's, to M'Affee's.

The sum of ten pounds for the road from James Shearwood's to Amos Sartill's ; to be expended between Case's and Sartill's.

The sum of ten pounds for the road leading from Hay's to the mountain, by Robert Colpitt's.

The sum of ten pounds for the road from Lakefield to the Church, near Gondola Point.

The sum of fifteen pounds for the road from George Prince's to the post road, leading from Hammond River Bridge to Hennigar's.

The sum of ten pounds for the road from John Wright's to the Great Road leading from Bellisle to Saint John.

The sum of ten pounds for the road from Thomas Saunders' to Isaac Monger's.

The sum of ten pounds for the road from Elias Prince's to Adia Sherwood's.

The sum of ten pounds for the main road across Darling's Island.

The sum of ten pounds for the road leading from the post road, near the Hammond River Bridge, to the old road near Beattie's ferry on the west side.

The sum of ten pounds for the road from Longstroth's to the Saint John County line, by Thomas Palmer's.

The sum of ten pounds for the road from the Mill of the late James Smith to the County line towards Loch Lomond.

The sum of ten pounds for the old line of road from near Gondola Point Church toward Sherwood's Cove and upwards.

The

King's County
Bye Roads,
Continued.

The sum of fifteen pounds for the road from Richard Smith's corner to Beattie's ferry.

The sum of fifty five pounds to be paid to James Cother, Commissioner for building a bridge over the Hammond River, to enable him to complete the contract for the same.

The sum of ten pounds for the roads leading to and adjoining the above named new bridge over Hammond River, on both sides of the same.

The sum of fifty pounds for the new road from the bridge at Barnse' to the Church, near Upham's.

The sum of ten pounds for the Road from Deforest's Lake to John Sherwood's Mill.

The sum of twenty five pounds to build a bridge across the Hammond River, near Caleb Davis'.

The sum of thirty five pounds for the Shepody road from Nethery's to M'Laughlin's.

The sum of twenty five pounds to be paid to Ebenezer Smith, Commissioner, for building a bridge over the Hammond River, near Ganter's, to enable him to complete the contract for the same.

The sum of twenty five pounds for building a bridge over the Mill stream, near Ulis Haney's.

The sum of fifteen pounds for building a bridge near Luster's, called Good's bridge.

The sum of fifteen pounds for the road from Gayley's to the Butternut Ridge.

The sum of twenty pounds for the road from Butternut Ridge to Coat's Mill.

The sum of ten pounds for improving a hill near John Parlee's.

The sum of ten pounds for the road from Hayward's Mills to the settlement of Stableford and others.

The sum of ten pounds for the road from William Kyles' to near Samuel Godard's.

The sum of ten pounds for the road from the south branch road to James Hayward's.

The sum of ten pounds for the road from Walton's Mill to M'Cowen's, at the head of south branch of Trout Creek.

The sum of ten pounds for the road from Patrick Welsh's, at the head of Trout Creek, to the Shepody Road, near M'Laughlin's.

The sum of ten pounds for the road from Joseph Wright's to the Darling Road, so called.

The sum of ten pounds for the road from David Kierstead's to Stephen Chapman's.

The sum of twenty pounds for the road from Ezekiel Foster's to the Queen's County line, through the English settlement.

The sum of ten pounds for the road from Ezekiel Foster's to the Mill stream bridge, near Luster's.

The sum of ten pounds for the road from Kennedy's to the Queen's County line, by M'Farlane's.

The sum of ten pounds for the road from Nathaniel Johnston's to Williams', by Chapman's Mill.

The sum of ten pounds for the road from David Kierstead's to Joseph Darling's.

The sum of twenty pounds for the road from John Jordan's to near William M'Leod's.

The sum of ten pounds for the road from Charles Gayley's to John Little's.

The

The sum of ten pounds for the road from Richard W. Stockston's to the Ridge Road. King's County
Bye Roads,
Continued.

The sum of ten pounds for the road from near Jacob Snider's to near John M'Arthur's, by Legget's.

The sum of fifteen pounds for a bridge over the Salmon River, near Jacob Snider's.

The sum of ten pounds for the road lying on the line between Thomas Herrit's and Abraham Fairweather's.

The sum of fifteen pounds for the road between Roach's and the Mill stream road, by the Chapel.

The sum of fifteen pounds to be paid Caleb Wetmore, Commissioner for building a bridge over the Moosehorn brook in the year one thousand eight hundred and thirty six, to enable him to complete the contract for the same.

The sum of fifteen pounds for the road from Ellison's to the Norton line.

The sum of ten pounds for the road from David Hayward's to Currie's.

The sum of ten pounds for the road from Wesley Perry's to Josiah Keith's.

The sum of ten pounds from William Lockhart's to Josiah Keith's.

The sum of fifteen pounds from John M'Monagle's to the Campbell settlement, by Drury's.

That the sum of ten pounds granted in the year one thousand eight hundred and thirty six, and the further sum of ten pounds granted in the year one thousand eight hundred and thirty seven for the road from Thomas Corey's towards Seeley's Mill, which has been received by the Commissioners but not expended, be re-appropriated and expended on the road commencing at Thomas White's farm in the Midland Road, and running by the base line to the Beaver Dam.

QUEEN'S COUNTY BYE ROADS.

The sum of fifteen pounds for the road from Dingee's Mill to Jared Simpson's and the Gagetown Road. Bye Roads in
Queen's County.

The sum of ten pounds for the bridge over Esty's Mill stream, on the road between Gagetown and the Oromocto.

The sum of fifteen pounds to complete the causeway and improve the road at Tyng's Brook.

The sum of forty pounds to improve the road between Tyng's Brook and Samuel Peters' farm; five pounds of this sum to be applied between Tyng's Brook and Ocnabog Bridge.

The sum of ten pounds for opening a Drawbridge at Duck Creek.

The sum of ten pounds for the road from near Gillan's towards Hartt's Mill.

The sum of fifteen pounds for the road from the Church on the Nerepis Road, through Daly's Town settlement, towards the back Creek Road.

The sum of twenty pounds for the road leading from the Nerepis Road towards the Oromocto, by way of Coram's and Trafton's farms.

The sum of thirty pounds for the road leading from Vail's to the Nerepis.

The sum of thirty pounds towards completing the public landing below Gagetown.

The sum of fifteen pounds for the road leading from the river to the Yorkshire Road, commonly called "George Lyon's Road."

The sum of ten pounds for the road leading through the new Ireland Road, on the line between Samuel Parks' and Christopher M'Conchie's, to the Gagetown Road.

The sum of fifteen pounds for the road leading from Scovil Roberts' corner to the new Ireland settlement. The

Queen's County
Bye Roads,
Continued.

The sum of fifteen pounds for the road leading through the new Ireland settlement, communicating with the road leading from Scovil Roberts' and the road leading from the Little River School House to Sanburn's Mills.

The sum of twenty pounds for the road from New Jerusalem settlement, past Sanburn's Mill.

The sum of twenty pounds for the road from Sanburn's corner to Redston's Mill, past Christopher M'Conchie's.

The sum of fifteen pounds for the road leading from land owned by Robert Golding, across the old Fanning farm and part of John Smith's land.

The sum of twenty five pounds for the road from Beaver Dam bridge, London settlement, to John Van Wart's.

The sum of ten pounds for the road from the Bridge to the English settlement, on the road leading from Ebenezer Perry's to the English settlement.

The sum of ten pounds for the road from Long Creek settlement to the settlement opposite Cole's Island.

The sum of ten pounds for the road from Murray's Mill to Long Creek.

The sum of ten pounds for the road from Long Creek to the M'Farlane settlement.

The sum of fifteen pounds for the road leading from the Main Road, near Van Tassel's, to the Waterloo settlement.

The sum of twenty pounds for the road from James M'Kenzie's to the main post road near Farmer's, by way of John Huggard's.

The sum of ten pounds for the road from John Shaw's Mill to Lewis' Cove.

The sum of ten pounds for the road from Oak Point, southwest side of Lewis' Cove and the Shore Road, Washademoak Lake.

The sum of twenty pounds for opening a road from James M'Coy's to the road leading from Bellisle Bay to Wilson's.

The sum of twenty pounds for the road from the head of the interval at Lewis' Cove to Isaac Clark's.

The sum of sixty pounds for the main road from Alexander Clark's to Newcastle Mills.

The sum of five pounds for the road from Michael Dellon's to Grand Lake.

The sum of fifteen pounds for the road from William Kad's to number ten, by way of Betts'.

The sum of twenty pounds for the road from Peter Day's to Cumberland Creek.

The sum of fifteen pounds for the road from Burk's to Coal Creek Ferry.

The sum of fifteen pounds for the road from Cumberland Bay Road to Allan M'Lean's.

The sum of fifteen pounds for the road from Salmon River to Salmon Creek Mills.

The sum of twenty pounds for the road from Salmon River to Scovil's Brook.

The sum of twenty pounds for opening a road from Scovil's Brook to the Hardwood Ridge in continuation of the road from Salmon River to Scovil's Brook.

The sum of twenty pounds for the road between O'Leary's and Crawford's Cove, so called, western side of Salmon River.

The sum of fifty pounds for the road from Dykeman's Brook to Cox's Mill.

The sum of ten pounds to improve the road over the Sea Wall near William Wiggin's.

The sum of fifteen pounds for the road from Cox's Point towards Coal Creek.

The sum of ten pounds to remove the hill and raise the bridge at number twenty brook, near Cornelius M'Namara's.

Queen's County
Bye Roads,
Continued.

The sum of forty pounds for the road from Cumberland Bay Bridge to Coal Creek, on the line explored by John Earle, Esquire.

The sum of ten pounds for the road from the lower Mills to the upper Mills, on the east side of Newcastle.

The sum of ten pounds for the cross road near Yeaman's to Coakly's.

The sum of twenty pounds for the road leading from Ebenezer Parry's, Washademoak Lake, to Thomas Shearer's; one half to be expended between Isaac Worden's and Thomas Shearer's.

The sum of twenty pounds for the road leading from the northeast branch of Lewis' Cove to Samuel Foster's Mill, and from thence to the Great Road leading from the Washademoak Lake to Bellisle, on the northwest side of the lake.

The sum of fifteen pounds for the road from the bridge across Craft's Cove to the road leading to the Shannon settlement.

The sum of fifteen pounds for the road from David M'Donald's to the road leading from the cove to the Shannon settlement.

The sum of fifteen pounds for the road from David Odell's Mill site to Long Creek, at Joshua Starkey's.

The sum of fifteen pounds for the road from Frederick Jenkin's line to George Parker's on the west side of the Washademoak.

The sum of thirty pounds for the road from Stephen Golding's to Coles Carpenter's lower line.

The sum of fifteen pounds for the road leading from the lower Nerepis Brook to David Odell's Mill.

The sum of ten pounds for the road from Stephen Foster's lower line to Jesse Cromwell's lower line, on the south east side of the Washademoak.

The sum of ten pounds for the road leading through the Shannon settlement, near James Foster's, towards John Shaw's Mill.

The sum of ten pounds for the road from David Cypher's pond to Silas M'Mahon's farm, at Little River, northwest side of Grand Lake, on the front.

The sum of fifteen pounds for the road leading from the Newcastle Cross Roads to the ferry at Joseph Bayley's, across the Newcastle.

The sum of ten pounds for the road leading from the new Church to Grand Point, Grand Lake.

The sum of fifteen pounds for the road from David Mason's to Nerepis Brook, on the east side of the Washademoac.

The sum of ten pounds for the road from David Odell's Mill to James Thorn's upper line.

The sum of ten pounds for the road from Nerepis Brook to Michael Thorn's.

The sum of fifteen pounds for the road from Odell's Mill to James W. Cody's.

The sum of ten pounds for the road from Thomas Ham's to John Cochran's, in a back settlement, on the southeast side of Washademoak.

The sum of ten pounds for the road from David Fowler's to the northeast branch of Picket's Cove, west side Washademoac.

The sum of ten pounds for the road from northeast branch of Picket's Cove to Isaac Worden's.

The sum of fifteen pounds for the road from Frederick Jenkin's upper line to Oliver Starkey's upper line, west side Washademoac.

The sum of ten pounds for the road from Samuel Knight's, in a back settlement, to cross Cox's Mill Dam.

The sum of ten pounds for the road from John Foster's, in a back settlement, to the main road, near Hugh M'Lean's.

The

Queen's County
Bye Roads,
Continued.

The sum of ten pounds for the new road from William Sharp's to the Washademoac Road.

The sum of ten pounds for the road from Colwell's, at the mouth of the Washademoac Lake, to Nehemiah Bulyea's.

The sum of thirty pounds for the road from Young's Cove to Washademoac Lake, and thence down to Isaac Worden's.

The sum of forty pounds for the road from Gillan's to the Church at Coot Hill, and from thence to Jones' Mill.

The sum of ten pounds for the road in the rear of the Nerepis Road through the new settlement called "Hopewell."

The sum of fifteen pounds for the road from Mahood's corner towards Moore's, until it meets the King's County line.

The sum of ten pounds for the road from George Lyons' road to Jackson's.

The sum of twenty pounds to complete the bridge across M'Clure's Cove, near James M'Donald's, Salmon River.

The sum of fifteen pounds for the road from the ferry at John Lecky's to Brown and Colwell's Mills on the north side of Coal Creek.

The sum of fifteen pounds for the road from Grand Lake to Maquapet Lake, between lots numbers thirty six and thirty seven, near William Belmaine's.

The sum of ten pounds for repairing a bridge across the thoroughfare at Indian Point.

The sum of fifteen pounds for the road between the new post road and Salmon River Mills, on south east side Salmon River.

The sum of ten pounds for the road from the Forks of the main road leading to Newcastle to the cross road between the Maquapet Lake and the Key Hole, Grand Lake.

The sum of forty pounds for improving the Causeway at the Dugway, above Samuel Scovil's.

CHARLOTTE BYE ROADS.

Bye Roads in
Charlotte County.

The sum of forty five pounds for the road from Still Water Bridge towards the Rolling Dam on the eastern side of the Digdeguash River in the Parish of Saint Patrick.

The sum of ten pounds for the Clarence Hill Road, in Saint Patrick.

The sum of twenty two pounds for the alteration and improvement of the road from John Armstrong's to Daniel Kelley's, in Saint Patrick.

The sum of forty pounds for the road from the Rolling Dam in Saint Patrick to Bartlett's in the Parish of Saint Andrew's.

The sum of thirty five pounds for the road from James Murphey's towards the Rolling Dam, in Saint Patrick.

The sum of thirty pounds for the road from James Murphey's towards the eastern line of the Parish of Saint Patrick.

The sum of forty three pounds from the salt water, by William Wilson's farm, towards the Rolling Dam in Saint Patrick.

The sum of forty pounds appropriated in the session of one thousand eight hundred and thirty five to open a new road from Bocabec Bridge, in Saint Patrick, to Garcelon's Mill, in Saint David, to be reappropriated and applied as follows, viz: ten pounds for exploring and laying out a line of road from Still Water Bridge to the western line of Saint Patrick; twenty pounds for the main road leading from the School House to James Kyles' farm in the Grove settlement, on the western side of the Bocabec Lake, in Saint Patrick; and ten pounds for the road from Murphy's Ridge to Whittier's Ridge, in the Parish of Saint Patrick. The

The sum of twenty pounds for the Board Road from John Cotterell's, in Saint David, towards the eastern line of the Parish.

Charlotte County
Bye Roads,
Continued.

The sum of thirty pounds for the road from the head of Oak Bay to Valentine Sherman's in Saint David.

The sum of twelve pounds for the road from William Hitchings' to James Love's, in Saint David.

The sum of ten pounds to cut down Shaw's hill, in Saint David.

The sum of eight pounds for the road from the end of the bridge towards Josiah Moore's, in Saint David.

The sum of fifteen pounds for the road from Edwin Foster's, in Saint David, towards John Simmonds.

The sum of ten pounds for the road from M'Laughlin's hill, in Saint David, to Stewart's Mill stream.

The sum of ten pounds for the road from Marks' farm, in Saint David, to Jesse Grimmer's, in Saint Stephen.

The sum of twelve pounds for the road from William Hitchings' to the Church in Saint David.

The sum of ten pounds for the road from Devoy's Corner to John Collins' in Saint David.

The sum of fifteen pounds for the road from Dunham's, in Saint David, to Foster's Mill.

The sum of twelve pounds for the road from John Smith's to John Bamford's, in Saint David.

The sum of six pounds ten shillings for the road from Whitmore's to Irving's, in Saint David.

The sum of twelve pounds for the road from Tower's Corner to William Smith's, in Saint David.

The sum of fifty pounds for the road from Welsh's brook near the Saint John Road, through Morrison's and Sime's grant, to John Pye's, and thence towards Digdeguash River, and to assist in building a bridge over the said brook, in the Parish of Saint Patrick.

The sum of seventy five pounds for the road from Jonathan Kent's farm to Seal Cove, on the Island of Grandmanan.

The sum of twelve pounds to assist in building a bridge over the stream by John M'Intosh's, in Grandmanan.

The sum of fifty pounds for the road from the Lock-up House to Grand Harbour, in Grandmanan.

The sum of seventy five pounds for the road leading from the north west Harbour Bridge to Clam Cove, and from Clam Cove to north west Harbour public landing on Deer Island.

The sum of fifty pounds for the road from Welch Pool, by Todd's Barn, to Curry's Cove on Campobello.

The sum of fifteen pounds for the new road from Hugh Thomson's, on the Saint John Road to John Wilson's new House in the Parish of Saint Andrews.

The sum of fifteen pounds for the road from the Town Plat. of Saint Andrews to Joe's Point.

The sum of fifty five pounds ten shillings for the road from the widow Connick's to Caleb Bartlett's in the Parish of Saint Andrews.

The sum of ten pounds for the road from the Saint John Road to Chamcook Island, in the Parish of Saint Andrews.

The sum of twenty pounds for the road from John Totten's, Junior, to M'Dowald's, in Pennfield.

Charlotte County
Bye Roads,
Continued.

The sum of twelve pounds ten shillings for the road from Boyd and M'Carroll's corner to Malcolm Mealy's, in Pennfield.

The sum of fifteen pounds for the road from John Crickett's landing to Justice's in Pennfield.

The sum of fifteen pounds for the road from Curry's Mill to the Saint John Road, in Pennfield.

The sum of ten pounds for the road from William M'Dermott's farm to the Saint John Road, in Pennfield.

The sum of ten pounds for the road from Rodger Traynor's to Thompson's ship yard, in Pennfield.

The sum of twenty pounds for the road from Elliot Munson's to Boyd and M'Carroll's, in Saint George.

The sum of seven pounds ten shillings for the road from Donald M'Intyre's to the road near M'Vicar's, in Saint George.

The sum of ten pounds for the road from Thomas Ferguson's to the Steen settlement, in Saint George.

The sum of thirty pounds for the road from Philo Seelye's to L'Etang Harbour, in Saint George.

The sum of twenty pounds for the road from Prince Baker's to Dewar's bridge, in Saint George.

The sum of thirty pounds for the road from Philo Seelye's farm to the Letite, in Saint George.

The sum of thirty five pounds for the road from Linton's Mill to John Sherard's, in Saint George.

The sum of twenty pounds for the road from the Red Rock Mill to the upper Falls in Saint George.

The sum of forty pounds from the upper Falls to the Forks of the Magaguadavic, in Saint George.

The sum of twenty pounds for the road from Pomeroy's bridge to the Flume Ridge in Saint George.

The sum of thirty five pounds for the road from Vinegar Hill to John Oliver's, in Saint George; the same to be applied to repairing Bridges.

The sum of twenty pounds from Josiah True's to Pomeroy's bridge, in Saint George.

The sum of ten pounds for the road from James Murphy's to the Scotch settlement, in Saint George.

The sum of fifteen pounds for the road from Kent's Saw Mill to the River Magaguadavic, in Saint George.

The sum of twelve pounds ten shillings for the road from James Moreland's to James Lee's in Saint George.

The sum of twelve pounds for the road from James Maxwell's, Junior, to Moore's Mill, in Saint David.

The sum of thirty five pounds for the road from the Basswood Ridge to Samuel Stewart's, in Saint Stephen.

The sum of ten pounds for the road from the Chiputnecticook Ridge to Daniel Campbell's in Saint James.

The sum of ten pounds for the road from John Pomeroy's to the Little Ridge in Saint James.

The sum of ten pounds for the road from the Kirk to John Pomeroy's in Saint James.

The sum of ten pounds for the road from Hitching's Mill to the Little Ridge in Saint James'.
The

The sum of fifteen pounds for the road from the Kirk across the upper bridge on the Moannes to the main road leading to Saint Stephen.

Charlotte County
Bye Roads,
Continued.

The sum of ten pounds for the cross road from Hitching's Mill to the road leading to the Kirk in Saint James'.

The sum of thirty pounds for the road from Jones Jackson's to Hitching's Mill in Saint James' and for repairing the bridge at said Mill.

The sum of twenty pounds for the road from Spence's to Clarke's Point, in Saint James'.

The sum of ten pounds for the road from Jones Jackson's to the School House, as altered to straighten it.

The sum of thirty pounds for the road from the Kirk, through the Basswood Ridge, to Oak Hill in Saint James.

The sum of fifteen pounds for the road from the Basswood Ridge to David Maxwell's near the Church in Saint James.

The sum of fifteen pounds for the road from Peake's to the Baillie settlement, in Saint James.

The sum of twelve pounds for the road from Oak Hill to the Lynnfield settlement, and to a settlement a few miles beyond, towards the widow M'George's.

The sum of fifteen pounds for the road from the new Episcopal Church to Oak Hill in Saint James.

The sum of sixteen pounds ten shillings for the road from Milltown to the Little Ridge in Saint James; to be laid out between the Moannes and William Stuart's.

The sum of twelve pounds for the road from the Church in Milltown to Barter's, in Saint Stephen.

The sum of ten pounds for the road from Joel Hill's to the Moannes settlement, in Saint Stephen.

The sum of ten pounds for the road from Alexander M'Kay's to Hill's line, towards M'Kay's Mill in Saint James.

The sum of fifty pounds for the new road from the long bridge to the Saint David's line.

The sum of twenty pounds for the road from the Ledge to Oak Point in Saint Stephen.

The sum of ten pounds for the road from Alexander Matheson's to Alexander Clindinen's, on the Little Ridge.

The sum of ten pounds for the road from John S. Philips' to the bridge across the Dennis stream below Moore's Lake.

The sum of ten pounds for the road from Joseph Pomeroy's to the Grand Falls, in Saint James.

The sum of fifteen pounds appropriated for the Charlotte Bye Roads, and returned to the Treasury by James Campbell, Esquire, to be reappropriated for the road from the late James Stuart's farm to John Dewar's in Saint George.

WESTMORLAND BYE ROADS.

The sum of forty pounds for the road from Thomas Ayer's to Benjamin Landrie's.

Bye Roads in
Westmorland.

The sum of fifteen pounds for the road from the Great Road on Sackville Great Marsh to Point Magic.

The sum of ten pounds for the road from Philip Chapman's to Thomas Oulton's, Junior.

The sum of ten pounds for the road from Thomas Oulton's Junior, to the Emigrant Road.

The

Westmorland
Bye Roads,
Continued.

The sum of twenty five pounds for the road from Thomas Oulton's, Junior, to Joseph Murray's.

The sum of twenty pounds for the road from George Richardson's to Crossman's.

The sum of ten pounds for the road from William Mitten's to Crossman's.

The sum of fifteen pounds for the road from Tedish to Shemogue.

The sum of fifteen pounds for the road from John Anderson's to James Blanche's, crossing the Little Shemogue.

The sum of twenty five pounds for the road from Sackville to Aboushagan.

The sum of fifteen pounds for the road from the Chapel to the southwest branch of the Aboushagan, two pounds fifteen shillings and sixpence, to be paid to Simon Legere, for over expenditure on the road from Morang Tarrion's to south east branch of the Aboushagan.

The sum of ten pounds for the road from the Aboushagan Road to Peter Bellivou's.

The sum of twenty five pounds for the road from Gaspereaux to Great Shemogue.

The sum of fifteen pounds for the road from the Great Shemogue Road to the Ferry on the Little Shemogue.

The sum of fifty pounds for the road from Gaspereaux to Cape Tormentine, through the Emigrant settlement.

The sum of ten pounds for the road from the Great Road to second Westcock hill.

The sum of forty pounds for the road from George Cook's to the Grand Aunce Creek.

The sum of fifteen pounds for the road from Ephraim Raworth's to Cape Spear.

The sum of twenty pounds for the road from Patrick Blanche's to the Little Cape, on the west side of the Great Shemogue.

The sum of fifteen pounds for the road from James Purdy's to George Cook's.

The sum of ten pounds for the road from the Aboushagan road to David Cook's.

The sum of ten pounds for the road from the Shemogue Road to Square Lake.

The sum of fifteen pounds for the road from the Shediac Road to the head of the Tide on the Shediac River, by Joseph Hannington's Mills.

The sum of forty pounds for the road from Westcock to Cape Maranguin.

The sum of fifteen pounds for the road from James Ayre's to Beech Hill.

The sum of twenty pounds for the road from the widow Kinnear's to Fairfield.

The sum of thirty pounds for the road from Grand Aunce to Joseph Tower's.

The sum of twenty pounds for the road from Alexander Sonia's, in the back settlement, Dorchester, to the Aboushagan Road.

The sum of ten pounds for the road from Abiel Hicks', Point Migic, to John Richardson's.

The sum of thirty pounds for the road from Joseph O'Bear's, in Tedish, to the Kouchibouguac Lake settlement.

The sum of ten pounds for the road from Point Migic Road to N. Hicks', on the north side of Tower's Goose Lake.

The sum of sixty pounds for the Gaspereaux Bridge.

The sum of ten pounds for the road from George Dobson's to the Emigrant Road.

The sum of fifteen pounds for the road from Townsend's to Bay Verte.

The sum of ten pounds for the road from M'Kinley's to George Lawrence's.

The sum of seventy pounds for the Kouchibouguac Bridge.

The sum of twenty five pounds for the Scoudac Bridge.

The

The sum of twenty pounds for the road from Benjamin Landrie's to the Great Road in Dorchester. Westmorland
Bye Roads,
Continued.

The sum of ten pounds for the road from Tignish Road to Joseph Irvin's.

The sum of ten pounds for the road from William Wells' to William Tingley's, Cape Tormentine.

The sum of ten pounds for the road from David Murray's to Henry Bass', near Cape Bear.

The sum of ten pounds for the road from the south west branch of the Aboushagan to the Sackville Road.

The sum of ten pounds for the road from John Palmer's to the second Westcock hill settlement.

The sum of five pounds for the road from Aboushagan Road to Miles Sear's.

The sum of five pounds for the road from P. Guitons' to the Dorchester Road.

The sum of ten pounds for the road from Cook Smith's in Dorchester to the Sackville Town line.

The sum of twenty five pounds for the road from Gilbert Forsyth's, in New Horton, to Cape Enrage.

The sum of twenty pounds for the road from Germain Town to Cape Enrage.

The sum of thirty pounds for the road from Cape Enrage to Salmon River.

The sum of fifteen pounds for the road from New Ireland to Salmon River.

The sum of ten pounds for the road from William Fillmore's to Daniel Copp's, on the ridge.

The sum of ten pounds for the road from Point Wolf Harbour to upper Salmon River.

The sum of ten pounds for the road from William Tingley's to Thomas Wilband's.

The sum of ten pounds for the road from John Ritchie's to Stephen Stiles', on Crooked Creek.

The sum of fifteen pounds for the road from Ezra Peck's to the Memel Road inclusive, so called.

The sum of twenty five pounds for the road to the Caledonia settlement from Hopewell.

The sum of fifteen pounds for the road from Daniel Woodworth's, through the Haley settlement.

The sum of ten pounds for the road from the Great Road to Aaron Robinson's.

The sum of ten pounds for the road from Cape Demoiselle Road to John Martin's.

The sum of forty pounds for the road from Hamilton's in Hopewell to Hillsboro'.

The sum of fifteen pounds for the road from the Woodworth settlement to the Caledonia settlement.

The sum of sixty pounds for the road from M'Latchey's Bridge to Stoney Creek, thence to Mill Creek; of which sum fifteen pounds to be paid James Wallace, the late Commissioner.

The sum of fifteen pounds for the road from Henry Steeves' to the Irvine settlement.

The sum of twenty pounds for the road from Chapman's up Turtle Creek.

The sum of fifteen pounds for the road from Thomas Colpitt's Mill through to the Coverdale River Road, and thence to Robert Colpitt's.

The sum of fifteen pounds for the road up Pollet River to John Geldart's; of which sum ten pounds to be paid Thomas Colpitt.

The sum of ten pounds for the road from Daniel Wheaton's to Robert Dobson's.

Westmorland
Bye Roads,
Continued.

The sum of ten pounds for the road from Abner Taylor's on the North River to the Lewis' settlement.

The sum of fifteen pounds for the road from the Great Road to the Kelly settlement.

The sum of twenty pounds for the road from George Colpitt's up Coverdale River.

The sum of ten pounds for the road from Turtle Creek to Enoch Stiles'.

The sum of ten pounds for the road from John Scott's to Nathaniel Smith's.

The sum of fifteen pounds for the road from Robert Scott's to North River.

The sum of ten pounds for the road from the Great Road in Hillsboro' to the Round Hill.

The sum of ten pounds for the road from Alexander Cane's to George Colpitt's Mill.

The sum of twenty pounds for the road from Zechariah Lutz' to the Mountain settlement.

The sum of thirty five pounds for the road from the Bend to the Mountain settlement; of which sum five pounds is to be expended between John Wallace's and Martin Somers'.

The sum of twenty pounds for the road from Irishtown to the French settlement.

The sum of eighty pounds for the Shediac Bridge in Irishtown; of which sum sixty three pounds to be paid the President and Directors of the Central Bank for money advanced last year.

The sum of fifteen pounds for the road from the Bend on the M'Laughlan Road towards Richibucto.

The sum of forty pounds for the road from near Gabriel Herbert's, through Downing and Bellivou Villages, and thence by the Chapel to the Great Road.

The sum of twenty five pounds for the road from Ralph Carter's to the Petico-diac River.

The sum of ten pounds for the road from James Crandall's to Bell's farm; of which sum one pound to be paid Samuel Holstead, the late Commissioner.

The sum of twenty pounds for the road from the Shediac Road through the French Minudie settlement.

The sum of ten pounds for the road from John Harris' to Jacob Trites, thence to Brown's Mill.

The sum of fifteen pounds for the road from Holstead's to the Butternut Ridge.

The sum of five pounds for the road from the road at the Chapel, Dorchester, to the Cove.

SAINT JOHN COUNTY BYE ROADS.

Bye Roads in Saint
John.

The sum of one hundred pounds for the road from Blakslee's farm to Little River, and for the bridge over Little River Marsh; five pounds three shillings and sixpence of which is to be paid R. F. Hazen and R. Calvert, a balance due them on a former expenditure.

The sum of thirty pounds for the road from Little River to Mispick Mills; ten pounds of which to be expended between Anthony's farm and Little River.

The sum of twenty pounds for the road from Mispick Mills towards Cape Spencer.

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

The sum of forty five pounds for the road from Little River to Black River.

The sum of thirty pounds for the road from the old Westmorland Road through the Golden Grove settlement.

The sum of sixty pounds for the road from Frog Pond to Cody's, Loch Lomond, ten pounds ten shillings and eightpence of which to be paid John Jordan, balance due him on former expenditure. Saint John
Bye Roads,
Continued.

The sum of twenty pounds for the road from Cody's to the Forks, at the head of the first Lake.

The sum of forty pounds for the road from the Forks to the County line near Brand's farm, called Cother's Road.

The sum of thirty pounds for the road from Cother's Road to Millican's past Jones', called Jones' Road.

The sum of eighty pounds for the road from the head of large Loch Lomond to Quaco; thirteen pounds seventeen shillings and one penny of which to be paid to E. Vaughan and J. Brown, former Commissioners, balance due them.

The sum of thirty pounds for the road from the Forks, Black Settlement Road, near Cody's, to Emerson's Creek, through the Bloomsbury settlement

The sum of fifteen pounds for the road from the Forks, near M'Bratney's, to Tynemouth.

The sum of twenty five pounds for the new road opened by Brown and others, past Brown's Mill, and thence to Tynemouth.

The sum of ten pounds for the road from Black River to Emerson's Creek.

The sum of ten pounds for the road from Emerson's Creek to Gardner's Creek.

The sum of ten pounds for the road leading from Gardner's Creek to the ten mile Creek.

The sum of twenty five pounds for the road leading from Cother's Road, (so called,) on the bridge across the thoroughfare at the head of the second Lake to the County line, towards the late Miller Smith's, of which ten pounds to be paid James Stackhouse for building a bridge.

The sum of forty pounds for the road from the Black Settlement Road near Cody's to the Quaco Road through J. M. Wilmot's farm.

The sum of twenty pounds for the road from the Highway near Delancy's to the Kennebeccasis.

The sum of twenty pounds for the road leading to Sand Point.

The sum of fifteen pounds to reimburse W. R. Sentell for an amount expended by him on the road leading from the Quaco Road near the Church to Smith and Barnes' Mill.

The sum of forty five pounds for the road from the farm lately occupied by Johnston on the Quaco Road through the Ryan settlement to the new Shepody Road; seventeen pounds eight shillings and fourpence of which to be paid to James Millican, Commissioner, balance due him.

The sum of twenty five pounds for the road from the Millican settlement to the Hammond River near Tabor's.

The sum of twenty pounds for the road from Quaco to the County line, near Tabor's.

The sum of fifty pounds for the road from the Great Salmon River towards Quaco.

The sum of forty pounds for the road from the Great Salmon River towards the Shepody Road.

The sum of ten pounds for the road from Black Beach to Pisarinco.

The sum of ten pounds for the road from Sand Cove to the Main Road.

The sum of ten pounds for the road from Frenchman's Creek, on the eastern side of Musquash Harbour, to the main Saint Andrews Road.

The sum of twenty five pounds for the road from Quaco Road, near the Church, to the road near Barnes', called Mill and Church Road. The

Saint John
Bye Roads,
Continued.

The sum of ten pounds for the road from the head of large Loch Lomond to the County line, towards Beattie's, and to build a bridge across the thoroughfare, at the head of the Lake.

The sum of fifty pounds for the road from Cody's, through the Caledonia settlement to the Hibernia settlement, and to build a bridge across one of the branches of the Black River, near the Caledonia settlement, thence to Quaco, a part to be expended in improving that part of the road from the Parish line to Quaco.

The sum of forty pounds for the road from Dipper Harbour School House to the Saint Andrews Road.

The sum of ten pounds for the road from the Golden Grove Road, by the way of Barry's Mill, to the Loch Lomond Road.

The sum of thirty pounds towards building a bridge over Pisarinco Creek, on the road from the Irish settlement to the Main Road leading from Saint Andrews to Saint John.

The sum of ten pounds for the road from Black River Road through the Bloomsbury settlement, near Ellison's, passing William Smith's on the second tier of Lots, to intersect the M'Bratney Road.

The sum of thirty five pounds for the road from the Indian Town Road to the shore of the Kennebecasis, at the Brothers.

The sum of twenty pounds for the road from John Davidson's to the old Quaco Road.

The sum of fifteen pounds for the road from the road near Millican's towards John Barnes', by the way of Michael Cain's.

The sum of ten pounds for the road from Boar's Head to the road leading from M'Caskey's to Portland.

The sum of ten pounds to explore a road from Mispick to West Beach settlement.

CARLETON BYE ROADS.

Bye Roads in
Carleton.

The sum of one hundred and fifty pounds to Samuel Nevers, Esquire, towards paying off a debt for building a bridge across the Beguaguimick; the said sum to be paid when the said bridge is completed, agreeably to contract with the Commissioner.

The sum of twenty pounds to improve the road from Elisha Cogswell's to the Newburgh settlement; to be principally expended in the further end of the settlement; and ten pounds to be laid out on a cross road in said settlement.

The sum of thirty pounds to improve the road and bridge from Daniel Shaw's to the Beguaguimick.

The sum of ten pounds to improve the road from James Clark's to Joseph Clarke's, on the Beguaguimick, to the rear of the adjoining settlement.

The sum of ten pounds to improve the road from the road from the mouth of the Cold Stream to the further end of the settlement; the greater part to be expended upon the further end of the settlement.

The sum of fifteen pounds to improve the road from the mouth of Beguaguimick, on the southern side, to James Clarke's.

The sum of ten pounds to improve the road from the mouth of the Beguaguimic, on the northern side, to James Clarke's.

The sum of ten pounds for a new road from James Dyer's to a back settlement in the rear of M'Isaac's.

The sum of five pounds to improve the road from the main road to the bridge near the Cold Stream.

The sum of twenty pounds to improve the road from the Beguaguimick to the Monquat. Carleton
Bye Roads,
Continued.

The sum of seventy pounds to improve the road and bridges from Patchell's ferry to Daniel Shaw's, in Northampton.

The sum of eighty pounds to improve the road from Eel River to the north side of Bull's Creek in the Parish of Woodstock; not less than thirty pounds, part thereof, to be expended in repair of the bridge over Bull's Creek, and more if required, in the judgment of the Commissioner, to make it secure for the passage of teams and carriages.

The sum of ten pounds to improve the road on the lower line of the Woodstock grant to a back settlement near Eel River.

The sum of forty pounds to improve the road from Judge Beardsley's to Peter Gallagher's in the back settlement.

The sum of fifteen pounds to improve the road from the lower side of the Glebe Lot in Woodstock to the back settlement.

The sum of eight pounds to improve the road from the Blacksmith's Shop, near John Beardsley's, to the back settlement.

The sum of fifteen pounds from M'Indoe's to Peabody's Mills; to be laid out on the worst part of road.

The sum of twelve pounds from Peabody's mills to the Forks of the Meduxnikick.

The sum of twenty pounds to improve the road from the Houlton Road near Hilman's to Stewart's.

The sum of fifteen pounds to improve the road from Stewart's to the further end of the settlement near the Meduxnikick.

The sum of seven pounds to improve the road from Wolhaupter's to Fleming's.

The sum of twelve pounds to improve the road from Richmond corner to Peabody's Mills.

The sum of seven pounds ten shillings from Ivey's to the M'Donald settlement.

The sum of thirty pounds to improve the road from Richmond corner to the Hogden Road; to be laid out principally upon a Swamp near Hay's.

The sum of fifteen pounds to improve the road from M'Kenzie's corner to Perley's Mills.

The sum of eight pounds to improve the road from Perley's Mills to Ivey's.

The sum of ten pounds to improve the road from Hogden Road to Atchison's.

The sum of ten pounds to improve the road from the School House in the Irish settlement, to pass Daley's, and back to the Hogden Road.

The sum of twelve pounds to improve the road from the Hogden Road, past Yerxa's and Green's, to the further end of the settlement.

The sum of five pounds to improve the road from the Hogden to Fleming's and Carron's.

The sum of twenty pounds to improve the road from the Hogden Road, near M'Kenzie's, in a southerly direction, past Woodward's and Blue's, to the further end of the settlement.

The sum of ten pounds to improve the road from the Richmond Main Road, past William Bull's, to the Hogden Road.

The sum of eighty pounds to be expended towards the completion of the Monquat Bridge over the Monquat Stream.

The sum of eight pounds ten shillings to William W. Emslie, in payment of his account as a Commissioner for building the Monquat Bridge.

The sum of fifteen pounds to improve the road and bridge from the Monquat stream to Richard Wharton's.

Carleton
Bye Roads,
Continued.

The sum of fifteen pounds to improve the road from Salmon River to the Tobique.

The sum of forty pounds to improve the road from Tobique to Richard Wharton's.

The sum of ten pounds to improve the road from Thomas Gee's to a back settlement in the Parish of Wicklow.

The sum of twelve pounds to improve the road from Thomas Pomfrey's to a back settlement.

The sum of twelve pounds to improve the road from the eight mile tree, on the Restook Portage, to the river at Merritt's farm.

The sum of eight pounds to improve the cross road on the Portage, about four miles above the Restook to the river.

The sum of ten pounds to improve the road from Ballard's, at the mouth of the Restook, along the south bank to the Falls of the same.

The sum of forty five pounds to open a road from the Grand Falls upwards.

The sum of twelve pounds to improve the road from John Wright's farm in a back settlement, in the Parish of Andover.

The sum of fifteen pounds to improve the road from Boyer's Mill, past Charles Lewis', to Jeremiah Lloyd's; the greater part of said sum to be expended at the further end of the settlement.

The sum of ten pounds to improve the road from Charles Lewis' in a northerly direction, past William Stewart's.

The sum of ten pounds to improve a road, near Kerr's, to a back settlement.

The sum of twenty pounds to improve the road from M'Keen's to the further end of the settlement.

The sum of ten pounds to improve the road from O'Connor's Creek to a back settlement.

The sum of twenty pounds to improve the road from James M'Laughlin's to the Falls on the north branch of the Meduxnikick.

The sum of twenty pounds towards the completion of the bridge across the Little Presqu' Isle, near Burpe's.

The sum of ten pounds to open the road from James Jones', above the Little Presqu' Isle, to a back settlement.

The sum of ten pounds to improve the road from Charles Palmer's to the Little Presqu' Isle.

The sum of fifteen pounds to improve the road from Charles Boyer's to the Little Presqu' Isle.

The sum of twelve pounds to improve the road from the Ferry Road to the river near Elisha Shaw's.

The sum of fifteen pounds to improve the road from William Mallory's, southerly to the Grist Mill.

The sum of thirty pounds to improve the road from Hannah's, past Rufus Payson's, to William Lindsay's.

The sum of ten pounds to improve the road from William Lindsay's to William Bell's, on the Meduxnikick.

The sum of twelve pounds to improve the road from William Lindsay's to Samuel M'Laughlan's.

The sum of eight pounds to improve the road near Beverley Estey's, in Wakefield, to the further end of the settlement.

The sum of seventeen pounds to improve the road past Willet Chapman's, through the Moody Farm, to Jackson Town Road.

The

The sum of twenty pounds to improve the road from Henry Sharpe's, past George Wilson's, to Richard Martin's.

Carleton
Bye Roads,
Continued.

The sum of ten pounds to improve the road from Martin's to Bell's.

The sum of forty five pounds to improve the road from Jacob Eastabrook's to Williams Town settlement.

The sum of twelve pounds to improve the road from Robert Hume's, along Jonathan Tracey's, to the Jackson Road.

The sum of twelve pounds to improve the road from Ketchum's Store towards Henry Sharp's; the most to be expended on the new part of the road.

The sum of thirty three pounds for building and completing a bridge over Bull's Creek.

The sum of thirty pounds appropriated last winter Session, from B. Tibbetts' to the American line, to be re-appropriated, and to be expended on a road from B. Tibbetts' to a back settlement.

YORK COUNTY BYE ROADS.

The sum of twenty pounds for the road through the Poquiock settlement.

The sum of fifteen pounds for the road from the Poquiock settlement to the Magundy.

Bye Roads in
York County.

The sum of thirty five pounds to open and improve a road from Carson's, in the Poquiock settlement, to Wilson's Mills.

The sum of twenty pounds for the road on the base line, from number one to number sixteen.

The sum of twenty five pounds to remunerate Robert Michael for erecting a bridge over the Waterloo stream, and to improve the hills.

The sum of twenty pounds for a bridge over the Magundy stream, between Lake George and the Magundy.

The sum of twenty pounds for the road from the School House, Magundy, to the Magaguadavic Ridge.

The sum of sixty pounds to open and improve a new line of road from Lawson's lower line to Wilson's Mills.

The sum of fifteen pounds for the road from John Gray's to Lake George.

The sum of seven pounds ten shillings for the road from John Donnelly's base line to Lake George.

The sum of seventy five pounds to remunerate John Camber for expenses incurred in improving the road from Kelly's Creek to the upper side of Long's Creek, and further to improve the same.

The sum of ten pounds for the road from Nicholas Barker's to James Scott's.

The sum of fifty pounds for the road leading to and through the Smithfield settlement.

The sum of fifteen pounds for the road from Lawrence Grant's, Southampton, to the Campbell settlement.

The sum of ten pounds to open a road from the mouth of the Nackawickack to Huestis' Mill.

The sum of twenty five pounds for the road leading to and through the upper Caverhill settlement.

The sum of twenty five pounds for the road leading to and through the lower Caverhill settlement.

The sum of twenty five pounds for the road from Mitchell's to Adam Jackson's, and thence to Fleming's.

The sum of fifty pounds for the road from Adam Jackson's, by Stewart's, to the River Saint John.

The

York County
Bye Roads,
Continued.

The sum of seven pounds ten shillings for the road from the Scotch settlement to Reuben Lyons'.

The sum of fifteen pounds for the road from the mouth of the Mactaquack to the Scotch Lake settlement.

The sum of twenty pounds for the road from the mouth of the Mactaquack to the upper line of the Parish of Douglas.

The sum of thirty pounds for the road from the upper line of the Parish of Douglas to Mauzeroll's ferry.

The sum of fifteen pounds for the road between Humphrey Sisson's and James Whitehead's.

The sum of twenty five pounds for the road between Peleg Tripp's and the Keswick.

The sum of fifteen pounds for the road from Darius Burt's to Gould Crouse's.

The sum of ten pounds for the road between Jonathan Sisson's and Jacob White's.

The sum of twenty five pounds for the road between Elijah Sheppard's and Samuel Pickard's.

The sum of ten pounds for the road between Moses Lawrence's and William Estey's.

The sum of ten pounds for the road between Jeremiah Christy's and Darius Burt's.

The sum of ten pounds for the road between Alexander Scott's and George Hawkins'.

The sum of fifteen pounds to improve the road or build a bridge over the Creek on the Madam Keswick, leading from Lawrence's to Jones'.

The sum of fifteen pounds for the road leading from Mactaquack Bridge to Jacob M'Keen's.

The sum of ten pounds to improve the hill near Anthony Smith's on the Royal Road.

The sum of seven pounds ten shillings for the road leading to the Hurlet settlement.

The sum of seventeen pounds ten shillings for the road leading from the Royal Road to Charles King's.

The sum of thirty pounds for the road between the Bird settlement and Jones' Mills.

The sum of thirty pounds for the road from William Johns' to the south branch of the Tay.

The sum of ten pounds for the road between Reece Jones' and William Johns'.

The sum of fifteen pounds for the road from the Cardigan Road to the Company's Road through Jones' and George's settlement.

The sum of forty pounds towards erecting a bridge over Jouett's Creek in the Parish of Saint Mary's.

The sum of seventy pounds towards erecting a bridge over Bowlen Creek in the Parish of Saint Mary's.

The sum of two hundred and ten pounds to remunerate Daniel Duff, for expenses incurred by him in improving the road round Weade's hill, and further to improve the same.

The sum of seven pounds ten shillings for the road from the Hanwell Road to Hugh Foy's.

The sum of twenty five pounds for the road leading from the foot of Thompson's hill, where the new line of road intersects the old road to Camber's Creek.

The

The sum of fifteen pounds for the road from Hughes' on the Taxes River to the County line.

The sum of twenty five pounds to improve the road leading from the Alms House in Fredericton to the New Maryland settlement.

The sum of fifteen pounds to open a road on the south west side of the Rusha-
gonis stream from Israel Smith's to the Little Road.

The sum of fifteen pounds for the road leading to the Little settlement.

The sum of sixty pounds for the road leading to the New Maryland settlement.

The sum of twenty pounds for the road from Israel Smith's to the School House,
New Maryland.

The sum of fifty pounds to remunerate Daniel Jewett for erecting a bridge over
the Madam Keswick stream, and other services on the roads.

The sum of fifteen pounds for the road from the Tay Creek Road to Larkin's,
in the Parish of Douglas.

The sum of forty seven pounds ten shillings towards erecting a bridge at
Jewett's Mills in the said Parish.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum
of seven hundred and fifty pounds to build a bridge across the Digdeguash River,
in the County of Charlotte, on the line of road lately laid out and made under the
supervision of George Anderson, Esquire, payable in the year one thousand eight
hundred and thirty nine, and to be considered in part of next year's grant.

Bridge across the
Digdeguash.

II. And be it enacted, That the said several and respective sums of money, and
every part thereof, shall be expended under the direction of such Supervisors and
Commissioners as his Excellency the Lieutenant Governor or Commander in
Chief, by and with the advice of the Executive Council, may be pleased to appoint,
and shall be paid to the several and respective persons who shall actually work
and labour in making, completing and repairing the said several roads and bridges,
or in furnishing materials therefor, at the most reasonable rates that such labour
and materials can be provided; and every Commissioner so to be appointed shall,
as early in the season as may be, carefully examine the part of the road where any
sum of money is to be expended, and shall lay out and mark off such allotment or
allotments as may conveniently be contracted for, in order that the making or
repairing of the same may be let by auction to the lowest bidder; and in all such
cases, such Commissioners respectively are hereby required to put up a sufficient
number of notices, not less than ten days previous to such sale, in three or more of
the most public places in the neighbourhood where the work is to be done, which
notice shall specify and describe the work so to be performed, and also the place,
day and hour when and where the same will be let at auction as aforesaid; and it
shall further be the duty of such Commissioners respectively to attend personally
at the time and place so appointed, and there to let out to the lowest bidder such
allotment or allotments, and at the same time to enter into written contracts for the
faithful performance of the work in time and manner set forth in such contracts;
and in cases where the work required to be performed cannot be conveniently let
by auction, it shall be the duty of the said Commissioners to agree with fit and
proper persons to perform the same by days labour; provided that in no case shall
more than one quarter part of any grant be so expended; and the said Commis-
sioners shall severally keep an exact account of the expenditure of such monies,
and shall produce receipts in writing from the several and respective persons to
whom any part of the said money shall be paid as vouchers for such payment, and
render an account thereof upon oath, (which oath any of the Justices of the Peace
in the several and respective Counties is hereby authorized to administer,) to be
transmitted

Money to be paid
to the persons
working or fur-
nishing materials.

Duty of Commis-
sioners in expend-
ing money.

transmitted to the Secretary's office, to be laid before the General Assembly at the next Session.

Money to be paid
by the Treasurer
by Warrant.

III. And be it enacted, That all the before mentioned sums of money shall be paid by the Treasurer out of the monies in the Treasury, or as payment may be made at the same, by warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, for which warrants no fee or deduction shall be demanded or taken from the persons in whose favor they may issue.

Compensation to
Commissioners.

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

Money to be ex-
pended before the
first of October.

V. And be it enacted, That the said Commissioners shall expend the several and respective sums of money on the roads, on or before the first day of October: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending money after the first day of October, when it shall be necessary to expend the same for building bridges, removing rocks, stumps, trees or other obstructions.

No money to be
expended on alter-
ations not
recorded.

VI. And be it enacted, That none of the before mentioned sum of money, or any other part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said roads unless such alteration shall have been first duly laid out and recorded.

CAP. VI.

An Act further to amend the Acts relating to the collection of the Revenue of the Province.

Passed 9th March 1838.

6 W. 4. C. 4.

WHEREAS by the sixth section of an Act made and passed in the sixth year of His late Majesty's reign, intituled "An Act to provide for the collection of the Revenue of the Province," it is provided that articles subject to an ad-valorem duty, when the value of such articles is not known, the articles shall in such case be examined by one or more competent person or persons, appointed or to be appointed by the Lieutenant Governor or Commander in Chief for the time being, and such person or persons, or any one of them, shall declare or certify to the Treasurer or Deputy Treasurer, what is the true and real value of such articles, and the value so declared or certified shall be the true and real value of such articles, and upon which the duties imposed by any Act or Acts of the General Assembly of this Province, shall be charged and paid: And whereas no provision is made for compensation to such appraisers for the services required to be by them performed; for remedy whereof,

Where articles are
appraised on ac-
count of value not
being known, im-
porter to pay ten
shillings in addi-
tion on each entry.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases where the value of any articles imported into this Province, chargeable with duty according to the value thereof, and the value thereof is unknown, whereby it is necessary for the same to be appraised as before stated, the importer shall in addition to, and over and above the duty chargeable upon such goods on such entry, pay to the Treasurer or Deputy Treasurer the sum of ten shillings on each entry; which said sum the Treasurer or Deputy Treasurer is required to receive

receive before granting a permit for such goods to be landed, to be by him paid over to the person or persons so declaring or certifying such value.

II. ' And whereas by the eleventh section of the said recited Act, it is enacted, ' that all boats, carriages and cattle made use of in the removal of any goods liable ' to forfeiture under that or any Act relating to the Provincial Revenue, shall be ' forfeited: And whereas the same has been found insufficient for the purpose in- ' tended, and it is deemed necessary to extend the same to all vessels and boats, ' from which any goods so liable to forfeiture shall be landed ;' Be it therefore fur- ther enacted, That all vessels and boats under fifteen tons, in which any goods liable to forfeiture under any Act or Acts of the General Assembly relating to the Provincial Revenue shall be brought into this Province, and from which any goods so liable to forfeiture shall be landed, such vessel or boat shall be seized as for- feited, by any officer of the Provincial Revenue, and proceeded against in the same manner as if they had been actually engaged in the removal of any goods liable to forfeiture.

Vessels under fif- teen tons burthen with goods liable to forfeiture, to be liable to seizure.

III. And be it further enacted That this Act shall continue in force as long as the said Act to which this is an amendment.

Limitation.

*Added to July 1 - 1850
by 8 vic. c. 31*

CAP. VII.

See 2^o vic. c. 31

An Act to provide for the better assessment of County and Parish Rates.

Passed 9th March 1838.

WHEREAS by the Laws now in force for the assessment of rates for pub- lic charges, the assessors in the several Towns and Parishes are ' authorised to apportion the sums to be levied upon the said Towns and Parishes ' respectively, among the inhabitants thereof, in such manner as they in their ' discretion shall think just and reasonable: And whereas the exercise of such ' discretion without regulation or appeal, has been productive of great dissimilarity ' in the mode of assessing, and of much confusion throughout the Province ;'

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, all sums of money to be assessed and raised for County or Town or Parish charges or expenses, under and by virtue of any Act or Acts of the General Assembly for that purpose made or to be made, shall be assessed, levied and raised by an equal rate upon the Poll of all male inhabitants of the Town or Parish, of the age of twenty one years and up- wards, not being paupers, and by a rate, in just and equal proportion, upon the real property situate within such Town or Parish, and upon the personal property and incomes of the inhabitants thereof, according to the best knowledge and dis- cretion of such assessors, subject nevertheless to the provisions and regulations hereinafter contained: Provided always, that not more than one eighth part of the whole rate be assessed, levied and raised by a Poll rate.

Rates to be assess- ed upon male in- habitants, real and personal prop- erty and incomes.

II. And be it enacted, That in the interpretation of this Act, the terms " Real Estate," and " Real Property," shall be construed to include land, and any build- ings and other things erected on or affixed to land; and the terms " personal es- tate," and " personal property," shall be construed to include all goods, chattels, monies and effects, and all debts due from solvent debtors, whether on account, contract, promissory note, bond or mortgage, and all public stocks or securities, and all stocks or shares in Joint Stock Banking or Insurance Corporations or Companies.

Meaning of certain words in this Act.

III.

Mortgagor to be deemed the owner.

III. And be it enacted, That in cases of mortgaged Real Estate, the mortgagor shall for the purpose of assessment be deemed to be the owner until the mortgagee shall have taken possession, after which the mortgagee shall be deemed to be the owner.

Assessors to make out lists of their assessments as herein specified,

IV. And be it enacted, That it shall be the duty of the assessors, without delay, after receiving their warrants of assessment as by Law directed, to meet at an appointed time and place to be agreed upon, and they or the major part of them shall make out a list with columns therein—the first or left hand column to contain the names of such persons as are ratable within the Parish, both resident and non-resident—the second column to contain the amount of Poll Tax to be paid by each inhabitant liable to pay a Poll Tax—the third column to contain the amount of real property within the Parish owned by each inhabitant—the fourth column to contain the amount of the personal property of each inhabitant—the fifth column to contain the value of the real estate of non-residents—the sixth column to contain the annual income of such male inhabitants as may derive income from any place, profession or employment within this Province, not being from real or personal property—the seventh column to contain twenty per cent. of the before mentioned value of real and personal estates—the eighth column to contain the said sums so reduced to twenty per cent. and the said sums of annual income—and when any inhabitant has both annual income and twenty per cent. of the value of property set opposite his name, in the said sixth and seventh columns, such sums shall be added together and set in the eighth column, and the amount so to be raised and assessed, after deducting the whole amount of poll tax therefrom, shall be apportioned among the several persons so named, in exact proportion to the sums in the eighth column, set opposite to their respective names—the ninth and last column shall contain the several sums so apportioned, with the addition of the poll tax of each person liable to pay a poll tax, and shall be denominated “Total Assessment;” the same to be in the form following (that is to say):

“Assessment of the Town or Parish of _____ (or district of the same as the case may be,) in the County of _____ in pursuance of a Warrant of the General Sessions of the Peace for the said County of _____, to levy the sum of _____, for _____
 “Dated the _____ day of _____ A. D. 18 _____.”

Names of Persons.	Poll Tax.		Real Estate (with- in the Parish) of Inhabitants.			Personal Estate of Inhabitants.			Real Estate of non-residents.			Annual Incomes.			20 per cent. of value of Property.			Amount to be taxed.			Total Assessment.					
	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.			
A. B.	1	4	200	0	0	100	0	0	0	0	0	0	0	0	0	0	0	60	0	0	60	0	0	1	5	4
C. D.	1	4	300	0	0	100	0	0	0	0	0	50	0	0	80	0	0	130	0	0	130	0	0	2	13	4
E. F.	0	0	0	0	0	0	0	0	200	0	0	0	0	0	40	0	0	40	0	0	40	0	0	0	16	0
G. H.	1	4	0	0	0	0	0	0	0	0	0	20	0	0	0	0	0	20	0	0	20	0	0	0	9	4
I. K.	1	4	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	4

and within sixty days deliver them to the Collectors.

And the said assessors shall within sixty days deliver to the several Collectors of rates within the respective Towns or Parishes, lists made out in form aforesaid, and containing the names of all persons rated within the several and respective districts to which the said Collectors may have been appointed; such lists being signed by the said respective assessors, and having endorsed thereon a precept under their hands, in the form following, (that is to say):

Form of Receipt.

“To A. B. one of the Collectors of Rates in the Town or Parish of _____ or to any other Collector of Rates in the Town or Parish of _____

“You are hereby required forthwith to collect from the several persons named in _____ in _____

in the annexed assessment the sums set against their names respectively, under the last column thereof, intituled "Total Assessment," amounting in the whole to the sum of _____ and to pay the same when collected into the hands of County Treasurer (or Overseer of the Poor, or otherwise as the case may be).

" Given under our hands, the _____ day of _____ in the year of our Lord one thousand eight hundred and _____ "

And further it shall be the duty of the said assessors to make out a duplicate of all and every of their respective assessments and to transmit the same, together with the warrant of assessment, within ten days after the assessment is completed, to the Clerks of the Peace of their respective Counties, to be filed of record; and if any assessor shall neglect or omit to perform the duty herein required of him, he shall be liable to the penalty of ten pounds; and the provisions in this section contained shall be deemed and taken to be in lieu of the provisions of the second section of an Act passed in the seventh year of the reign of King William the Fourth, intituled "An Act to provide for the collection of County and Parish rates."

Duplicate of assessment and the Warrant to be transmitted to the Clerk of the Peace.

V. And be it enacted, That if any person liable to be assessed as an inhabitant of a Parish, shall at any time before the assessors shall have completed their assessment furnish such assessors with an account in writing of his real property situate within the Parish, and of his personal property and income, and shall specify in such account the value of such real property, and the amount of his income, and the amount of his personal property, according to the specification of personal property in the second section of this Act, after deducting therefrom the just debts which he may owe to other persons, and shall have made oath before a Justice of the Peace that such account is just and true, and that the value and amount of such real and personal property and income respectively, do not exceed the sums specified in such account, it shall be the duty of the assessors to value such real and personal property and income at the sums respectively specified in such account and no more; and in like manner if any person liable to be assessed as a non-resident owner of any real property lying within the Parish, or the Agent of such person so liable to be assessed as a non-resident owner, shall furnish the assessors with a like account of such real property, and shall have made oath that the value thereof does not exceed the sum specified in the account, it shall be the duty of the assessors to value such real property at the sum specified in such account and no more.

Assessors to value property agreeably to accounts furnished on oath.

VI. ' And in order that there may be sufficient opportunity for persons liable to assessment to furnish the assessors with statements of their property and income, ' if they shall think fit; ' Be it enacted, That the assessors forthwith after receiving any warrant of assessment shall cause public notice thereof to be given, by posting up notices in at least three of the most public places within the Parish, and also by publishing such notice in one or more public newspapers, if there be any such newspapers published within the Parish.

Public Notice to be given immediately after the receipt of Warrant of Assessment.

VII. And be it enacted, That when the owner of any real property assessed within any Parish as the estate of a non-resident, shall reside within the County of which such Parish forms a part, the Collector of taxes for the place where the assessment is made, shall proceed to collect and recover the rate or assessment from such owner, in the manner directed for collecting and recovering rates from inhabitants of Parishes in the said recited Act passed in the seventh year of the reign of King William the Fourth, intituled "An Act to provide for the collection of County and Parish rates."

When the owner of property assessed as the estate of a non-resident resides in the County, Collector to recover as in 7 W. 4, C. 7.

VIII. And be it enacted, That when the owner of any real property assessed within any Parish as the estate of a non-resident, shall not reside within the County

Mode of proceeding when the owner does not reside within the County.

of which the Parish forms a part, the Collector of taxes for the place where the assessment is made, may sue for the rate or assessment in an action of debt or assumpsit in any Court having jurisdiction to the amount thereof, in his own name, in like manner as for his own proper debt, and in such action an extract from the assessment, shewing the rate or assessment of the person so sued, certified by the Clerk of the Peace with whom the assessment is filed, shall be conclusive evidence of such rate or assessment, or such Collector may proceed to obtain payment of the rate or assessment of such non-resident in the following manner, (that is to say,) if such non-resident owner, or some one on his behalf, doth not appear to pay such rate or assessment, the Collector shall, as soon as may be, cause public notice to be given of such rate and assessment, by advertisement in one public newspaper published in the County where the real property lies, or in the Royal Gazette published by the Queen's Printer, if there be no such newspaper published in such County, or if the assessment be in the County of York, which advertisement shall be continued for three months, unless some person shall within that time appear and pay to the Collector such rate or assessment and the charges of advertising the same; and in case no person shall so appear within that time and pay such rate or assessment, it shall and may be lawful for any two Justices of the Peace in the County where the real property lies, on the application of such Collector, by warrant under their hands and seals, to order the Sheriff of the County to sell at public auction to the highest bidder, (first giving thirty days notice of such sale in the manner before mentioned,) so much of the said real property as may in his judgment be sufficient to pay such rate or assessment, with all the costs and charges attending the recovery of the same, retaining the overplus, if any, for the use of such owner; and the said Sheriff is hereby empowered and directed to execute a deed to the purchaser thereof, his heirs and assigns, and to deliver seizin and possession of the same to such purchaser.

Certain properties exempted from taxation.

IX. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to render liable to taxation the real or personal property of the Corporation of the City of Saint John, or of any religious, literary or charitable corporation, society or institution, or of any Joint Stock Banking or Insurance Corporation or Company.

Property of Joint Stock Corporations (Banking and Insurance Companies excepted,) made liable to taxation.

X. And be it enacted, That the real and personal property of all Joint Stock Corporations (Banking and Insurance Corporations excepted) shall be liable to taxation under this Act in like manner as the real and personal property of individuals; and for the purposes of taxation under this Act, the President or any Agent or Manager of any such Joint Stock Corporation shall be deemed to be the owner of the real and personal property of such Corporation, and shall be dealt with, and may be proceeded against accordingly; and the principal place of carrying on the business and operations of any such Corporation, shall be deemed to be the place of inhabitancy of such Corporation: Provided always, that such President, Agent or Manager shall, in regard to the real and personal property of such Corporation, be taxed separately and distinctly from any other tax or assessment to which he may be liable, and may charge against and recover from such Corporation the amount of any tax or assessment which he may have been required to pay on account of such Corporation, under the provisions of this Act.

Persons aggrieved may appeal to the Justices in Sessions.

XI. And be it enacted, That any person thinking himself aggrieved and over-rated either with regard to property or income, may appeal to the Justices of the Peace for the County at their next General Sessions after he shall have had notice of such assessment; and the said Justices shall examine into the appeal, and if the same shall be supported to their satisfaction, give such relief as they may think

think just, either by directing the sum over-rated not to be collected, or if collected and paid to be repaid, or else that such person shall be allowed the sum so over-rated in any future assessment of his property or income.

XII. 'And whereas by reason of the boundary lines of many of the Parishes in the Province not having been run, and it being therefore uncertain in what Parish many lots of land lie;' Be it enacted, That such lands shall in every respect be considered as a part of the Parish in which the occupiers thereof have performed the statute labour on the highways, until the true boundaries are ascertained, and shall be assessed accordingly.

Lands to be considered as parts of the Parish in which the occupiers may have performed Statute Labour.

XIII. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty.

Limitation.

(Continued to April 1845 - 3rd Dec - 67)

CAP. VIII.

Amended 2nd Dec - 67

An Act to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer.

Passed 9th March 1838.

WHEREAS it is deemed expedient that a Master of the Rolls should be appointed to the Court of Chancery;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for His Excellency the Lieutenant Governor, and he is hereby fully authorised and empowered immediately after the passing of this Act to appoint, and in case of a vacancy by death, resignation or other cause, to appoint anew, a Master of the Rolls to the Court of Chancery in this Province, who shall hold his office during good behaviour: Provided always, that such person so from time to time appointed shall be a Barrister of at least ten years standing.

Governor authorised to appoint a Master of the Rolls to the Court of Chancery.

II. And be it enacted, That the Master of the Rolls to be appointed under the provisions of this Act, shall have the like powers and authority, in respect to the Court of Chancery in this Province, that the Master of the Rolls in England has in respect to the like Court in that Country, except so far as the same shall or may be altered, enlarged, curtailed or regulated, by any enactment of the Legislature of this Province, at this or any subsequent Session.

Master to have the same powers in this Province as the Master of Rolls in England.

III. And be it enacted, That the Master of the Rolls for the time being, in all cases, except on appeals from his decision and hearings thereon before the Chancellor, shall be and be deemed the responsible adviser and judge of the said Court of Chancery, and shall sign all rules, orders and decrees made by him therein, and the signature of the Chancellor, except in the cases aforesaid, shall not be necessary to the validity of any such rules and orders in any cause, or to any decree made in the absence of the Chancellor from Fredericton: Provided always, that the enrolment of all decrees shall be signed by the Chancellor, to whom the same shall be presented to be signed for enrolment.

To be deemed the responsible adviser and judge except in appeals from his decisions.

Enrolment of decrees to be signed by the Chancellor.

IV. And be it enacted, That there be granted and there is hereby granted to His Excellency the Lieutenant Governor, or person administering the Government for the time being, the sum of eight hundred pounds currency annually, as a salary to the Master of the Rolls in the Court of Chancery in this Province, to commence from the time of the appointment of such Officer.

£800 per annum granted as a salary.

V. And be it further enacted, That such salary shall be paid to such officer when appointed, by quarterly instalments, by Warrant under the hand and seal

To be paid quarterly by Warrant on the Treasury.

seal of His Excellency the Lieutenant Governor, upon the Treasury of the Province, in favor of such officer.

Salary to be in full of all fees.

VI. And be it enacted, That the said salary so to be allowed and paid as aforesaid, shall be in full and in lieu of all fees and emoluments whatsoever as such officer; nor shall it be lawful for such Master of the Rolls hereafter to take and receive any fee or emolument for or in respect of his said situation as Master of the Rolls, or as a Master in Chancery, other than the salary granted by this Act.

Master to be ineligible to a seat in either Council or House of Assembly.

VII. And be it enacted, That the Master of the Rolls shall be deemed ineligible for holding a seat in either of the Councils, or House of Assembly for this Province.

CAP. IX.

An Act for the amendment of the Law with respect to Wills.

Passed 9th March 1838.

Preamble.

1 Vict. C. 26.

32 H. 8 C. 1.

34 & 35 H. 8. C. 5.

25 G. 2, C. 6.

26 G. 3, C. 11.

26 G. 3, C. 14.

32 H. 8, C. 1.

34 & 35 H. 8, C. 5.

25 G. 2, C. 6.
repealed.

WHEREAS in and by a certain Act of the Imperial Parliament passed in the first year of the reign of Her present Majesty Queen Victoria, intituled "An Act for the amendment of the Law with respect to Wills," three several Acts of the Imperial Parliament, the one passed in the thirty second year of the reign of King Henry the Eighth, intituled "The Act of Wills, Wards and Primer Seisins, whereby a man may devise two parts of his land," another an Act passed in the thirty fourth and thirty fifth years of the reign of the said King Henry the Eighth, intituled "The Bill concerning the explanation of Wills," and the other an Act passed in the twenty fifth year of the reign of King George the Second, intituled "An Act for avoiding and putting an end to certain doubts and questions relating to the attestation of Wills and Codicils concerning real estates in that part of Great Britain called England, and in His Majesty's Colonies and Plantations in America," were repealed: And whereas the said statutes so repealed in England have extended to or hitherto been considered in force and acted upon in this Province, and it is deemed expedient that the operation of the same should also cease in this Province, and also that so much of two several Acts of Assembly of this Province passed in the twenty sixth year of the reign of King George the Third, the one intituled "An Act relating to Wills, Legacies, Executors and Administrators, and for the further settlement and distribution of the estates of intestates," the other intituled "An Act for the prevention of frauds and perjuries," as relates to devises or bequests of lands or tenements, or to the revocation or alteration of any devise in writing of any lands, tenements or hereditaments, or any clause thereof, or to the devise of any estate *pur autre vie*, or to any such estate being assets, or to nuncupative Wills, or to the repeal, altering or changing of any Will in writing concerning any goods or chattels, or personal estate, or any clause, devise or bequest therein, should also be repealed, and that an Act of Assembly should be passed for the amendment of the Law in respect to Wills, containing similar provisions, so far as applicable to this Province, as the said Act of the Imperial Parliament in that respect;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said two recited Acts of the Parliament of England passed in the reign of King Henry the Eighth, and also the said recited Act of the Parliament of Great Britain passed in the twenty fifth year of the reign of King George the Second, be and the same are hereby declared to be repealed, and of no force

OR

or effect in this Province, any law, usage or custom to the contrary notwithstanding.

II. And be it enacted, That the first, second, third, fourth and fifth sections, and also so much of the sixth section, as relates to the repealing, altering or changing any Will in writing concerning personal estates, of the said Act of Assembly passed in the twenty sixth year of the reign of King George the Third, intituled "An Act relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the estates of intestates," and also the tenth section of the said Act of Assembly passed in the same year of the same reign, intituled "An Act for prevention of frauds and perjuries," be and the same are hereby repealed.

III. And be it further enacted, That it shall be lawful for every person to devise, bequeath or dispose of, by his Will executed in manner hereinafter required, all real estate and all personal estate which he shall be entitled to, either at law or in equity at the time of his death, and which if not so devised, bequeathed or disposed of, would devolve upon his Heir, Child, or next of kin, or upon his Executor or Administrator; and that the power hereby given shall extend to estates *pur autre vie*, whether there shall or shall not be any special occupant thereof, and whether the same shall be a corporeal or an incorporeal hereditament; and also to all contingent, executory or other future interests in any real or personal estate, whether the testator may or may not be ascertained as the person or one of the persons in whom the same respectively may become vested, and whether he may be entitled thereto under the instrument by which the same respectively were created or under any disposition thereof by deed or will; and also to all rights of entry for conditions broken and other rights of entry; and also to such of the same estates, interests and rights respectively, and other real and personal estate as the testator may be entitled to at the time of his death, notwithstanding that he may become entitled to the same subsequently to the execution of his Will.

All Property may be disposed of by Will.

Compromising Estates pur autre vie:

Contingent interests:

Rights of entry, and property acquired after execution of the Will.

IV. And be it further enacted, That if no disposition by Will shall be made of any estate *pur autre vie* of a freehold nature, the same shall be chargeable in the hands of the Heir, if it shall come to him by reason of special occupancy, as assets by descent, as in the case of freehold land in fee simple: and in case there shall be no special occupant of any estate *pur autre vie* whether a corporeal or incorporeal hereditament, it shall go to the Executor or Administrator of the party that had the estate thereof by virtue of the grant; and if the same shall come to the Executor or Administrator either by reason of a special occupancy or by virtue of this Act, it shall be assets in his hands, and shall go and be applied and distributed in the same manner as the personal estate of the testator or intestate.

Estates pur autre vie.

V. And be it further enacted, That no Will made by any person under the age of twenty one years shall be valid.

No Will of a person under age valid; nor of a feme covert except such as might now be made.

VI. Provided also and be it further enacted, That no Will made by any married woman shall be valid except such a Will as might have been made by a married woman before the passing of this Act.

VII. And be it further enacted, That no Will shall be valid unless it shall be in writing and executed in manner hereinafter mentioned, (that is to say,) it shall be signed at the foot or end thereof by the testator, or by some other person in his presence and by his direction; and such signature shall be made or acknowledged by the testator in the presence of two or more witnesses present at the same time, and such witnesses shall attest and shall subscribe the Will in the presence of the testator, but no form of attestation shall be necessary.

Every Will shall be in writing, and signed by the testator in the presence of two witnesses at one time.

VIII.

Appointments by Will to be executed like other Wills, and to be valid although other required solemnities are not observed.

Soldiers and Mariners' Wills excepted.

Act not to affect certain provisions of 11 G. 4, and 1 W. 4, with respect to Wills of petty officers, seamen and marines.

Publication not to be requisite.

Will not to be void on account of incompetency of attesting witness.

Gifts to an attesting witness to be void.

Creditor attesting to be admitted as a witness.

Executor to be admitted as a witness.

Will to be revoked by marriage.

No Will to be revoked by presumption.

VIII. And be it further enacted, That no appointment made by Will in exercise of any power shall be valid unless the same be executed in manner hereinbefore required; and every Will executed in manner hereinbefore required shall so far as respects the execution and attestation thereof, be a valid execution of a power of appointment by Will, notwithstanding it shall have been expressly required that a Will made in exercise of such power should be executed with some additional or other form of execution or solemnity.

IX. Provided always, and be it further enacted, That any Soldier being in actual military service, or any Mariner or Seaman being at sea, may dispose of his personal estate as he might have done before the making of this Act.

X. And be it further enacted, That this Act shall not prejudice or affect any of the provisions contained in an Act of the Imperial Parliament passed in the eleventh year of the reign of His Majesty King George the Fourth, and in the first year of the reign of His late Majesty King William the Fourth, intituled "An Act to amend and consolidate the laws relating to the pay of the Royal Navy," respecting the Wills of petty officers and seamen in the Royal Navy and non-commissioned officers of Marines and Marines so far as relates to their wages, pay, prize money, bounty money and allowances or other monies payable in respect of services in Her Majesty's Navy.

XI. And be it further enacted, That every Will executed in manner hereinbefore required shall be valid without any other publication thereof.

XII. And be it further enacted, That if any person who shall attest the execution of a Will shall at the time of the execution thereof or at any time afterwards be incompetent to be admitted a witness to prove the execution thereof, such Will shall not on that account be invalid.

XIII. And be it further enacted, That if any person shall attest the execution of any Will to whom or to whose wife or husband any beneficial devise, legacy, estate, interest, gift or appointment of or affecting any real or personal estate (other than and except charges and directions for the payment of any debt or debts) shall be thereby given or made, such devise, legacy, estate, interest, gift or appointment, shall so far only as concerns such person attesting the execution of such Will, or the wife or husband of such person, or any person claiming under such person or wife or husband, be utterly null and void, and such person so attesting shall be admitted as a witness to prove the execution of such Will, or to prove the validity or invalidity thereof, notwithstanding such devise, legacy, estate, interest, gift or appointment mentioned in such Will.

XIV. And be it further enacted, That in case by any Will any real or personal estate shall be charged with any debt or debts, and any creditor or the wife or husband of any creditor whose debt is so charged, shall attest the execution of such Will, such creditor notwithstanding such charge shall be admitted a witness to prove the execution of such Will or to prove the validity or invalidity thereof.

XV. And be it further enacted, That no person shall on account of his being an Executor of a Will be incompetent to be admitted a witness to prove the execution of such Will or a witness to prove the validity or invalidity thereof.

XVI. And be it further enacted, That every Will made by a man or woman shall be revoked by his or her marriage except a Will made in exercise of a power of appointment when the real or personal estate thereby appointed would not in default of such appointment pass to his or her Heir, Child, next of Kin, Executor or Administrator.

XVII. And be it further enacted, That no will shall be revoked by any presumption of an intention on the ground of an alteration in circumstances.

XVIII.

XVIII. And be it further enacted, That no Will or Codicil, or any part thereof shall be revoked otherwise than as aforesaid, or by another Will or Codicil executed in manner hereinbefore required, or by some writing declaring an intention to revoke the same and executed in the manner in which a Will is hereinbefore required to be executed, or by the burning, tearing or otherwise destroying the same by the testator or by some person in his presence and by his direction with the intention of revoking the same.

No Will to be revoked but by another Will or Codicil, or by a writing executed like a Will, or by destruction.

XIX. And be it further enacted, That no obliteration, interlineation or other alteration made in any Will after the execution thereof shall be valid or have any effect, except so far as the words or effect of the Will before such alteration shall not be apparent, unless such alteration shall be executed in like manner as hereinbefore is required for the execution of the Will; but the Will with such alteration as part thereof shall be deemed to be duly executed if the signature of the testator, and the subscription of the witnesses be made in the margin or on some other part of the Will opposite or near to such alteration, or at the foot or end of or opposite to a memorandum referring to such alteration, and written at the end or some other part of the Will.

No alteration in a Will shall have any effect unless executed as a Will.

XX. And be it further enacted, That no Will or Codicil or any part thereof which shall be in any manner revoked, shall be revived otherwise than by the re-execution thereof or by a Codicil executed in manner hereinbefore required, and shewing an intention to revive the same; and when any Will or Codicil which shall be partly revoked, and afterwards wholly revoked, shall be revived, such revival shall not extend to so much thereof as shall have been revoked before the revocation of the whole thereof, unless an intention to the contrary shall be shewn.

No Will revoked to be revived otherwise than by re-execution of a Codicil to revive it.

XXI. And be it further enacted, That no conveyance or other act made or done subsequently to the execution of a Will, of or relating to any real or personal estate therein comprised, except an act by which such Will shall be revoked as aforesaid, shall prevent the operation of the Will with respect to such estate or interest in such real or personal estate as the testator shall have power to dispose of by Will at the time of his death.

A devise not to be rendered inoperative by any subsequent conveyance or act.

XXII. And be it further enacted, That every Will shall be construed with reference to the real estate and personal estate comprised in it, to speak and take effect as if it had been executed immediately before the death of the testator, unless a contrary intention shall appear by the Will.

A Will shall be construed to speak from the death of the testator.

XXIII. And be it further enacted, That unless a contrary intention shall appear by the Will, such real estate or interest therein as shall be comprised or intended to be comprised in any devise in such Will contained, which shall fail or be void by reason of the death of the devisee in the lifetime of the testator, or by reason of such devise being contrary to law or otherwise incapable of taking effect, shall be included in the residuary devise (if any contained in such Will.)

A residuary devise shall include estates comprised in lapsed and void devises.

XXIV. And be it further enacted, That a devise of the land of the testator, or of the land of the testator in any place or in the occupation of any person mentioned in his Will, or otherwise described in a general manner, and any other general devise which would describe a leasehold estate, if the testator had no freehold estate which could be described by it, shall be construed to include the leasehold estates of the testator to which such description shall extend as well as freehold estates, unless a contrary intention shall appear by the Will.

A general devise of the testator's lands shall include leasehold as well as freehold lands.

XXV. And be it further enacted, That a general devise of the real estate of the testator, or of the real estate of the testator in any place or in the occupation of any person mentioned in his Will or otherwise described in a general manner, shall be

A general gift shall include estates over which the testator has a general power of appointment.

be construed to include any real estate, or any real estate to which such description shall extend (as the case may be), which he may have power to appoint in any manner he may think proper, and shall operate as an execution of such power, unless a contrary intention shall appear by the Will: and in like manner a bequest of the personal estate of the testator, or any bequest of personal property described in a general manner, shall be construed to include any personal estate, or any personal estate to which such description shall extend (as the case may be), which he may have power to appoint in any manner he may think proper, and shall operate as an execution of such power unless a contrary intention shall appear by the Will.

A devise without any words of limitation shall be construed to pass the fee simple.

XXVI. And be it further enacted, that where any real estate shall be devised to any person without any words of limitation, such devise shall be construed to pass the fee simple or other the whole estate or interest which the testator had power to dispose of by Will in such real estate, unless a contrary intention shall appear by the Will.

The words *die without issue*, or *die without leaving issue*, shall be construed to mean *die without issue living at the death*.

XXVII. And be it further enacted, That in any devise or bequest of real or personal estate, the words "die without issue," or "die without leaving issue," or "have no issue," or any other words which may import either a want or failure of issue of any person in his lifetime or at the time of his death, or an indefinite failure of his issue, shall be construed to mean a want or failure of issue in the lifetime, or at the time of the death of such person, and not an indefinite failure of his issue, unless a contrary intention shall appear by the Will, by reason of such person having a prior estate tail, or of a preceding gift, being without any implication arising from such words, a limitation of an estate tail to such person or issue or otherwise; provided that this Act shall not extend to cases where such words as aforesaid import if no issue described in a preceding gift shall be born, or if there shall be no issue who shall live to attain the age, or otherwise answer the description required for obtaining a vested estate by a preceding gift to such issue.

No devise to trustees or executors, except for a term, shall pass a chattel interest.

XXVIII. And be it further enacted, That where any real estate shall be devised to any Trustee or Executor such devise shall be construed to pass the fee simple or other the whole estate or interest which the testator had power to dispose of by Will in such real estate, unless a definite term of years, absolute or determinable, or an estate of freehold shall thereby be given to him expressly or by implication.

Trustees under an unlimited devise, where the trust may endure beyond the life of a person beneficially entitled for life, to take the fee.

XXIX. And be it further enacted, That where any real estate shall be devised to a Trustee without any express limitation of the estate to be taken by such Trustee, and the beneficial interest in such real estate, or in the surplus rents and profits thereof, shall not be given to any person for life, or such beneficial interest shall be given to any person for life, but the purposes of the trust may continue beyond the life of such person, such devise shall be construed to vest in such Trustee the fee simple or other the whole legal estate which the testator had power to dispose of by Will in such real estate, and not an estate determinable when the purposes of the trust shall be satisfied.

Devises of estates tail shall not lapse.

XXX. And be it further enacted, That where any person to whom any real estate shall be devised for an estate tail, or an estate in quasi entail shall die in the lifetime of the testator leaving issue who would be inheritable under such entail, and any such issue shall be living at the time of the death of the testator, such devise shall not lapse, but shall take effect as if the death of such person had happened immediately after the death of the testator, unless a contrary intention shall appear by the Will.

Gifts to children or other issue, who

XXXI. And be it further enacted, That where any person being a child or other

other issue of the testator to whom any real or personal estate shall be devised or bequeathed for any estate or interest not determinable at or before the death of such person shall die in the lifetime of the testator leaving issue, and any such issue of such person shall be living at the time of the death of the testator, such devise or bequest shall not lapse, but shall take effect as if the death of such person had happened immediately after the death of the testator, unless a contrary intention shall appear by the Will.

leave issue living at the testator's death, shall not lapse.

XXXII. And be it further enacted, That the words and expressions hereinafter mentioned which in their ordinary signification have a more confined or a different meaning, shall in this Act, except where the nature of the provision or the context of the Act shall exclude such construction, be interpreted as follows: (that is to say,) the word "Will" shall extend to a testament, and to a codicil, and to an appointment by Will or by writing in the nature of a Will in exercise of a power, and also to a disposition by Will, and testamentor devise of the custody and tuition of any child, by virtue of an Act of the Parliament of England, passed in the twelfth year of the reign of King Charles the Second, intituled "An Act for taking away the Court of Wards and Liveries and tenures *in capite*, and by Knight's service and purveyance, and for settling a Revenue upon His Majesty in lieu thereof," and to any other testamentary disposition; and the words "real estate" shall extend to messuages, lands, rents and hereditaments, whether corporeal, incorporeal or personal, and to any undivided share thereof, and to any estate, right or interest (other than a chattel interest) therein; and the words "personal estate," shall extend to leasehold estates and other chattels real, and also to monies, shares of government and other funds, securities for money (not being real estates), debts, choses in action, rights, credits, goods, and all other property whatsoever, which by law devolves upon the executor or administrator, and to any share or interest therein; and every word importing the singular number only shall extend and be applied to several persons or things as well as one person or thing; and every word importing the masculine gender only shall extend and be applied to a female as well as a male.

Meaning of certain words in this Act.

"wm."

"Real estate."

"Personal estate."

Number.

Gender.

XXXIII. And be it further enacted, That this Act shall not extend to any Will made before the first day of January one thousand eight hundred and thirty nine, and that every Will re-executed or revived by any Codicil shall for the purposes of this Act be deemed to have been made at the time at which the same shall be so re-executed or revived; and that this Act shall not extend to any estate *pur autre vie* of any person who shall die before the first day of January one thousand eight hundred and thirty nine.

Act not to extend to Wills made before 1839 nor to estates *pur autre vie* of persons who die before 1839.

CAP. X

An Act in addition to the Act for defining the crime of Forgery.

Passed 9th March 1838.

Repealed by 12 vic cap 29

WHEREAS in and by an Act of Assembly passed in the fifth year of the reign of King William the Fourth, intituled "An Act to define the crime of Forgery," it is declared and enacted, "that if any person shall forge or alter, or shall offer, utter, dispose of, or put off, knowing the same to be forged or altered, any writing, with intent to defraud any person whatsoever, every such offender shall be deemed to have committed the crime of forgery, and shall be guilty of felony:" And whereas it is necessary for the purposes of justice to enlarge the meaning of the word "writing" in the said Act contained, in manner following,

Preamble. 5 W. 4, c. 35.

Be

What shall be deemed a writing under the Act 5 W. 4, c. 35.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That every instrument partly printed and partly written, or wholly printed, with a written signature thereto, and every signature of an individual, or a firm, or a corporate body, or of any officer of such body, to any instrument, and every writing purporting to be such signature, shall be deemed and taken to be a writing within the meaning of the provisions of the said Act.

CAP. XI.

An Act in addition to and explanatory of an Act, intituled *An Act to regulate proceedings before Justices of the Peace in Civil Suits.*

Passed 9th March 1838.

Preamble.
4 W. 4, c. 45.

WHEREAS in and by the third section of an Act made and passed in the fourth year of the reign of His late Majesty King William the Fourth, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits," it is among other things enacted, that "a Justice shall upon application issue a *capias*, when it is made to appear on affidavit, to be taken in writing of the plaintiff or his agent, that the cause of action does not exceed five pounds, that the defendant is justly and truly indebted to the plaintiff in a sum to be specified in the affidavit which shall not be less than twenty shillings, after giving full credit to the best of deponent's knowledge or belief for all payments and offsets:" And whereas it is expedient that Justices of the Peace should be authorized and empowered to issue *capiases* when the sum sworn to shall amount to ten shillings;

Capias may be issued when sum sworn to shall amount to ten shillings.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for a Justice of the Peace, when proceeding under the authority and according to the provisions of the hereinbefore recited Act, upon application and affidavit, as therein directed, to issue a *capias* when the sum sworn to shall amount to ten shillings, any thing in the said Act contained to the contrary thereof in any wise notwithstanding.

Debtors having the benefit of the Gaol Limits under the Act 6 W. 4, c. 41, not to be entitled to a discharge.

II. 'And whereas doubts have arisen whether defendants arrested by virtue of executions issued under the provisions of the said Act, and not in close custody, but only confined within the limits of the Gaol under the authority of an Act of the General Assembly of this Province, intituled "An Act relating to insolvent confined debtors," are entitled to their discharge after a certain number of days imprisonment, in like manner as is provided by the third section of the said first recited Act, for persons actually committed in close custody;' Be it therefore further enacted and declared, That nothing in the said first mentioned Act contained, with respect to the discharge of a debtor after a certain number of days imprisonment, shall extend or be construed to extend to persons having the benefit of the Gaol Limits.

Execution may be issued by a Justice other than the Justice before whom the trial may have been had.

III. And be it further enacted, That whenever a cause shall have been heard and determined before any Justice of the Peace; and judgment given and entered under the authority of the said first mentioned Act, in case of the absence, sickness or death of such Justice, it shall and may be lawful for any other Justice of the Peace resident in the County or Parish in which said judgment may have been given and entered as aforesaid, at any time within three calendar months after the giving of such judgment, on view of the original entry of such judgment, and on affidavit made before him that the amount of the said judgment or some part thereof remains

remains unsatisfied, to issue execution upon the same in like manner and subject to the same provisions, restrictions and limitations as if the cause had been heard and determined and judgment given by such last mentioned Justice of the Peace.

IV. And be it further enacted, That in any case where a Judge of the Supreme Court may on review award costs to either party in pursuance of the said first recited Act, it shall and may be lawful for such party to sue out of the Supreme Court a Writ of attachment according to the form in the Schedule hereunto annexed or to that effect; which Writ the Clerk of the said Court shall issue upon the fiat or order of a Judge; Provided always, that no fiat or order for such Writ shall be made by any Judge of the Supreme Court until it be made to appear to his satisfaction by affidavit that such costs have been duly demanded by the party to whom the same have been awarded, or by some person duly authorized by him to demand and receive the same, or by the Attorney of such party in the proceedings of review, and that such costs have not been paid: and the party who may issue such attachment shall be entitled to demand, receive and levy the sum of ten shillings from the party against whom the attachment may issue as the costs of such attachment and of the proceedings hereinbefore directed for obtaining the same.

A Writ of attachment may be sued out of the Supreme Court for costs awarded on review.

V. And be it further enacted, That the Sheriff or other officer by whom any such Writ of attachment shall be executed shall be entitled to, and he is hereby authorized and empowered to demand and receive from the party against whom such attachment shall issue, the like poundage and fees as in cases of execution; and that any party arrested on any such attachment shall on payment to the said Sheriff or other officer of the costs specified in such attachment, together with the costs of the attachment and the Sheriff's poundage and fees as aforesaid, be discharged from custody and arrest under such attachment; and the Sheriff or other officer shall make due return of such Writ, and pay over the money received under the same to the party at whose suit or instance the said Writ may have issued or his Attorney.

Fees of officer executing the writ of attachment.

VI. And be it further enacted, That any person in custody upon a Writ of attachment issued pursuant to this Act, or the said Act of which this is an amendment, shall be entitled to the benefit of any Act or Acts of Assembly for the relief of confined debtors, in the same manner as if such person were arrested on mesne process or execution in any civil suit.

Return.

Persons arrested upon a writ of attachment to be entitled to the benefit of Acts for relief of confined debtors.

VII. And whereas by the provisions of the said first recited Act process and execution may be served by a Constable of the Parish only within which the party to be served may reside or be found: And whereas it would be more convenient if any Constable of the County were authorized to serve any such process or execution; Be it therefore enacted, That all process and execution which may be issued under the provisions of the said first recited Act may be directed in general terms to and served by any Constable of the County within which the party to be served may reside.

Process and execution may be directed to and served by any Constable of the County wherein the party to be served may reside.

VIII. And be it further enacted, That the provisions of this Act, so far as the same are applicable, shall extend to the City Court of the City of Saint John, and to persons in custody under process issuing therefrom.

Acts extended to the City Court of Saint John.

SCHEDULE.

WRIT OF ATTACHMENT.

Victoria by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, defender of the faith, &c. To our Sheriff of _____, Greeting, We command you that you attach E. F. so that you may have his body before us at Fredericton on [a return day in the ensuing term] to answer to us for a certain trespass and contempt

Writ of attachment.

contempt in not paying to C. D. the sum of for costs awarded to the said C. D. by Esquire, Chief Justice [or one of the Justices of our Supreme Court *as the case may be,*] in a certain matter of review lately pending before the said Chief Justice [or Justice,] pursuant to the Acts of Assembly in such case made and provided, and have then there this writ. Witness &c.

[*To be tested in the name of the Chief Justice on the day whether in term or vacation on which the fiat or order for such writ may bear date.*]

By order of the Chief Justice [or Mr. Justice *as the case may be.*]

SHORE.

In case the Sheriff be a party, the writ to be directed to the Coroner as in other cases.

CAP. XII.

An Act in addition to the Acts regulating the sale of Real Estate seized and taken in execution.

Passed 9th March 1838.

Preamble.

WHEREAS the time and place of sale of real estate seized in execution by the Sheriff of any County, are required to be advertised at least six months before such sale can be duly made: And whereas it may sometimes happen that the Sheriff by whom a seizure of real estate may have been made may go out of or be removed from office, or die before the completion of the sale thereof, and doubts have arisen whether such sale can be completed and a proper conveyance executed by the person succeeding to the said office;

Successor to a Sheriff who may have taken any real estate in execution may make sale and conveyance.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever hereafter it shall happen that the Sheriff who may have seized and taken any real estate in execution shall go out of or be removed from his office, or shall die before the completion of such execution by the sale of the said real estate, that then and in such case the person succeeding to the said office shall proceed to make the sale and conveyance of such real estate in the same manner as if he had seized and advertised the same, without any new writ to him directed for that purpose, and that the notices of the time and place of such sale duly made by his predecessor in office shall be as good and effectual as if no change in the office had taken place.

Distribution of fees.

II. And be it further enacted, That the Sheriff's poundage, payable on any sale of real estate made in conformity to this Act shall be equally divided between the Sheriff by whom the sale and execution shall have been completed and the Sheriff who may have made the seizure, his Executors or Administrators, and the other execution fees, shall be paid to the officer by whom the duty on which the same are respectively chargeable may have been performed.

CAP. XIII.

An Act for the further amendment of the Law.

Passed 9th March 1838.

WHEREAS it is expedient to amend the provisions of the tenth section of an Act passed in the fifth year of the reign of King William the Fourth, intituled "An Act to provide for the more convenient administration of Justice in the Supreme Court," in the following manner; Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in any case in which

In cases of references.

which a reference to arbitration shall be made at Nisi Prius, and it shall be ordered that the award of the arbitrators shall be returned on the postea as the verdict of a Jury, and the award shall be filed with the officer who returns the postea after the last day of the sitting of the Court, such officer shall set down in the margin thereof the day on which such award shall be so filed with him, instead of the last day of the sitting of the Court; and no rule for judgment on the postea shall be entered until the expiration of twenty days after the day so set down; and any judge of the said Court, in any such case in which justice may appear so to require, may either upon summons or not, according to the circumstances of the case, order the returning of the postea and the entry and signing of judgment to be stayed until the Court shall make order in the matter at the next succeeding term.

to arbitration made at Nisi Prius, officer returning the Postea to set down the date of the filing of the award on the margin.

II. And be it enacted, That the time for any defendant in any summary action in the Supreme Court putting in bail or entering his or her appearance and filing the General Issue shall be and is hereby enlarged to the period of thirty days after the day on which the writ is returnable.

Time for putting in bail, entering appearance and filing the general issue enlarged.

III. And be it enacted, That it shall and may be lawful for the defendant in all personal actions pending or to be brought in the Supreme Court of this Province, (except actions for assault and battery, false imprisonment, libel, slander, malicious arrest or prosecution, criminal conversation or debauching of the Plaintiff's daughter or servant,) by leave of the said Court or of a Judge of such Court, to pay into the said Court a sum of money by way of compensation or amends, in such manner and under such regulations as to the payment of costs, and the form of pleading, as the said Court or any three of the Judges thereof shall, by any rules or orders by them to be from time to time made, order and direct.

Defendants in personal actions may, by leave, pay into Court money by way of compensation.

IV. And be it enacted, That in any Act of the General Assembly of this Province which may be passed at the present or at any future Session, the word "Person" shall extend to a body politic or corporate, as well as to an individual; and every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing; and every word importing the plural number shall extend and be applied to one person or thing as well as several persons or things, and every word importing the masculine gender only shall extend and be applied to a female as well as to a male: Provided always, that those words and expressions occurring in this clause, to which more than one meaning is to be attached, shall not have the different meanings given to them by this clause in those cases in which there may be any thing in the subject or context repugnant to such construction, and in which such construction could not reasonably be supposed to have been intended.

Meaning of the word "person," the use of the singular or plural numbers, and genders occurring in Acts of Assembly enlarged.

CAP. XIV.

An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County.

Passed 9th March 1838.

WHEREAS the times for commencing and holding the Circuit Courts in the County of Gloucester and Queen's County respectively prescribed in an Act passed in the eighth year of the reign of His late Majesty King William the Fourth, intituled "An Act to establish Circuit Courts in this Province, and to provide for the travelling expenses of the Judges holding such Courts," have been found inconvenient;

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly,

R

That

to establish a House of Correction for the said City and County, separate and distinct from the Common Gaol there, and to contract and agree for the erection and completion thereof, and to locate the same either within the said City, or in either of the Parishes in the said County of Saint John adjoining to the said City, and the said Justices are also hereby empowered by the style and name of the Justices of the Peace for the City and County of Saint John, to purchase, take and hold any land for the site and purposes of such House of Correction.

Contract for its erection and purchase land for the site.

II. And be it further enacted, That the provisions of an Act made and passed in the sixth year of the reign of His late Majesty King William the Fourth, intituled "An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said City for a Common Gaol and House of Correction, and to raise a sum of money for erecting and completing the same," and also of an Act made and passed in the seventh year of the reign of his said late Majesty, intituled "An Act in amendment of an Act, intituled 'An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said City for a Common Gaol and House of Correction, and to raise a sum of money for erecting and completing the same,'" be and the same are hereby extended to the erection and completion of the said House of Correction, except only so far as the same may be repugnant to this Act.

Provisions of the Acts 6 W. 4, C. 50, and 7 W. 4. C. 19, extended to the House of Correction.

III. And be it further enacted, That the several sums of money already granted to the said Justices, in aid, towards the erection of the said Gaol and House of Correction, may be applied and appropriated towards the erection and completion of the said House of Correction.

Money already granted to be applied to the House of Correction.

CAP. XVII.

*Amended by 4th Vic. c. 21
See Addition 7. Vic. c. 2
Further Am'd by 19.
c. 57. repealing 6*

An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John.

Passed 9th March 1838.

WHEREAS the mode pursued in the County of York of providing for the support of the Poor has been found by experience to be less expensive than the general system pursued throughout the Province, and to be productive of industrious, sober and moral habits among that class of people;

Preamble. *See 1832
Cap 100*

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the City and County of Saint John, in their General Sessions, be and they are hereby authorized and empowered to purchase a tract of land and agree for the erecting and finishing of a proper building for an Alms House and Work House thereon, in the vicinity of the City of Saint John, and to fix upon a certain sum of money for defraying the expense thereof; which sum of money shall be raised by an assessment upon the inhabitants of the City of Saint John, and the Parishes of Portland, Saint Martin and Lancaster in the said County, in the manner prescribed by the law now in force for assessing, collecting and levying County rates, or by any other law passed or to be passed for that purpose; provided that such assessment shall not exceed the sum of three thousand pounds.

Justices of Saint John authorised to purchase Land, erect an Alms and Work House, and assess for the expenses.

II. And be it enacted, That it shall and may be lawful for the said Lieutenant Governor or Commander in Chief of this Province, by warrant under his hand and seal, to be issued with the advice of Her Majesty's Executive Council, from time to time to appoint so many fit persons, not exceeding seven nor less than five, of whom two shall be Justices of the Peace for the said City and County, as he shall think

Governor to appoint Commissioners to manage the building.

Commissioners to set the poor to work; may compel beggars to reside within the house, and bind out poor children as apprentices.

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

Commissioners empowered to make regulations for the good government of the house, and punish for breaches;

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

To account annually to the Justices in Sessions, and submit an estimate for the current year.

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

Profit of work to be accounted for.

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

When the building is completed the poor in the City Alms House to be removed thereto and the latter to be used as an infirmary under the management of the same Commissioners.

VI. And be it enacted, That when the said Alms House and Work House shall be in a fit state to receive the Poor who shall then be in the Alms House in the City of Saint John, and all the inmates of the said Alms House, except the sick and diseased, shall be removed to the said Alms House and Work House so to be erected, the said Alms House in the said City shall be used as and for a Public Infirmary, under the care, management and direction of the said Commissioners, for the reception of such of the poor persons of the said City and Parishes as may be sick or diseased, and from time to time may become so; and the said Commissioners shall also have power to make such rules, orders and regulations for the good

good government and management of the said Public Infirmary as they shall think necessary, (such rules, orders and regulations to be approved of by the said Justices in their General Sessions,) and to compel the due and proper observance thereof; and the support, maintenance and expenses of the said sick and diseased poor persons shall be accounted for, audited and estimated in the same manner and at the same time, as in the case of the inmates of the Alms House and Work House so to be erected as aforesaid, and levied, collected, raised and paid as hereinbefore directed for the said Alms House and Work House.

CAP. XVIII.

An Act more effectually to prevent the abuse of Banking Privileges.

Passed 9th March 1838.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall not be lawful for any Bank now incorporated, or which may hereafter be incorporated by the Legislature of this Province, or otherwise, to make, issue, re-issue or put in circulation any Bill, Note, Check, Draft or other evidence of debt, of a less amount or denomination than five shillings.

No incorporated Bank to issue Notes for less than five shillings.

II. And be it enacted, That it shall not be lawful for any Bank or Branch Bank, now or hereafter to be established in this Province, to make, issue, re-issue, or put in circulation any Bill, Note, Check, Draft or other evidence of debt, of a less amount or denomination than one pound, or of any fractional part of a pound or pounds, except of the amount or denomination of five, ten or fifteen shillings respectively: Provided always, that nothing herein contained shall extend, or be construed to extend, to authorize any Bank, or Branch Bank, now or hereafter to be established in this Province, to make, issue, re-issue, or put in circulation any Bill, Note, Check, Draft or other evidence of Debt, of a less amount or denomination than is limited or specified in their respective Charters or Acts of Incorporation.

No Bank to issue Notes of a less denomination than one pound, or of the fractional parts of a pound, other than five shillings, ten shillings or fifteen shillings.

III. And be it enacted, That if any banking corporation in this Province shall violate any of the provisions of this Act, it shall be liable to a penalty of twenty five pounds, to be recovered by action of debt, in any Court of competent jurisdiction, in the name of any person who may first sue for the same, one half to his own use, and the other half to the use of the Province; and if any other person or corporation shall receive any Bill, Note, Check, Draft or other evidence of debt herein prohibited to be made, issued or put in circulation, he or they shall forfeit and pay a sum equal to the amount of the nominal value of every Bill, Note, Check, Draft or other evidence of debt so received, for every such offence, to be recovered by an action of debt in any Court of competent jurisdiction, to the use of any person who may first sue for the same.

Penalties, recovery and application.

See
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CAP. XIX.

An Act to provide for the erection of Fences with Gates across the Highways on Deer Island in the Parish of West Isles, in the County of Charlotte.

Passed 9th March 1839.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That when any proprietor or occupant of any lands in Deer Island, in the Parish

Justices in Session upon petitions for leave to erect

fences with gates, to direct Commissioners of Highways to report.

Sessions to make an order for the erection, if it appear necessary from the report.

Destroying fences or taking down, destroying or fastening open gates.

Penalty.

Recovery.

Application.

Sessions upon report of Commissioners may order fences to be removed.

Limitation.

Parish of West Isles, in the County of Charlotte, over which a public Road passes, shall think it necessary or expedient that a fence or fences extending to the water where the said Road may require fencing, (if the same may be at or near the sea shore,) it may and shall be lawful for such proprietor or occupant to prefer a petition to the Court of General Sessions of the Peace for the said County of Charlotte, stating particularly the object and grounds of such application, and praying permission to erect such fence or fences, upon the presenting whereof, the Justices of the Peace in the said General Sessions are authorized and required forthwith, by order thereon endorsed, to direct the Commissioners of Highways in the said Parish to examine and report upon such petition to the said Justices; and if it shall appear to the said Justices of the Peace in General Sessions, from the report so made by the Commissioners of Highways aforesaid, or the major part of them, that it is necessary or expedient that the fence or fences prayed for should be erected, they are hereby required to make an order for the erection of such fence or fences, with a sufficient swinging gate or gates in the same place where such fence or fences cross the road, and to make such further order respecting the same as to them shall seem meet, and that it shall be lawful for the person or persons so petitioning, at his, her or their own expense, to erect such fence or fences with such swinging gate or gates, agreeably to the directions of such Court.

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

III. And be it enacted, That whenever it shall appear to the said Justices in their said general Sessions, by the report of the said Commissioners of Highways, or the major part of them, that the reason for erecting such fence or fences as aforesaid has ceased to exist, it shall and may be lawful for the said Justices in their said General Sessions, to order such fence or fences to be removed, and the proprietor or proprietors of such fence or fences shall not after such order have any benefit or advantage from this Act, and the continuance of such fence or fences shall thereafter be considered and adjudged a nuisance on the highways.

IV. And be it enacted, That this Act shall continue and be in force until the first day of April one thousand eight hundred and forty two, and no longer.

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CAP. XX.

An Act relating to the Grammar Schools of King's and Queen's Counties.

Passed 9th March 1838.

WHEREAS by the eleventh section of an Act, intituled "An Act for the endowment of King's College at Fredericton, in the Province of New Brunswick, and also to make new provisions for the support of Grammar Schools throughout the Province," it is enacted that the said trustees and directors shall hold public visitations and examinations of the said Schools twice in each and every year, that is to say, on the first Monday in May and the first Monday in November: And whereas the days so appointed are found inconvenient for holding the said public visitations and examinations of the Grammar Schools of King's and Queen's Counties; for remedy whereof,

9 & 10 G. 4, C. 29.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the said eleventh section of the said above mentioned Act, shall not be considered as of any force or effect, so far as the same relates to the Grammar Schools of King's and Queen's Counties.

9 & 10 G. 4, C. 29, S. 11, not to extend to King's and Queen's Counties.

II. And be it enacted, That from and after the passing of this Act, that the trustees and directors of the Grammar Schools of King's and Queen's Counties shall hold public visitations and examinations of the said Grammar Schools of said Counties twice in each and every year, that is to say, on such day as they the said trustees and directors may appoint, within one week previous to the midsummer vacation, and on such day as they the said trustees and directors may appoint within one week previous to the Christmas vacation: Provided always, that the said trustees and directors shall give due notice of such days so appointed by them as days for the visitation and examination of such Grammar Schools at least once in each and every year, such notice to be published previous to the first day of May in each and every year, in some newspaper published in King's or Queen's County, or in failure of any newspaper being published therein, then in some newspaper published in the City of Saint John.

Examinations of the Grammar Schools in King's and Queen's Counties to be held on such days as the Trustees may appoint.

Public Notice of the days to be given.

CAP. XXI.

An Act to authorize the extension of the Gaol Limits in the Parish of Fredericton.

Passed 9th March 1838.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace of the County of York at any General Sessions of the Peace, or Special Sessions for that purpose holden, to extend the limits of the Gaol of the said County so as to include all the lands comprised within the Town Plat of Fredericton, that is to say, which lie to the northward of the rear line of the said Town Plat, as laid out and described in the original grant thereof, and between such rear line and the river Saint John to the line of low water mark, including any wharf or wharves already erected or hereafter to be erected extending into the said river, also all the land which lies to the northward of the prolongation of the said rear line of the said Town Plat, south forty three degrees east, until it strikes the river Saint John aforesaid.

Justices in Sessions authorised to extend the Gaol Limits.

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Cap*

CAP. XXII.

An Act to authorize the Treasurer of the Province to pay off the Loan from the New Brunswick Fire Insurance Company.

Passed 9th March 1838.

WHEREAS it is deemed necessary to pay off the debt due by the Province to the New Brunswick Fire Insurance Company;

Treasurer to pay to the New Brunswick Fire Insurance Company £10,000 borrowed under the Act 2 W. 4.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Treasurer of the Province is hereby authorised and required, on the thirtieth day of June next, to pay over to the President, Directors and Company of the New Brunswick Fire Insurance Company, the full sum of ten thousand pounds currency, being the amount borrowed from the said Company under the authority of an Act made and passed in the second year of the reign of His late Majesty, intituled "An Act to enable the Province Treasurer to borrow the sum of ten thousand pounds for the public service of the Province."

No further sum to be borrowed under the Act.

II. And be it enacted, That no further sum shall be borrowed by the Treasurer of the Province, under and by virtue of the said hereinbefore in part recited Act.

CAP. XXIII.

An Act for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish.

Passed 9th March 1838.

Preamble.

WHEREAS the Parish of Hopewell is so extensive as to render the performance of the duties of the Parish officers therein inconvenient and troublesome, and it is expedient a separate Parish should be erected therein, and that a certain part of the Parish of Salisbury should form part of the Parish so to be erected;

Parish of Harvey erected.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the fifteenth day of November next, all such parts and parcels of the present Parishes of Hopewell and Salisbury, in the County of Westmorland as are situate to the south and west of a line commencing at the mouth of Shepody River, and thence running up the centre of said river to the mouth of Crooked Creek, thence up the centre of said creek to the bridge over the same on the main road, and thence north twenty degrees west by the magnet, to the northerly boundary line of the present Parish of Hopewell, thence westwardly along the prolongation thereof to the western boundary line of the said County of Westmorland, be and the same are hereby erected into a separate Town or Parish to be called the Parish of *Harvey*.

The like Parish Officers to be appointed as for other Parishes.

II. And be it enacted, That the Justices of the Peace for the said County, at the General Sessions in November in each and every year, shall in like manner as for other Towns and Parishes in the said County, appoint Parish Officers for the said Town or Parish of *Harvey*, who shall be subject to the same laws and regulations and liable to the same penalties in all respects as Parish Officers in other Parishes are or may be subject or liable to.

Act not to prevent the recovery of Parish rates due.

III. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the recovery of any Parish or other dues, assessments, taxes, penalties, fines, or monies whatsoever, which may be due, incurred, forfeited or unpaid when this Act shall go into operation, but the same

same shall and may be paid and recovered in like manner as if this Act had not been made.

CAP. XXIV.

An Act to continue certain Acts relating to the Fisheries in the County of Northumberland, that are near expiring.

Passed 9th March 1838.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the thirty ninth year of the reign of His Majesty King George the Third, intituled "An Act for regulating the Fisheries in the County of Northumberland;" also an Act made and passed in the fifty sixth year of the same reign, intituled "An Act in amendment of an Act, intituled 'An Act for regulating the Fisheries in the County of Northumberland;'" also an Act made and passed in the fourth year of the reign of His Majesty King George the Fourth, intituled "An Act in further amendment of the laws for regulating the Fisheries in the County of Northumberland;" also an Act made and passed in the third year of the reign of His late Majesty King William the Fourth, intituled "An Act to authorize the Justices of the Peace for the County of Northumberland to make rules and regulations respecting the Bass Fishery in that County;" and also an Act made and passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled "An Act in addition to and in continuation of the Act relating to the Bass Fishery in the County of Northumberland," so far as the said several Acts are now in force, be and the same are hereby continued and declared to be in force until the tenth day of May which will be in the year of our Lord one thousand eight hundred and forty five.

39 G. 3, C. 5,
56 G. 3, C. 3,
4 G. 4, C. 23,
3 W. 4, C. 16,
and
4 W. 4, C. 24, so far as in force; continued.

CAP. XXV.

An Act to authorize the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt.

Passed 9th March 1838.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte, at any General Sessions of the Peace hereafter to be holden therein, be and they are hereby authorised and empowered to make such rate and assessment of any sum not exceeding one thousand pounds, as they in their discretion may think necessary, for the purpose of paying the County debt and contingent expenses of the County, the same to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying of the County Rates.

Justices in Sessions authorised to assess a sum not exceeding £1000, to pay off the County debt and contingent expenses.

CAP. XXVI.

An Act to continue the Act relative to the Streets and Squares in the City of Saint John.

Passed 9th March 1838.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth year of the reign of His Majesty King George the Fourth, intituled "An Act relative to the Streets and Squares in the

9 G. 4, C. 4, continued to first April 1838.

the City of Saint John," be and the same 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 on thousand eight hundred and fifty eight.

CAP. XXVII.

An Act for the better and more effectual securing the navigation of the Newcastle River in Queen's County.

Passed 9th March 1838.

WHEREAS on the Newcastle stream in the Parish of Canning, in Queen's County, there are mills for the manufacturing of lumber, the slabs and refuse of which are generally thrown into the said stream, by which means the channel is becoming filled up and greatly obstructed; for remedy whereof,

Throwing slabs or rubbish from mills, or felling trees &c. so as to obstruct the stream.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all and every person or persons who may be the owner or owners, or engaged in the manufacture of lumber of any description in any mill or mills situate upon the said stream, who shall throw or cause to be thrown out of their or any or either of their mills, or out of the mill or mills in which such person or persons shall be so employed as aforesaid, any slab or other rubbish, or any person or persons who shall fall, roll or throw, or caused to be felled, rolled or thrown, any trees, logs, bushes or other rubbish into, across or upon the said stream, which shall be the means of obstructing the same, or that may tend to fill up the channel of the said river, shall forfeit and be made liable to pay a fine not exceeding five pounds, and not less than one pound for each and every such offence, to be recovered at the suit of any person or persons who may prosecute for the same, with costs of suit, upon complaint and prosecution made before any one of Her Majesty's Justices of the Peace for the said County, upon the oath of one or more credible witness or witnesses, which fine when recovered shall be paid one half to the informer or person prosecuting to conviction, and the other half to the overseers of the poor of the Parish where the offence may be committed, for the use of the poor of the said Parish.

Penalty.

Recovery.

Application.

Limitation.

II. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty one.

CAP. XXVIII.

An Act to amend the Law relating to the inspection of public Accounts by Grand Juries, so far as relates to the County of Charlotte.

Passed 9th March 1838.

WHEREAS the time prescribed for the Grand Jury inspecting the public accounts by an Act passed in the seventh year of the reign of His late Majesty King William the Fourth, intituled "An Act to amend an Act, intituled 'An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the public Accounts,'" is found inconvenient in the County of Charlotte;

7 W. 4. C 17.

Accounts to be laid before the Grand Jury at the General Session at which Parish officers are appointed.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in the said County of Charlotte, it shall be the duty of the Justices of the Peace to cause the accounts of the receipts and expenditure of the public monies to be laid before the Grand Jury for their inspection and examination, according to

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to the provisions of the said recited Act, once in each year, at the general Sessions of the Peace at which Parish officers are appointed, instead of the next succeeding Sessions as prescribed in the same Act.

II. And be it enacted, That this Act shall continue and be in force during the continuance of the said recited Act. Limitation.

CAP. XXIX.

An Act in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province," so far as regards the County of Charlotte.

Passed 9th March 1838.

WHEREAS branch Pilots are now by law not entitled to any pilotage from any ship or vessel outward bound, from any port or place within the inner Bay of Passamaquoddy, refusing to receive the same: And whereas it is right that such Pilots should receive half Pilotage from such ships or vessels so refusing to receive them; for remedy whereof, Preamble.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, if any branch Pilot for the County of Charlotte, shall in any case make it appear that he has discharged his duty by offering his services to pilot any ship or vessel that shall depart outward bound, from any port or place within the County of Charlotte, in proper time and place, agreeably to the regulations which may be made by virtue of the above recited Act made and passed in the second year of the reign of His late Majesty King George the Fourth, intituled "An Act to make more effectual regulations relating to Pilots within this Province," and the master of such ship or vessel not having any other Pilot on board, authorsied to act as such under and by virtue of the said recited Act, shall not employ such Pilot so offering his service as aforesaid, then and in such case such Pilot, upon due proof by the oath of one or more credible witness or witnesses, that he did so offer his service, shall be entitled to demand, sue for and recover, from the Master of such ship or vessel, one moiety of such rates and fees as shall be so established as aforesaid, for the Pilotage of such ship or vessel, in the same manner and in all respects subject to the same provisions as Pilots are by the provisions of the hereinbefore in part recited Act, who attend upon inward bound vessels. Branch Pilots in Charlotte County offering their services to outward bound vessels and being refused, to recover half pilotage. 2 G. 4. C. 6.

CAP. XXX.

An Act to provide for the expenses of the Speaker and Members of the House of Assembly, when attending the General Assembly.

Passed 9th March 1838.

WHEREAS it is expedient to provide for the services of the Speaker of the House of Assembly, and to defray the expenses of the Members when attending the General Assembly;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province to the Speaker of the House of Assembly, the sum of one hundred and fifty pounds for each and every Session of the General Assembly. Provision for the services of the Speaker.

II. And be it further enacted, That there be allowed and paid out of the said Treasury to each and every Member of the House of Assembly for defraying the expenses Provision for the expenses of the Members

expenses of attendance in General Assembly, for each and every day's attendance in General Assembly, the sum of twenty shillings for the attendance of each Member of the House of Assembly, to be certified by the Speaker: Provided always, that no greater sum shall be allowed to any Member for any one Session than fifty pounds.

Provision for travelling expenses.

III. And be it further enacted, That for defraying the travelling charges of the Members of the House of Assembly, there be allowed and paid out of the said Treasury the sum of twenty shillings per day to each and every Member, allowing twenty miles for each day's travel; the same to be certified as directed in and by the second section of this Act.

Money to be paid by Warrant on the Treasury.

IV. And be it further enacted, That the several and respective sums of money hereinbefore mentioned, shall be paid by the Treasurer by warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, out of the monies now in the Treasury, or as payments may be made at the same.

Limitation.

V. And be it further enacted, That this Act shall continue and be in force for and during the continuance of the present House of Assembly and no longer.

CAP. XXXI.

An Act to enlarge and define the Boundaries of the Parish of Woodstock.

Passed 9th March 1838.

Parish of Woodstock enlarged and defined.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all the lands not now included in the present Parish of Woodstock, which lies between the said Parish and a line commencing on the westwardly bank or shore of the river Saint John, at the northeast angle of lot number forty six granted to Benjamin P. Griffith and others, and thence running along the northerly boundary line of the said lot and its prolongation westwardly to the south west bank or shore of the Maduxnikick stream, and thence along the said bank or shore and the southwardly bank or shore of the south branch of the said Meduxnikick stream until it intersects the western boundary line of the Province, thence along said boundary line due south until it strikes the monument, shall be annexed to and form a part of the said Parish of Woodstock, any law to the contrary notwithstanding.

CAP. XXXII.

An Act to authorize the Justices of the Peace in the County of Carleton, to levy an assessment to pay off the County debt.

Passed 9th March 1838.

Justices in Sessions authorised to assess a sum not exceeding £200 to pay off the County debt.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Justices of the Peace for the said County of Carleton, at any general Sessions of the Peace to be hereafter holden, or any special Sessions of the Peace to be for that purpose convened, be and they are hereby authorised and empowered to make such rate and assessment of any sum not exceeding two hundred pounds, as they in their discretion may think necessary for the paying off the debts due from the said County, the same to be assessed, levied, collected and paid agreeably to and under and by virtue of any Act or Acts which are now or hereafter may be in force in this Province, for assessing, levying and collecting of rates for public charges.

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CAP. XXXIII.

An Act in addition to and in amendment of an Act, intituled "An Act to regulate Tavern Keepers and Retailers."

Passed 9th March 1838.

Repealed
by 3rd Me
C-47

WHEREAS in and by the third section of an Act made and passed in the fifth year of the reign of His late Majesty King William the Fourth, intituled "An Act to regulate Tavern Keepers and Retailers," it is among other things enacted, that every person on taking out a licence under the authority of the said Act, shall enter into recognizance to His Majesty with two good and sufficient sureties in the sum of forty pounds, conditioned to obey such rules and regulations as the Court of general Sessions respectively shall from time to time make and ordain to be observed: And whereas it is expedient that Her Majesty's Justices of the Peace in the several Counties in this Province respectively, should have power and authority to enforce such rules and regulations as they may from time to time make and ordain, by a more simple and less expensive process, when minded so to do:

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act it shall and may be lawful for Her Majesty's Justices of the Peace of this Province in their respective general Sessions, to enforce the observance of such rules and regulations as they have already made or shall hereafter make, in and for their respective Counties, under such penalty or penalties as to them in their respective general Sessions may seem meet, such penalty to be in no case less than ten shillings nor more than five pounds for each and every breach of such rules and regulations; which penalty or penalties shall be recovered before the Justices of the Peace in general Sessions, or any two of Her Majesty's Justices of the Peace of the County in which the offence shall be committed, and levied and applied in the same manner as directed for the recovery of penalties in and by the fourteenth section of the Act of which this Act is an amendment.

Justices empowered to enforce their regulations under penalties.

Recovery.

Application.

II. And be it further enacted, That this Act shall be publicly read by the Clerk, at the opening of every Court of general Sessions of the Peace in the several Counties in this Province.

Act to be publicly read at the opening of each Court.

III. And be it further enacted, That this Act shall continue and be in force so long as the Act to which the same is an amendment and no longer.

Limitation.

CAP. XXXIV.

Repealed by 1st Me Cap 57

An Act to repeal an Act, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Douglas in the County of York, into a separate and distinct Town or Parish."

Passed 9th March 1838.

WHEREAS an Act made and passed in the seventh year of the reign of His late Majesty King William the Fourth, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Douglas in the County of York, into a separate and distinct Town or Parish," has been found not to answer the good purpose intended thereby, and it is deemed expedient to repeal the same;

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said recited Act be and the same is hereby repealed: Provided always, that nothing herein contained shall in any wise prevent or interfere with the

7 W. 4, C. 25. repealed.

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Not to interfere with the recovery of assessments already made.

Parish officers to continue in office until others are appointed.

the recovery of any Parish or County assessment, which may have been made or ordered by the Court of general Sessions of the Peace of the said County of York under the said recited Act.

II. And be it further enacted, That all Town and Parish officers which may have been appointed under and by virtue of the said Act shall continue in office, with full powers as such until others shall be respectively appointed by the general Sessions of the Peace for the said County at the usual period provided by law for the appointment of such Town and Parish officers.

CAP. XXXV.

An Act to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish.

Passed 9th March 1838.

Preamble.

WHEREAS great inconvenience is found to exist in consequence of the extended bounds and increased population of the Parishes of Gagetown and Hampstead, to perform the several Parochial duties in the manner required by law, it is therefore expedient that the same be divided into three Towns or Parishes;

Parish of Petersville erected.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the rear or southwesterly part of the Parishes of Gagetown and Hampstead,—to commence at the King's County line, where the road leading from Jones' Mill crosses said line, following the said road until it intersects the north west boundary line of lot number one, granted to John Short, and following the said north west line of lot number one until it strikes the north easterly line of lot number five granted to Sylvanus Haviland, and thence following the northeasterly line of said lot and its prolongation to the southeasterly boundary line of land granted to James Corbett, thence along the said line northeasterly to the divisional line between the said grant and land granted to Henry Appleby, thence along the said divisional line and its prolongation to the road leading from Gagetown to the Nerepis, thence along the said road northeasterly to the northeasterly boundary line of lot number twenty five granted to Thomas T. Hewlett, and thence along the said line and its prolongation northwesterly to the Sunbury County line,—be and the same is hereby erected into a separate Town or Parish, to be called and known by the name of Petersville.

Parish officers to be annually appointed.

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

Act not to interfere with the recovery of assessments.

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

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CAP. XXXVI.

An Act for the settlement of the Estate of the late Receiver General of this Province.

Passed 9th March 1838.

WHEREAS the sum of seven thousand two hundred and forty four pounds ten shillings and seven pence halfpenny, of lawful money of New Brunswick, is alleged to be now due to Her Majesty for the Revenues of this Province, from the Estate of the late George Pidgeon Bliss, late Receiver General of this Province, for monies received by him in his official capacity, during his life time: And whereas George J. Dibblee, Henry G. Clopper and James Taylor, Esquires, Administrators on said Estate, dispute that sum to be due, and contend that the correct and true amount due by the said Receiver General at the time of his death, was one thousand six hundred and twelve pounds five shillings and three pence of like lawful money: And whereas to remove all difficulties upon the subject, as well to relieve the Crown officers from the necessity of further harrassing the representatives of said Estate, upon the subject, as to relieve the said Administrators and heirs of the late Receiver General, from all further liability and trouble in the matter, it is thought better to accept of the said sum of one thousand six hundred and twelve pounds five shillings and three pence, being the balance so acknowledged to be due by the said Administrators of said Estate as aforesaid; in full discharge of the said alleged claim of seven thousand two hundred and forty four pounds ten shillings and sevenpence halfpenny;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Attorney General for the time being is hereby fully authorized, empowered and required to discontinue all further proceedings against the said Administrators on the Estate of the late George Pidgeon Bliss, late Receiver General in this Province, on receiving from the said Administrators the said sum of one thousand six hundred and twelve pounds five shillings and three pence, the balance which the said Administrators so acknowledged to be due as aforesaid; provided the same be paid over by the said Administrators to the said Attorney General, to be by him paid over to the present Receiver General of the Province, within twenty days after the passing of this Act.

Attorney General authorized to discontinue proceedings against the Administrators of the late Receiver General on payment of £1612 5s. 3d.;

II. And be it enacted, That the said Attorney General is hereby fully authorized, empowered and required to receive from the said Administrators on said Estate the said sum of one thousand six hundred and twelve pounds five shillings and three pence, in full discharge and satisfaction of all monies due from the said George P. Bliss, at the time of his death, as such Receiver General as aforesaid.

And receive said sum in full discharge.

III. And be it enacted, That the receipt or discharge of the said Attorney General, for the said sum of one thousand six hundred and twelve pounds five shillings and three pence, to the said Administrators, shall be evidence that such sum has been paid, and be sufficient proof in all Courts of law or equity in this Province, that the same has been paid by the said Administrators, for the purposes aforesaid.

His receipt to be sufficient proof.

CAP. XXXVII.

Amended by 13th Cap

An Act to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels within the limits of this Province."

Passed 9th March 1838.

WHEREAS by the fifth section of an Act made and passed in the twenty sixth year of the reign of His Majesty King George the Third, intituled "An

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“An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels within the limits of this Province,” the owner or owners of wharves, by themselves or their agents, are empowered to remove any lumber, mill stones, or other goods, which may encumber their wharves, or incommode or obstruct the passing or repassing of any carts or carriages employed for the purpose of loading or unloading any ship or other vessel, and to keep the same in custody, but no power is given by the said Act to charge such goods with the expenses of yarding or housing, or to sell the same in the event of their not being claimed;

When a wharf is encumbered notice to be given to the person encumbering it, and

if the incumbrance be not removed merchandize may be seized and sold.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, when any wharf shall be encumbered by merchandize of any description, or rubbish or ballast, so as to obstruct the free passage of carts and other carriages, the owner or owners of such wharf, or his or their agent, shall give notice to the owner, owners or consignee of such merchandize, or to the person who may have deposited rubbish or ballast thereon, which notice may be given personally or in writing and left at the residence or office of such owner, consignee or person as aforesaid, to remove the same; and if such merchandize or rubbish or ballast is not removed in a reasonable time after such notice, then it shall and may be lawful to and for the said owner or owners of such wharf, or his or their agent, to remove the same, and to keep such merchandize in custody until the whole costs of removing and keeping the same is fully paid; and in case the owner or consignee of such merchandize is unknown, or not to be found, the owner or agent as aforesaid of such wharf may at his discretion remove and keep the same until some person appears to claim the same, and pay the costs of removing and keeping as aforesaid: Provided always, that when any merchandize so removed shall be of a perishable nature, the same may, within twenty four hours after such removal or as soon after as possible, be sold at public auction by a licenced auctioneer, and if such merchandize is not of a perishable nature, the same may be so sold in thirty days after such removal; and the proceeds of such sale respectively, after deducting the expense of removal and keeping and all other charges, shall be paid by the auctioneer to the owner or consignee of the merchandize so sold, when applied for.

No ballast or rubbish to be landed on any wharf without consent of the owner.

If the merchandize, rubbish or ballast be not sufficient to pay for the removal an action may be brought.

II. And be it enacted, That no ballast of any kind or rubbish shall be placed or landed on any wharf or wharves, without the permission or consent of the owner, owners or agent of such wharf or wharves, under the penalty of ten pounds, to be sued for and recovered with costs in the name of such owner or owners, or agent, and to the use of such owner or owners, in any Court of competent jurisdiction, and the person who may have so placed or landed or caused to be placed or landed such ballast or rubbish, may be held to bail in any such action by order of a Judge of the Court in which the action may be brought, upon the facts being made sufficiently to appear by affidavit: Provided also, that if any merchandize or rubbish or ballast which may have been obstructing or encumbering any wharf or wharves, and removed by the owner, owners or agent of such wharf should not be sufficient when sold to defray the expense of removing the same, together with all other charges, the expense so incurred with all other charges after deducting the proceeds of sale as the case may be, shall be paid by the owner of such merchandize, rubbish or ballast, or person who may have deposited or landed the same on any wharf, to be sued for and recovered in an action of debt before any Court of competent jurisdiction.

CAP. XXXVIII.

An Act to incorporate *The Saint John Mills and Manufacturing Company.*

Passed 9th March 1838.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That E. D. W. Ratchford, James Kirk, Nehemiah Merritt, Thomas C. Everitt, William Walker, Charles D. Everitt, John Hammond, Henry Gilbert, William H. Street, Ezekiel Barlow, Junior, John Kinnear, Barnabas Tilton, and I. G. Woodward, their associates, successors and assigns, shall be and they are hereby created into a body politic and corporate, by the name of *The Saint John Mills and Manufacturing Company*, and shall have all the general powers and privileges made incident to Corporations by Act of Assembly in this Province, for the purpose of erecting Mills and Machinery and necessary works therewith connected, at Cunnable's Point in the Parish of Lancaster, in the County of Saint John, for manufacturing purposes and for carrying on and managing the same.

Company incorporated.

II. And be it enacted, That the capital stock of this said Corporation shall be twenty thousand pounds, of current money of New Brunswick, and shall be divided into one thousand shares of twenty pounds each, to be paid in at such times and in such instalments as the business of the said Company shall require, provided that fifteen per cent. of the capital stock, amounting to three thousand pounds, shall be actually paid in and invested in the business of the said Corporation within one year from the passing of this Act; and provided also, that the said Corporation shall, when necessary, have leave to extend the same capital stock to the sum of fifty thousand pounds of like current money, and shall have power to increase the number of shares accordingly, or to assess such increase upon the original number of shares; and provided also, that the said Corporation shall not be entitled to purchase any property real or personal, or incur any debts, until the said fifteen per cent. of the capital stock as aforesaid shall be paid in.

Capital to be £20,000.

Fifteen per cent. to be invested within one year.

Capital may be extended to £50,000.

III. And be it enacted, That the first meeting of the said Corporation, shall be held at the City of Saint John, and shall be called by T. C. Everitt, and C. D. Everitt, or in case of their death, neglect or refusal, by any three of the said Company, by giving notice in one or more of the public newspapers printed in the said City at least twenty days previous to such meeting, for the purpose of establishing bye laws, choosing five Directors and such other officers as may be necessary for the management of the affairs of the said Company; which Directors and officers so chosen shall serve until the first annual meeting, or until others are chosen in their stead, and shall have full power and authority to manage the concerns of the said Corporation, subject to the rules and regulations hereinafter made and provided.

First meeting of the Corporation for establishing Bye Laws, choosing Directors and other officers.

IV. And be it enacted, That a general meeting of the shareholders of the said Corporation, shall be held on the first Wednesday in January in each and every year for the purpose of choosing five Directors and such other officers as may be necessary for the management of the affairs of the said Corporation; which Directors so chosen shall remain in office one year or until others are chosen in their place, and shall at the first meeting after their election choose one of their number President of the said Company: Provided always, that not less than three Directors do form a quorum for the transaction of business, and in the absence of the President the Directors shall have power to appoint one of their number chairman for the occasion.

Annual meeting for choosing Directors to be held on the first Wednesday in January.

Quorum of Directors for business.

V. And be it enacted, That no person shall be eligible as a Director unless such person

Qualification of Directors.

person is a stockholder and holds not less than ten shares of the capital stock of the said Corporation, and is of the full age of twenty one years.

Votes of Stockholders.

VI. And be it enacted, That the number of votes to which each stockholder shall be entitled to on every occasion when in conformity to the provisions of this Act the votes of the stockholders are to be given, shall be in proportion of one vote to each share of stock, and that absent stockholders may vote by proxy, provided such proxy be a stockholder and produce sufficient authority in writing.

Shares to be assignable.

VII. And be it enacted, That the shares in the said Corporation shall be assignable and transferable according to such rules and regulations as may be established in that behalf, but no assignment or transfer shall be valid and effectual, unless the same shall be entered and registered in a book to be kept by the Directors for that purpose, that in no case shall a fractional part of a share or other than a complete share or shares be assignable or transferable, that whenever any stockholder shall transfer in manner aforesaid all his stock or shares in the said Company, he shall cease to be a member of the said Corporation.

If the Directors be not chosen at the annual meeting another meeting may be called.

VIII. And be it enacted, That if it should so happen that the said Directors or other officers should not be chosen on the said first Wednesday in January in any year as aforesaid, it shall and may be lawful to choose them on any other day between the hours of twelve at noon and three in the afternoon of such day, on giving fourteen days notice of the time and place of such meeting in one or more of the newspapers published in the City of Saint John, and in case any director shall be removed by the stockholders for misconduct or maladministration his place shall be filled up by the stockholders, fourteen days notice of the time and place of meeting for such purpose being first given; and in case of any vacancy among the Directors by death, resignation, or disqualification by sale or transfer of stock, then and in either of such cases the said Directors shall and may fill up such vacancy by choosing one of the stockholders, and the person so chosen by the Stockholders or Directors shall serve until another is chosen in his room.

Vacant Directorships to be filled up.

Joint Stock and property responsible for the debts.

IX. And be it enacted, That the joint stock and property of the said Company shall alone be responsible for the debts and engagements of the same.

Shares may be assessed to carry on the business.

X. And be it enacted, That the said Company shall have power to levy and collect assessments on the shares from time to time of such sums of money as may be deemed necessary for carrying on the business of the said Company; and whenever any assessments shall be made by the stockholders of the Company, it shall be the duty of the Treasurer to give notice thereof in a newspaper printed in the City of Saint John, requiring payment of the same within thirty days, and if any stockholder shall neglect or refuse to pay to the Treasurer the amount of such assessments upon the shares at the time prescribed, it shall be the duty of the Treasurer to advertise all such delinquent shares for sale at public auction, giving at least twenty days notice of the time and place of such sale, and all shares upon which the assessment is not then paid, with interest from the time such assessment became due, shall be sold to the highest bidder, and after retaining the amount of assessment and interest due on each share and the expense of advertising and selling, the residue (if any) shall be paid over to the former owner, and a new certificate or certificates of the shares so sold shall be made out and delivered to the purchaser: Provided always, that no assessment shall be made except by a vote of the stockholders and a majority of all the shares.

On default of payment shares to be sold.

All meetings to be called by public notice.

XI. And be it enacted, That all meetings of the said Company shall be called by public notice being given of the time and place, in a newspaper printed in the City of Saint John, seven days at least before the time of each meeting, and that special meetings may be called by the Secretary under the authority of the Directors

tors or by the shareholders representing not less than two hundred and fifty shares of stock upon giving the like notice.

XII. Provided always and be it enacted, That unless three thousand pounds of the said capital stock shall be actually paid in for the purposes of the Corporation, and a certificate of such payment signed and verified on oath by the Directors of the said Company, or a majority of them, (which oath any Justice of the Peace is hereby authorised to administer,) shall be filed in the office of the Secretary of the Province before the expiration of one year after the passing of this Act, the operation of this Act shall cease and the existence of the said Corporation be terminated at the expiration of the said one year.

Act to be void if £3000 be not invested within one year, and certificate filed in the Secretary's office.

CAP. XXXIX.

An Act to incorporate *The Peticodiac Wet Dock Company*.

Passed 9th March 1838.

WHEREAS it is deemed expedient for the further advantages of trade to incorporate a Company for the purposes of erecting and building a Wet Dock at or near the bend of the Peticodiac river;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That George Scoullar, James Robertson, Ichabod Lewis, John Steadman, Stephen H. Shaw, Alexander Wright, Bliss Botsford, Thomas Prince, Robert B. Cutler, Gideon Woodworth, James Milner, Moses Jones, and James Lewis, their associates, successors and assigns, shall be and they are hereby declared to be a body corporate by the name of *The Peticodiac Wet Dock Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of erecting and maintaining a Wet Dock at or near the bend of the Peticodiac river in the County of Westmorland, for the more convenient loading and unloading of ships, vessels or boats, and any necessary wharves, buildings or works connected therewith, and for carrying on and managing the same.

Company incorporated.

II. And be it further enacted, That the capital stock of the said Corporation shall consist of the sum of three thousand pounds of current money of this Province, which shall be divided into three hundred shares of ten pounds each; and that twenty per cent. of the said capital stock shall be paid in within two years from the passing of this Act, and the residue in such parts and instalments as may be required for the service of the Company; and provided that the said Corporation shall not be entitled to purchase any property, real or personal, or to incur any debts, until the said twenty per cent. of the capital stock as aforesaid shall be paid in.

Capital to be £3000.

20 per cent. to be invested within two years, and before any debts are incurred.

III. And be it enacted, That whenever two hundred shares of the said capital stock shall have been subscribed a general meeting of the stockholders shall take place, by notice in one or more of the newspapers published in the City of Saint John, thirty days previous to such meeting, in order to organize the said Company, and to choose seven Directors, and such other officers as may be necessary to conduct the business of the Company, who shall serve until the first annual meeting and until like officers shall be chosen.

First General Meeting for choosing Directors and other officers.

IV. And be it enacted, That the stockholders shall meet annually in the Parish of Moncton, in the County of Westmorland, on the first Wednesday in June of each year, of which at least thirty days notice shall be given in one or more of the newspapers aforesaid; at which annual meeting there shall be chosen seven Directors, who shall continue in office one year or until others are chosen in their stead; provided

Annual Meeting for choosing Directors to be held on first Wednesday in June.

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provided that the omission to meet and elect as aforesaid shall cause no forfeiture, but the stockholders may be afterwards collected together for that purpose by the Directors.

Directors to choose a President.

V. And be it enacted, That the Directors shall at the first meeting after the election choose one of their number President of the Company; and that not less than four Directors shall constitute a board for the transaction of business; that in the absence of the President the Directors may choose one of their number chairman for the time being; that the President or such chairman shall vote at the board as a Director, and in case there be an equal number of votes for and against any question before them the President or chairman shall have a casting vote.

Quorum for business.

President to have a casting vote.

Qualification of Directors.

VI. And be it enacted, That no person shall be eligible as a Director unless such person is a stockholder and holds not less than five shares of the capital stock, and is of the full age of twenty one years; that the number of votes to which each stockholder shall be entitled on every occasion when the votes of the stockholders are to be given, shall be in the proportion following, that is to say; for one share and not more than two, one vote; for every two shares above two and not exceeding ten, one vote, making five votes for ten shares; for every ten shares above ten, and not exceeding thirty, one vote, making ten votes for thirty shares, which said number of ten votes shall be the greatest that any stockholder shall be entitled to have; and that absent members may vote by proxy, provided such proxy be a stockholder and produce sufficient authority in writing; that in case any Director shall be removed by the stockholders for misconduct or maladministration, his place shall be filled up by them, fourteen days notice of the time and place of meeting for such purpose being first given, and in case of a vacancy among the Directors by death, resignation or disqualification by sale of stock, the remaining Directors may fill up such vacancy by choosing one of the stockholders, and the person so chosen by the stockholders or Directors shall serve until another shall be chosen in his stead.

Votes of Stockholders regulated.

Vacant Directorships to be filled up.

Joint Stock or property to be responsible for debts.

VII. And be it enacted, That the joint stock or property of the said Corporation shall alone be liable for the debts and engagements of the same.

Shares to be assignable.

VIII. And be it enacted, That the shares in the said stock shall be assignable and transferable according to such rules and regulations as may be established in that behalf, but no assignment or transfer shall be valid and effectual unless the same shall be entered or registered in a book to be kept by the Directors for that purpose; that in no case shall any fractional part of a share or other than a complete share or shares be assignable or transferable; that whenever any stockholder shall transfer in manner aforesaid all his stock or shares in the said Company he shall cease to be a member of the said Corporation.

Subscribers of Stock to pay the amount of their subscription.

IX. And be it enacted, That the several and respective persons united into a Corporation as aforesaid for the erecting of the said Wet Dock, shall and they are hereby required to pay the respective sums which may be by them subscribed to be advanced as aforesaid towards erecting and building the said Wet Dock, or such portions of sums as shall from time to time be called for by the said Corporation, by virtue of the power and discretion of this Act; and also all persons who may hereafter subscribe and agree to advance and pay any money for the purposes aforesaid are hereby required to pay the sum or sums of money which shall be by them respectively subscribed to be advanced, or such portion or portions thereof as shall from time to time be called for by the said Corporation by virtue of the power and directions of this Act; and in case any of the several and respective persons who may have subscribed or who shall hereafter subscribe to advance and pay any sums of money as aforesaid, shall neglect or refuse to pay the same at such time and times

Forfeitures incurred and proceedings on default.

as

as shall be required by the said Corporation, he or they shall incur a forfeiture in the proportion of two pounds for every one hundred pounds of the sum called for, and in case such person or persons shall neglect to pay his, her or their ratable or proportionable part or share of the same money to be called for as aforesaid, for the space of three calendar months after the time appointed for the payment thereof as aforesaid, then he, she or they so neglecting or refusing shall forfeit his, her or their respective share or shares, part or interest in the said Corporation, and all the profits and benefits thereof, and such share or shares shall be sold by the Directors of the said Corporation by public auction, after six weeks notice of such intended sales in one or more of the newspapers published in the City of Saint John, and the amount for which the same shall be sold, after deducting the expense of the sale, shall be paid over to the person or persons whose share or shares shall be so forfeited or sold, and the purchaser shall immediately pay up the instalment, for the non-payment of which the said share or shares shall have been sold, and if he, she or they shall fail immediately to pay such instalment, the said share or shares shall again be put up and sold as aforesaid, or it shall and may be lawful for the said Corporation, if they deem it expedient, to sue for and recover the amount as aforesaid in any Court of law having competent jurisdiction in this Province.

X. And be it enacted, That the said Company, or such person or persons as they shall from time to time appoint as collectors, or their deputies, are hereby authorized to demand and receive dock fees or dues from the owner or owners or persons having charge of any ship, vessel or boat, laying, loading or discharging, and all goods, wares and merchandize, and all freight and produce of every kind and description whatever, landed or discharged, or placed for the purpose of being shipped or warehoused, and all timber, logs, deal, boards, staves, lathwood and shingles, and all kinds of lumber whatever placed for the purpose of being shipped in, upon or from the said Dock; the rates of which Dock fees or dues shall be regulated and established by the said Company; and in case the owner, shipper, supercargo or captains of any such ship, vessel or boat, or the owner or owners of all such goods, wares, merchandize, freight, produce, timber, logs, deals, boards, staves, lathwood and shingles as aforesaid, shall refuse to pay the dock fees or dues as aforesaid, are hereby authorized to sue for the same before any competent tribunal in the name of the said Company. Provided always, that if after the expiration of six years from the time of completing the said Wet Dock the rates, tolls or dues that may be established by the said Corporation under and by virtue of this Act should be found excessive, it shall and may be lawful for the Legislature to reduce the said rates, tolls or dues so as that the same shall not produce to the said Corporation a greater rate of net profit upon their capital stock than twenty pounds annually for every hundred pounds of such capital stock; and in order that the true state of the affairs of the said Corporation shall be known, it shall be the duty of the President and Directors thereof to produce and lay before the several branches of the Legislature of this Province, at the expiration of six years after the said Wet Dock shall have been completed as aforesaid, a just and true statement and account of the monies by them disbursed and laid out in making and completing the said Wet Dock in manner aforesaid, and also of the amount of tolls and revenues of the said Wet Dock, and of the annual expenditure and disbursements in maintaining and keeping up the same during the six years; the said several accounts and statements to be signed by the President and Treasurer of the said Corporation, and by such President and Treasurer attested to on oath before any one of Her Majesty's Justices of the Peace for any County in this Province; and provided also, that it shall be the duty of the said President and Directors of the said

Company may demand Dock fees.

If after six years the rates be found to be excessive, the Legislature may reduce them.

Statement of affairs to be laid before the Legislature.

said Corporation once in each and every year after the expiration of the said six years, to lay before the several branches of the Legislature a like statement and account verified on oath by the said President and Treasurer as aforesaid.

Meetings to be held at Moncton.

Calling of special meetings.

XI. And be it enacted, That all meetings of the said Corporation shall be held at the Parish of Moncton aforesaid, and shall be called by giving notice of the same fourteen days at least prior to such meeting; and that special meetings may be called by the Secretary under the authority of the Directors or of the stockholders representing not less than fifty shares of stock; and that all notices required to be given by this Act shall be deemed sufficient, if published in one or more of the newspapers printed in the City of Saint John.

Act to be void if the Dock be not completed within four years;

XII. And be it enacted, That the Corporation to entitle themselves to the privileges, benefits and advantages to them granted by this Act, shall and they are hereby required to make and complete the said dock within four years from the passing of this Act, and if the same shall not be so made and completed within the period aforesaid for the purposes hereinbefore mentioned, then this Act and every matter and thing therein contained shall be actually null and void.

And unless £600 be paid in within two years.

XIII. Provided always and be it enacted, That unless the sum of six hundred pounds of the said capital stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment signed and verified on oath by the said Directors or a majority of them, (which oath any Justice of the Peace may administer,) shall be filed in the office of the Secretary of the Province before the expiration of two years after the passing of this Act, the operation of this Act shall cease and the existence of the said Corporation be terminated at the expiration of the said two years.

CAP. XL.

An Act for the incorporation of *The Saint Andrew's and Saint John Stage Coach Company.*

Passed 9th March 1838.

WHEREAS it is thought that the running of Stage Coaches from and to Saint John would be highly beneficial to the public by facilitating the means of communication throughout the Province;

Company incorporated.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Thomas Wyer, Harris Hatch, James Campbell, James Boyd, John Wilson, John M'Lachlan, Joseph Gunnison, Robert W. Crookshank, William Walker, Hugh M'Kay, Edwin Ketchum, Henry Gilbert, Thomas L. Nicholson, Thomas Millidge, Elisha DeW. Ratchford, Frederick A. Wiggins, Rilborn G. Robinson, Gidcon Knight, John Fitzpatrick, James Allanshaw, William Scott, Beverley Robinson, Lucien L. Copeland, Joseph Shaw, William Bennett, Amos E. Frye, Peter Duff, John Kinnear, Harrison G. Kinnear, Edmund Kaye, Cyrus Stockwell, Moses H. Perley and Charles Loring, their associates, successors and assigns, shall be and they are hereby erected into a body politic and corporate, by the name of *The Saint Andrew's and Saint John Stage Coach Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of establishing lines of Coaches to run between the City of Saint John and any part of the Province, and for carrying on and managing the same.

Capital to be £5000.

20 per cent. to be

II. And be it enacted, That the capital stock of the said Corporation shall be five thousand pounds, and shall be divided into two hundred shares of twenty five pounds each; twenty per cent. of the said capital stock to be paid in before the said

said Corporation shall be entitled to purchase any property, real or personal, or to incur any debts. paid in before debts be incurred.

III. And be it enacted, That the first meeting of the said Corporation shall be called by James Campbell, Harris Hatch, James Allanshaw, Charles Loring, Cyrus Stockwell, Edmund Kaye, and Moses H. Perley, or any four of them, by giving notice of the time and place of such meeting in one or more of the public newspapers printed in Saint John or Saint Andrews at least twenty days previous to the same, at which meeting the said Corporation shall be organized and by laws established. First meeting of the Corporation.

IV. Provided always and be it enacted, That unless one fifth part of the said capital stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment signed and verified on oath by the Directors of the said Company or a majority of the same, (which oath any Justice of the Peace is hereby authorised to administer,) shall be filed in the office of the Secretary of the Province before the expiration of one year after the passing of this Act, the operation of this Act shall cease and the existence of the said Corporation be terminated at the expiration of the said one year. Act to be void unless one fifth of the Capital be paid in and certificate lodged in the Provincial Secretary's office within one year.

CAP. XLI.

An Act to amend the Act incorporating *The New Brunswick Fire Insurance Company.*

Passed 9th March 1838.

I. **W**HEREAS in consequence of the loss sustained by the New Brunswick Fire Insurance Company, from the great fire in the City of Saint John, in the month of January in the year of our Lord one thousand eight hundred and thirty seven, it became necessary either to reduce the capital stock of the Company by the sum of ten thousand pounds, or for the stockholders to make up that sum by a proportionable contribution in addition to the said stock: And whereas the Directors of the said Company did require of the stockholders the payment of an instalment of twenty per cent. on the amount of their respective interests in the Capital or Stock of the said Company: And whereas at a meeting of the stockholders of the said Company, duly called and numerously attended, it was unanimously resolved to be expedient and proper that the capital stock of the said Company should not be reduced, but that the required sum should be paid by the stockholders in proportionate contributions; and a large number of the said stockholders have in conformity thereto paid their proportions of such contributions, and are desirous that a legal sanction should be given to their said resolution, in order that the same may be carried into general effect: And whereas it is highly desirable and proper, in order to afford due protection to the persons dealing with them, that the capital stock of incorporated Assurance Companies should remain entire so long as such Companies continue to carry on business and make new insurances; Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the President and Directors of the New Brunswick Fire Insurance Company shall be and they are hereby authorised and empowered to carry into full effect the resolution of the said stockholders for making a contribution of the sum of ten thousand pounds, and applying the same to the payment of losses sustained by the said Company without reduction of the capital stock of fifty thousand pounds; and further to apply all monies paid and to be paid in pursuance of the requisition of the said Directors on account of such instalment of twenty per cent. on the said capital stock towards such contribution. Corporation authorised to give effect to the resolution of the Stockholders to contribute £10,000 to pay losses without reducing the Capital.

II.

When the securities are not renewed or changed to the satisfaction of the Directors within four months after notice the Directors may proceed to the recovery of the amount secured or the forfeiture or sale of the stock.

II. 'Whereas by the twenty second section of the said Act it was enacted, that the bonds and other securities of what nature or kind soever, taken for the payment of the residue of the Capital or Stock of the said Company, should from time to time be renewed or changed, and other and further security or securities for the same be given whenever and as often as the Directors or any quorum thereof should require, and in case of any refusal or delay to renew or change any such security or securities, or to give or grant other and further security or securities therefor, to the satisfaction of the said Directors or any quorum thereof, within thirty days after notice thereof given, then and in such case it should and might be lawful to and for the said Directors or any quorum thereof, to cause such proceedings both in law and equity, or either, as might be deemed requisite, to be taken for the recovery of the amounts of such several security and securities, or it should and might be lawful to and for the said Directors or any quorum thereof, if they should think fit, to declare the shares in the Capital or Stock for the amount of the residue of which such security or securities shall have been given, forfeited to the said Company, together with all deposits, instalments, interests, profits or dividends thereto belonging or appertaining; and that such stock so forfeited should be sold by public auction for and on account of the said Company, and the purchaser or purchasers thereof should give such security or securities for the payment of the amounts due to the said Company on account of such forfeited shares, at the time of such forfeiture, as is in the said Act provided, and should be likewise subject to all provisions of the said Act: And whereas difficulties have arisen in carrying into effect the provision of the said section, when the holder of stock cannot be found to be served with personal notice; for remedy whereof,' Be it further enacted, That whenever it shall happen that any stockholders who may be required, by an order of the Directors or of any quorum thereof, to renew or change his or her security, or to give or grant other and further security to the satisfaction of the said Directors or any quorum thereof, shall not within four calendar months after notice of such order, given by publication in two or more of the newspapers published in the City of Saint John, renew or change such security or give or grant other and further security to the satisfaction of the said Directors or any quorum thereof as the case may be, that then and in such case it shall and may be lawful to and for the said Directors or any quorum thereof, to proceed to the recovery of the amount of the security given by such stockholder or to the forfeiture or sale of the stock of such stockholder and the forfeiture of the deposits, instalments, interests, profits or dividends thereto belonging or appertaining in like manner as if the notice required by the said recited section had been given in due conformity thereto.

Anno Septimo GULIELMI IV. Regis.

CAP. LV.

Repealed by
G. 3. C. 17, s. 10
E 44

An Act in addition to and in amendment of the Laws now in force for regulating Elections of Representatives to serve in General Assembly in this Province.

Passed 1st March 1837.

WHEREAS it is desirable to lessen the number of polling days in holding Elections in this Province, and also to define the several places for polling in the respective Counties Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the tenth section of an Act made and passed in the thirty first year of the reign of His Majesty King George the Third, intituled "An Act for regulating Elections of Representatives in General Assembly, and for limiting the duration of Assemblies in this Province," be and the same is hereby repealed; and in lieu thereof— 31 G. 3. C. 17, s. 10, repealed.

II. Be it further enacted, That every poll which at any election hereafter holden in any County of this Province shall be demanded, shall commence on the day the same shall be demanded, and shall be duly and regularly proceeded in from day to day, (Sundays and intervening days as hereinafter provided excepted,) without delay or other adjournment, in order that all voters present may have an opportunity of being polled; and in case any Candidate or two electors, at such election, shall on the first day of holding the poll, so require, the poll shall be removed and held at the several places hereinafter appointed in each County; and if the said poll shall continue unto the eighth polling day inclusive, the same shall on that day be finally closed at or before the hour of three o'clock in the afternoon; and the Sheriff at every such election shall immediately or on the day next after the final close of the poll, truly and publicly declare the name or names of the person or persons who shall have the majority of votes on such poll, and shall forthwith make a return of such person or persons unless the Sheriff upon a scrutiny being demanded by any Candidate or any two or more electors shall deem it necessary to grant the same; in which case it shall and may be lawful for him so to do, and to proceed hereupon, but so as that in all cases of an election every Sheriff having the return of a Writ of Election shall close such scrutiny and make his return upon such writ on or before the day on which such writ is returnable. Poll to commence on the day when demanded; to be removed if demanded on the first polling day; to be closed on the eighth polling day, and Sheriff to declare the persons who have the majority of votes, and forthwith make his return, unless a scrutiny be demanded, but not to delay beyond the return day of the writ.

III. And be it further enacted, That the following places in the respective Counties shall be and the same are hereby declared to be the places at which the poll in the respective Counties shall be held (in case the removal of the poll be demanded as hereinbefore provided), to wit: Polling places specified in case the poll be removed from the Shire Towns.

York County.

IN THE COUNTY OF YORK.

First day—At the County Court House in the Shire Town.
 Second day—In the upper part of the Parish of Kingsclear.
 Third day—In the upper part of the Parish of Queensbury.
 Fourth day—In the upper part of the Parish of Southampton.
 Fifth day—On the Keswick Ridge in the Parish of Douglas.
 Sixth day—On the Nashwaak in the Parish of Saint Mary's.
 Seventh and eighth days—At the County Court House in the Shire Town.

Westmorland.

IN THE COUNTY OF WESTMORLAND.

First day—At the Court House in the Shire Town.
 Second day—(Allowing one week day to intervene) At or near William Hamilton's in Hopewell.
 Third day—In Moncton near the Bend of Peticodiac River.
 Fourth day—In Barachois Settlement in Shediac Parish.
 Fifth day—At Bay Verte.
 Sixth day—In the upper part of Sackville Parish.
 Seventh and eighth days—At the Court House in the Shire Town.

Kent.

IN THE COUNTY OF KENT.

First day—At the Court House in the Shire Town.
 Second day—At or near the Ferry over the Great Buctouche River.
 Third and fourth days—At or near the Ferry over Cocagne River.
 Fifth day—At Kichibouguac near Raymond's mills.
 Sixth, seventh and eighth days—At the Court House in the Shire Town.

City of Saint John.

IN AND FOR THE CITY OF SAINT JOHN.

First and second days—At the Court House in the said City.
 Third day—In Carleton.
 Fourth, fifth, sixth, seventh and eighth days—At the Court House in the said City.

County of Saint John.

IN AND FOR THE COUNTY OF SAINT JOHN.

First and second days—At the Court House in the City of Saint John.
 Third day—In Carleton.
 Fourth day—At Loch Lomond.
 Fifth day—At Quaco.
 Sixth day—(Allowing one week day to intervene) At the Court House in the said City.
 Seventh and eighth days—At the same place.

Sunbury.

IN AND FOR THE COUNTY OF SUNBURY.

First and second days—At the Court House in Burton.
 Third day—At or near Tilley's in Sheffield.
 Fourth day—At or near Thomas Hartt's on the north branch of the Oromocto.
 Fifth, sixth, seventh and eighth days—At the Court House in Burton.

King's County.

IN AND FOR KING'S COUNTY.

First day—At the Court House in Kingston.
 Second day—At or near Harding's in the Parish of Westfield.
 Third day—At or near Gillis' in the Parish of Springfield.
 Fourth day—At or near Roache's in the Parish of Sussex.
 Fifth day—At or near DeBop's in the Parish of Upham.
 Sixth day—At or near Hampton Ferry.
 Seventh and eighth days—At the Court House in Kingston.

IN

IN AND FOR THE COUNTY OF CHARLOTTE.

Charlotte.

- First day—At the Court House in Saint Andrews.
- Second day—At or near the Head of Oak Bay in the Parish of Saint David's.
- Third day—In the Parish of Saint Stephen's.
- Fourth day—(Allowing one week day to intervene) At or near Digdeguash mills in the Parish of Saint Patrick.
- Fifth and sixth days—At or near the Lower Falls in the Parish of Saint George.
- Seventh and eighth days—At the Court House in Saint Andrew's.

IN QUEEN'S COUNTY.

Queen's County.

- First day—At the Court House in Gagetown.
- Second day—At or near White's Point on the Grand Lake.
- Third day—At or near O'Leary's, mouth of Salmon River.
- Fourth day—At or near White's Point on the Washademoak.
- Fifth day—At or near Robert Golding's, Parish of Wickham.
- Sixth day—At the half way House, Nerepis Road.
- Seventh and eighth days—At the County Court House in Gagetown.

IN AND FOR THE COUNTY OF GLOUCESTER.

Gloucester.

- First day—At the Court House in Bathurst.
- Second and third days—(Allowing one week day to intervene) At or near the French Chapel at Carraquet.
- Fourth and fifth days—(Allowing two week days to intervene) In the Town of Dalhousie.
- Seventh and eighth days—(Allowing one week day to intervene) At the Court House in Bathurst.

IN AND FOR THE COUNTY OF NORTHUMBERLAND.

Northumberland.

- First day—At the Court House in Shire Town.
- Second day—At Lower Negowack.
- Third day—(Allowing one week day to intervene) At Bay du Vin at or near Williston Settlement.
- Fourth day—At the town of Chatham.
- Fifth day—At or near Cuppage and White's in Northesk.
- Sixth day—At or near Bartholomew's River in the Parish of Blackville.
- Seventh day—At or near Robert Doak's present residence in the upper part of the Parish of Blissfield.
- Eighth day—(Allowing one week day to intervene) At the Court House in the Shire Town.

IN AND FOR THE COUNTY OF CARLETON.

Carleton.

- First day—At the Court House in the Shire Town.
- Second day—At or near Becaguimick in the Parish of Brighton.
- Third day—At or near Munquat in the Parish of Kent.
- Fourth day—At or near Everitt's in the Parish of Andover.
- Fifth day—(Allowing one week day to intervene) At or near Thibideau's near Green River in the Parish of Madawaska.
- Sixth day—(Allowing two week days to intervene) At the Court House in the Shire Town.
- Seventh and eighth days—At the same place.

IV. And be it enacted, That when any new County shall be erected in this Province, either wholly or in part from any of the said Counties, the election for such new County shall be held at the Shire Town during the whole number of polling

The elections for new Counties to be held at the Shire Towns, and polling places before specified falling

within the new County to cease to be such.

polling days, until otherwise provided for by law; and if any of the places hereinbefore established for taking the poll, should happen to fall within the limits of such new County, the same shall cease to be places for such polling, and the poll instead thereof shall be held in the Shire Town of the County for which such days and places were originally fixed: Provided always, that when any such polling days revert to the Shire Town in manner aforesaid, the same shall be held from day to day without any week day intervening.

Sheriff may close the poll after one hour's notice, on all opposition being withdrawn by Candidates.

V. Provided always and be it enacted, That if at any time in the course of holding such poll, all opposition should be withdrawn by consent or resignation of Candidates, then the said Sheriff shall and may finally close such poll, after giving one hour's public notice or proclamation thereof.

Suspending clause.

VI. And be it enacted, That this Act shall not come into force or effect until His Majesty's Royal approbation be thereunto had and declared.

[This Act was specially confirmed, ratified, and finally enacted by an Order of the Queen in Council, dated 20th day of December, 1837, and published and declared in the Province on the 20th day of June, 1838.]

CAP. LVI.

An Act for continuing the General Assembly in this Province, in case of the demise of the Crown.

Passed 1st March 1837.

Preamble.

WHEREAS some inconvenience might arise, if the General Assembly of this Province should be dissolved by the death or demise of the King, (whom may God long preserve,) or by the death or demise of any of His Majesty's Heirs and Successors; for remedy thereof,

General Assembly to continue for six months, notwithstanding the death of the King, or of His heirs or successors.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the General Assembly or any other General Assembly of this Province, which shall have been summoned and called by our present Sovereign Lord King William, or His Heirs and Successors, shall not determine or be dissolved by the death or demise of His said Majesty, His Heirs and Successors, but such General Assembly shall, and it is hereby enacted to continue, and may meet, convene and sit, proceed and act, for the period of six months, notwithstanding such death or demise, in the same manner as if such death or demise had not happened: Provided always, and it is hereby enacted, that nothing in this Act contained shall extend or be construed to extend to alter or abridge the power of the King, His Heirs and Successors, to prorogue or dissolve the General Assembly of this Province: Provided that nothing in this Act contained, shall be of any force or effect, until His Majesty's pleasure therein shall be had and declared.

Act not to abridge the power of dissolving.

Suspending clause.

[This Act was specially confirmed, ratified, and finally enacted by an Order of the Queen in Council, dated 20th day of December, 1837, and published and declared in the Province on the 20th day of June, 1838.]

A. D. 1836-7.

7^o GULIELMI IV.

C. 57.

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CAP. LVII.

Repealed by 18th Dec 1894

An Act to erect part of the County of Gloucester into a separate and distinct County.

Passed 1st March 1837.

WHEREAS from the great extent of the present County of Gloucester, it is necessary and expedient that the same be divided into two Counties; Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the said County of Gloucester, which lies to the northward and westward, and is included within the line drawn due south, from the mouth of Belldune River until it strikes the line dividing the Parishes of Beresford and Bathurst in the said County, thence westerly by the line dividing the Counties of Northumberland and Gloucester until it strikes the line dividing the County of Carleton from the present County of Gloucester, thence by said line a northerly course until it strikes the line of the Province of Lower Canada, be, and the same is hereby erected into a County, separate and distinct from the said County of Gloucester, to be called and known by the name of the *County of Restigouche*; and that part of the present County of Gloucester, not included within the limits of the said new County above described, shall henceforth comprise the County of Gloucester. County of Gloucester divided, and County of Restigouche erected.

II. And be it further enacted, That the like Courts of Justice shall be erected and established, and the like Justices and other officers be constituted and appointed in the said new County, as are now erected and established, constituted and appointed in the said County of Gloucester, and with the like powers and authorities. Establishment of Courts of Justice, Justices and other officers in the new County.

III. And be it further enacted, That the Courts of General Session of the Peace and Inferior Courts of Common Pleas shall be holden in the Shire Town of the said new County twice in every year at the times following: (that is to say,) on the first Tuesday in January and second Tuesday in July, and continue until the business shall be finished, not exceeding five days; and that two additional Terms of the said Inferior Courts of Common Pleas for the said County shall be holden as follows, (that is to say,) on the second Tuesdays in April and second Tuesdays in October, and continue until the business be finished, not exceeding five days, at which additional Terms no Jury shall be summoned. Terms of the Court of Sessions and Common Pleas.

IV. And be it further enacted, That the Town of Dalhousie, in the said County of Restigouche, shall be for ever hereafter the Shire Town of the said County, and that a Court House and a Gaol shall be erected in the said Shire Town, in like manner and by such and the like ways and means as such buildings have been or may be erected in other Counties in the Province, and in such place within the said Shire Town as the Lieutenant Governor or Commander in Chief for the time being shall direct, and that all the Public Offices in the said new County shall be kept at the places so to be directed and determined upon by the said Lieutenant Governor or Commander in Chief for the time being. Dalhousie to be the Shire Town. Court House, Gaol, and public offices to be erected there.

V. And be it further enacted, That in the said Shire Town shall be erected and established a Registry of Deeds, Conveyances, Wills, Mortgages, Memorials of Judgments or Recognisances for the said County, to be managed and executed by a Register, to be constituted in like manner, and under and subject in all respects to the like laws, rules and regulations as any other Registry in any other County of the Province; and that all Deeds, Conveyances, Wills, Mortgages, Memorials of Judgment or Recognisances, which may affect any Lands, Tenements, or Hereditaments in the said County, shall be entered and registered at full length in the said Registry of Deeds to be established.

said Registry, provided the same Deeds or other documents have not been before registered in the said County of Gloucester.

Parishes of Gloucester comprised in the new County to be the Parishes of the new County.

VI. And be it further enacted, That the several Parishes of the said County of Gloucester, in whole or in part comprised within the said new County, shall continue by their respective names to be the Parishes of the said new County, until altered by the General Assembly, and that the Town or Parish officers to be hereafter annually appointed for the said new County, shall in all respects possess the same powers as the like officers in any other County: Provided always, that the powers and authorities of the present or any other officers appointed or to be appointed by the Court of General Sessions of the Peace for the said County of Gloucester, shall continue until after the first General Session of the Peace shall be holden in and for the said new County.

Actions in Common Pleas brought before the commencement of this Act, to be determined in Gloucester.

VII. And be it further enacted, That all actions now depending, or which hereafter may be brought in the Inferior Court of Common Pleas for the said County of Gloucester, and all writs or processes which may or shall be issued and delivered to the Sheriff of the County of Gloucester before this Act shall go into operation, shall be there proceeded in and finally determined, although the parties may reside, or the causes of action may have arisen in the said new County; and that all rates and assessments which have been or which hereafter may be made on the Inhabitants of that part of the said County of Gloucester hereby erected into a separate County, before the commencement of the operation of this Act, shall be proceeded in and collected, and paid and the accounts finally settled, as if this Act had not been made: any thing herein contained to the contrary notwithstanding; Provided always, that no assessment shall be made upon the Inhabitants of the said new County for the purpose of erecting a Court House, Gaol, or other public buildings within the said County of Gloucester.

Assessments made to be proceeded in.

New County to send one Member to the General Assembly.

VIII. And be it further enacted, That the said new County shall be entitled to send one Member to serve in the General Assembly of this Province, to be elected by the Freeholders, in like manner, and subject to the like laws, rules and regulations under which other Members are elected in any other County, and that all such Freeholders whose Title Deeds may have been registered in the County of Gloucester before this Act shall go into operation, shall be entitled to vote without having their Deeds registered anew in the said new County.

Intention of the Legislature to 24th 5th 1838

When new County to be considered as erected.

IX. And be it further enacted, That the said new County shall not be deemed to be erected and established until the commissions shall be issued for erecting the said Courts of Justice and appointing the several Justices and other officers for the said new County, and the same shall be notified by proclamation of the Lieutenant Governor or Commander in Chief for the time being: Provided always, that this Act shall not be in force until His Majesty's royal approbation be thereunto had and declared.

Suspending clause.

[This Act was specially confirmed, ratified, and finally enacted by an Order of the Queen in Council, dated 20th day of December, 1837, and published and declared in the Province on the 20th day of June, 1838.]



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